

**HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT**

Applicant Steve Roys

Request Rezone | from Agricultural Residential IV (AR-IV, 17.120) to Planned Residential Development (PRD, 17.180.060)

Proposed Use Staff residence

Size 101.74 ± acres

Zoning Planned Residential Development (PRD, 17.180.060)

Location **7011 & 7051 Pony Lake Road** | Tax Parcels 11101 000003A & 000008

Commission District Three

Planning Commission Date October 7, 2024

Staff Recommendation **Approval, with conditions**, as the proposed changes are consistent with previous approvals.

Record Number..... HZON24-0026

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

Vote: 5-0

Planning Commission Conditions:

1. The property shall be developed in accordance with the site plan dated August 2, 2024, and as described in the project narrative dated August 6, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The camp uses may be expanded to include one full-time staff residence located at 7051 Pony Lake, tax parcel 11101 000008.
3. Any further development shall require an as-built survey of the entire property to be reviewed and approved through Hall County Plat Review.
4. 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, as well as any other agencies or reviewing departments, including, but not limited to the Fire Marshal and Hall County Engineering.

5. 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."
6. All conditions of zoning shall be made a part of any plats or construction plans created for the property.
7. Tax Parcel 11101 000008 (7051 Pony Lake Road) and Tax Parcel 11101 000003A (7011 Pony Lake Road) shall be combined by plat.

Excerpts from the minutes of the October 7, 2024 meeting

Applicant's Presentation:

Kristie Turner, Principal Planner, presented a summary of the request.

Steve Roys, 7021 Pony Lake Road, Dahlonga, presented the request. The applicant is requesting to amend conditions of a Planned Residential Development (PRD, 17.180.060) for the purpose of establishing a staff residence for an existing youth camp at 7051 Pony Lake Road, tax parcel 11101 000008. This property has a concurrent request to rezone to Planned Residential Development (PRD, 17.180.060) (HZON24-0026) for the purpose of adding this parcel into the overall development to be used as a staff residence for the existing camp property.

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 Ms. Pilcher.
Vote: 5-0***

Conditions:

1. The property shall be developed in accordance with the site plan dated August 2, 2024, and as described in the project narrative dated August 6, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The camp uses may be expanded to include one full-time staff residence located at 7051 Pony Lake, tax parcel 11101 000008.

3. Any further development shall require an as-built survey of the entire property to be reviewed and approved through Hall County Plat Review.
4. 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, as well as any other agencies or reviewing departments, including, but not limited to the Fire Marshal and Hall County Engineering.
5. 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.”
6. All conditions of zoning shall be made a part of any plats or construction plans created for the property.
7. Tax Parcel 11101 000008 (7051 Pony Lake Road) and Tax Parcel 11101 000003A (7011 Pony Lake Road) shall be combined by plat.

Staff recommends APPROVAL of the applicant’s request with the following conditions:

1. The property shall be developed in accordance with the site plan dated August 2, 2024, and as described in the project narrative dated August 6, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The camp uses may be expanded to include one full-time staff residence located at 7051 Pony Lake, tax parcel 11101 000008.
3. Any further development shall require an as-built survey of the entire property to be reviewed and approved through Hall County Plat Review.
4. 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, as well as any other agencies or reviewing departments, including, but not limited to the Fire Marshal and Hall County Engineering.
5. 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.”

6. All conditions of zoning shall be made a part of any plats or construction plans created for the property.

Summary Analysis

The applicant is requesting to amend conditions of a Planned Residential Development (PRD, 17.180.060) for the purpose of establishing a staff residence for an existing youth camp at 7051 Pony Lake Road, tax parcel 11101 000008. This property has a concurrent request to rezone to Planned Residential Development (PRD, 17.180.060) (HZON24-0026) for the purpose of adding this parcel into the overall development to be used as a staff residence for the existing camp property.

The property at 7011 Pony Lake Road has been the home of Camp Hope, a Christian youth camp, since 1965. In 1997, the site was rezoned from Agricultural Residential IV (AR-IV, 17.120) to Planned Residential Development (PRD, 17.180.060) to bring the existing youth camp into compliance and allow for the reconstruction of buildings damaged by the 1996 tornado.

Per the submitted narrative, the applicant is requesting to rezone the property at 7051 Pony Lake Road to include the parcel into the Planned Residential Development (PRD, 17.180.060) that encompasses Camp Hope and expand the uses to include a residence for year-round camp staff residence to oversee and manage the camp property.

Per County records, a building permit was recently issued (HCNEW24-0161) for the installation of a manufactured home on the property. According to the site plan, access to this residence will be through Camp Hope.

The subject property is surrounded by multiple parcels zoned Agricultural Residential IV (AR-IV) to the north, east, and south and abuts the Lumpkin County line to the west.

Based on the future land-use plan, staff finds the request *is consistent* with the Comprehensive Plan and future land use designation of Rural Residential. The intent of this character area is to preserve the established residential/ rural character and create a transition between rural areas and development in residential areas. Primary future land uses include low-density detached single-family residential uses and civic benefit uses such as places of worship, schools, community centers and parks.

Zoning Analysis

Per Planning Commission and Hall County Commission consideration and decision (17.380.060), the 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 and development of adjacent and nearby property; **The requested amendment to the development is consistent with the previous approval for the Planned Residential Development on June 26, 1997.**
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **It is not anticipated that the proposed residential use will adversely affect adjacent properties.**
3. Whether the property to be affected by the zoning proposal has reasonable economic use as currently zoned. **Yes, the property has reasonable economic use as currently zoned Planned Residential Development (PRD, 17.180.060).**
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, or utilities; **The camp has been in operation since 1965, and the property was rezoned in June 26, 1997, to bring the existing use into compliance and allow for the reconstruction of buildings damaged by the 1996 tornado. The expansion of services to include a staff residence will not result in an excessive or burdensome use of existing infrastructure.**
5. Whether the zoning proposal is in conformity with the policy and intent of the land use plan; **The zoning designation for the camp has been established by previous board action. The requested modification does not significantly impact the designated future land use of the area.**
6. The extent to which property values are diminished by the existing zoning restrictions; **Staff is unable to determine the extent to which property values are diminished by the existing zoning restrictions.**
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; **Staff is unable to comment on the impact of property values without a full market analysis. Multiple factors impact property value including construction types, proposed uses, and maintenance. Often it is difficult to determine the effect of a development on adjacent properties until the development is completed.**
8. The relative gain to the public as compared to the hardship imposed upon the individual property owner; **Staff has not identified a hardship imposed on the property owner as the property is currently zoned.**
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; **A building permit application for the installation of a manufactured home on the property has been received (HCNEW24-0161) and is pending issuance of the final certificate of occupancy based on the board's final decisions on the conditional use and concurrent rezoning request (HZON24-0026).**
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; **Staff is not aware of any changing conditions that affect the use and development of the**

property. Amending conditions allows the expansion of Camp Hope Planned Residential Development (PRD, 17.180.060) for the purpose of providing additional staff housing.

- 11. Whether the change would create an isolated district unrelated to the surrounding districts; The current request is to amend conditions of an existing Planned Residential Development. Per the Official Code of Hall County, the Planned Development District (17.160) is to be utilized as a "floating zone" which shall mean that areas will not be pre-designated as planned development districts but rather each such designation shall result from a specific and separate application for amendment.**
- 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 recommended amendments to the conditions would not be 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 existing zoning of the subject site supports the proposed use; however, the inclusion of this property into the Camp Hope Planned Residential Development (PRD, 17.180.060) is required to add the use of a staff residence.**
- 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 alternatively as a variance.**
- 16. Whether there would be an ecological or pollution impact resulting from major modifications to the land if the request is granted; 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. 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

- 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. **The proposal meets the requirement. The 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 proposal provides a narrative outlining the intent of the development; however, the applicant has not prepared a response to each of the criteria listed in 17.380.060.C.**
 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. **The proposal meets the requirement.**
- 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 to the applicant's request.**
- 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. **This standard is not applicable to the applicant's request.**

Development Support and Constraints

Hall County Environmental Health

In an email dated September 5, 2024, Emily McGahee stated "Septic Permit OSC-9259 was issued on May 30, 2024 for the proposed structure."

Hall County Fire Marshal

In an email dated August 30, 2024, John Hornick, NPQ Fire Service Plans Examiner 1, Lieutenant stated, "The Hall County Fire Marshal's Office has no comments regarding the proposed single family modular structure to be placed on the campus of Camp Hope to be used as a permanent Care Takers residence."

Hall County Public Works and Utilities

In a memo dated September 6, 2024, Bill Nash, Director of Public Works and Utilities, provided the following comments:

Engineering:

No comment.

Traffic:

No comment.

Utilities:

No comment.

Georgia Department of Transportation

In an email dated September 3, 2024, Veronica Chavers, D1TO Civil Engineer III, stated GDOT coordination is not required.