



AGENDA ITEM

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

REPORT TO: Work Session (12/11/23)

REPORT TO: Voting Meeting (12/14/23)

ITEM NO: 681/2023

SUBJECT: **6086 Atlanta Highway | Rezone** | from Agricultural Residential III (AR-III) to Highway Business (H-B) | on a 0.53± acre parcel located on the north east side of Atlanta Highway, approximately 382 feet from its intersection with Mount Salem Circle | Zoned AR-III (GCOD), Tax Parcel 08139 003001 | **Proposed Use: permitted uses within Highway Business (H-B)** | Commission District 1 | **Daniel Perdomo, applicant.**

Meetings:

Work Session Date: 12/11/23

Voting Meeting Date: 12/14/23

Executive Summary:

Presenter: RD

Recommendation:
Approval.

Conditions:

1. Prior to the issuance of a building permit, the property shall be brought into compliance with the non-residential design standards of the Gateway Corridors Overlay District ([17.420.050](#)) excluding the existing structure which may be exempt from [17.420.050.H](#). - Architectural standards for non-residential buildings. Any new structure erecting on the subject lot must meet the standards of [17.420.050.H](#). - Architectural standards for non-residential buildings.
2. The existing structure must be brought into compliance with commercial building code standards prior to the issuance of a commercial occupancy.
3. The commercial driveway shall be permitted by GDOT. All required improvements shall be at the developer's cost.
4. The property shall be utilized as described in the Letter of Intent dated September 14, 2023 or as any other permissible use within the Highway Business (H-B, [17.150](#)) district with the following uses prohibited: bus stations, drive-in theaters, hotels, motels, parks for leisure and scenic appeal, restaurant, subdivision, family day care, group day care, construction trailer, adult establishments. Uses which require Planning Commission or County Commission approval shall apply for a conditional use approval as required by the Zoning Ordinance.
5. No variances have been granted to the development standards of the Zoning Ordinance other than those shown of the site plan dated September 14, 2023 which includes the location of the existing one story structure. If the current request is approved, the applicant shall be required to seek a variance to allow the encroachment into the 20-foot right side yard setback.

Purpose of Request:

History:

6086 Atlanta Highway | Rezone | from Agricultural Residential III (AR-III) to Highway Business (H-B) | on a 0.53± acre parcel located on the north east side of Atlanta Highway, approximately 382 feet from its intersection with Mount Salem Circle | Zoned AR-III (GCOD), Tax Parcel: 08139 003001 | **Proposed Use: permitted uses within Highway Business (H-B)** | Commission District 1 | **Daniel Perdomo, applicant.**

Facts and Issues:

Options:

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

Approvals:

Submit	Approve	Attorney	Administration
AD	RD	WLI	CR
Clerk			
JR			

Attachments:

- Board Memo
- Recommendation Report
- Application
- Narrative
- Site Plan
- Maps
- Existing Conditions
- Environmental Health Comments
- GDOT Comments
- Public Works Comments
- Fire Comments
- Notice Sign Photos