

HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT

Applicant Rochester | DCCM

Request (A) **Special Use** | Outdoor storage

Proposed Use Outdoor storage

Size 36.90± acres

Zoning Light Industrial (I-1) within the Gateway
Corridor Overlay District (GCOD)

Location **3024 Dale Road** | Tax Parcel 15025 000006

Commission District Three

Planning Commission Date July 7, 2025

Staff Recommendation (A) **Denial**, as the proposed use is not consistent
with the Rural Scenic Nodes & Corridors future
land use classification within the
Comprehensive Plan

Record Number.....(A) HZCU25-0025

Planning Commission Recommendation**Approval, with conditions**

Vote: 3-1 (Davidson opposed)

Planning Commission Conditions:

1. Phase 1 development of the property shall be identified and approved as follows: the property shall be used only for outdoor storage of shipping containers and transportation trailers. Shipping containers shall be stacked no higher than 1 unit tall with no more than 2 units per space. No other outdoor storage as described in the Unified Development Code of Hall County shall be allowed.
2. At the end of 48 months after the date of final approval by the Board of Commissioners, the approved uses of storage of shipping containers and transportation trailers shall expire.
3. The development shall allow two curb cuts on Candler Road, subject to GDOT approval. No driveway will be allowed on Dale Road.

4. The development of the property beyond Phase 1 shall not include any proposed uses not permitted based on the regulations of the Light Industrial zoning district and the Gateway Corridor Overlay District. Such uses shall only be authorized in accordance with the process(es) identified in the Unified Development Code, except as shown on the site plan and amended through final zoning conditions approved by the Board of Commissioners.
5. Building specifications shall be as follows for any phase beyond Phase 1 of the development:
 - a. Main Building shall be concrete tilt-up construction or steel frame construction with 3-sided brick similar to submitted photos with a maximum height of 55 feet.
 - b. The Smaller Building in the rear shall be steel frame construction with 3-sided brick or stone with the option of cementitious siding. The building may be one or two stories with a maximum height of 40 feet.
6. There shall be a 50 foot undisturbed landscape buffer along the right-of-way of Dale Road, as shown on the site plan. The buffer will reduce to 25 feet where it intercepts the Jackson EMC easement and be located on the development side of the easement. This standard shall apply to all phases of the development.
7. There shall be a 100 foot undisturbed buffer along the southwestern property line. This standard shall apply to all phases of the development.
8. Outdoor storage areas located within the Gateway Corridor as shown on the site plan, will be screened to Hall County buffer requirements along the roadway frontages. Outdoor storage areas located at the rear of buildings shall not require screening. This standard shall apply to all phases beyond Phase 1 of the development.
9. The developer will utilize non-spill lighting on the site. This standard shall apply to all phases of the development.
10. The developer will install an 8 foot tall white PVC fence along the frontage adjacent to Candler Road and Dale Road at the development side of the edge of the buffer specified in condition #6 above. All other fencing may be 6 foot tall vinyl-coated chain link fence with opaque slats or alternative fencing with the same degree of opacity. This standard shall apply to all phases of the development and in accordance with the approved concept plans.
11. During construction of the site, the developer shall conduct any required blasting operations in accordance with all state and local ordinances. This standard shall apply to all phases of the development.
12. To improve sight distance, the developer shall clear the corner of the site between the relocated Jackson EMC transmission line and Dale Road right-of-way.
13. 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. This standard shall apply to all phases of the development.

14. All conditions of zoning shall be made a part of any plats or construction plans created for the property.
15. Phase 1 development shall require storage areas to be paved with asphalt or concrete wherever these areas fall within 300 feet of the centerline of Candler Road. No gravel shall be permitted in these areas.
16. The hours of operation shall be limited to 6:30 am to 7:00 pm Monday through Saturday.

Excerpts from the minutes of the July 7, 2025 meeting

Applicant's Presentation:

Vamsee Polamarasetty, Planner, presented a summary of the request.

Bradley Dunckel, 425 Oak Street, Gainesville, presented the request. The applicant has submitted two concurrent requests as part of a proposed industrial development: (A) special use to amend conditions of zoning to allow for outdoor storage of transportation trailers and shipping containers; and (B) a variance request to parking lot design standards of the Gateway Corridor Overlay District (GCOD) (6.2.5.C.2.d) to allow a surface of graded aggregate base (GAB) where asphalt, concrete or Director-approved pervious materials are required. The subject property measures approximately 36.90± acres and is zoned Light Industrial (I-1). The property falls within the Gateway Corridor Overlay District (GCOD).

The subject property was rezoned on June 9, 2022, from Agricultural Residential IV (AR-IV) to Light Industrial (I-1) to allow light industrial uses (ZON2022-00005) subject to 12 conditions.

Public Forum:

Tony Towe, 3032 Dale Road, Gainesville, spoke in opposition. Mr. Towe is concerned this property will become a truck stop. Other concerns raised were the condition and maintenance of the fencing over time, increased traffic during all hours, the proximity to a school zone, and the contrast to the current local character. Mr. Towe requests that the applicant be required to follow all GCOD standards to ensure an aesthetically pleasing property near the adjacent residences.

Mary Nealis, 3039 Dale Road, Gainesville, spoke in opposition. Concerns raised were the extent of gravel parking which would also cause a lot of dust in the air, an increase in traffic, and questioned whether the proposed landscaping and fencing would be sufficient during the winter months to limit the property's visibility.

Rebuttal

The applicant clarified this property would not be a truck stop but only used for the storage of trailers and containers. The applicant stated that the proposed fencing is similar to surrounding outdoor storage facilities, but they are open to other specifications. The applicant also stated that the proposed gravel parking was approved as part of the original zoning conditions and they wished to maintain this standard.

Planning Commission Comments:

Mr. Hunt stated the zoning precedence for the use has been set with the original approval in 2022. Mr. Hunt stated he would be agreeable to an 8 foot tall opaque fence along Candler Road and Dale Road and similar fencing of 6 foot height around the rest of the property. Mr. Hunt referenced the GCOD standard of having asphalt or concrete paving 300 feet from the road centerline and that gravel parking could be permitted at the back of the property beyond these limits. Mr. Hunt asked the applicant how high they intended to stack the shipping containers. The applicant stated they intended to stack two containers high. Mr. Hunt asked for the proposed hours of operation, and the applicant stated they did not have set hours but were open to what had already been approved at the previous zoning approval. Mr. Hunt and Mr. Sosebee proposed 6:30 am to 7:00 pm and the applicant stated they would try to work within those parameters. Mr. Hunt asked for the time frame of how long the trailers and containers would be stored and the applicant stated it would be dependent on whether they were coming in from a job site or leaving. Mr. Hunt asked if this would be an individual lot rental and the applicant confirmed it would be.

Mr. Hunt asked Ms. Garmon, Director of Planning and Zoning, if the future development would need to follow the original zoning conditions. Ms. Garmon stated the conditions must be upheld unless they were amended by the board. Mr. Davidson asked if the storage facility was designed to accommodate the Inland Port, and the applicant stated that would be the main source for demand. Mr. Hunt questioned whether the intent of the storage facility would be to drop-off and leave and whether anyone would be permitted after hours. Mr. Braswell asked what type of lighting would be used. The applicant stated there would be typical security lighting. Mr. Braswell stated the lighting would have to follow the low-level, non-spill, semi-cut off lighting within GCOD standards. Mr. Braswell asked how many parking spaces are shown on the site plan. The applicant stated there were 230 spaces. Mr. Sosebee asked what the maximum capacity of storage would be and the applicant explained it would be limited to the 230 spaces shown on the site plan. The Planning Commission discussed limiting spaces, what would be allowed in a single space, and requiring the applicant to revise a note on the site plan identifying semi-truck parking.

Mr. Braswell explained to the applicant that any required revisions to the concept plan based on the zoning conditions shall be subject to the approval of the Director of Planning and Zoning before the request goes before the Board of Commissioners. The amended site plan must be submitted to the Director for review within 10 business days of the Planning Commission's recommendation. If the amended site plan is not submitted by the specified date, then the application shall be remanded back to the Planning Commission.

A

Motion: A motion to approve, with conditions was made by Stan Hunt and seconded by Frank Sosebee. Vote: 3-1 (Davidson opposed)

B

Motion: A motion to approve, with conditions was made by Stan Hunt and seconded by Frank Sosebee. Vote: 3-1 (Davidson opposed)

Conditions:

1. Phase 1 development of the property shall be identified and approved as follows: the property shall be used only for outdoor storage of shipping containers and transportation trailers. Shipping containers shall be stacked no higher than 1 unit tall with no more than 2 units per space. No other outdoor storage as described in the Unified Development Code of Hall County shall be allowed.
2. At the end of 48 months after the date of final approval by the Board of Commissioners, the approved uses of storage of shipping containers and transportation trailers shall expire.
3. The development shall allow two curb cuts on Candler Road, subject to GDOT approval. No driveway will be allowed on Dale Road.
4. The development of the property beyond Phase 1 shall not include any proposed uses not permitted based on the regulations of the Light Industrial zoning district and the Gateway Corridor Overlay District. Such uses shall only be authorized in accordance with the process(es) identified in the Unified Development Code, except as shown on the site plan and amended through final zoning conditions approved by the Board of Commissioners.
5. Building specifications shall be as follows for any phase beyond Phase 1 of the development:
 - a. Main Building shall be concrete tilt-up construction or steel frame construction with 3-sided brick similar to submitted photos with a maximum height of 55 feet.
 - b. The Smaller Building in the rear shall be steel frame construction with 3-sided brick or stone with the option of cementitious siding. The building may be one or two stories with a maximum height of 40 feet.
6. There shall be a 50 foot undisturbed landscape buffer along the right-of-way of Dale Road, as shown on the site plan. The buffer will reduce to 25 feet where it intercepts the Jackson EMC easement and be located on the development side of the easement. This standard shall apply to all phases of the development.
7. There shall be a 100 foot undisturbed buffer along the southwestern property line. This standard shall apply to all phases of the development.
8. Outdoor storage areas located within the Gateway Corridor as shown on the site plan, will be screened to Hall County buffer requirements along the roadway frontages. Outdoor storage areas located at the rear of buildings shall not require screening. This standard shall apply to all phases beyond Phase 1 of the development.
9. The developer will utilize non-spill lighting on the site. This standard shall apply to all phases of the development.
10. The developer will install an 8 foot tall white PVC fence along the frontage adjacent to Candler Road and Dale Road at the development side of the edge of the buffer specified in condition #6 above. All other fencing may be 6 foot tall vinyl-coated chain link fence with opaque slats or alternative fencing with the same degree of opacity. This standard shall apply to all phases of the development and in accordance with the approved concept plans.

11. During construction of the site, the developer shall conduct any required blasting operations in accordance with all state and local ordinances. This standard shall apply to all phases of the development.
12. To improve sight distance, the developer shall clear the corner of the site between the relocated Jackson EMC transmission line and Dale Road right-of-way.
13. 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. This standard shall apply to all phases of the development.
14. All conditions of zoning shall be made a part of any plats or construction plans created for the property.
15. Phase 1 development shall require storage areas to be paved with asphalt or concrete wherever these areas fall within 300 feet of the centerline of Candler Road. No gravel shall be permitted in these areas.
16. The hours of operation shall be limited to 6:30 am to 7:00 pm Monday through Saturday.

Staff recommends DENIAL of the applicant's request. However, if the Planning Commission chooses to approve this request, staff recommends the following conditions:

1. The property shall be developed in accordance with the site plan dated May 14, 2025, and as described in the project narrative dated June 9, 2025, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The development shall be allowed two curb cuts on Candler Road, subject to GDOT approval. No driveway will be allowed on Dale Road.
3. Any proposed uses not permitted based on the regulations of the Light Industrial zoning district and the Gateway Corridor Overlay District shall only be authorized in accordance with the process(es) identified in the Unified Development Code, except as shown on the site plan and amended through final zoning conditions approved by the Board of Commissioners.
4. Building specifications shall be as follows:
 - a. Main Building – concrete tilt-up construction or steel frame construction with 3-sided brick similar to submitted photos. Maximum height of 55'.
 - b. Smaller Building - steel frame construction with 3-sided brick or stone with the option of cementitious siding. The building may be one or two stories with a maximum height of 40'.

5. There shall be a 50 foot undisturbed landscape buffer along the right-of-way of Dale Road, as shown on the site plan. The buffer will reduce to 25 feet where it intercepts the Jackson EMC easement and be located on the development side of the easement.
6. There shall be a 100 foot undisturbed buffer along the southwestern property line.
7. Outdoor storage areas located within the Gateway Corridor as shown on the site plan, will be screened to Hall County buffer requirements along the roadway frontages. Outdoor storage areas located at the rear of buildings shall not require screening.
8. The developer will utilize non-spill lighting on the site.
9. The developer will install a 6 foot tall vinyl coated chain link fence with opaque slats or alternative fencing with the same degree of opacity along the Dale Road frontage at the development side of the edge of the buffer specified in condition #5 above and along the top of the slope of the proposed outdoor storage area. The developer will also install a 6 foot tall vinyl coated chain link fence with opaque slats or alternative fencing with the same degree of opacity along the top of the slope on one side of the outdoor storage area above the detention pond behind the main building as shown on the same site plan. All other fencing may be galvanized chain link. Installation and location of additional fencing shall be at the developer's discretion.
10. During construction of the site, the developer shall conduct any required blasting operations in accordance with all state and local ordinances.
11. To improve sight distance, the developer shall clear the corner of the site between the relocated Jackson EMC transmission line and Dale Road right-of-way.
12. 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.
13. All conditions of zoning shall be made a part of any plats or construction plans created for the property.

The following is a variance requested by the applicant, and shall warrant further determination by the Board should it choose to approve the submitted narrative and site plan:

Section 6.2.5.C.2.d – Parking Lot Design - All parking areas must be paved with asphalt, concrete or pervious materials approved by the Director.

- The applicant proposes gravel surface (graded aggregate base, GAB) for outdoor storage/parking areas in the Phase 1 development. **This does not meet the standard.**

Summary Analysis

The applicant has submitted two concurrent requests as part of a proposed industrial development: (A) special use to amend conditions of zoning to allow for outdoor storage of transportation trailers and shipping containers; and (B) a variance request to parking lot design standards of the Gateway Corridor Overlay District (GCOD) (6.2.5.C.2.d) to allow a surface of graded aggregate base (GAB) where asphalt, concrete or Director-approved pervious materials are required. The subject property measures approximately 36.90± acres and is zoned Light Industrial (I-1). The property falls within the Gateway Corridor Overlay District (GCOD).

The subject property was rezoned on June 9, 2022, from Agricultural Residential IV (AR-IV) to Light Industrial (I-1) to allow light industrial uses (ZON2022-00005) subject to the following conditions:

1. The development shall conform substantially to the updated site plan.
2. Outdoor storage shall be screened from the Candler Road and Dale Road rights of way by a solid fence or wall at least 8 feet in height. These fences/walls may be removed when the outdoor storage component is eliminated and upon completion of Phase 2 development.
3. The development shall be allowed two curb cuts on Candler Road, subject to GDOT approval. No driveway will be allowed on Dale Road.
4. Any proposed uses not permitted based on the regulations of the I-I and Gateway Corridors Overlay Districts shall only be authorized in accordance with the process(es) identified in the Zoning Ordinance, except as shown on the site plan and amended through final zoning conditions approved by the Board of Commissioners.
5. Applicant proposes to utilize building materials and height as follows:
 - a. Main Building – concrete tilt-up construction or steel frame construction with 3-sided brick similar to submitted photos. Maximum Height of 55 feet.
 - b. Smaller Building - steel frame construction with 3-sided brick or stone with the option of cementitious siding. The building may be one or two stories with a maximum height of 40 feet.
6. There shall be a 50 foot wide undisturbed landscape buffer along the right-of-way of Dale Road, as shown on the site plan. The buffer will reduce to a 25 foot landscape buffer where it intercepts the Jackson EMC easement and will be located on the development side of the easement.
7. There shall be a 100 foot wide undisturbed buffer along the southwestern property line, as shown on the site plan.
8. Outdoor storage areas, located within the Gateway Corridor as shown on the site plan, will be screened to Hall County buffer requirements along the roadway frontages. Outdoor storage areas, located at the rear of buildings shall not require screening.
9. The developer will utilize non-spill lighting on the site.
10. The developer will install a 6' vinyl coated chain link fence with opaque slats or alternative fencing with the same degree of opacity along the Dale Road frontage at the development side of the edge of the buffer specified in condition #5 above and along the top of the slope of the proposed outdoor storage area, as shown on the site plan. The developer will also install a 6' vinyl coated chain link fence with opaque slats or alternative fencing with the same degree of opacity along the top of the slope on one side of the outdoor storage area above the detention pond behind the main building as shown on the site plan. All other fencing may be galvanized chain link. Installation and location of additional fencing shall be at the developer's discretion.
11. During construction of the site, the developer shall conduct any required blasting operations in accordance with all state and local ordinances.

12. To improve site distance, the developer shall clear the corner of the site, between the Jackson EMC transmission line and Dale Road right-of-way.

A land disturbance permit (LDP) was issued on April 2, 2024, for the development of a 150,000 square foot warehouse building with associated parking, gravel storage area behind the building, septic system, graded pad for future development, and stormwater management facilities (HDEV23-0102), consistent with the conditions of the previous rezoning (ZON2022-00005). The permit was renewed on April 2, 2025.

The surrounding properties are zoned and developed as outlined below:

North: Agricultural Residential 1 (R-1): Undeveloped
South: Agricultural Residential 1 (AR-1): Developed with a mobile home and several accessory structures.
East: Heavy Industrial (I-2): Developed with a quarry and asphalt plant.
West: Agricultural Residential 1 (AR-1) & Residential 1 (R-1): Developed with single-family residences.

Per the submitted narrative, the current owner proposes to amend conditions of zoning to allow a Phase 1 development that would consist of outdoor storage of transportation trailers and shipping containers. This business would operate 7 days a week, 24 hours a day. Phase 2 development would remain consistent with the previous approval (ZON2022-00005). No timeline is provided specifying when the transition will occur from Phase 1 to Phase 2.

Per the narrative, the applicant is concurrently requesting a variance from the parking lot design standards of the Gateway Corridor Overlay District (GCOD) to allow a surface of graded aggregate base (GAB) where asphalt, concrete or Director-approved pervious materials are required (6.2.5.C.2.d). Gravel surface is proposed for the entirety of the developed portion of the site where the parking of transportation trailers and shipping containers will occur. The applicant proposes a 10 foot wide landscape strip and 6 foot tall privacy fence adjacent to the Candler Road right-of-way and a 25 foot wide landscape strip and 6 foot tall privacy fence adjacent to the Dale Road right-of-way. All other buffers, fencing and screening will remain part of the development standards in accordance with the previous approval. The applicant requests that the removal of the wooden privacy fence along Candler Road be permitted after Phase 2 development occurs. No buildings are proposed for Phase 1.

Water service will be provided by the City of Gainesville Department of Water Resources. Sanitary sewer service will be provided by an on-site septic system.

Based on the future land use plan, staff finds the special use request is not consistent with the Comprehensive Plan's future land use classification of Rural Scenic Nodes & Corridors. This future land use designation states that the county's rural roadways boast significant natural, historic, or cultural features, and scenic or pastoral views. To balance that with necessary growth, new development along these minor road corridors and intersections should be limited to low-intensity, small-scale commercial uses to serve nearby communities, and well as agricultural uses of all scales. Where there is residential development, the density should be up to 0.75 dwellings per acre. Within this Chestnut Mountain Candler Character Area, compatible zoning districts include Agricultural 1 (AG-1), Agricultural Residential 1 (AR-1), Office and Institutional (O-I), Suburban Shopping (S-S), Planned Commercial Development (PCD).

(A) Zoning Analysis – Special Use

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, development and zoning of adjacent and nearby property; **The proposal is not suitable in view of the use, development, and zoning of adjacent and nearby properties as many adjacent parcels are zoned agricultural residential (AR-1) and Residential (R-1). The proposed use of the property is not in line with the future land use plan or permitted uses within the Gateway Corridor Overlay District; however, property across Candler Road is zoned Heavy Industrial (I-2) and is developed with a quarry and asphalt plant.**
- b) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **It is difficult to anticipate whether the expanded use would adversely affect adjacent or nearby property.**
- c) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; **The property has reasonable economic use as currently zoned.**
- 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, utilities, schools, police protection, fire protection, public health facilities or emergency medical service; **If approved, the use is not anticipated to cause an excessive or burdensome use of the existing streets, transportation facilities, utilities, schools, police protection, fire protection, public facilities, or emergency medical service. The property is served by City of Gainesville public water.**
- e) 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 proposed use is not consistent with the Comprehensive Plan and the Rural Scenic Nodes & Corridors future land use designation which supports limited to low-intensity, small-scale commercial uses to serve nearby communities and agricultural uses of all scales.**
- 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 values 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 property was rezoned to Light Industrial (I-1) on June 9, 2022, (ZON2022-00005) and a land disturbance permit (LDP) renewed on April 2, 2025 (HDEV23-0102). Grading of the site has commenced.**
- 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; **This question is not applicable as there are no proposed changes to the zoning classification.**
- 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; **Staff is unable to determine whether the requested change is 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; **The proposed use of outdoor storage requires approval by the Board of Commissioners for any parcel located in the Gateway Corridor Overlay District (GCOD).**
- 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 are no anticipated ecological or pollution impacts 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.**

(B) Zoning Analysis – Variance to Section 6.2

The Planning Commission may grant variances in individual cases of unnecessary hardship upon a finding of the board that:

1. There are extraordinary and exceptional conditions pertaining to the particular lot in question because of its size, shape, or topography (the hardship must relate to the physical character of the lot and not to a personal or economic hardship); **No, there are no extraordinary conditions pertaining to the physical character of the lot to prevent the project design from meeting development standards.**
2. The application of the requirements of this UDC to this particular piece of property would create an unusual hardship; **No evidence has been provided that an unusual hardship exists to prevent the development from complying with parking requirements.**
3. Such conditions are peculiar to the property involved and are not common to other properties in the neighborhood; **There are no conditions peculiar to the subject property that are not common to other properties in the neighborhood.**
4. Such conditions are not the result of any actions of the property owner; **As the subject parcel is undeveloped, the project can be designed to comply with development standards.**
5. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this UDC; provided, however, that no variance may be granted for a use of land or building or structure that is prohibited by this UDC or for a Conditional Use Permit which has been denied by the Planning Commission. **Relief, if granted, may impair the purposes and intent of the Unified Development Code of Hall County as the intent of the Gateway Corridor Overlay District is to encourage development projects that set standards for landscaping, community design and aesthetics.**

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. The applicant has paid the appropriate fees and 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 must 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 provides a narrative outlining the intent of the development; however, the applicant has not prepared a response to each of the criteria listed in 11.2.6.E.2.**
 - b. 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 may evaluate the application based on the most intense possible land use permitted in the proposed district. **The proposal meets the 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**
- d. 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 June 5, 2025, Emily McGahee stated, "Must meet all Environmental Health commercial septic system permitting requirements. 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."

Georgia Department of Transportation

In an email dated May 29, 2025, Nakia Nembhard, GDOT Civil Engineer 3, stated that GDOT coordination is required.

Gainesville-Hall Metropolitan Planning Organization

In an email dated June 2, 2025, Joseph Boyd, MPO Director, provided the following comment: "This parcel is along State Route 60/Candler Road, which is scheduled to be widened (GH-111B) in the long-range portion of the MPO's 2055 Metropolitan Transportation Plan. Construction is currently scheduled to occur after 2055, but the timing is fluid and could change. There are no known pre-engineering plans at this time for the applicant to reference."

Hall County Fire Marshal

In an email dated June 5, 2025, John Hornick, NPQ Fire Service Plans Examiner 1, stated, "The Hall County Fire Marshal's Office has no comments on item A or B as proposed."

Hall County Public Works and Utilities

In a memorandum from Public Works and Utilities dated June 6, 2025, Bill Nash, Director of Public Works, 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 stream buffer and impervious setback from wrested vegetation not centerline of stream.

Traffic:

GDOT permit for access is required.

Utilities:

No sewer in area.