

**HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT**

Applicant Karen Woodroffe

Request **Special Use**

Proposed Use Group home

Size 0.59± acres

Zoning Residential 1 (R-1)

Location **5424 Mulberry Preserve Drive** | Tax Parcel
15043F000130

Commission District One

Planning Commission Date October 6, 2025

Staff Recommendation **Approval**, as the proposed use is consistent with
the “Suburban Neighborhood, Medium Density”
future land use designation within the
Comprehensive Plan

Record Number..... HZCU25-0045

Planning Commission Recommendation **Approval, with conditions**

Vote: 4-0 (Davidson absent)

Planning Commission Conditions:

1. The property shall be developed in accordance with the concept site plan and as described in the project narrative dated August 5, 2025, 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 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.
3. All conditions of zoning shall be made a part of any plats or construction plans created for the property.

4. This approval shall be applicable to this applicant only. Should the ownership of the subject property change, the approval shall become null and void.

Excerpts from the minutes of the October 6, 2025 meeting. These minutes have not yet been approved by the Planning Commission.

Applicant's Presentation:

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

Karen Woodroffe, 5424 Mulberry Preserve Drive, Flowery Branch, presented the request. The applicant is requesting a special use for a group home on a 0.59± acre tract zoned Residential 1 (R-1). Per the narrative, the group home is intended for at-risk youth within foster care. The subject property is currently developed with a single-family residence.

The surrounding properties are zoned Residential 1 (R-1) and developed with single-family residences as part of the Preserve at Mulberry subdivision.

Per the submitted narrative, the subject parcel has been operating as a foster care home since 2019 with the approval to accommodate three children, ranging in age from five years to 16 years old. The applicant seeks to increase and maintain the number of children in their care to six, ranging in age from 13 to 18 years old, in order to meet the licensure requirements of the Residential Child Care Licensing (RCCL) division of the Georgia Department of Human Services (DHS).

Beth Vinyard, Residential Child Care Licensing Office of Inspector General, 47 Trinity Avenue, Atlanta, was available to answer questions.

Public Forum:

Ari Mathe, 5476 Mulberry Preserve Drive, Flowery Branch, spoke in favor. Ms. Mathe stated that, as a child welfare attorney, she knows the applicant both professionally and personally as a neighbor. She spoke highly of Ms. Woodroffe's trustworthiness and organizational skills and commended her for helping at-risk female youth. Ms. Mathe added that, as a group home, the applicant would be better equipped to support children in crisis.

David Massey, 5417 Mulberry Preserve Drive, Flowery Branch, spoke in opposition. He expressed concerns about the possibility of a different group home purchasing the property in the future and housing individuals struggling with addiction, as well as the potential for decreased property values. Mr. Massey stated that group homes should not be allowed within a residential neighborhood.

Sharryl Mack, 5521 Mulberry Preserve Drive, Flowery Branch, spoke in opposition. Her concerns included a potential decrease in property values, the group home being located within a neighborhood, and the belief that the applicant was pursuing the group home designation due to financial hardship.

Virginia Early, 5525 Mulberry Preserve Drive, Flowery Branch, spoke in opposition. Ms. Early expressed concern about a group home being located in a single-family residential neighborhood, stating it could negatively impact property values.

Charlotte Wright, 5537 Mulberry Preserve Drive, Flowery Branch, spoke in opposition. Ms. Wright is proud they are helping children but she is concerned about the welfare of the children because the amount of documented visits of police visiting the applicant's home. Other concerns raised were that the group home does not match the character of the surrounding area and the group home will have a negative impact on the community.

Rebuttal

The applicant clarified the application for the group home use is not for financial resources but so there can be trained staff when the foster children are going through a crisis or any other needs. They also explained the Department of Family and Children Services has requirements that when a child is in crisis, emergency services have to be called to assist in de-escalating the situation. If they can be a group home they will have trained staff on site that can help the trauma and crisis event be de-escalated without emergency service intervention.

Planning Commission Comments:

Mr. Sosebee asked what the age range of the children are currently in the applicant's foster home. The applicant stated the three children they have currently range from middle school to 16 years old. Mr. Sosebee asked where the children go after the age of 16. The applicant stated they follow the Department of Family and Children Services care plan for that child which typically has them reunited with their families. Mr. Sosebee asked what types of recreation activities they have for their children. The applicant explained they take the children hiking, local playgrounds, events at their local church and conventions throughout Georgia. Mr. Sosebee asked if the applicant was familiar with the staff recommended conditions and the applicant confirmed they were good with the conditions. Mr. Braswell asked the applicant if DFCS does regular visits with the children. The applicant stated the child's case worker visits every month to every other month for in person visits either at home or at their school.

Mr. Braswell asked Ms. Vineyard to explain the changes between the applicant's home now and if they were a group home. Ms. Vineyard explained as a foster family, the applicant has the support of the Department of Family and Children Services while as a group home they have the state Department of Human Services regulating them as their governing body. They are no longer considered a foster family but a small childcare institution with six children in the home. Ms. Vineyard highlighted the minimum size for a group home is 6 children and they will be required to have a minimum of one human services professional employed. Along with monitoring the group home in its beginning stages, Ms. Vineyard explained, there are annual inspections and the homes are encouraged to self report as well. Mr. Braswell asked to clarify that there would be regular visits. Ms. Vineyard affirmed there would be. Mr. Braswell asked who hires the human service professional and makes sure they are qualified. Ms. Vineyard stated the governing body of the group home would hire the employee but they would have to meet staff qualifications to ensure State compliance.

Mr. Sosebee asked the applicant how many children they project to have over the next 12 months, and the applicant stated 6 children.

Motion: A motion to approve, with conditions was made by Frank Sosebee and seconded by Stan Hunt and Andre Castleberry. Vote: 4-0 (Davidson absent)

Conditions:

1. The property shall be developed in accordance with the concept site plan and as described in the project narrative dated August 5, 2025, 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 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.
 3. All conditions of zoning shall be made a part of any plats or construction plans created for the property.
 4. This approval shall be applicable to this applicant only. Should the ownership of the subject property change, the approval shall become null and void.
-

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

5. The property shall be developed in accordance with the concept site plan and as described in the project narrative dated August 5, 2025, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
 6. 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.
 7. All conditions of zoning shall be made a part of any plats or construction plans created for the property.
-

Summary Analysis

The applicant is requesting a special use for a group home on a 0.59± acre tract zoned Residential 1 (R-1). Per the narrative, the group home is intended for at-risk youth within foster care. The subject property is currently developed with a single-family residence.

The surrounding properties are zoned Residential 1 (R-1) and developed with single-family residences as part of the Preserve at Mulberry subdivision.

Per the submitted narrative, the subject parcel has been operating as a foster care home since 2019 with the approval to accommodate three children, ranging in age from five years to 16 years old. The applicant seeks to increase and maintain the number of children in their care to six, ranging in age from 13 to 18 years old, in order to meet the licensure requirements of the Residential Child Care Licensing (RCCL) division of the Georgia Department of Human Services (DHS).

According to the applicant's narrative, in addition to providing room, board, and supervision, the program will offer comprehensive support services including education, healthcare, community engagement, and

spiritual development. School-aged children will be enrolled in and required to attend local public schools. Medical needs will be addressed through regular appointments with licensed healthcare providers. Children will also participate in extracurricular activities and attend community-based church services on a regular basis.

Water is provided by the City of Gainesville Department of Water Resources, and sanitary sewer is provided by an existing on-site septic system.

Based on the future land use plan, staff finds the requested special use *is consistent* with the Hall County Comprehensive Plan future land use designation of Suburban Neighborhood, Medium Density. These areas consist of medium-density, single-family housing. They should be located where there is existing water and sewer infrastructure, or where future infrastructure is expected to be located.

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, development and zoning of adjacent and nearby property; **The proposed special use of a group home is consistent with the use and development of surrounding properties, which are developed with single-family homes.**
- b) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **It cannot be anticipated whether the proposed special use of a group home will adversely affect the existing use or usability of adjacent or nearby property.**
- c) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; **The applicant is not requesting to change the zoning of the subject property.**
- 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 proposed special 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.**
- 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 special use is consistent with the intent of the Suburban Neighborhood, Medium Density future land use designation within the Comprehensive Plan as it is intended to be operated similarly to a single-family home.**
- 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 subject property is currently zoned Residential 1 (R-1) and developed with a single-family residence built in 2005.**
- 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; **As the request is a special use in the R-1 zoning district, this amendment does not create an isolated district unrelated to surrounding zoning.**
- 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 proposed special use is consistent with the intent of the Suburban Neighborhood, Medium Density future land use designation within the Comprehensive Plan and is not out of scale with the needs of the immediate neighborhood.**
- n) Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **A special use for a group home requires approval by the Board of Commissioners.**
- o) Whether the need for rezoning could be handled instead by a variance request to the Planning Commission; **The request for a special use 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.**

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 September 4, 2025, Emily McGahee stated "No comment."

Georgia Department of Transportation

In an email dated September 11, 2025, Christopher Hash, P.E. D1 Traffic Operations Supervisor, stated that GDOT coordination is not required.

Hall County Public Works and Utilities

In a memo dated September 5, 2025, Jason Skarda, Assistant Director of Public Works and Utilities, provided the following comments:

Engineering:

No comment.

Traffic:

No comment.

Utilities:

Gainesville sewer service area. Infrastructure is on Wahoo Falls Trace.

Hall County Fire Marshal

In an email dated September 2, 2025, John Hornick, NPQ Fire Service Plans Examiner 1, stated, "The applicant shall provide proof of life safety code compliance issued by the Hall County Fire Marshal's Office, including a certificate of occupancy if required. The premises of the Institution shall have functioning fire extinguishers and smoke detectors. A Life Safety Inspection by the Hall County Fire Marshal's Office will be required prior to the occupant increase.

Sleeping Areas. The occupancy shall have separate sleeping areas which contain not less than 63 square feet of usable floor space per resident. Single bedrooms shall contain at least 75 square feet of usable floor space. Useable floor space does not include built-in closet space. The applicant will have to provide a floor plan to the Hall County Fire Marshal's Office providing the number of occupants and square footage of each sleeping area.

Windows. Windows which are accessible from the outside shall be lockable and easily opened from the inside. The window shall provide a clear opening of not less than 5.7 square feet. The manufacturer's designed functions of windows shall not be altered without the approval of the Fire Marshal. The windows will be inspected for code compliance during the life safety inspection. All sleeping areas shall be provided with two means of egress."