

**HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT**

Applicant Genuine Mapping and Design, LLC

Request Use Subject to County Commission Approval |
Amend Conditions of Zoning

Proposed Use Expansion of storage area

Size 1.86± acres

Zoning Planned Industrial Development (PID,
17.180.090)

Location **6515 New Bethany** | Tax parcel 07330 001006B

Commission District Two

Planning Commission Date November 18, 2024

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

Record Number.....HZCU24-0047

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

Vote: 5-0

Planning Commission Conditions:

1. The property shall be developed in accordance with the site plan revision dated May 14, 2024, and amended as described in the projective narrative dated September 20, 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 June 21, 2023, as amended shall apply:
 - a. The non-residential development shall be subject to the standards of the Gateway Corridors Overlay District (GCOD, 17.420). No variances are granted from these standards.
 - b. All outdoor lighting on the premises shall be full cut-off downlight.
 - c. All parking and storage areas shall be paved with either asphalt or concrete.
 - d. Plans for any further improvements or development of the property shall be submitted for review and appropriate permits obtained.
 - e. All conditions of zoning shall be made part of any plats created for the property.
 - f. The development shall have a minimum 6 foot high decorative steel fencing with stone or brick columns spaced no less than every 50 feet along all right-of-

ways of New Bethany Road and Old Lanier Island Drive. All other fencing shall be a minimum 6 foot high black vinyl link fence and shall be installed along all other property lines.

- g. Hours of operation shall be from 5 am to 10 pm for boat storage and repair.
 - h. The applicant shall install a 4 to 5 foot high landscaped berm with decorative fencing.
3. 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.
 4. The submitted typical building elevation dated March 30, 2023, shall be allowed as depicted with final review and approval subject to the Planning and Zoning Director, or their designee.

Excerpts from the minutes of the November 18, 2024 meeting

Applicant's Presentation:

Katie Greenway, Planning and Zoning Administrator, presented a summary of the request.

Eric Johansen, 3938 Oak Crossing Drive, Suwanee, presented the request. The applicant is requesting to amend conditions of approval on a 1.86± acre tract, currently zoned Planned Industrial Development (PID, 17.180.090) to allow for the expansion of boat and camper storage areas. The subject property was originally rezoned from Highway Business (H-B, 17.150) to Planned Industrial Development (PID, 17.180.090) on June 21, 2023, for a boat and RV storage facility including boat sales and repairs, with 10 conditions. The property falls within the Gateway Corridors Overlay District (GCOD).

Public Forum:

Johnny Brogdon, 6510 New Bethany Road, Buford spoke in opposition due to the concern of visibility to neighboring properties. Mr. Braswell explained the conditions of zoning include decorative fencing and landscaping, and pointed out the existing boat storage facility adjacent to the subject property which is located closer to Mr. Brogdon's residence.

Motion: A motion to approve with conditions was made by Gina Pilcher and seconded by Stan Hunt. Vote: 5-0

Conditions:

1. The property shall be developed in accordance with the site plan revision dated May 14, 2024, and amended as described in the projective narrative dated September 20, 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 June 21, 2023, as amended shall apply:

- a. The non-residential development shall be subject to the standards of the Gateway Corridors Overlay District (GCOD, 17.420). No variances are granted from these standards.
 - b. All outdoor lighting on the premises shall be full cut-off downlight.
 - c. All parking and storage areas shall be paved with either asphalt or concrete.
 - d. Plans for any further improvements or development of the property shall be submitted for review and appropriate permits obtained.
 - e. All conditions of zoning shall be made part of any plats created for the property.
 - f. The development shall have a minimum 6 foot high decorative steel fencing with stone or brick columns spaced no less than every 50 feet along all right-of-ways of New Bethany Road and Old Lanier Island Drive. All other fencing shall be a minimum 6 foot high black vinyl link fence and shall be installed along all other property lines.
 - g. Hours of operation shall be from 5 am to 10 pm for boat storage and repair.
 - h. The applicant shall install a 4 to 5 foot high landscaped berm with decorative fencing.
3. 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.
 4. The submitted typical building elevation dated March 30, 2023, shall be allowed as depicted with final review and approval subject to the Planning and Zoning Director, or their designee.

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

1. The property shall be developed in accordance with the site plan revision dated May 14, 2024, and amended as described in the projective narrative dated September 20, 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 June 21, 2023, as amended shall apply:
 - a. The non-residential development shall be subject to the standards of the Gateway Corridors Overlay District (GCOD, 17.420). No variances are granted from these standards.
 - b. All outdoor lighting on the premises shall be full cut-off downlight.
 - c. All parking and storage areas shall be paved with either asphalt or concrete.
 - d. Plans for any further improvements or development of the property shall be submitted for review and appropriate permits obtained.
 - e. All conditions of zoning shall be made part of any plats created for the property.
 - f. The development shall have a minimum 6 foot high decorative steel fencing with stone or brick columns spaced no less than every 50 feet along all right-of-ways of New Bethany Road and Old Lanier Island Drive. All other fencing shall be a minimum 6 foot high black vinyl link fence and shall be installed along all other property lines.

- g. Hours of operation shall be from 5 am to 10 pm for boat storage and repair.
 - h. The applicant shall install a 4 to 5 foot high landscaped berm with decorative fencing.
3. 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.

Summary Analysis

The applicant is requesting to amend conditions of approval on a 1.86± acre tract, currently zoned Planned Industrial Development (PID, 17.180.090) to allow for the expansion of boat and camper storage areas.

The subject property was originally rezoned from Highway Business (H-B, 17.150) to Planned Industrial Development (PID, 17.180.090) on June 21, 2023, for a boat and RV storage facility, including boat sales and repairs, with the following 10 conditions:

1. The request to rezone the property to Light Industrial (I-I, 17.160) is denied and shall be rezoned to Planned Industrial Development (PIC, 17.180.090) instead.
2. The development shall generally occur as depicted on the site plans dated May 11, 2023 and described in the narrative, modified for compliance with zoning conditions and Hall County regulations. No variances are granted as part of this request.
3. The non-residential development shall be subject to the standards of the Gateway Corridors Overlay District (GCOD, 17.420). No variances are granted from these standards.
4. All outdoor lighting on the premises shall be full cut-off downlight.
5. All parking and storage areas shall be paved with either asphalt or concrete.
6. Plans for any further improvements or development of the property shall be submitted for review and appropriate permits obtained.
7. All conditions of zoning shall be made part of any plats created for the property.
8. The development shall have a minimum 6 foot high decorative steel fencing with stone or brick columns spaced no less than every 50 feet along all right-of-ways of New Bethany Road and Old Lanier Island Drive. All other fencing shall be a minimum 6 foot high black vinyl link fence and shall be installed along all other property lines.
9. Hours of operation shall be from 5 am to 10 pm for boat storage and repair.
10. The applicant shall install a 4 to 5 foot high landscaped berm with decorative fencing.

The property is currently undeveloped. A land disturbance permit application is currently under review, however, approval of the LDP is dependent on the decision by the county commission of this zoning request (HDEV23-0073).

Per the submitted narrative, the applicant is requesting to amend the previously approved site plan to eliminate one building designated for boat repair and office space and include two additional buildings that would be used for boat and camper storage. The submitted site plan shows a total of 4 buildings, with a combined total of 15,610 square feet and a combined total of 43 storage units and 6 designated customer parking spaces.

Water will be provided by the City of Gainesville. Septic services are not included in the development at this time.

The table below compares the current site plan with the original site plan approved in 2023:

Structure	Original Approval - 2023	Amendment Request - 2024
Storage Buildings	2 storage buildings with a combined total of 11 storage units	4 storage buildings with a combined total of 43 storage units
Office Space	3 office spaces	0
Boat Repair Space	3 boat repair spaces	0
Parking	29 parking spaces with 2 designated handicap parking spaces	6 parking spaces with 0 designated handicap parking spaces

Zoning Analysis

Per Planning Commission and Hall County Commission consideration and decision (17.380.060), the board 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:

1. Whether the zoning proposal will permit a use that is suitable in view of the use, development and zoning of adjacent and nearby property; **The requested use is consistent with the previous approval for the Planned Industrial Development on June 21, 2023.**
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **No, it is not anticipated that the proposed amendment will adversely affect adjacent properties.**
3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; **Yes, the property has reasonable economic use as currently zoned.**
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; **If approved, the amendment of conditions is not anticipated to cause an excessive or burdensome use of existing infrastructure.**
5. Whether the zoning proposal is in conformity with the policy and intent of the future land use plan for the physical development of the area; **The zoning designation has been established by previous board action with the original approval of the development. 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; **The subject property is currently undeveloped; however, a Land Disturbance Permit is under review (HDEV23-0073) and approval is dependent on this request to amend the conditions of zoning.**
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 affecting the use or development of the property.**
11. Whether the change would create an isolated district unrelated to the surrounding districts; **The request is to amend conditions of an existing PID. Per the Official Code of Hall County, the Planned Development District (17.180) 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; **The request is not 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 proposal to amend the conditions requires approval by the Board of Commissioners.**
15. Whether the need for rezoning could be handled instead by a variance request to the zoning board of adjustment; **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. As a result, there are no anticipated ecological or pollution impacts 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 requirements, and the applicant 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 does provide a narrative outlining the intent of the request; 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 this 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 October 15, 2024, Emily McGahee stated, “Must meet all Environmental Health commercial septic system permitting requirements. Please be advised that Proposed Building 3 is shown over the septic system as shown in HDEV23-0073. An additional plan review fee will be assessed prior to review of proposed changes to the previously approved plan.”

Hall County Fire Marshal

In an email dated October 16, 2024, John Hornick, NPQ Fire Service Plans Examiner 1, provided the following comment:

“The Hall County Fire Marshal’s Office has no comments as proposed.”

Hall County Public Works and Utilities

In a memorandum from Public Works and Utilities dated October 17, 2024, Bill Nash, Director of Public Works, provided the following comments:

Engineering:

This site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage. Must follow all development requirements.

Traffic:

Driveway to meet traffic engineering requirements.

Utilities:

Hall County has no sanitary sewer in the area.

Georgia Department of Transportation

In an email dated October 17, 2024, Veronica Chavers, stated GDOT coordination is not required.