



AGENDA ITEM

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

REPORT TO: Work Session (02/10/25)

REPORT TO: Voting Meeting (02/13/25)

ITEM NO: 40/2025

SUBJECT: **5552 Bogus Road | Rezone** | from Planned Residential Development (PRD) & Agricultural Residential IV (AR-IV) to Planned Residential Development (PRD) | on a 13.81± acre tract located on the west side of Bogus Road approximately 420 feet from its intersection with Claude Peck Road | Zoned PRD & AR-IV; Tax Parcel 12051 000015| **Proposed Use: 15-lot residential development** | Commission District 3 | **Seth Barnes, applicant** Note: Tabled at the January 9, 2025 Voting Meeting until the February 13, 2025 Voting Meeting.

Meetings:

Work Session Date: 02/10/25

Voting Meeting Date: 02/13/25

Executive Summary:

Presenter: BG

Recommendation:

Approval, with conditions:

1. The property shall be developed in accordance with the site plan dated November 19, 2024, and as described in the project narrative dated on August 7, 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 15 residential lots.
3. The minimum heated floor area (HFA) of each residential unit shall be 1,000 square feet.
4. Building materials: All facades of all residences, including single-family, two-family, and/or multi-family, and any non-residential buildings shall be finished with brick, stone, stucco, wood siding, wood shakes, or fiber cement type siding. Vinyl siding on all residential and nonresidential buildings shall be prohibited. Final review and approval is subject to the Director of Planning and Zoning or their designee.
5. Sidewalks shall be provided on both sides of the newly constructed road within the development and shall be five (5) feet wide. The access apron at Bogus Road and the newly constructed road shall be paved. Apron design shall be approved by the Hall County Engineering Department.
6. The covenants for the subdivision and the documents establishing the property owner’s association shall be submitted for review and approval by the Director of Planning. These documents shall include a provision that would assure maintenance of the newly constructed road through adequate assessment of the subdivision property and would provide for establishing a lien against any property failing to pay said assessment. These documents shall be recorded simultaneously with the final plat and/or prior to the sale of any lots within the subdivision.
7. 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.
8. 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 plats should be prepared to expect the effects of such practices.”
9. All conditions of zoning shall be made a part of any plats or construction plans created for the property.

Purpose of Request:

5552 Bogus Road | Rezone | from Planned Residential Development (PRD) & Agricultural Residential IV (AR-IV) to Planned Residential Development (PRD) | on a 13.81± acre tract located on the west side of Bogus Road approximately 420 feet from its intersection with Claude Peck Road | Zoned PRD & AR-IV; Tax Parcel 12051 000015 | **Proposed Use: 15-lot residential development** | Commission District 3 | **Seth Barnes, applicant**

History:

Facts and Issues:

Options:

Funding Requested	\$ 0.00
Are funds within current budget?	No
Source of Funds	
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?	No
Has it been reviewed by the County Attorney?	Yes
Is there a deadline for this item?	

Approvals:

Submit	Approve	Attorney	Administration
KE	BG	WLI	CR
Clerk			
JR			

Attachments:

Board Memo
Recommendation Report
Application
Narrative
Site Plan
Plat
Maps
Deed
2018 BOC Letter
2018 Site Plan
Water Availability
Environmental Health Comments
GDOT Comments
Public Works Comments
Fire Comments
Public Comments
Notice Sign Photo