



# Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE  
PLANNING AND DEVELOPMENT

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**To:** Richard Higgins, Chairman  
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Billy Powell, District 2 Commissioner  
Gregg Poole, District 3 Commissioner  
Jeff Stowe, District 4 Commissioner

**From:** Randi Doveton, Director of Planning & Development

**Date:** December 26, 2023

**Subject:** **3955 & 4035 Leach Road | Rezone** | from Agricultural Residential III (AR-III) and Residential I (R-I) to Planned Residential Development (PRD) | on a combined 174.44± acres | **Proposed use: 307-lot detached single-family development | Shadow Stone Partners, LLC, applicant.**

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The request before you is the request of Shadow Stone Partners, LLC to Rezone from Agricultural Residential III (AR-III) and Residential I (R-I) to Planned Residential Development (PRD) to allow a 307-lot detached single-family development. This item is located within Commission District 2.

At their November 20, 2023 meeting, the Hall County Planning Commission voted to recommend approval with fourteen (14) conditions **(5-0)**.

There was **one (1) public comment submitted** in advance of the Planning Commission meeting, **one (1) person spoke in favor, and seven (7) people spoke in opposition during the public hearing.**

There have been no changes to the request since the Planning Commission took action.

#### **Planning Commission Conditions:**

1. Development is approved with a maximum density limited to 1.76 dwelling units per acre and as described in the project narrative, modified as necessary for compliance with development standards enforced at the time of site plan approval. The total number of lots in all phases shall not exceed 307. Minor changes can be approved by the Planning Director of Community Development and Infrastructure, or their designee 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. Standard Hall County Development Review and permitting processes shall be followed. Approval of this request does not supersede

- development standards, or processes, in effect when the plans are submitted for review. Such standards include, but are not limited to, stormwater management and emergency access requirements.
3. The minimum heated floor area (HFA) shall be 1,900 square feet. Building elevations shall be composed of a mixture of cement siding, stone, and/or brick façade, with a minimum of brick or stone accents on the front of the homes. The balance of the home may be the same material or of fiber-cement material. Vinyl siding is prohibited. Final review and approval is subject to the Director of Community Development and Infrastructure, or their designee.
  4. All lots shall access internal subdivision roads only. No lot shall have direct access to Leach Road, with the exception of lots designated as amenity site, drip fields, and open space.
  5. Each phase of the development shall meet minimum access requirements, subject to review and approval by the Hall County Fire Marshals.
  6. An access easement at a minimum of 10 feet in width shall be reserved for off-street pedestrian, bicycle, or similar modes of transportation to accommodate connectivity between the phases. Access easements are required to be recorded prior to the sale of any home sites adjacent to the proposed points of access. Prior to the sale of any home sites in the project, it shall be clearly stated the intent to make the connection so potential buyers are made aware. The easement shall be owned and maintained by the Developer and then transferred to the HOA once one is established.
  7. The recommendations of the traffic study conducted by Southeastern Engineering in August of 2023 shall be implemented as part of the development process. These improvements include those listed as the proposed driveway intersection improvements for Driveways A, B, and C as described in the application materials. All improvements shall be at the Developer's cost.
  8. The development shall be limited to a maximum of three (3) model homes per phase prior to approval and recording of the final plat.
  9. All amenities described in the submitted letter of intent are to be constructed within the development. The main amenity area shall be constructed before the final certificate of occupancy in the first phase is issued. Each phase is required to internally feature at least one of the following amenities, which shall be installed before 50% of the certificates of occupancy are issued for each respective phase:
    - a. Playground
    - b. Pocket Park
    - c. Walking trail/path connective to the rest of the development, separate from the five-foot sidewalk required adjacent to internal streets ([17.180.060\(B\)\(7\)](#)).
  10. The 25-foot and 50-foot undisturbed stream buffers must be fully maintained on HOA common space and shall not encroach onto any individual residential building lot. However, individual residential lots

may include the 75-foot impervious setback limits associated with state waters.

11. All conditions of zoning shall be made a part of any plats or construction plans created for the subdivision.
12. No variances or development exceptions not specifically listed in these conditions of approval are granted. Relief is granted from the following requirement:
  - a. [17.180.060\(B\)](#). Setbacks. The front yard setback may be reduced from 25 feet to 20 feet for single family detached residences per the submitted site plan, no garage shall be closer than 25 feet from the back of sidewalk.
  - b. Density and Minimum Lot Size. The development shall have a maximum density of 1.76 units per acre, and a minimum lot area of 7,200 square foot.
  - c. Garages. The garage of each residence within the development shall not exceed 55% of the front façade of the home. The garage shall not be required to be a recessed design.
  - d. The required 50-foot PRD transitional buffer allow for grading and replanting if needed.
13. Developer/HOA will maintain the Land Application System (LAS) and any conveyances to the Private Wastewater system. Perpendicular crossings within existing right-of-way shall be allowed, where necessary for required road crossings for installation/conveyance purposes. Should any portion of the system encroach into any proposed right-of-way within the development, all proposed rights-of-way within the development shall be privately owned and maintained.
14. 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.”