

**HALL COUNTY PLANNING COMMISSION  
RECOMMENDATION REPORT**

**Applicant** ..... Abigail Burle

**Request** ..... **Rezone** | from Residential 1 (R-1) and Vacation Cottage (V-C) to Planned Residential Development (PRD)

**Proposed Use** ..... Non-profit residential development

**Size** ..... 7.74± acres

**Zoning** ..... **Current:** Residential 1 (R-1) and Vacation Cottage (V-C) | **Proposed:** Planned Residential Development (PRD)

**Location** ..... **4436 Thompson Bridge Road** | Tax parcel 11060 000069

**Commission District** ..... Three

**Planning Commission Date** ..... March 17, 2025

**Staff Recommendation** ..... **Approval**, with conditions, as the proposed use is consistent with the residential nature of the surrounding properties.

**Record Number** ..... HZON25-0004

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

**Vote: 5-0**

**Planning Commission Conditions:**

1. The property shall be developed in general accordance with the site plan dated January 16, 2025, and as described in the project narrative dated January 17, 2025, and other application documents. Any discrepancies in the submitted application or proposed uses that do not conform to the Hall County Unified Development Code shall be reviewed and interpreted at the discretion of the Director of Planning and Zoning, or their designee.
2. Access to the development shall be approved by the Georgia Department of Transportation (GDOT). Any costs associated with these improvements shall be the responsibility of the developer.

3. Final review and approval of building elevations shall be subject to the Director of Planning and Zoning or their designee.
  4. The development shall be compliant with the regulations of the Hall County Fire Marshal, Environmental Health, and Engineering.
  5. All conditions of zoning shall be made a part of any plats or construction plans created for the property.
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**Excerpts from the minutes of the March 17, 2025 meeting:**

**Applicant's Presentation:**

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

**Abigail Burle, 3327 Partridge Lane, Gainesville**, presented the request. The applicant is requesting to rezone a 7.74± acre tract from Vacation Cottage (V-C) and Residential 1 (R-1) to Planned Residential Development (PRD) for the purpose of creating a non-profit residential development. The subject property is currently developed with a single-family residence constructed in 1950 and a small accessory structure built in 1960.

**Public Forum:**

**Brittney Nowak, 6393 Yellow Creek Road, Murrayville**, spoke in favor as the location is close to the hospital.

**Kay Titlow, 4488 Roberta Circle, Gainesville**, asked if the development would impact Lake Lanier and the adjoining cove. Mr. Hunt explained the site plan shows the proposed homes are located away from the cove.

**Terry Garrett, 4420 Thompson Bridge Road, Gainesville**, spoke in opposition. Concerns raised were amount of homes on the property, wildlife being negatively impacted, increased traffic, decrease in surrounding property values, and the noise that could come from the property.

**Chris Mundy, 4512 Thompson Bridge Road, Gainesville**, spoke in opposition. Concerns raised were amount of homes on the property, the traffic created, and increased noise.

**Rebuttal**

The applicant addressed the concerns by stating the project is meant to add value to the community. The intention is to buffer the homes with existing trees so they are not visible from the road.

**Planning Commission Comments:**

Mr. Varner asked if the applicant expected the families to be outside at night. The applicant stated that the organization requires the families to complete a liability form that outlines the expectations of the

temporary residents. The applicant further explained that the families will also undergo a background check. Mr. Braswell asked for explanation on the staff home on the property. The applicant explained this would be a place for someone within the organization to live there as a host and who would guide families visiting the community.

**Motion: A motion to approve, with conditions was made by Stan Hunt and seconded by Frank Sosebee. Vote: 5-0**

Conditions:

1. The property shall be developed in general accordance with the site plan dated January 16, 2025, and as described in the project narrative dated January 17, 2025, and other application documents. Any discrepancies in the submitted application or proposed uses that do not conform to the Hall County Unified Development Code shall be reviewed and interpreted at the discretion of the Director of Planning and Zoning, or their designee.
2. Access to the development shall be approved by the Georgia Department of Transportation (GDOT). Any costs associated with these improvements shall be the responsibility of the developer.
3. Final review and approval of building elevations shall be subject to the Director of Planning and Zoning or their designee.
4. The development shall be compliant with the regulations of the Hall County Fire Marshal, Environmental Health, and Engineering.
5. All conditions of zoning shall be made a part of any plats or construction plans created for the property.

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**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 January 16, 2025, and as described in the project narrative dated January 17, 2025, and other application documents, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. Access to the development shall be approved by the Georgia Department of Transportation (GDOT). Any costs associated with these improvements shall be the responsibility of the developer.
3. Building elevations shall substantially conform to the submitted renderings. Final review and approval of building elevations and materials is subject to the Director of Planning and Zoning or their designee.
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 Unified Development 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. Where there may be discrepancies between the proposed standards and County regulations, the County regulations shall overrule unless otherwise approved.

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

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**The following should be considered as exceptions to the Official Code of Hall County, and shall warrant further determination by the Board should it choose to approve the submitted narrative and site plan:**

1. **Section 6.1.6.A.4 – Buffers** – A buffer at least 50 feet in width must be established along the perimeter of all property boundaries adjacent to residential and non-residential districts to ensure that the planned residential development is appropriately screened. Buffers must meet the standards of 8.2.4 (Buffer Types and Standards).
  - The applicant has proposed a 30 foot wide vegetative buffer along the eastern and western boundaries of the property.

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### **Summary Analysis**

The applicant is requesting to rezone a 7.74± acre tract from Vacation Cottage (V-C) and Residential 1 (R-1) to Planned Residential Development (PRD) for the purpose of creating a non-profit residential development.

The subject property is currently developed with a single-family residence constructed in 1950 and a small accessory structure built in 1960.

The surrounding properties are zoned and developed as outlined below:

North: Lake Lanier  
South: Residential 1 (R-1): Developed with single-family residences  
East: Vacation Cottage (V-C) & Residential 1 (R-1): Undeveloped  
Highway Business (H-B): Developed with a single-family residence and a commercial building occupied by Garrett Glass Company since 1979, per county records.  
West: Vacation Cottage (V-C) & Residential 1 (R-1): Developed with single-family residences.

Per the submitted narrative, the development will include five (5) single-family residences that will provide free housing for families impacted by disabilities and medical needs and who are receiving treatment in the Gainesville area. According to the narrative, Love Your Story (LYS) is dedicated to providing respite and a sense of belonging for families affected by disabilities and medical journeys. LYS emphasizes that everyone deserves to belong, yet many spaces are not designed with families facing these challenges in mind. The narrative specifies that one home will serve as accommodation for a host family, while the remaining four residences will be available to families in need of temporary housing while receiving medical care in the area. Additionally, the development will also feature a large gathering center which will provide communal space for group meals, activities, and a gym. There will be 16 additional parking spaces provided between the community building and the residential area. Other amenities within the development will include a garden, shed, open spaces, and community landscaping.

As illustrated in the submitted site plan, access will be provided off Thompson Bridge Road, utilizing a gated entrance and a private driveway. The site plan depicts a 30 foot landscape buffer along the sides of the parcel and a 30 foot landscape strip along the frontage of Thompson Bridge Road.

The architectural plans show each of the four (4) single-family residences are approximately 3,000 square feet single-story structures consisting of 3 bedrooms and 2 ½ baths. Each home features an connected carport and uncovered parking is also located adjacent to each home.

Water service is available from the City of Gainesville as described in an email dated January 17, 2025, and sanitary sewer services will be provided by private septic system. The applicant has proffered that a fire hydrant shall be installed in proximity of all homes in the development.

The development standards for the project are described in the table below and are compared with the PRD requirements, (Section 6.1.6):

<b>Standard</b>	<b>PRD Requirement (6.1)</b>	<b>Proposed Development</b>
Site Area	5 acre minimum	7.74 acres
Minimum frontage	100 feet	300 feet
Number of Units	–	5 single-family detached residences
Density	Maximum 2 units/acre	0.645 units/acre
Min. Lot Area	8,000 sq. ft. for single-family detached lots	7.74 acre parcel with 5 residences
Max. Building Height	50 feet	Approximately 30 feet
Min. Open Space	30%	48%
Exterior Buffer	50 feet	30 foot planted buffer along the side property lines*
Front Setback	25 feet	30 foot setback/buffer proposed
Side Setback	5 feet from property line/10 feet between structures	> 10 feet between structures
Rear Setback	0 feet (U.S. Army Corps property)	0 feet - Corps property
Parking	2 spaces for each single-family dwelling unit (Table 8.1.1)	2 spaces for each single-family dwelling unit
Min. Heated Floor Space	–	Approximately 3,000 square feet
Garage – % of front façade	Single-family residences: 55%	No garages proposed
Sidewalk	5 foot wide sidewalk constructed on both sides of the street	Private driveway – no sidewalk required
Cluster Mailbox Unit (CBU)	CBU with 3 short-term parking spaces	CBU not proposed as only one permanent resident.
Note: Items marked with an asterisk (*) do not conform to 6.1.6.A		

**The Hall County Comprehensive Plan designates the subject property as the future land use of “Business Nodes and Corridors.”** The intent of this future land use designation is for higher-intensity commercial uses, low-intensity, consumer-facing industrial uses that house businesses that serve nearby communities, and with some higher density residential, where appropriate. Where there is residential development, density could be up to 16 dwellings per acre. The proposed development is unique in nature and was not considered as a typical request when drafting the Comprehensive Plan; however, the intent of this future land use designation is to maintain businesses and organizations that serve the community. The proposed development meets this intent.

### **Zoning Analysis**

When considering a zoning amendment to the zoning maps, the Planning Commission must 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 must be considered:

- a. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property; **The proposed development has an overall density of 0.645 dwellings per acre and is consistent with development of surrounding residentially zoned properties.**
- b. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **It is not anticipated that this Planned Residential Development (PRD) will adversely affect adjacent properties. Nearby and adjacent parcels are currently developed with single-family residences at a similar density to the proposed project.**
- c. Whether the property to be affected by the zoning proposal has reasonable economic use as currently zoned. **The property appears to have reasonable economic use as currently zoned Residential 1 (R-1) and Vacation Cottage (V-C).**
- d. 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 proposed rezoning is not expected to cause an excessive or burdensome use of existing streets, transportation facilities, utilities, schools, police protection, fire protection public facilities, or emergency medical service. Water will be provided by the City of Gainesville and sanitary sewer services will be provided by private septic systems.**
- e. Whether the zoning proposal is in conformity with the policy and intent of the land use plan; **The proposed use is consistent with the Comprehensive Plan future land use designation of Business Nodes and Corridors, which supports higher-intensity commercial uses, low-intensity, consumer-facing industrial uses that house businesses that serve nearby communities, and with some higher density residential, where appropriate. The proposed development is unique in nature and was not considered as a typical development during the drafting of the comprehensive plan; however, the proposal does align with the intention of maintaining businesses and organizations that serve the community.**
- f. 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 affected by the existing zoning restrictions.**

- g. 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.**
- h. 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.**
- i. 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 developed with a single-family residence constructed in 1950 and a small accessory structure constructed in 1960 according to county tax records.**
- j. 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.**
- k. Whether the change would create an isolated district unrelated to the surrounding districts; **The proposed zoning is a Planned Residential Development (PRD). Per the Hall County Unified Development Code, Planned Development Districts are 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.**
- l. 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.**
- m. Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood; **The proposal is not out of scale with the needs of the county as a whole.**
- n. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **There are no other properties within the county that support this specific use. The Future Land Use map does not include this unique development, making it appropriate for a Planned Development zoning designation and subject to consideration of its impact on surrounding property, the character of the area, and the intensity of the use.**
- o. Whether the need for rezoning could be handled instead by a variance request to the [Planning Commission]; **The request could not be handled alternatively as a variance.**
- p. 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 should not be an ecological or pollution impact resulting from any modification to the land if the request is granted.**

- q.** 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.**

#### **11.2.6.E - Submission requirements**

1. Any person or persons requesting a change in the official zoning map or use subject to approval of the county commission must file an application with a plat or map of the property attached thereto, together with payment of such fees set forth in this Sec 11.2. to cover administrative and advertising costs, in the Planning and Zoning Department office. Such person or persons or their authorized agent must appear in person at the public hearing held to consider the district change. **The proposal meets the requirement, 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.**
2. All applications for a change of zoning classification or use subject to approval of the county commission shall include:
  - a. A narrative statement identifying the existing and proposed use of the property and addressing each of the criteria set forth in this Sec. 11.2. **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 11.2.6.E.2.**
  - b. A narrative statement identifying the existing and proposed use of the property and addressing each of the criteria set forth in this Sec. 11.2. **The proposal meets this requirement.**
  - c. For any application for a slow rate land treatment system as defined in 7.6.9.D.1, additional requirements apply. **This standard is not applicable to the applicant's request.**
3. For any application proposing the development of 100 or more residential dwelling units, a traffic impact study must be submitted prior to consideration of the application by the County Commission. At the applicant's expense, the traffic impact study must be prepared by a professional engineer in accordance with requirements established by the Hall County Engineering Department. The Engineering Department must review the traffic impact study and forward any comments to the County Commission. **This standard is not applicable to the applicant's request.**

#### **Development Support and Constraints**

##### **Hall County Environmental Health**

In an email dated February 12, 2025, Emily McGahee stated "Must meet all Environmental Health commercial/residential septic system permitting requirements. Further determination will be made during the civil plan review process. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil



evaluation, and septic system installation may be required after review of business plan. Tourist Accommodation permit/plan review and/or Food Service permit/plan review may be required after review of business plan.”

#### **Hall County Fire Marshal**

In an email dated February 11, John Hornick, NPQ Fire Service Plans Examiner 1, stated:

PG. 19 A fire hydrant has been located in proximity of all homes on the property. We are providing the fire hydrant in lieu of providing 13R systems within the individual structures.

Fire comment: The above statement on page 19 is incorrect, the installation of a fire hydrant does not exempt any of the structures from the fire protection code requirements. Depending on the occupancy classifications, occupant load, and construction type determined by the architect the installation of a fire protection system may be required.

Fire comment: The Hall County Fire Marshal’s Office considers the site and architectural plan conceptual and if approved may require modifications during the site development and building review.

#### **Hall County Public Works and Utilities**

In a memorandum dated February 13, 2025, from Director of Public Works and Utilities, Bill Nash, stated the following:

##### **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.

Show FEMA and Hall County studied Flood plains that are present on site.

##### **Traffic:**

GDOT access permit required.

##### **Utilities:**

No sewer in area. Closest sewer is 1.6 miles north behind Freedale Corp.

#### **Georgia Department of Transportation**

In an email dated February 6, 2025, Henry K. Stevens, E.I.T., D1TO Civil Engineer 2, stated that GDOT coordination is required.