



**HALL COUNTY BOARD OF COMMISSIONERS
VOTING MEETING MINUTES**

Hall County Government Center 2nd Floor
2875 Browns Bridge Road
Gainesville, GA 30504

Streamed Live on Hall County Government's Website - www.hallcounty.org
Thursday, December 12, 2024 - 06:00 PM

Call to Order

Chairman Higgins at 6:00 p.m.

Present:

Chairman Richard Higgins, Vice-Chairman Gregg Poole and Commissioners Kathy Cooper, Billy Powell and Jeff Stowe

Also present were County Administrator Zach Propes, Assistant County Administrators Katie Crumley and Casey Ramsey, Commission Clerk Jennifer Rivera, Deputy Commission Clerk Ana Dominguez, County Attorney William Linkous III, and Assistant County Attorney Justin Lawhon

Approve Agenda

Commissioner Powell/Commissioner Stowe — approve — unanimous

Invocation

- 1 Chairman Richard Higgins

Pledge

- 2 Commissioner Jeff Stowe

Public Comments

The following people addressed the Board:

- *Bill Oberholtzer, 3709 Whiting Road, Gainesville*

Proclamation/s

- 3 Approve the ratification of the joint proclamation with The City of Gainesville recognizing Thursday, December 12, 2024 as Kit Dunlap Day.

Commissioner Powell/Commissioner Cooper — approve — unanimous

Consent Agenda

Commissioner Powell/Commissioner Cooper — approve — Vote: 4 to 0

Commissioner Cooper —aye

Commissioner Powell — aye

Chairman Higgins — aye

Commissioner Poole — aye

Commissioner Stowe — recused

Motion passed.

- 4 Approve the December 9, 2024 Work Session minutes.
- 5 Approve the December 9, 2024 Meeting minutes.
- 6 Approve the November 14, 2024 Voting Meeting minutes.
- 7 Approve the November 14, 2024 Executive Session minutes.
- 8 Approve the November 14, 2024 Meeting minutes.
- 9 Approve the November 6-7, 2024 Board Retreat minutes.
- 10 Approval and authorization for the Chairman to execute a master lease agreement between Hall County and Keep Hall Beautiful for lease of a portion of the Hall County Central Services Facility, located at 1694 Barber Road, and authorization for the Chairman to execute any and all documents necessary to effectuate the lease, subject to review and approval by the County Attorney.
- 11 Approve the award of Task Order #2025-025 Architectural Design Services for Hall County Government Center 3rd Floor Renovation under RFQ/P# 43-001 Demand Services for Professional Architectural Services for Central Services to Hussey, Gay, Bell, & DeYoung International, Inc. of Duluth, GA, in the amount of \$169,500.00.
- 12 Approval and authorization for the Chairman to execute a Lease Agreement with the United States Department of the Army regarding Sardis Creek Park; and authorization for the Chairman to take any additional action necessary to effectuate the Agreement, subject to review and approval by the County Attorney.
- 13 Approval and authorization for the Chairman to execute a resolution to amend the Code of Ordinances of Hall County, Georgia relating to Section 5.30 Malt Beverages and Wine, subject to review and approval by the County Attorney.
- 14 Approve the 2025 business license renewal for The Venue at Country Place Farm, LLC located at 3266 Chestatee Road, Gainesville, GA 30506. The owner is The Venue at Country Place Farm, LLC. Commission District 2.

- 15 Approve the 2025 business license renewal for LL Farm, located at 5586 Ransom Free Road, Clermont, GA 30527. The business owner is L L Farm 2011, LLC. Commission District 3.
- 16 Approve the 2025 business license renewal for Calvary Station, LLC located at 1563 Calvary Church Road, Gainesville, GA 30507. The business owner is Calvary Station, LLC. Commission District 4.
- 17 Approve the declaration of surplus vehicles and authorize the Chairman to execute any and all documents necessary to declare as surplus and unserviceable, and authorize the Purchasing Division to upload for auction on GovDeals.com auction website, subject to review and approval by the County Attorney.
- 18 Approve the award of Task Order #2025-022 Fire Station 11 Remodel under RFQ# 44-021 Demand Services for On- Call General Contractor Services for Fire Rescue to Scroggs & Grizzel Contracting, Inc. of Clermont, GA. The estimated cost is \$242,548.00.
- 19 Approve the annual contract renewal for RFQ/P #43-015 EMS Billing and Collection Services for Fire Rescue to Digitech Computer, LLC, of Chappaqua, NY. The estimated annual cost is \$268,353.00.
- 20 Approve the award of RFP #45-021 Hoschton Master Transportation Plan for Gainesville-Hall Metropolitan Planning Organization (GHMPO) to Keck & Wood, Inc. of Duluth, GA, in the amount of \$148,305.00.
- 21 Approve the Employment Agreement for the Warden of the Correctional Institution.
- 22 Approve the Employment Agreement for the Assistant Director of Public Works & Utilities.
- 23 Approve the Georgia First Responder PTSD Program coverage for critical illness and long-term disability to ACCG Insurance-IRMA of Atlanta, GA; authorization for the Chairman to execute all related documents, subject to the review and approval by the County Attorney. The estimated annual cost is \$136,900.00.
- 24 Approve the annual renewal of the retiree medicare advantage plan with Aetna Medicare of Atlanta, GA. The estimated cost of this renewal is \$381,401.28; authorization for the Chairman to execute all related documents, subject to the review and approval by the County Attorney.
- 25 Approve the renewal of the Third Party Administrator (TPA) and Excess Worker's Compensation for plan year 2025 with Arthur J. Gallagher Risk Management Services, Inc. of Atlanta, GA, and Gallagher Bassett Services, Inc. of Rolling Meadows, IL. The estimated cost of this renewal is \$404,923.00; authorization for the Chairman to execute all related documents, subject to review and approval by the County Attorney.
- 26 Approve the 2025 Intergovernmental Agreement (IGA) between Hall and Dawson Counties which facilitates sharing the cost of two positions 50/50.
- 27 Approve the purchase of one (1) new 2025 Ford F-250 Truck for Road Maintenance to John Megel Ford of Cleveland, GA, in the amount of \$61,167.00.

- 28 Approve the sole source purchase for the repair and rebuild of two (2) engines for two (2) 1999 Caterpillar Motor Graders for Road Maintenance to Yancey Brothers Company of Dacula, GA, in the estimated amount of \$178,010.48.
- 29 Approve the request from Chattahoochee River Keeper for a waiver of Hall County Landfill tipping fees (the estimated tipping fees are \$1,500.00) for approximately 25 tons of trash to be collected during the year of 2025, including the Sweep the Hooch event scheduled on March 22, 2025.
- 30 Approval and authorization for the Chairman to execute the Off System Safety Projects Local Government Acknowledgement Page relating to the Georgia Department of Transportation (GDOT) Off System Safety Project FY 2025 on a seven-mile section of Old Cornelia Highway from East Main Street (near Jesse Jewell Parkway) to SR 52. Commission District 3.
- 31 Approve the award of RFQ/P #45-017 Resource Recovery Wall Repair for the Recycling Center to Suncoast Restoration and Waterproofing, LLC of Norcross, GA, in the amount of \$151,425.00.
- 32 Approve the acceptance of a \$503,767.00 Guaranty Performance/Maintenance Agreement for the Streets, Stormwater Management Facilities, Sewer, and Sidewalks in Magnolia Bluff Subdivision. Commission District 1.
- 33 Approve the acceptance of a \$1,103,593.00 Guaranty Performance/Maintenance Agreement for Streets, Stormwater Management Facilities, Sewer, and Sidewalks in Hunters Creek Phase I Subdivision. Commission District 1.
- 34 Approve the updated 2025 Speed Detection Device Permit for Hall County, subject to review and approval by the County Attorney.
- 35 Approve the lease agreement extension and warranty for one (1) year for one hundred twenty (120) Getac B360 fully rugged laptops with vehicle docking stations for the Sheriff's Office to PCN Strategies, Inc., of Washington, DC, in the amount of \$144,791.40.
- 36 Approve the contract amendment for nursing/mental health services for the Hall County Jail to Correctional Nursing Services, LLC of Oakwood, GA. The estimated cost is \$400,000.00.
- 37 Approve the ratification of the application of the Criminal Justice Coordinating Council's (CJCC) Accountability Court Funding FY 2025 Law Enforcement Competitive Grant for Treatment Services to expand the security presence at the Judicial Accountability Services building and provide Work Release administrative fee assistance to Accountability Court participants in the amount of \$20,800.00, and if awarded, appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related application and award documents. No match is required.

Other Business - Development Services

Brandi Smith, Business License Director, addressed the Board.

- 38 Public Hearing on the Farm Winery Alcohol License for Flowery Branch Winery and Vineyard located at 5773 Conner Road, Flowery Branch, GA 30542. The managing and registered agent is Dwayne Bradley Walton. Commission District 2.

Mr. Lawhon introduced the item. Ms. Smith discussed the item. Mr. Lawhon conducted the Public Hearing.

There were no comments from the public.

Commissioner Powell/Commissioner Stowe — approve — Vote: 4 to 0

Commissioner Cooper —aye

Commissioner Powell — aye

Chairman Higgins — aye

Commissioner Poole — abstained

Commissioner Stowe — aye

Motion passed.

- 39 Public Hearing on the Malt Beverage and Wine Package Alcohol License for Tienda El Calentano, LLC located at 3262 Cleveland Highway, Gainesville, GA 30506. The managing and registered agent is Pedro Arrojo, Jr. Commission District 3.

Mr. Lawhon introduced the item. Ms. Smith discussed the item. Mr. Lawhon conducted the Public Hearing.

The following people addressed the Board:

Favor:

- *Carla Arrojo, 3432 Thousand Oaks Drive, Gainesville*

Commissioner Cooper/Commissioner Stowe — approve — Vote: 4 to 0

Commissioner Cooper —aye

Commissioner Powell — aye

Chairman Higgins — aye

Commissioner Poole — abstained

Commissioner Stowe — aye

Motion passed.

Other Business - Public Works and Utilities

Bill Nash, Director of Public Works and Utilities addressed the Board.

- 40 Public Hearing to abandon a four-hundred and seventy-five (475) foot portion of A. Thomas Drive located entirely within property owned by LBH Family Farm and authorize the Chairman to execute any and all documents necessary to convey the property, subject to review and approval by the County Attorney. Commission District 2.

Mr. Lawhon introduced the item. Mr. Nash discussed the item. Mr. Lawhon conducted the Public Hearing.

There were no comments from the public.

Commissioner Powell/Commissioner Stowe — approve — unanimous

- 41 Approval and authorization for the Chairman to execute a resolution regarding the acceptance of the dedication of 0.07 acres of property located along A. Thomas Drive for the purpose of a turn-around; authorization for the Chairman to execute any and all documents necessary to accept the dedication and facilitate the turn-around construction by the property owner. Commission District 2.

Commissioner Powell/Commissioner Stowe — approve with the condition that the turn around be constructed within one year — unanimous

Other Business - Sheriff's Office

Sheriff Gerald Couch addressed the Board.

- 42 Approve the single source procurement of Axon products for the Sheriff's Office to Axon Enterprises, Inc. of Scottsdale, AZ, through a ten (10) year Consolidated Master Services and Purchasing Lease Agreement, in the amount of \$16,200,138.11.

Commissioner Powell/Commissioner Stowe — approve — unanimous

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

Beth Garmon, Director of Planning and Zoning, addressed the Board.

- 43 **5991 Swansey Road | Amend Conditions of Zoning |** on a 38.45 ± acre tract located on the south side of Swansey Road approximately 476 feet from its intersection with Circle Four Ranch | Zoned PRD, Tax Parcel 15048 000034 | **Proposed Use: 100-lot subdivision | Commission District 1 | Abernathy Engineering Group, applicant** NOTE: Tabled at the September 10, 2024 Voting Meeting until the October 24, 2024 Voting Meeting. NOTE: Tabled at the October 24, 2024 Voting Meeting until the December 12, 2024 Voting Meeting.

Mr. Lawhon introduced the item. Ms. Garmon discussed the item.

Commissioner Cooper/Commissioner Powell — approve removing item 43 from the table — unanimous

Commissioner Cooper/Commissioner Poole — approve tabling item 43 until the January 9, 2025 Voting Meeting — unanimous

44 **4336, 4370, & 4420 Benefield Road | Rezone** | from Agricultural Residential IV (AR-IV) and Planned Commercial Development (PCD) to Planned Residential Development (PRD) | on a combined 68.83± acre tract located on the south side of Benefield Road, approximately 900 feet from its intersection with Village South Drive | Zoned AR-IV and PCD; Tax Parcels 15028 000014, 000070, & 000090 (pt.) | **Proposed Use: 302-unit residential development** | Commission District 1 | **Edge City Properties, Inc., applicant** NOTE: Tabled at the September 24, 2024 Voting Meeting until the December 12, 2024 Voting Meeting.

Mr. Lawhon introduced the item. Ms. Garmon discussed the item.

Commissioner Cooper/Commissioner Powell — approve removing item 44 from the table — unanimous

The following people addressed the Board:

Favor:

- *Michael Dye, 4280 Dove Point, Duluth*
- *TJ Vogt, 5020 Woodlong Lane, Cumming*
- *David Dell, 5714 Southlake Court, Oakwood*

Opposition:

- *Wes Robinson, 200 E E Butler Parkway, Gainesville*
- *Stephanie Davis Sullards, 4337 Benefield Road, Braselton*
- *Nancy Nichols, 4431 Benefield Road, Braselton*
- *David Poppo, 4365 Benefield Road, Braselton*
- *Chris Campbell, 4324 Benefield Road, Braselton*

Commissioner Cooper/Commissioner Powell — approve tabling item 44 until the January 23, 2025 Voting Meeting — unanimous

45 **5859 & 5871 Brookton Lula Road | Rezone** | from Agricultural Residential (AR-IV) to Planned Industrial Development (PID) & Gateway Corridors Overlay District (GCOD) | on a combined 2.01± acre tract located on the south side of Brookton Lula Road, approximately 311 feet from its intersection with Cleveland Highway | Zoned AR-IV; Tax Parcels 12030 000009E & 000009C | **Proposed Use: Welding business** | Commission District 3 | **Jason Helton, applicant**

Mr. Lawhon introduced the item. Ms. Garmon discussed the item.

Commissioner Poole/Commissioner Powell — approve removing item 45 from the table — unanimous

After discussion, it was determined that this item was not previously tabled.

Commissioner Poole/Commissioner Stowe — rescind previous motion to remove from table and approve withdrawal of item 45 including a refund of application fees — unanimous

6539 Ransom Free Road | Use Subject to County Commission Approval |
 on a 19.78± acre tract located on the southwest side of Ransom Free Road at its
 intersection with Thompson Road | Zoned AR-IV; Tax Parcel 12014 000023 |
**Proposed Use: Agri-entertainment venue | Commission District 3 | Patrick
 & Lorraine Cash, applicant**

Mr. Lawhon introduced the item. Ms. Garmon discussed the item. Mr. Lawhon conducted the Public Hearing.

The following people addressed the Board:

Favor:

- *Lorraine Cash, 6539 Ransom Free Road, Clermont*

Commissioner Poole/Commissioner Powell — approve with the seven (7) conditions listed below — unanimous

Conditions:

- 1. The property shall be developed in accordance with the site plan dated September 1, 2024, and as described in the project narrative dated September 4, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.*
- 2. 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, Environmental Health, the Fire Marshal, and Hall County Engineering.*
- 3. The following statement regarding the potential impacts of agricultural operations in the area shall be made 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."*
- 4. All conditions of zoning shall be made as part of any plats or construction plans created for the property.*
- 5. Hours of operation shall be 9:00 am to 10:00 pm.*
- 6. Any signage must be approved by the Director of Planning and Zoning or their designee.*
- 7. Driveway shall be approved by Hall County Engineering prior to issuance of permit.*

47

0 Dorsey Drive | Use Subject to County Commission Approval | on a 6.42± acre tract located on the west side of Dorsey Drive approximately 1,025 feet from its intersection with Dorsey Circle | Zoned AR-III & V-C, Tax Parcel 08034 004037 | **Proposed Use: 2-lot subdivision** | Commission District 2 | **Larry Phillips, applicant**

Mr. Lawhon introduced the item. Ms. Garmon discussed the item. Mr. Lawhon conducted the Public Hearing.

The following people addressed the Board:

Favor:

- *Larry Phillips, 3675 Browns Bridge Road, Gainesville*

Commissioner Powell/Commissioner Poole — approve with the five (5) conditions listed below — unanimous

Conditions:

- 1. The property shall be developed in accordance with the site plan dated September 10, 2024, and as described in the project narrative dated October 18, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.*
- 2. The property shall be subdivided into a maximum of two (2) single-family residential lots in accordance with the requirements of the Agricultural-Residential-III (AR-III, 17.60) and Vacation Cottage (V-C) zoning districts as detailed in 17.240, Area and Setback Requirements.*
- 3. 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."*
- 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.*
- 5. All conditions of zoning shall be made part of any plats created for the property.*

48

1780 Hancock Avenue Extension | Use Subject to County Commission Approval | on a 1.15± acre tract located on the west side of Hancock Avenue at its intersection with Griffin Circle | Zoned I-II (GCOD), Tax Parcel 00137 000005 | **Proposed Use: Outdoor storage** | Commission District 4 | **Jones Tree Service, Inc, applicant**

Mr. Lawhon introduced the item. Ms. Garmon discussed the item. Mr. Lawhon conducted the Public Hearing.

The following people addressed the Board:

Favor:

- *Russell Dye, 425 Spring Street, Gainesville*

Commissioner Stowe/Commissioner Poole — approve with the seven (7) conditions listed below — unanimous

Conditions:

- 1. The property shall be developed in accordance with the site plan dated August 27, 2024, and as described in the project narrative submitted on August 28, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.*
- 2. New opaque screening material shall be added to all sections of the existing perimeter fence and shall be maintained.*
- 3. Operating hours shall be limited to 7:00 am to 8:30 pm Monday through Friday.*
- 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.*
- 5. All conditions of zoning shall be made part of any plats created for the property.*
- 6. The development shall be exempt from GCOD standards.*
- 7. Any further development or renovation to the property is subject to GCOD standards.*

49 **0 & 3902 Belmont Highway | Amend Conditions of Zoning |** on a 15.75 ± acre tract located on the east side of Belmont Highway approximately 1,770 feet from its intersection with Mountain Creek Road | Zoned PID; Tax Parcels 15013 00074 (pt.) & 000017B | **Proposed Use: Truck parking and office |** Commission District 3 | **Gus E. Simpson, applicant**

Mr. Lawhon introduced the item. Ms. Garmon discussed the item. Mr. Lawhon conducted the Public Hearing.

The following people addressed the Board:

Favor:

- *Bill Haynes, 9463 Callus Mill Road, Lula*

Commissioner Poole/Commissioner Stowe — approve with the seventeen (17) conditions listed below — unanimous

Conditions:

- 1. Development is approved as generally shown on the concept plan dated July 31, 2023, and described in the original letter of intent dated October 2,*

- 2023 and updated narrative dated August 30, 2024, modified as necessary for compliance with development standards enforced at the time of site plan approval. Minor changes can be approved by the Planning Director 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. The proposed dump truck storage shall be limited to a maximum of 35 trucks on-site at any one time.*
 - 3. Light fixtures shall be installed with full cut-offs. Any existing fixtures shall be retrofitted to be full cut-off.*
 - 4. All proposed on-site improvements shall be located beyond proposed GDOT project limits.*
 - 5. Any building to be utilized for the business shall be inspected for compliance with commercial building code requirements. Should any improvements be required for compliance, work shall be completed and inspected prior to the issuance of a certificate of occupancy or business license.*
 - 6. All truck parking shall be located outside of the 300-foot Gateway Corridors Overlay District limit as depicted on Hall County GIS maps.*
 - 7. No gravel shall be permitted within the Gateway Corridors Overlay District. All employee parking areas and driveways shall be paved with asphalt or concrete.*
 - 8. No approval of the proposed use in Hall County shall constitute approval of the use on any portion of the property within Jackson County.*
 - 9. Plans for any further improvements or development of the property shall be submitted for review and appropriate permits obtained.*
 - 10. 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."*
 - 11. The hours of operation for the business shall be 6:30 am-7:00 pm Monday through Friday, and 6:30 am-12:30 pm on Saturday, and the business will be closed on Sundays.*
 - 12. The driveway shall be paved from the edge of road to the limits of the Gateway Corridors Overlay District (measuring 300 feet from centerline of the road).*
 - 13. The existing manufactured home and accessory building located within the limits of the Gateway Corridors Overlay District (measuring 300 feet from the centerline of the road) shall be exempt from GCOD standards, as the use will be dedicated to a caretaker/employee's residence for the business.*
 - 14. Direct sales of dirt, sand, gravel, mulch, and rock is prohibited on site.*
 - 15. The proposed entrance shall be approved and permitted by the Georgia Department of Transportation.*
 - 16. The annual business license renewal for calendar year 2025 shall be subject to Board of Commissioners approval.*
 - 17. There shall be no auctions, sales of vehicles, equipment or materials allowed on site.*

6619 Lanier Island Parkway | Amend Conditions of Zoning | on a 3.85± acre tract located on the east side of Lanier Island Parkway at its intersection with Pass Drive | Zoned PCD (GCOD); Tax Parcel 07355 002002 | **Proposed Use: Expansion of services |** Commission District 2 | **UHC of Atlanta North c/o Doug Weston III, applicant**

Mr. Lawhon introduced the item. Ms. Garmon discussed the item. Mr. Lawhon conducted the Public Hearing.

The following people addressed the Board:

Favor:

- *Doug Weston, 11300 Highway 92, Woodstock*

Commissioner Powell/Commissioner Stowe — approve with the five (5) conditions listed below — unanimous

Conditions:

1. *The property shall be developed according to the site plan dated July 31, 2024, and the project narrative received on August 22, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of the site plan approval. A maximum of 12 U-Haul vehicles shall be permitted on the property, with no more than 3 of these U-Haul trucks or trailers permitted to be parked at the development entrance.*
2. *All previous conditions from the February 23, 2017 zoning approval shall apply as amended herein:*
 - a. *The development shall conform substantially with the proposed site plan and narrative, modified as necessary for compliance with current development standards at the time of site plan approval.*
 - b. *All storage units shall be enclosed with the exception of the boat sale storage at the front of the property.*
 - c. *No drystack or outside storage other than the boat sale storage shall be allowed without proper screening.*
 - d. *The boat sales office (Building 1) and boat storage as depicted in the site plan shall adhere to the Gateway Corridors Overlay District architectural standards.*
3. *The monument sign shall be permitted to have internal illumination as shown on the elevations dated August 19, 2024.*
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 Environmental Health, Fire Marshal, and Hall County Engineering.*
5. *All conditions of zoning shall be made a part of any plats or construction plans created for the subdivision.*

51 **2522 Lee Land Road | Amend Conditions of Zoning |** on a 42.458± acre tract located on the north side of Lee Land Road at its intersection with Webb Girth Road | Zoned PRD; Tax Parcel 15030 000027A | **Proposed Use: Model homes within a townhome development** | Commission District 4 | **Trey Bell, applicant**

Mr. Lawhon introduced the item. Ms. Garmon discussed the item. Mr. Lawhon conducted the Public Hearing.

The following people addressed the Board:

Favor:

- *Trey Bell, 4143 Schubert Road, Flowery Branch*

Commissioner Stowe/Commissioner Powell — approve with the eight (8) conditions listed below — Vote: 4 to 0

Commissioner Cooper —aye

Commissioner Powell — aye

Chairman Higgins — aye

Commissioner Poole — abstained

Commissioner Stowe — aye

Motion passed.

Conditions

- 1. The property shall be developed in accordance with the site plan and project narrative approved on December 10, 2021, and updated with the site plan dated September 5, 2024, and narrative dated August 29, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.*
- 2. The previously approved conditions dated December 10, 2021, as amended shall apply:*
 - a. The development shall generally occur as described in the site plan project narrative, modified for compliances with zoning conditions, Hall County regulations, and any other regulatory agencies at time of development.*
 - b. The dwelling units with an overall site density not to exceed 4.1 dwelling units per acre.*
 - c. Townhomes shall have a maximum of two stories.*
 - d. The following standards shall apply to the development:*
 - i. Setbacks:*
 - 1. Front — 20 feet between garage and curb*
 - 2. Side — 20 feet from adjacent building*
 - 3. Rear — 20 feet from adjacent building*
 - ii. Minimum heated floor area — 1,450 sq. ft.*
 - iii. A minimum of 2 off-street parking spaces will be provided per dwelling unit*

- iv. *With the exception of required stormwater or utility improvements existing trees and vegetative buffer will remain undisturbed.*
 - v. *All façades shall be finished with a combination of brick, stone, stucco, or fiber cement type siding. Front facades shall incorporated changes in these materials to alter color or texture. Vinyl siding shall be prohibited*
 - vi. *Materials and colors for exterior finishes shall be reviewed and approved by the Planning Director or their designee prior to construction*
 - vii. *Each townhome shall have a single-car garage with a door that is no wider than 50% of the front façade of the individual unit.*
 - viii. *Garage door shall be located a minimum of 20 ft. from the front edge of the sidewalk nearest the dwelling.*
3. *The development shall be limited to a maximum of 4 model homes prior to approval and recording of the final plat. Model homes permits may be issued prior to Final Plat recording provided that hard surfaces (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.*
 4. *Amenities including a dog park and playground shall be completed prior to fifty percent (50%) build-out of the development. Additional amenities may be constructed by the developer at the discretion and approval of the Director of Planning and Zoning.*
 5. *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 Environmental Health, Fire Marshal, and Hall County Engineering.*
 6. *All conditions of zoning shall be made a part of any plats or construction plans created for the subdivision.*
 7. *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."*
 8. *Temporary parking for model homes of no more than six spaces may be located on lots other than those where the model homes are located. Final location is subject to the review and approval of the Director of Planning and Zoning or their designee.*

Mr. Lawhon introduced the item. Ms. Garmon discussed the item. Mr. Lawhon conducted the Public Hearing.

The following people addressed the Board:

Favor:

- Steve Gilliam, 340 Jesse Jewell Parkway Suite 300, Gainesville*

Opposition:

- Ryan Smith, 3926 Ellision Farm Road, Gainesville*
- Terrell Strickland, 4606 Winder Highway, Flowery Branch*

Commissioner Cooper/Commissioner Powell — approve with the twenty-five (25) conditions listed below — Vote: 4 to 1

Commissioner Cooper —aye

Commissioner Powell — aye

Chairman Higgins — aye

Commissioner Poole — nay

Commissioner Stowe — aye

Motion passed.

Conditions:

- 1. The property shall be developed in accordance with the site plan dated July 5, 2024, and as described in the project narrative dated December 3, 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 74 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 20 spaces and mail kiosk parking shall be no less than 15 spaces as shown on the site plan dated July 5, 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 section 17.430.110.E and section 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 dated July 5, 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 along parcel 15037A000002 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 feet at planting. From the intersection of the subject property with parcels 15037A000002 and 15037A000030 to the stream buffer the fence will be 8 feet tall and 2 feet inside the transitional buffer. Applicant shall pay for and install a commercial*

grade screen on the fence facing parcel 15037A000029 to the stream buffer. The fence from the stream buffer at the corner of 15037A000029 to the second stream buffer shall be 6 foot. Following installation of the fence and screen, the HOA of the development shall not be responsible for maintaining the screen. The property owner of parcel 15037A000029 has agreed to reimburse applicant up to \$5.00 per linear foot for the raising of the fence from 6 feet to 8 feet. 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 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.

53 **5342 Robin Trail | Appeal of Administrative Official |** on a 2.15± acre tract located on the east side of Robin Trail approximately 740 feet from its intersection with Forest Way | Zoned AR-IV; Tax Parcel 15039D000018 | **Proposed Use: Single-family residence |** Commission District 1 | **Yuemian Zhen, applicant**

Mr. Lawhon introduced the item. Ms. Garmon discussed the item. Mr. Lawhon conducted the Public Hearing.

The following people addressed the Board:

Favor:

- *Yuemian Zhen, 8360 Saint Marlo Fairway Drive, Duluth*
- *Rodney Clark, 2660 White Sulphur Road, Gainesville*

Commissioner Cooper/Commissioner Poole — approve appeal with applicant obtaining retroactive permits with fees and penalties — unanimous

County Administrator

Mr. Propes addressed the Board. He stated the following:

- Hall County Offices will be closed on Tuesday, December 24, 2024 and Wednesday, December 25, 2024 in observance of the Christmas holiday.*
- Hall County Offices will also be closed on Wednesday, January 1, 2025 in observance of the New Years Day holiday. Wished Hall County employees and their families a Merry Christmas and Happy New Year.*
- Thanked Chairman Higgins for his service and leadership to Hall County. Propes noted that Chairman Higgins has made a generational impact on Hall County.*

Commission Time

Commissioner Kathy Cooper, District 1, stated that she has enjoyed working alongside Chairman Higgins and he is a great person.

Commissioner Billy Powell, District 2, announced that the County has recieved notice that the DOT has given a notice to proceed on the Sardis Connector. Stated it was been a pleasure to serve alongside Chairman Higgins and called him a good leader for this community.

Commissioner Gregg Poole, District 3, wished Chairman Higgins continued great health.

Commissioner Jeff Stowe, District 4, stated that Chairman Higgins has been a great example of a commissioner and a God-fearing man.

Chairman Richard Higgins stated that it is all about working as a team. Stated that sometimes they do not always agree but they agree to disagree and move forward and make good decisions. Stated he appreciated the rest of the Board and what they mean to this County.

Adjourn

Commissioner Powell/Commissioner Stowe — adjourn at 7:56 p.m. — unanimous