



**HALL COUNTY BOARD OF COMMISSIONERS  
MEETING MINUTES  
Hall County Government Center 2<sup>nd</sup> Floor  
2875 Browns Bridge Road  
Gainesville, GA 30504**

**Streamed Live on Hall County Government's Website - [www.hallcounty.org](http://www.hallcounty.org)  
Thursday, November 17, 2022 - 06:00 PM**

**Call to Order**

Chairman Higgins at 6:01 p.m.

**Present:**

Chairman Richard Higgins, Vice-Chairman Kathy Cooper and Commissioners Billy Powell, Shelly Echols, and Jeff Stowe

Also present were County Administrator Jock Connell, Assistant County Administrator Zach Propes, Deputy Commission Clerk Abril Olivas, County Attorney Van Stephens, and Deputy County Attorney William Linkous III

**Approve Agenda**

Commissioner Powell/Commissioner Cooper — approve — unanimous

**Invocation**

- 1 Chairman Richard Higgins

**Pledge**

- 2 Commissioner Billy Powell

**Public Comments**

There were no comments from the public.

**Proclamation/s**

- 3 Approve the Proclamation recognizing Harvey Marlow's retirement after 30 years of service to Hall County, Georgia.

Commissioner Echols/Commissioner Powell — approve — unanimous

- 4 Approve the Proclamation recognizing Michael Ledford's retirement after 33 years of service to Hall County, Georgia.

Commissioner Stowe presented Mr. Ledford with a Proclamation

Commissioner Stowe/Commissioner Echols — approve — unanimous

- 5 Approve the Proclamation recognizing November 1, 2022 as National Family Literacy Day.

Commissioner Powell presented Carolyn Launer and Penny Walker of the Colonel William Candler Chapter NSDAR with a Proclamation.

Commissioner Powell/Commissioner Stowe — approve — unanimous

- 6 Approve the Proclamation recognizing November 2022 as National American Indian Heritage Month.

Commissioner Powell presented Carolyn Launer and Penny Walker of the Colonel William Candler Chapter NSDAR with a Proclamation.

Commissioner Powell/Commissioner Stowe — approve — unanimous

### **Consent Agenda**

Commissioner Stowe/Commissioner Powell — approve — unanimous

- 7 Approve the November 14, 2022 Work Session Minutes.
- 8 Approve the November 9, 2022 Voting Meeting Minutes.
- 9 Approve the November 9, 2022 Executive Session Minutes.
- 10 Approve the November 9, 2022 Meeting Minutes.
- 11 Approve the Letter of Intent and subsequent contract to purchase digital orthophotography as part of the 2023 GMRC Orthoimagery and LiDAR Project for Planning and Development from Georgia Mountains Regional Commission (GMRC) of Gainesville, GA, in the amount of \$110,565.00.
- 12 Approve the purchase of Commercial & Industrial Appraisal Cost Tables to be updated for Tax Year 2023 for the Tax Assessor's Office to Georgia Mass Appraisal Solutions and Services, Inc. (GMASS, Inc) of Norwood, GA, in the amount of \$50,000.00.

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

Randi Doveton, Director of Planning and Development, addressed the Board.

- 13 Application of Scott Puckett, Inc to rezone from Agricultural Residential-III (AR-III) to Planned Residential Development (PRD) on a 115.98± acre tract located on the south side of Friendship Circle at its intersection with Friendship Place; a. k. a. 3746, 3760, & 3774 Friendship Circle & 3654 Friendship Road; Zoned AR-III; Tax Parcel 15048 000007, 000008, 000025C, & 000204. Proposed Use: 349 unit residential development. Commission District 1.

Mr. Linkous introduced the item. Ms. Doveton discussed the item. Mr. Linkous conducted the Public Hearing.

The following people addressed the Board:

Favor:

- Tyler Smith, 340 Jesse Jewell Parkway, Gainesville

Commissioner Cooper/Commissioner Stowe — approve with the twelve (12) conditions listed below — unanimous

Conditions:

1. The development shall occur as depicted on the site plan and described in the project narrative, per all conditions stated below. The Planning Director can approve any necessary changes provided:
  - a. No increase in overall density greater than 3.0 units per acre;
  - b. No decreased minimum lot area or width;
  - c. No decrease in minimum building setbacks;
  - d. No decrease in buffers.
  - e. In geological or topographical constrains identified during development or engineering plans.
2. The developer shall be responsible for the cost of any improvements identified by the traffic study, and/or required by Hall County Engineer or the Georgia Department of Transportation.
3. The proposed residential development shall conform to §17.180.060 Planned Residential Development (PRD) standards. No variances are granted as part of this request, unless specifically identified during the motion.
4. The proposed residential development shall confirm to §16.60.
  - a. All site plans shall indicate that the distance from the rear of the sidewalk to the garage meets or exceeds a minimum of 22 feet.
  - b. Open Space: minimum of 30%.
  - c. The Open Space and lot configuration shall be redesigned to meet §17.430.110.E and §17.430.110.F, including the requirement that "F. The open space shall be directly accessible to the largest practicable number of lots within the subdivision. Non-adjointing lots shall be provided with safe, convenient access to the open space." The redesigned lot layout shall be approved by the Planning Director prior to submission of the application for a Preliminary Plat/LDP application.
  - d. Buffers: A minimum 50 undisturbed buffer shall be retained around the perimeter except along the rights-of-way of Friendship Circle and Friendship Rd. These shall have a 25 feet landscaped buffer which, will provide dense screening of the development. The landscape plan shall be approved by the Planning Director prior to the issuance of the LDP.
  - e. 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.
5. A homeowners association shall be required to maintain the common ownership elements of the development.
6. The proposed Stormwater BMP (pond) shall be a part of the open space and shall be provided a county approved maintenance access.
7. Encroachment of state waters and stream buffers shall be allowed on individual lots, however encroachment into any of the 50 to 75 foot buffered area located on individual lots shall not be allowed, including any fencing, patios, and construction improvements.
8. 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."

9. All conditions of zoning shall be made part of any plats created for the property.
  10. This approval shall be valid for 12 months after sewage is available to this property.
  11. Along the easement entrance there shall be a 50 foot planted vegetated buffer on both sides.
  12. A hog wire fence shall be installed along the left property line which joins Nancy Johnson's property.
- 14 Application of Phillip Edwards, Chad & Clint Shoaf to rezone from Residential-I (R-I) to Planned Commercial Development (PCD) on a 3.54± acre tract located on the north side of Mountain View Road at its intersection with Old Oakwood Road; a.k.a. 2928 Mountain View Road; Zoned R-I; Tax Parcel 08012 003006S. Proposed Use: self-storage warehouses. Commission District 4.

Mr. Linkous introduced the item. Ms. Doveton discussed the item. Mr. Linkous conducted the Public Hearing.

The following people addressed the Board:

Favor:

- Phillip Edwards, 1280 Lakewood Court, Athens
- Dillon Lee

Commissioner Stowe/Commissioner Powell — approve with the eleven (11) conditions listed below — unanimous

Conditions:

1. There shall be coordination with Georgia Power for a fence with a gate lock along the power easement.
2. The placement and design of the buffers shall be approved by the Planning Director on a revised site plan prior to submission to Development Review. All lots facing the power easement shall have heavily vegetated tall evergreens installed.
3. Before a building permit is issued, the proposed architectural plans shall receive approval from the Hall County Planning Director.
4. Driveway design and placement are subject to approval by Hall County Traffic Engineering.
5. The following uses shall be prohibited: adult entertainment establishments, junk yards, and billboard signs.
6. Georgia Power shall approve the commercial site plan prior to the Land Disturbance Permit being issued.
7. All exterior lighting shall be full cutoff down lights.
8. The development shall be in conformity with all Hall County ordinances at the time of submission for development review, including the tree protection ordinance.
9. Hours of operation shall only be between 5am to 11pm.
10. There shall be a brick and mortar sign at the front.
11. Buildings A and B facing Mountain View Road shall have a minimum of 36 inch water table with hardy plank siding.

- 15 Application of Ridgeline Land Planning, Inc. for a front yard setback variance subject to County Commission approval from 30 feet to 15 feet on a .61± acre tract located at the terminus of River Station Drive; a.k.a. 6595 River Station Drive; Zoned PRD; Tax Parcel 09079C000036. Proposed Use: single family dwelling. Commission District 3.

Mr. Linkous introduced the item. Ms. Doveton discussed the item. Mr. Linkous conducted the Public Hearing.

The following people addressed the Board:

Favor:

- Holt Persinger, 196 Belaire Court, Winder  
Commissioner Echols/Commissioner Stowe — approve with the two (2) conditions listed below — unanimous

Conditions:

1. The Board grants a variance for lot 36 of Magnolia Station Phase 2 to vary the front yard setback from 30 feet to 15 feet in a Planned Residential Development.
2. In accordance with the PRD ordinance section 17.180.060.B.10: Footing inspections. At the time of footing inspection, the contractor shall provide the county building official with a certificate from a licensed surveyor certifying building setbacks for all corners of the structure being inspected.

- 16 Application of Ridgeline Land Planning, Inc. for a front yard setback variance subject to County Commission approval from 30 feet to 15 feet on a .51± acre tract located at the terminus of River Station Drive; a.k.a. 6599 River Station Drive; Zoned PRD; Tax Parcel 09079C000035. Proposed Use: single family dwelling. Commission District 3.

Mr. Linkous introduced the item. Ms. Doveton discussed the item. Mr. Linkous conducted the Public Hearing.

The following people addressed the Board:

Favor:

- Holt Persinger, 196 Belaire Court, Winder  
Commissioner Echols/Commissioner Stowe — approve with the two (2) conditions listed below — unanimous

Conditions:

1. The Board grants a variance for lot 35 of Magnolia Station Phase 2 to vary the front yard setback from 30 feet to 15 feet in a Planned Residential Development.
2. In accordance with the PRD ordinance section 17.180.060.B.10: Footing inspections. At the time of footing inspection, the contractor shall provide the county building official with a certificate from a licensed surveyor certifying building setbacks for all corners of the structure being inspected.

- 17 Application of Atlas Development Services, Inc. to rezone from Agricultural Residential-IV (AR-IV) to Planned Residential Development (PRD) on a 19.21± acre tract located at the intersection of Old Winder Highway and Union Church Road; a.k.a. 5540, 5548, 5556, 5564, 5572, & 5580 Old Winder Highway & 5925, 5919, 5911, & 5901 Union Church Road; Zoned AR-IV; Tax Parcel 15039A000018 — 000023 & 000025 — 000028. Proposed Use: 135 unit single-family townhomes. Commission District 1.

Commissioner Cooper recused herself.

Mr. Linkous introduced the item. Ms. Doveton discussed the item. Mr. Linkous conducted the Public Hearing.

The following people addressed the Board:

Favor:

- Steve Gilliam, 340 Jesse Jewell, Suite 300, Gainesville
  - Cameron Henderson, 14 West Main Street, Suite C, Buford
- Commissioner Powell/Commissioner Stowe — approve with the twenty-four (24) conditions listed below — Vote 4 to 0

Commissioner Cooper — recused

Commissioner Powell — aye

Chairman Higgins — aye

Commissioner Echols — aye

Commissioner Stowe — aye

Motion passed.

Conditions:

1. All streets shall be built to Hall County Public Streets standards as indicated on the site plan presented at the meeting. No Variances to Public Street design standards in Articles 16, Subdivisions, and the parking requirements in Article 17. No on street parking shall be allowed.
2. Front setbacks for each townhome unit shall be a minimum of 22 feet from back of sidewalk; 0 feet side internal setback; minimum 10 foot building separation (unless greater spacing is required by the Building or Fire code); and 20 foot rear setbacks on internal lots. The setbacks for each building shall be determined and approved on the Preliminary Plat.
3. There shall only be no more than 61 units of 20 foot lots within the approval of 135 units.
4. Development standards shall meet or exceed the following:
  - a. Site area - 19.2 Acres
  - b. Recorded plat-units - 135
  - c. Proposed density - 7.03 UPA
  - d. Water and sewer - Gainesville City Water and Hall County Sewer
  - e. Required open space to meet requirements of sections §17.430.100 through §17.430.150 - 30%
  - f. Sidewalks-both side of road-internal Only - 5 ft.

- g. Streets - Public
  - h. Minimum lot width lot width at building line - 20 ft.
  - i. Minimum lot depth - 80 FT.
  - j. Minimum lot size - 1,600 SF
  - k. Front setback (from back of sidewalk-all proposed units are front load garages, not rear load) - 22 FT.
  - l. Internal side setback - 0 FT.
  - m. Maximum building height - 35 FT.
  - n. Side separation-roof overhang to roof overhang - 10 FT.
  - o. Garage % of front facade - 70%
  - p. Minimum heated floor area - 1,400 SQ. FT.
  - q. Exterior buffer - 50 FT.
5. The development shall meet all required Fire Codes (IFC) including, but not limited to the following:
- a. IFC Section D107, Developments of one or two family dwellings where the number of dwelling units exceeds 120 shall be provided with two separate and approved fire apparatus access roads. Note: exceptions to this code are found in IFC Appendix D 107.1
  - b. IFC Section 507: All buildings must be with in the 400' hose lay distance requirements from a fire hydrant as the truck travels.
  - c. A Complete set of engineered civil plans will have to submit for review and approval by the Hall County Fire Marshal's Office.
6. All parking indicated shall be Off Street parking in accordance with section 17.180.060.B.11.d: Parking shall conform to requirements specified in chapter 17.250, in addition to any parking and loading requirements or accessibility guidelines pertaining to the Americans with Disabilities Act. On-street parking is prohibited in all planned residential developments. Off-street parking areas that make it necessary for vehicles to back out directly into a public road, street, or highway are prohibited in all planned residential developments
7. No vinyl fencing shall be permitted on the site, except around stormwater facilities if requested by the Public Works Department.
8. The sanitary sewer connection point shall be identified prior to submission of the LDP. The LDP/ Preliminary Plat submission shall include a full design for any sewer line extensions.
9. Any easements across private property or permits needed to place sewer lines in a ROW shall be obtained prior to submission of the LDP/Preliminary Plat.
10. The recommendations of the traffic study (dated September 9, 2022 by Southeastern Engineering, Inc.), subject to the review and approval of both Hall County Traffic Engineering and the Georgia Department of Transportation shall be implemented. Any cost associated with these improvements shall be the responsibility of the developer.
11. Two Model Home Building Permits will be permitted.
12. The proposed development must provide curbing, gutters, and minimum 5-foot-wide sidewalks along the full length of the subject property against Old Winder Highway, if determined to be feasible by the Hall County Planning Director and Hall County Public Works Director.
13. No land disturbance permit shall be issued until the new combination plat is formally recorded with Hall County Clerk of Court.
14. Per §17.180.060.B.8, the development shall conform to all open space requirements of sections §17.430.100 through §17.430.150. Prior to submission of the LDP/ Preliminary Plat for review, a revised Open Space plan shall be submitted for review and approval by the

Planning Director. This may include modification of street and lot layouts to comply with the Open Space design standards.

15. All conditions of zoning shall be made part of any plats created for the property.
16. Architectural standards: All facades of all residences shall be finished with masonry (brick or stone), wood, or fiber cement / Hardi-plank type siding. The front facades shall be 100% masonry as depicted on the architectural elevations submitted with the application package.
17. Garage doors shall not exceed 70% of front facade.
18. Driveways shall be at least 22 feet in length, as measured from behind the edge of the sidewalk to the garage and all driveways shall be the width of the 2 (two) car garage product.
19. A minimum 50-foot planted buffer shall be established along the perimeter of the property adjacent to residential and/or non-residential zoning districts to ensure that the planned development is appropriately screened. The planted buffers shall conform to the requirements described in section 17.260.020 titled Vegetation Buffers and Vision Clearance. This shall cover the road frontage along Union Church Road.
20. Except for approved road connections, a 5' Non-Access Easement shall be indicated on the plat for access to Old Winder Highway and Union Church Road.
21. A property maintenance association is required to maintain common ownership elements of the development. Draft HOA documents shall be submitted with the LDP/Preliminary Plat submission for review to ensure compliance with the conditions of zoning and review for any inconsistencies with County ordinances. This is required by §16.30.120 Contents of preliminary plat application.
22. The amenity package shall be completed before the building permits are granted for the fifth building.
23. There shall only be up to one construction trailer issued on site after LDP.
24. Referencing condition 22, the development can remove the swimming pool as an amenity.

### **County Administrator**

Mr. Connell addressed the Board. He stated that Hall County Offices would be closed on Thursday, November 24, and Friday, November 25, in observance of the Thanksgiving Holiday.

### **Commission Time**

The Commissioners did not have any items to report.

### **Adjourn**

Commissioner Powell/Commissioner Stowe — adjourn at 7:03 p.m. — unanimous