



Hall County Government

COMMUNITY DEVELOPMENT & INFRASTRUCTURE
PLANNING AND ZONING

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PLANNING AND ZONING
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To: Richard Higgins, Chairman
Kathy Cooper, District 1 Commissioner
Billy Powell, District 2 Commissioner
Gregg Poole, District 3 Commissioner
Jeff Stowe, District 4 Commissioner

From: Beth Garmon, Director of Planning & Zoning

Date: July 22, 2024

Subject: **3969 Bolding Road | Rezone |** from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) | on a 29.65± acre tract | **Proposed Use: 59-lot single-family development | CMWB Company, LLC, applicant**

The request before you is the request of CMWB Company, LLC to rezone from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) to allow a 59-lot single-family development. This item is located within Commission District 1.

At their July 1, 2024 meeting, the Hall County Planning Commission voted to recommend approval with nineteen (19) conditions **(3-2, Pilcher & Varner opposed)**.

Staff recommendation: **Approval, with conditions**, as the development is consistent with the surrounding zoning districts and the “Residential” future land use classification in the Comprehensive Plan.

There was **one (1) comment submitted** in advance of the Planning Commission meeting and **five (5) people spoke in opposition during the public hearing**.

Planning Commission Conditions:

1. The property shall be developed in accordance with the site plan dated June 6, 2024, and as described in the updated project narrative dated June 12, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The development shall be limited to 58 single-family homes.
3. The minimum heated floor area (HFA) of each residence shall be 1,800 square feet.
4. 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. Homes shall be generally consistent with the submitted renderings. Final review and approval of building elevations is subject to the Assistant Director of Planning and Development, or their designee.

5. Front-entry garage orientation may be semi-flush with the front façade, protruding no greater than 20 feet beyond the front façade. Garage door width shall not exceed 56% of the width of the front façade of the residence.
6. All residential driveways shall measure no less than 22 feet from the back of right-of-way to the garage door.
7. The development shall be served by City of Oakwood public sewer and City of Gainesville water. If access to City of Oakwood sewer cannot be obtained, then the developer shall connect to City of Gainesville public sewer. All costs associated with connecting to public sewer shall be at the developer's cost.
8. All existing structures on proposed Tract 1 must be removed from the property prior to any residential building permits being issued.
9. The development shall be limited to a maximum of one (1) model home prior to approval and recording of the final plat. Model home permits may be issued prior to Final Plat recording provided that hard surface (crusher run) access is provided, and fire protection (functioning hydrant) is located within 500 feet of any structure under construction. No certificate of occupancy permits shall be issued prior to Final Plat recording. .
10. A construction trailer may be utilized during construction and shall comply with Section 17.210.020 of the Hall County Code of Ordinances.
11. The "community gathering and greenspace area" along with pedestrian access trail shall be completed prior to 50% of occupancy permits being issued. This community gathering area shall include a picnic pavilion, to be a minimum of 20 feet by 20 feet in size and the design shall be approved by the Director of Planning and Zoning or their designee.
12. All designated open space within the development shall be commonly held and maintained, and shall not be the responsibility of any individual homeowner(s). This common open space ownership shall be included in the deeds created for each lot.
13. All lots shall access internal subdivision roads only. No lot shall have direct access to Bolding Road.
14. Internal roads shall meet Hall County Code of Ordinances Chapter 16 for design. Development access at Bolding Road must meet sight distance requirements and is subject to final review and approval by the Hall County Traffic Engineer.
15. No variances or development exceptions are granted as part of this request that are not explicitly granted by board approval. The development shall be compliant with the Official Code of Hall County.
16. 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.”

17. All conditions of zoning shall be made a part of any plats or construction plans created for the subdivision.
18. There shall be 5 foot sidewalks on both sides of interior roads within the subdivision.
19. There shall be a landscape buffer along the boundary adjacent to the right-of-way of Bolding Road, which spans the frontage between parcels 15036B000037 and 15036B000038B. The landscape buffer shall be a minimum of 20 feet and be planted with 6 foot minimum height trees in order to provide sufficient screening of the development. Final review of the landscape plan shall be subject to the approval of the Director of Planning and Zoning or their designee.