



Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PLANNING AND DEVELOPMENT

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Gregg Poole, District 3 Commissioner
Jeff Stowe, District 4 Commissioner

From: Beth Garmon, Director of Planning & Zoning

Date: December 3, 2024

Subject: **4610 & 4616 Winder Highway | Amend Conditions of Zoning | on a combined 31.64± acre tract Proposed Use: 88-unit townhome development | Georgia South Development, LLC, applicant**

The request before you is the request of Georgia South Development, LLC to amend conditions of zoning to allow an 88-unit townhome development. This item is located within Commission District 1.

The request was denied by the Board of Commissioners on June 27, 2024; upon appeal by the applicant, the request has been remanded back to the Board of Commissioners by the Hall County Superior Court for further consideration.

At their May 20, 2024 meeting, the Hall County Planning Commission voted to recommend approval with twenty five (25) conditions **(3-2, Varner & Pilcher opposed)**.

Staff recommendation: **Denial**, as the proposal is inconsistent with 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 people (5) spoke in opposition during the public hearing**.

Planning Commission Conditions:

1. The property shall be developed in accordance with the site plan received on May 20, 2024, and as described in the project narrative received on May 17, 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 80 townhome units.
3. The minimum heated floor area (HFA) of each residential unit shall be 1,800 square feet.

4. All front and side facades of each townhome pod shall be composed of brick, stone, or a combination of the two, excluding gables which shall be composed of a masonry product. Vinyl siding is prohibited. Homes shall be 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. All units shall be designed with a two-car garage. Garage doors shall constitute no more than 70 percent of the width of the individual townhouse unit.
6. All residential driveways shall measure no less than 22 feet from the right-of-way to the front of the garage door.
7. The development shall feature internal sidewalks no less than five (5) feet in width constructed on both sides of all internal streets, and shall also connect to the existing sidewalks along Winder Highway.
8. The development shall be served by public sewer, with the obtainment of all required easements and other construction costs such as a lift station and force main to be the responsibility of the developer.
9. The development shall be limited to a maximum of one (1) townhome building 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. There shall be a mandatory Homeowners' Association (HOA).
11. All roadways within the development shall meet all county standards and be developed for public use.
12. All stream buffers must be fully within the Homeowners' Association (HOA) common space and shall not be included on any individual residential building lot.
13. Vehicle parking for guests shall be no less than the 25 spaces and mail kiosk parking shall be no less than 17 spaces as shown on the site plan received May 20, 2024. All roadway design and parking configurations shall meet Hall County Traffic standards.
14. The amenity area shall include guest parking, outdoor pavilion, picnic area, playground and open area (natural) with pedestrian bridge, and a mail kiosk. The amenity area shall be completed by 50% of final buildout.
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. The Open Space and lot configuration shall be designed 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 designed lot layout shall be approved by the Planning Director prior to submission of the application for a Preliminary Plat/ LDP application
19. A minimum 50 foot transitional buffer will be required along all property boundaries, as shown on the site plan received on May 20, 2024. A fence shall be installed along the northern boundary from Winder Highway to the 50 foot stream buffer and then south to the 50-foot stream buffer of the opposite stream running along the southern property line. The fence shall be installed at 6 feet tall and shall be installed 8 feet inside of the transitional buffer into the subdivision. The remaining 42 feet shall be landscaped and shall include vegetation of 6 foot at planting. Along Winder Highway, the 6 feet fence shall be installed on the inside of the 10 feet and the landscaping buffer would be on the roadside. Full landscaped with plan submitted to and approved by the Planning and Development Director. The planted buffers shall conform to the requirements as described in section 17.260.020 Vegetation Buffers and Vision Clearance.
20. The proposed Stormwater BMP (pond) shall be on a separate "utility" lot that is not a part of the open space.
21. The proposed sewer lift station shall be on a separate "utility" lot with design, ownership and access to be determined by Hall County Public Works prior to submission of the Preliminary Plat/LDP application.
22. The development shall be designed so that all state waters and required buffers (50' and 75') do not encroach on any individual townhome lot.
23. Townhome facades shall have a minimum 2-foot offset no less than every 2 units to add to the visual interest of the development.
24. All designated open space within the development shall be commonly held, and not held by any individual homeowner(s).
25. There shall be a 50 foot buffer along the access easement which exists on the subject property from Winder Highway to tax parcel 15037A000002.