

ROBBINS

LITIGATION AND REGULATORY LAW

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January 16, 2026

Hall County Board of Commissioners
c/o Jennifer Rivera
Commission Clerk
Hall County, Georgia
2875 Browns Bridge Road
Gainesville, GA 30504
jrivera@hallcounty.org
VIA: Electronic Mail

Re: Opposition to Special Use and Variance Application for 5773 & 5769 Conner Road (Record Numbers HZCU25-0057, HVAR25-0070)

Dear Chairman Gibbs and Commissioners Cooper, Powell, Poole, and Stowe:

We represent Ms. Sheila Humberstone, a resident of Hall County. Ms. Humberstone lives less than a mile from the two properties being considered for zoning changes at the January 22, 2026, meeting of the Hall County Board of Commissioners (the “Board”): 5769 and 5773 Conner Road, Flowery Branch, Hall County, Georgia 30542 (collectively, the “Properties”). To access her residence, Ms. Humberstone must use Conner Road and pass the Properties. Our client, along with several of her neighbors, **oppose** the applications submitted by Mr. Dwane Bradley Walton (the “Applicant”) for (1) a special use designation to host an agri-entertainment events on the Properties; and (2) two variances from the use standards required of agri-entertainment properties (the “Applications”).

Ms. Humberstone is right to do so. The Hall County Unified Development Code (the “UDC”) governs the Applications, and it leaves little room for doubt that the Applications must fail—both on their face and on the merits. Respectfully, it is not even a close call. On their face, the Applications are neither properly before the Board nor complete. Beyond this, the Applications offer the Board no evidence to satisfy allow the Board to make the required factual findings on “each factor necessary to receive approval of the Board of Commissioners.”¹

This is not the first time the Applicant sought approval from Hall County to operate agri-entertainment events, nor is it the first time the Applicant failed to satisfy the

¹ Hall County, Ga., Code § 11.2.6(J)(4).

burdens imposed by the UDC. In 2017, the Applicant sought approval for a special use to allow an agri-entertainment venue on the Properties.² Then, as now, surrounding residents opposed the applications. Then, as now, they cited the same concerns of diminished safety, property values, and enjoyment of property that would follow an approval of the Applicant's request.³ At that time, the Hall County Planning Commission recommended denying the 2017 applications, and the Applicant "pulled the request in the face of likely rejection" by the Board.⁴ This Board approved the withdrawal.⁵

The Planning Commission got it right in 2017. Ms. Humberstone joins her neighbors and respectfully asks this Board to deny the Applications on January 22. On their face, the Applications are neither timely before the Board nor complete. Beyond these fatal flaws, the Applications come nowhere close to satisfying the Applicant's burden of proof needed to authorize a special use or a variance.

BACKGROUND

The Applicant submitted the Applications on October 22, 2025. Application HZCU25-0057 (the "Special Use Request") seeks a special use designation to allow the Properties to operate as an agri-entertainment venue as described in Hall County Ordinance Section 7.7.3. Application HVAR25-0070 (the "Variance Request") seeks a variance from the same section of the UDC to allow for a reduction in the minimum setback for the existing primary structure and parking area. Specifically, the Applications request a 100-foot reduction of the setback for the event space (from the required 300 feet buffer to 200 feet), and a reduction of the minimum setback area for the parking area from 200 feet to 34 feet.

The Properties are currently zoned AR-1. Ms. Humberstone's property (and the property of other opponents) is classified as residential. Doing business as Flowery Branch Winery and Vineyard, the Applicant has operated as a farm winery since planting grapes in 2017, and it constructed and then opened a tasting room (within the 300-foot buffer required of agri-business events) in February 2025. The winery is located on Conner Road, and that street provides the only means of access to Ms. Humberstone's home as well. As you may know, Conner Road is narrow. Indeed, based on the site plan attached to the Applications, it appears that Conner Road is only 18 feet wide. There are no sidewalks along much of Conner Road.

² Hall County Planning Commission, Meeting Minutes (Mar. 6, 2017). A true and accurate copy of the Planning Commission's meeting minutes are attached as "Exhibit 1."

³ *Id.* at 1-2.

⁴ Rachel Estes, "'Growing a legacy': Flowery Branch resident plans to open winery in homage to family roots," *The Times*, Gainesville, Ga. (Sept. 16, 2022) (available at: <https://finance.yahoo.com/news/growing-legacy-flowery-branch-resident-060300373.html>).

⁵ Hall County Board of Commissioners, Meeting Minutes (Apr. 13, 2017). A true and accurate copy of the Board's minutes from the April 13, 2017 minutes are attached as "Exhibit 2."

These facts mattered when the Planning Commission held a public hearing on the Applicant's first attempt for special use approval on March 16, 2017.⁶ At that time, the Applicant did not have a tasting room or many guests coming onto the Properties. Only the Applicant spoke in favor of his request.⁷ As they do today, many nearby homeowners opposed the project at the meeting. They expressed concerns about the safety of granting the Applicant's request in the light of how narrow Conner Road was then (and remains today).⁸ As today, neighboring residents argued that the type and frequency of events allowed by an agri-entertainment designation would lead to excess noise and traffic.⁹ And as today, opponents of the special use designation explained how Conner Road is insufficient to handle such demands, and that the proposed use of the Properties was inconsistent with the residential character of the surrounding neighborhoods.¹⁰ They were not alone. Mr. Charles Turner with the Hall County Engineering Department testified that the "Engineering department is not in favor of the application due to the narrow width of Conner Road."¹¹ The Planning Commission agreed. It unanimously recommended that the Board deny the application. When the issue came before this Board, and upon the Applicant's request, the Board approved a withdrawal of the application.¹²

THE BOARD OF COMMISSIONERS SHOULD DENY THE APPLICATIONS

Almost nine years later, the Applications still fall well short of satisfying the Applicant's burden of persuasion and for several reasons. On their face, the Applications are untimely and incomplete. Substantively, the Applications fail to provide the Board with any evidence, much less compelling evidence, to allow the Board to make the factual findings necessary to approve special use and variance requests. Put simply, the Applications should be denied on January 22, and this is not a close call.

1. The Applications Are Not Timely Before The Board

Hall County received the Applications on October 22, 2025. The UDC required the Planning Commission—and now the Board, which is acting as the Planning Commission—to have a public hearing on the Applications no more than 60 days later, or by December 21, 2025.¹³ The Board did not, and it is now too late for the Board to approve or deny the Applications.

⁶ Ex. 1 at 2.

⁷ March 5, 2017 Minutes, Hall County Planning Commission at 1-2.

⁸ *Id.* at 2.

⁹ *Id.*

¹⁰ *Id.*

¹¹ *Id.* at 3.

¹² Hall County Board of Commissioners, Meeting Minutes (Apr. 13, 2017).

¹³ Hall County, Ga., Code § 11.2.6(F)(1).

The Residents are aware of the resolution adopted by the Board on October 7, 2025, which suspended the Hall County Planning Commission, and substituted the Board in its place (the “Resolution”).¹⁴ The Resolution requires the Board to “assume and perform all powers, duties, and responsibilities of the Planning Commission, as set forth under the UDC”.¹⁵ One of the Planning Commission’s duties and responsibilities, which are now imposed on the Board, is that the Planning Commission “must hold the required public meeting not less than 30 days, nor more than 60 days, from the date of the filing of a complete application.”¹⁶ Binding judicial precedent establishes “that the word ‘must’ is synonymous with ‘shall,’ and that the use of such statutory language generally means that the legislature intended for the provision to be mandatory.”¹⁷ Further, Georgia courts have held that a local government’s failure to follow its own zoning procedures may invalidate a zoning decision.¹⁸

The January 22, 2026, meeting of the Board is 92 days after the submission of the Applications. Thus, no timely decision can be rendered, and the Applicant should be required to resubmit the Applications at a later date.

2. The Applications Are Facially Incomplete

The UDC also makes clear that any application for a special use of property “must include,” among other things, a “narrative statement identifying the existing and proposed use of the property and addressing each of the criteria set forth in [Section] 11.2.”¹⁹ Section 11.2.2(F)(3) identifies 17 criteria that must be addressed in an application for a special use.²⁰ The Applications fall short of these requirements, which means they must be denied.

Specifically, the Applications do not address at least four of the mandatory criteria imposed by the UDC. First, there is no discussion of whether “the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.”²¹ At best, it makes representations about noise, but nothing else is discussed. Second, the Applications fails to say anything about whether the proposal will result or

¹⁴ A true and accurate copy of the Resolution is attached as “Exhibit 3.”

¹⁵ *Id.*

¹⁶ Hall County, Ga., Code § 11.2.6(F)(1) (emphasis added).

¹⁷ *Rakusin v. Radiology Associates of Atlanta, P.C.*, 305 Ga. App. 175, 179 (2010). *See also Franzen v. City of Atlanta*, 359 Ga. App. 462, 467 (2021) (holding that rules of statutory construction apply to local ordinances).

¹⁸ *See Yost v. Fulton Cnty.*, 256 Ga. 324, 325 (1986) (failure to comply with ordinances’ notice and hearing requirements); *Harden v. Banks Cnty.*, 294 Ga. App. 327, 330 (2008) (application’s failure to include a site map).

¹⁹ Hall County, Ga., Code §§ 11.2.6(E)(2) and (E)(2)(a).

²⁰ As enacted, this provision of the UDC is to be considered by the Hall County Planning Commission first, but the Resolution empowers the Board to “assume and perform all powers, duties, and responsibilities of the Planning Commission.” Regardless of the Resolution, the Board “must consider the general lines of inquiry established under Sec. 11.2.6.F” as well. Hall County, Ga., Code § 11.2.6(J)(3).

²¹ Hall County, Ga., Code § 11.2.6(F)(3)(b).

potentially cause “an excessive or burdensome use of existing streets” or public services.²² In fact, the condition of Conner Road is not even mentioned. Nor do the Applications discuss any impact the proposal would have on property values of the surrounding areas.²³ The Applications also fail to provide any evidence or discussion of whether the “change requested is out of scale with the needs of the county as a whole *or the immediate neighborhood.*”²⁴

The Staff Report confirms this. On the Special Use Request, the Staff Report acknowledges that the Staff were “unable to determine the extent to which property values are diminished by the existing zoning restrictions,” and also “unable to comment on the impact of property values without a full market analysis.”²⁵ The same is true on the Variance Request, where the Staff explained that the Applicant “has not prepared a response to each of the criteria listed in 11.2.6.E.2.”²⁶ This kind of information is not just required by the text of the UDC, but by omitted the necessary information, the Applications “deprive[the Board] of key information relating to the propos[al]” that the Board must have to evaluate whether or not to grant the Applications.²⁷ Neither Ms. Humberstone, nor the other opponents of the proposal, nor the Staff have any obligation to fill the gaps left by the incomplete Application. The UDC imposes the burden of persuasion solely on the Applicant.²⁸

Under these circumstances, the Board should deny the Applications as being incomplete and failing to provide the Staff and the Board with information needed to evaluate the proposal. This determination should be made before considering the Applicant’s proffered justifications for the proposal.

3. The Applicant Has Not Satisfied His Burden of Persuasion

Even if the Board were to overlook the Applications’ fatal flaws, and respectfully, it should not, a consideration of the Applications’ substance leads to the same conclusion: they should be denied. The scant “evidence” provided by the Applications is woefully inadequate to satisfy the Applicant’s “burden of persuasion of each factor necessary to receive approval of the Board.”²⁹

First, the Application contains no evidence or even discussion of the mandatory requirement to show the proposal would be “suitable in view of the use [and] development ... of adjacent and nearby property,” or not “adversely affect the existing

²² Hall County, Ga., Code § 11.2.6(F)(3)(c).

²³ Hall County, Ga., Code § 11.2.6(F)(3)(d).

²⁴ Hall County, Ga., Code § 11.2.6(F)(3)(m).

²⁵ Staff Report at p. 4. A true and accurate copy of the Staff Report is attached as “Exhibit 4.”

²⁶ *Id.* at 6.

²⁷ *Harden*, 294 Ga. App. at 330.

²⁸ Hall County, Ga., Code § 11.2.2.J(4).

²⁹ Hall County, Ga., Code § 11.2.2.J(4).

use or usability of adjacent or nearby property.”³⁰ When considering these criteria, it is important to recognize that the Properties are bordered on the north and west by residential neighborhoods.³¹ Despite this, the Applications contain no information to show how the proposed use would be “suitable” for the neighborhoods, or how it would not lead to adverse effect, including those identified by the Planning Commission in 2017.

Nevertheless, the Staff Report suggests that the proposed use is “suitable,” and that adverse effects are “not anticipated.”³² Given the lack of evidence submitted by the Applicant, the Staff’s conclusions must be deemed speculative at best. By contrast, the letters submitted by Ms. Humberstone and her neighbors (collectively, the “Residents”) identify significant flaws with the Applications’ approach and representations, including concerns about safety, noise, traffic, property values, and other detriments that the Applications fail to address.³³

The narrative does at least attempt to address issues of noise and parking but only by pledging to comply with the UDC. The Board should afford the representations in the Applications little weight. In the months since the winery opened, the Applicant has failed to comply with the existing obligations imposed on farm wineries, including a requirements that: (1) parking areas be “screened from roads and adjacent properties;” (2) amplified sound not be utilized outside of an enclosed structure; and (3) visitors to the Properties not park on the shoulder of Conner Road, which is already too narrow.³⁴ And, as noted by Hall County Fire Rescue Lieutenant John Hornic, “existing access to venue does not appear to meet ... fire code requirement[s].”³⁵

In other words, the evidence before the Board precludes a finding that the Applications satisfy two mandatory requirements of the UDC. On the one hand, the Application contains either no information, or it simply asserts that compliance with noise and parking regulations will be satisfied. On the other hand, those opposing the Applications have provided the *only evidence* on property values, safety, and compliance. Under these circumstances, the Applicant has fallen well short of satisfying the burden of persuasion needed to approve the Applications.

Second, the Applications contain no answer to the mandatory question of whether the proposal will “result in a use which will or could cause an excessive or burdensome use of existing streets.”³⁶ The Staff Report said those harms are “not

³⁰ Hall County, Ga., Code §§ 11.2.2.(F)(3)(a) and (b).

³¹ See Staff Report.

³² Staff Report at 4.

³³ Ms. Humberstone’s letter has been submitted to the Board, and it is attached as “Exhibit 5.”

³⁴ A few pictures demonstrating these conditions, as well as the narrow width of Conner Road are attached as “Exhibit 6.”

³⁵ Staff Report at 7.

³⁶ Hall County, Ga., Code § 11.2.6(F)(d).

anticipated,” but the Applicant provided the Staff with no factual basis to reach this conclusion.³⁷

The Residents’ letters demonstrate that the Staff’s optimism, while well-intentioned, is unsupported. Like the testimony provided to the Planning Commission in 2017, the Residents’ letters speak of existing problems caused by Conner Road’s narrow width. They show the harms caused by existing use of the road and visitors’ parking. The Residents’ concerns are confirmed by the Applications themselves.

Specifically, the site plan attached to the Applications appears to describe Conner Road—at the very location where the Applicant currently provides for egress and ingress onto the Properties—as being only 18 feet wide. In 2017, this led the Hall County Engineering Department to oppose the Applicant’s same request.³⁸ Lieutenant Hornick of Hall County Fire and Rescue echoes those same concerns today. The Staff Report contains his finding that the Properties’ existing driveway—the same one it proposes for agri-entertainment events—does not comply with the International Fire Code (“IFC”), which is adopted and made part of Hall County’s Code of Ordinances.³⁹ Specifically, the IFC defines “fire apparatus access roads” broadly to include not just driveways like the one identified by Lieutenant Hornick, but also any “road that provides fire apparatus access from a fire station to a facility, building or portion thereof. This is a general term inclusive of all other terms such as fire lane, *public street*, private street, parking lot lane and access roadway.”⁴⁰ Accordingly, Conner Road is also a fire apparatus access road. And, it is already out of compliance with the IFC’s width requirement that all apparatus access roads “*shall* have an unobstructed width of not less than 20 feet.”⁴¹

GDOT’s Design Policy Manual is similar. As demonstrated by the image below, GDOT describes the minimum desirable width of lanes on local roads as 11-12 feet, which means Conner Road should be 22-24 feet wide and not 18 feet.⁴²

³⁷ Staff Report at 4.

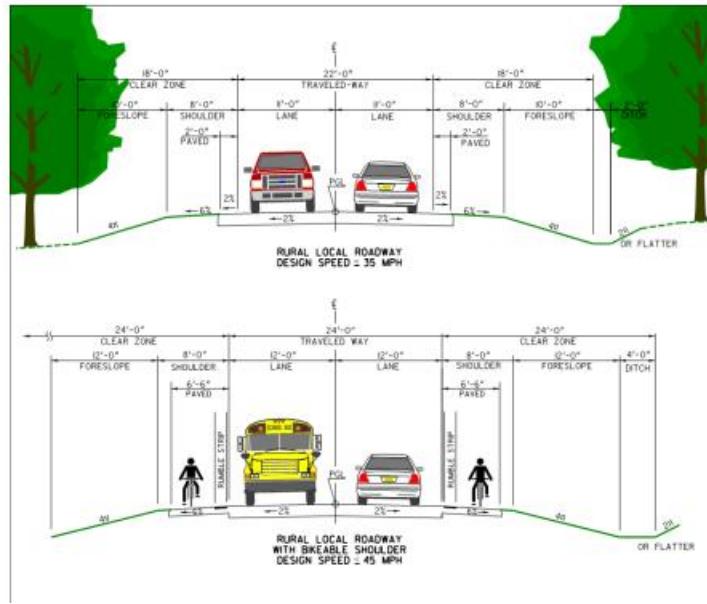
³⁸ Hall County Planning Commission, meeting minutes at 3 (Mar. 6, 2017).

³⁹ Staff Report at 7. *See also* Hall County, Ga., Code § 15.10.020(A)(8) (adopting International Fire Code).

⁴⁰ Int’l Fire Code § 202 (emphasis added).

⁴¹ Int’l Fire Code § 503.2.1 (emphasis added).

⁴² GDOT Design Policy Manual Table 6.4. The Manual is available online at <https://www.dot.ga.gov/PartnerSmart/DesignManuals/DesignPolicy/GDOT-DPM.pdf>



Thus, the current state of Conner Road provides another reason to deny the Applications.⁴³ As shown, Conner Road and the Properties' access road already cannot comply with the use standard that properties approved for agri-entertainment events "must provide adequate access and egress for emergency vehicles."⁴⁴ The narrative included in the Applications promises to make matters worse. The Applications represent that maximum attendance would be "capped at 50 cars / 100 guests," but it provides no description of how the Applicant would enforce this requirement. Notably, the Applications do not suggest that the Applicant will widen Conner Road, even though the Staff Report recommends adding a condition that at least the driveway be brought into compliance with the IFC.

But even if the Applications' promise of compliance were accepted at face value, the fact remains that the proposed use imposes unsafe and material strains on Conner Road and the Residents. Common sense dictates that harms caused by a narrow road are worsened by increasing the frequency and volume of traffic, especially to events centered around consuming wine. In sum, residents who must traverse along Conner Road currently face safety risks caused by the inadequate width of Conner Road, and approving the Applications would materially exacerbate the risks faced by the Residents.

Third, as the Staff Report recognizes, the Applications contain no evidence (or even assertions) from which the Board could evaluate or find, that the proposal will not

⁴³ See Hall County, Ga., Code § 11.2.6(F)(3)(d).

⁴⁴ Hall County, Ga., Code § 7.7.3(B)(13).

impair property values.⁴⁵ The letter submitted to the Board by Mrs. Sharon Leonard, a licensed realtor, indicates that the Residents' property values will decrease if the Applications are granted. Thus, the *only* evidence before the Board weighs strongly against approval.

Fourth, the Application fails to carry the burden of persuasion on the criteria set forth in UDC Section 11.2.6(F)(3)(m): "Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood." The Staff Report concludes that the request complies with this requirement, but it does not explain how the Staff reached this conclusion, and the Applications do not even address the issue. As the Residents' letters plainly show, and for each of the reasons discussed above, allowing agri-entertainment events on the Properties well exceeds the needs of the immediate neighborhood. Even if the Board presumed the Applicant would comply with the use standards for agri-entertainment events, he suggests that 100 people or 50 cars could enter and exit the Properties everyday. On Sundays through Thursdays, events could run until 10:00 p.m., and until midnight on Fridays and Saturdays.⁴⁶ This kind of commercial activity is well "out of scale" with the needs of the Residents.

Fifth, the Staff Report correctly recommends denying the Variance Request. Under normal circumstances, the Planning Commission may recommend approving requests for variances only "upon a finding" that, among other things, the alleged hardships are neither "the result of any actions of the property owner; and [r]elief, if granted, would not cause a detriment to the public good."⁴⁷ These findings can be made only when warranted by a "preponderance of the evidence."⁴⁸ Because the Board has assumed all "responsibilities of the Planning Commission," that same standard applies to the presentation at the January 22 meeting.⁴⁹

Here, such evidence is plainly lacking from the Applications. They assert that the current placement of the existing metal building, within the minimum setback, creates an unnecessary hardship of having to tear down and rebuild the facility to comply with the UDC. Specifically, the existing use standards for agri-entertainment events require facilities at agri-entertainment events to be "at least 300 feet from any property line," but the existing structure is only 200 feet from the property line.⁵⁰ The Applications also ask the Board to approve a variance to allow the current parking area to be within 34 feet from the property line, because the Hall County Code requires a 100-foot setback.⁵¹

⁴⁵ See Staff Report at 4.

⁴⁶ Hall County, Ga., Code § 7.7.3.(B)(11).

⁴⁷ Hall County, Ga., Code § 11.1.1(D)(11)(d) and (e).

⁴⁸ Hall County, Ga., Code § 11.1.1(J).

⁴⁹ See Resolution, Section 2.

⁵⁰ Hall County, Ga. Code § 7.7.3(B)(3).

⁵¹ Hall County, Ga. Code § 7.7.3(B)(5).

As the Staff correctly recognized, these conditions are not “undue hardships” that would authorize granting variances. Rather, the problems created by the existing facility and parking are entirely of the Applicant’s own making based on decisions made to place the facility and parking within the setbacks required of agri-entertainment events *after* the Planning Commission recommended denying the same request in 2017. The Staff Report explains that the Applicant constructed the metal building in 2023, six years after he presumably familiarized himself with the requirements of agri-entertainment events in 2017.⁵² The same is true of the parking setback requirements. Nevertheless, the Applicant placed the facility and parking within the space allowed for farm wineries but not agri-entertainment event locations anyway. For these reasons, the Applications do not qualify for a variance because the identified conditions were caused solely by decisions of the Applicant. This ends the inquiry. The UDC authorizes granting variances only if each of the criteria described in UDC Section 11.1.1(D)(11) are satisfied, and one is that the “conditions are not the result of any actions of the property owner.” Put differently, the Board lacks discretion to grant a variance when a mandatory condition is not satisfied, and the Board need not consider any other factor.

To be sure, the Applications fall short of an additional requirement, namely a showing that granting a variance “would not cause substantial detriment to the public good.”⁵³ The Staff reached a different conclusion, but we urge the Board to disagree. First, the Applications do not address this criterion at all. Consequently, neither the Staff nor the Board have any evidentiary basis to grant the Variance Request. Second, each of the Residents’ letters show how existing noise and traffic, particularly in the light of the Applicant’s failure to comply with existing obligations, have caused them significant injury. Granting Variance Requests would only increase the frequency and severity of these harms, which the UDC does not allow.

CONCLUSION

Ms. Humberstone does not join her neighbors’ opposition lightly. She seeks to be good neighbors to the winery. In the light of all the circumstances and issues identified in this and the Residents’ letters, she is compelled to explain the multitude of reasons why the Applications have fallen well short satisfying the “burden of persuasion of each factor necessary to receive approval of the Board.”⁵⁴ The Planning Commission properly recommended denying the same request in 2017, and the Applicant appropriately withdrew the applications before the Board could affirm. Nothing has changed since then, and if anything, the Board has been presented with additional facts to have even greater concerns today, including the safety of anyone who travels on Conner Road, of approving the Application. We respectfully ask you to deny both Applications.

Should you or the Staff have any questions, please do not hesitate to contact me.

⁵² Staff Report at 3.

⁵³ Hall County, Ga., Code § 11.1.1(D)(11)(e).

⁵⁴ Hall County, Ga., Code § 11.2.6(J)(4).

Best regards,



JB

Josh Belinfante

cc: Carey Miller, Robbins Firm

Exhibit 1



HALL COUNTY PLANNING COMMISSION MINUTES OF MARCH 6, 2017

The regular meeting of the Hall County Planning Commission was held in the 2nd Floor Meeting Room, Hall County Government Center, 2875 Browns Bridge Road, Gainesville, Georgia.

Members Present: Don Smallwood, Chairman; Chris Braswell, Bo Brooks

Members Absent: Frank Sosebee, Johnny Varner

Staff Present: Srikanth Yamala, Director; Sarah McQuade, Principal Planner; Beth Garmon, Senior Planner; Emily Foote, Secretary

Others Present: Charles Turner, Engineering

Call to Order: The meeting was called to order by the Chairman at 5:25p.m.

Approval of Minutes: February 20, 2017

OLD BUSINESS

1. Previously tabled application of Dwayne Walton for a Use Subject to County Commission approval for an Agri-Entertainment District on a 5.0± acre tract located 1,7724 ft west of the intersection of Jim Crow Road and Conner Road; a.k.a. 5773 Conner Road; Zoned AR-III; Tax Parcel 08110 000151. Proposed Use: Event Venue** Commission District 1.

Background Information:

The applicant is proposing to construct a two-story tasting room for the purpose of housing retail, wine tastings and a small café area. The venue is intended to host weddings and other events. The applicant anticipate requesting variances from the agri-entertainment district standards, which require a setback from property lines of a different owner of 300 ft. for any event space and 200 ft. for any parking area. The adjoining parcels are currently owned by relatives of the applicant and they expect no opposition from them to these requests. The subject property consists of 5.0± acres and is zoned Agricultural-Residential III (AR-III). The subject parcel is developed with a 3,862 square foot single-family home. The surrounding property is developed with a mixture of agricultural and residential land uses.

Applicant's Presentation:

Brad Walton, 5773 Conner Road, Flowery Branch, presented the application. Mr. Walton explained that he wants to start a winery on the property and would eventually like to host special events such as weddings. Mr. Smallwood asked if Mr. Walton had read the staff recommendation. Mr. Walton confirmed that he had and is in agreement with the staff recommendations.

Public Forum:

John Smith, 5671 Conner Road, Flowery Branch, spoke in opposition of the application. Mr. Smith was concerned with the increase in traffic that a winery will bring to Conner Road. Mr. Smith stated that any winery traffic would drive past his property. He stated that the road is too narrow currently to accommodate emergency vehicles.

Randy Smith, 5848 Conner Road, Flowery Branch, spoke in opposition of the application. Mr. Smith also commented that the road is too narrow for an increase in traffic. Mr. Smith stated that the road, not the winery, is the issue he has with the application. He commented that there is no police presence on the road currently.

Janice Stever, 5835 Meadowfield Trace, Flowery Branch, spoke in opposition of the application. Ms. Stever was opposed to a winery being located so closely to subdivisions. Ms. Stever was also concerned with the road being too narrow to accommodate an increase in traffic.

Celeste Black, 5928 Roselight Lane, Flowery Branch, spoke in opposition of the application. Ms. Black stated that there is a water pipe running beside the road which prohibits the road from being widened.

Rene Alvarez, 5875 Meadowfield Trace, Flowery Branch, spoke in opposition of the application. Mr. Alvarez stated his backyard faces the proposed site of the winery and he is concerned with noise pollution from events and commercial trucks coming to the property.

Rebuttal:

Mr. Walton stated that he is aware that traffic is a big concern with the proposal. He stated he has researched traffic patterns relating to small wineries in Georgia and that data represents that a winery averages approximately 150 visitors per 3 day weekend, which breaks down to 50 visitors per day and an average of 25 cars per day. Mr. Walton stated that while he would like the opportunity to host events like weddings, he does not see this happening for a few years. He has arranged to have offsite parking and use a shuttle for events. To address the noise issue, Mr. Walton clarified that he would not have any music late at night. He stated that the tasting room would not be seen from the road; only the vines would be visible. He also stated that he is open to looking into placing speed bumps on the road to help slow down traffic. Mr. Smallwood asked if Mr. Walton would do anything else with the road. Mr. Walton answered that any other road projects would be too expensive. Mr. Smallwood asked about the setbacks being requested. Mr. Walton explained that the setbacks being requested all back up to property owned by his father who does not oppose these requests. Mr. Braswell asked what would happen if Mr. Walton's father sold his property. Mr. Walton explained that it would be sold with the setbacks in place if granted. He also stated he could potentially buy land from his father which would eliminate the need for the setbacks. Mr. Braswell questioned what aspects of this application require approval. Mr. Yamala clarified that the winery and the tasting room are allowed under the zoning. The creation of the event space and the setbacks are the items that require approval.

Planning Commission Comments:

Mr. Smallwood commented that the applicant is trying to do a lot on a small piece of property. Mr. Braswell commented that he would like to see a detailed site plan of the event space. Mr. Brooks commented that there are too many unknowns with the application currently. Mr. Braswell asked Charles Turner, Hall County Engineering, about the road issue. Mr. Turner stated that the Engineering department is not in favor of the application due to the narrow width of Conner Road. Mr. Smallwood stated that he was in favor of denying the application now and giving Mr. Walton time to address the issues before the County Commissioners meeting.

Motion: *Mr. Braswell made a motion to Remove from Table the request with a second from Mr. Brooks and the motion passed by a 3 – 0 vote (Mr. Sosebee and Mr. Varner absent).*

Mr. Brooks made a motion to deny the application with a second from Mr. Braswell and the motion passed by a 3 – 0 vote (Mr. Sosebee and Mr. Varner absent).

NEW BUSINESS

Proposed Amendments

2. Application of Michael James Properties, LLC to rezone from Agricultural-Residential-III (AR-III) to Light Industrial (I-I) on a 4.68± acre tract located on the west side of Mabry Road at its intersection with Centennial Drive; a.k.a. 3501 Mabry Road; Tax Parcel 08024 002048. Proposed Use: Machine Shop** Commission District 2.

Background Information:

The applicant is requesting to rezone 4.68± acres from Agricultural Residential-III (AR-III) to Light Industrial (I-I) for a machine shop and warehousing. The proposed facility would include the construction of one 20,000 square foot building with a future expansion of an additional 22,500 square feet. According to the site plan and applicant's narrative, access to the property would be from Mabry Road. Water and sewer utilities would be provided by the City of Gainesville and a detention pond on the property would provide storm water management. There would be a 25-foot buffer of natural and landscaped plantings along the rear of the property and a 6-foot privacy fence where adjacent to residential property. The property will be subject to the covenants for the industrial park located along Centennial Drive. The subject property is zoned AR-III and is currently owned by the Gainesville and Hall County Development Authority. The property does not appear to have been developed. The surrounding properties include residential lots to the west and south, as well as a church.

Applicant's Presentation:

Jim Edwards, 2232 Crimson King Drive, Braselton, presented the application. Mr. Smallwood asked Mr. Edwards if the property had already been purchased. Mr. Edwards clarified that the rezoning is part of the contingency on the sale of the property. He stated that the intended use is to build a machine shop for light industrial work. Mr. Smallwood asked how large of a building. Mr. Edwards stated 20,000 square feet for now but he wants the option to expand later. Mr. Brooks asked if Mr. Edwards had read the staff recommendation. Mr. Edwards stated he had and he agreed with the conditions outlined by staff.

Public Forum:

Charlotte Hartsfield, 3575 Westgate Place, Gainesville, spoke in opposition of the application. Ms. Hartsfield stated that her property backs up to the proposed site. She was concerned over the amount of noise a machine shop would create and if the shop would be visible from the road and from her property.

Rebuttal:

Mr. Edwards stated that he understands Ms. Hartsfield's concerns. He stated that there will be no outside storage of any kind on the property. He also explained that there will be a 6ft privacy fence along with a natural buffer on the backside of the property. To address the noise concern, Mr. Edwards clarified that there will be no stamping or heavy duty machinery used in the shop and the noise will not be an issue. Mr. Smallwood asked for clarification on what the rear setback is for the property. Mr. Yamala stated that there is a 20ft setback. Mr. Edwards clarified that the back of the building will not be close to the property line, due to a natural drop off in the topography.

Planning Commission Comments:

Mr. Braswell commented that the back of the building appears to be close to 100 ft. from the property line.

Motion: *Mr. Braswell made a motion to recommend approval with conditions with a second from Mr. Brooks and the motion passed by a 3 – 0 vote (Mr. Sosebee and Mr. Varner absent).*

Conditions:

- 1) Any future business requiring outdoor storage shall be required to seek approval from the Hall County Board of Commissioners.
- 2) The following uses shall be prohibited on the property:
 - a. Adult entertainment
 - b. Junk yards
 - c. Billboards
- 3) Trucks accessing the property shall not use Mabry Road north of Centennial Drive.

3. Application of Gold Creek Acquisitions I, LLC to amend the conditions of an existing Planned Industrial District (PID) on a $12.48\pm$ acre tract located on the north side of Webb Girth Road at its intersection with Lee Land Road; a.k.a. 2320, 2338 and 2360 Webb Girth Road; Tax Parcels 15030 000027B; 000113 and 114. Proposed Use: Gravel Parking Lot** Commission District 4.

Background Information:

The applicant has requested to amend conditions of a previous zoning request to allow for a gravel parking lot as an alternative to concrete or asphalt. The subject parcel is a combined $12.48\pm$ acres, consisting of 3 parcels. The largest parcel is $9.48\pm$ acres in size and contains a poultry processing facility operated by the applicant. On January 10, 2013 the Hall County Board of Commissioners approved, with conditions, a request to rezone the $12.48\pm$ from Agricultural-Residential-III (AR-III) to a Planned Industrial Development (PID). Condition 4 of this action reads as follows: "The vehicle parking areas shall be paved with either asphalt or concrete." The three parcels total $12.48\pm$ acres and all are zoned PID.

On December 15, 2016 the Hall County Planning Commission approved the applicant's request to utilize $1.0\pm$ acres for parking other than on the principle lot. This request was sought by the applicant to alleviate tractor trailer congestion at the main facility located across Webb Girth Road. The site plans are currently being reviewed by Hall County Development Services. Hall County Development Services has been working in conjunction with Gold Creek to bring those parcels into compliance with county regulations since November of 2015.

Applicant's Presentation:

Bo Weber, 329 Pointe Olympus Drive, Gainesville, presented the application. Mr. Weber explained that Gold Creek Acquisitions would like to amend a condition on an existing PID for their property. The condition currently does not allow for gravel parking lots on the property. Mr. Weber explained that it would cost \$170,000 to pave the proposed parking lot. He also explained that neighboring properties are zoned AR-III and are allowed to have gravel parking. Mr. Weber clarified that all driveways/entrances to the parking areas will be paved. He also mentioned that an open house was held for neighboring property owners to come by and discuss the request being made by Gold Creek Acquisitions. Mr. Braswell asked Mr. Weber to show the proposed site plan. Mr. Weber stated that the parking lot will be largely hidden from street view.

Public Forum:

Jack Coley, 2457 Webb Girth Road, Gainesville, spoke in opposition of the application. Mr. Coley stated that there is an issue with gravel from the parking area being strewn across the road. He also stated that there are problems with the tractor trailers coming in and out of the property. Mr. Smallwood asked which roads Mr. Coley has seen the tractor trailers. Mr. Coley clarified that they are on Webb Girth Road and Lee Land Road

Rebuttal:

Mr. Weber stated that he heard similar comments during the open house from other neighbors. He explained that Gold Creek Acquisitions would like to put down grass along the street where there is gravel currently which will help eliminate the gravel in the roadway. He stated that the truck drivers are not Gold Creek employees but the company is willing to take measures to help keep trucks off the smaller roads. Mr. Smallwood asked if there are signs up currently for tractor trailers. Mr. Weber stated there are not but the company would be happy to put them up.

Planning Commission Comments:

Mr. Braswell stated that he agreed with the staff recommendations. Mr. Weber interjected to ask about staff recommendation item 2, stating that no further parking expansion would be allowed. Mr. Weber stated that he is not in agreement with this item. Mr. Braswell, Mr. Smallwood and Mr. Brooks agreed that any further expansion of parking could be approved by the Planning Director and not be required to come before the Planning Commission again.

Motion: *Mr. Braswell made a motion to recommend approval with conditions with a second from Mr. Brooks and the motion passed by a 3 – 0 vote (Mr. Sosebee and Mr. Varner absent).*

Conditions:

- 1) *The applicant shall pave, with concrete or asphalt, the entrance to the parking area where accessed by a public street.*
- 2) *Any further expansion of parking shall be approved by the Hall County Planning Director.*

OTHER

4. **Application of Michael Eberhardt and Scott Jarrett to change the road name on the official Hall County road map from Lynncliff Drive to Old Lynncliff Drive; being a $0.25\pm$ mile section between the realigned Lynncliff Drive and Dawsonville Highway*** Commission District 2.**

Background Information:

The Dawsonville Highway Road Improvement Project, which included the rerouting of Lynncliff Drive, was completed in 2009. The old section remains as a county-maintained road but does not have any signs at its entrance.

Applicant's Presentation:

Scott Jarrett, 2731 Lynncliff Drive, Gainesville, presented the application. Mr. Jarrett explained that the property owners on the old section of Lynncliff Drive have issues with emergency vehicles not being able to find their houses with no street name signs. Mr. Jarrett stated that he and Mr. Eberhardt would like signs on both ends of the road, at Dawsonville Highway and at the other side of Lynncliff Drive.

Public Forum:

No one spoke in favor or opposition of the application.

Planning Commission Comments:

Mr. Smallwood asked Mr. Turner if engineering had any issues with this request. Mr. Turner clarified that engineering has no issue. Mr. Smallwood then asked Mr. Yamala if the request needs two readings with the Board of Commissioners. Mr. Yamala confirmed.

Motion: *Mr. Brooks made a motion to approve the request with a second from Mr. Braswell and the motion passed by a 3 – 0 vote (Mr. Sosebee and Mr. Varner absent).*

The next Planning Commission meeting will be on March 20, 2017.

ADJOURNMENT:

There being no further business to conduct the meeting was adjourned by Mr. Smallwood at 6:34 p.m.



Don Smallwood, Chairman
Hall County Planning Commission



Emily Foote, Secretary
Hall County Planning Commission

Exhibit 2



HALL COUNTY BOARD OF COMMISSIONES VOTING MEETING MINUTES

Hall County Government Center 2nd Floor
2875 Browns Bridge Road, Gainesville, GA 30504
Thursday, April 13, 2017 - 6:00 pm

1. Call to Order

Chairman Higgins called the meeting to order at 6:00 p.m.

Present:

Chairman Richard Higgins, Vice Chairman Jeff Stowe and Commissioners Kathy Cooper, Billy Powell and Scott Gibbs

Also present were County Administrator Randy Knighton, Assistant County Administrator Marty Nix, Commission Clerk Lisa Ritchie and County Attorney Bill Blalock

2. Approve Agenda

Motion by Commissioner Stowe, seconded by Commissioner Powell and voted, unanimously, to approve the Agenda.

3. Invocation

3.1 Trail Life

Troop 3723 of Montgomery Memorial Baptist Church gave the Invocation.

4. Pledge of Allegiance

4.2 Commissioner Jeff Stowe

Trail Life Troop 3723 led the Pledge.

5. Public Comment - Agenda Items Only (2 minutes per speaker/20 minutes maximum)

There were no comments from the public.

Motion by Commissioner Cooper, seconded by Commissioner Powell and voted, unanimously, to approve the Consent Agenda.

6. Consent Agenda

6.3 Approve March 22, 2017 Special Called Voting Meeting Minutes

BOARD OF COMMISSIONERS
VOTING MEETING

- 6.4 Approve March 20, 2017 Work Session Minutes
- 6.5 Approve appointment of Alex Wayne to the Gainesville Hall Development Authority
- 6.6 Approve SHM Aqualand , LLC Ground Lessor Agreement
- 6.7 Approve submittal of an application for the FY2017 Chesney Fallen Firefighters Memorial Grant Program. Local Solicitation from the Georgia Firefighters Burn Foundation, Inc. for the Hall County Fire Services (no match required).
- 6.8 Approve Memorandum of Agreement (MOA) for the Medication-Assisted Treatment (MAT) Pilot Program for the 9th Judicial Administrative District (JAD), approval for Hall County Government to be the municipal partner for the financial pass through for payments from the Criminal Justice Coordinating Council (CJCC), and authorization for Chairman Higgins to execute any related grant award documents; There is no match required, and the 9th JAD will be responsible for reviewing and processing the claims.
- 6.9 Approval of Limited English Proficiency Policy
- 6.10 Approval of Utility Relocation Agreement between Georgia Power Company and Hall County for the Project of Tumbling Creek Road at Norfolk Southern Railroad. Estimated cost for relocation \$101,397.00. Commission District 2.
- 6.11 Approval of Agreement regarding extension of reserved sewer treatment capacity for Sterling on the Lake between NNP-Looper Lake, LLC and Hall County, Georgia. Commission District 1.
- 6.12 Approve release of \$40,381.00 Irrevocable Letter of Credit for Streets in Village at Deaton Creek Phase 2B, Unit 7. Commission District 1.
- 6.13 Approve release of \$55,668.00 Irrevocable Letter of Credit for the Streets and Sidewalks in Village at Deaton Creek, Phase 3B, Unit 3. Commission District 1.
- 6.14 Approve release of \$602,076.00 Irrevocable Letter of Credit for Streets, Stormwater Management Facilities, and Sidewalks in The Shores at Lynnciff Cove Subdivision. Commission District 2.
- 6.15 Approve acceptance of \$602,076.00 Irrevocable Letter of Credit for Streets, Stormwater Management Facilities, and Sidewalks in The Shores at Lynnciff Cove Subdivision. Commission District 2.
- 6.16 Approve release of \$147,253.00 Irrevocable Letter of Credit for the Streets, Stormwater Management Facility, and Sidewalks in Village at Deaton Creek, Phase 3B, Unit 1. Commission District 1.
- 6.17 Approve release of \$88,880.00 Irrevocable Letter of Credit for Streets, Sidewalks, and Handicap Ramps in Village at Deaton Creek, Phase 3B, Unit 2. Commission District 1.
- 6.18 Approve release of \$19,561.00 Irrevocable Letter of Credit for Sidewalks in Misty Harbor Subdivision. Commission District 1.

**BOARD OF COMMISSIONERS
VOTING MEETING**

- 6.19 Approve acceptance of \$19,561.00 Irrevocable Letter of Credit for Sidewalks in Misty Harbor Subdivision. Commission District 1.
- 6.20 Approve Award of IFB 036-37, Gateway Industrial Centre - Kubota Way, to Simpson Trucking

7. Other Business

Susan Rector, Business License Director, addressed the Board.

- 7.21 Second Reading and Public Hearing on new Motion Picture/Film Ordinance NOTE: Tabled at the March 22, 2017 Commission Meeting until the April 13, 2017 Commission Meeting

Motion by Commissioner Stowe, seconded by Commissioner Powell and voted, unanimously, to remove item 7.21 from the table.

Mr. Blalock issued the Reading and Public Hearing.

Motion by Commissioner Powell, seconded by Commissioner Gibbs and voted, unanimously, to approve item 7.21.

- 7.22 First Reading and Public Hearing on Skogie's Restaurant, located at 2151 Dawsonville Highway, Gainesville, Ga. 30501. Business Type: Restaurant; License Type: Malt Beverage and Wine Consumption on the premises; Owner: Lakefront Restaurants, LLC; Licenseholder: Heather Whihite Jonovitch, Member; Registered Agent: Kayanne Elizabeth Smith, Hall County resident. Commission District 4.

Ms. Rector issued the Reading.

Mr. Blalock issued the Public Hearing.

- 7.23 Posting requests:

Bill Moats, Human Resources Director, addressed the Board.

- Tax Commissioner: Auditor (part time)

Motion by Commissioner Gibbs, seconded by Commissioner Stowe and voted, unanimously, to deny the Tax Commissioner's request for a part time Auditor.

- Tax Commissioner: Seasonal / Temporary Tax - Tag Clerk (part-time)

- Tax Commissioner: Tax Tag Clerk (part-time)

Motion by Commissioner Stowe, seconded by Commissioner Powell and voted, unanimously, to deny the Tax Commissioner's request for a seasonal/temporary part time Tax Tag Clerk and approve the part time Tax Tag Clerk position.

- Public Defender: Asst Public Defender

BOARD OF COMMISSIONERS
VOTING MEETING

Motion by Commissioner Stowe, seconded by Commissioner Powell and voted, unanimously, to approve the Public Defender's request for an Assistant Public Defender.

7.24 Second Reading and Public Hearing to consider the request to approve the abandonment of a section of right-of-way on Clark Drive which is a privately maintained public road. Section proposed for abandonment is approximately 113+/- feet in length. Commission District 1. NOTE: Tabled at the March 22, 2017 Commission Meeting to April 13, 2017

Ken Rearden, Public Works & Utilities Director, addressed the Board.

Motion by Commissioner Cooper, seconded by Commissioner Stowe and voted, unanimously, to remove item 7.24 from the table.

Mr. Rearden issued the Reading. Mr. Blalock issued the Public Hearing.

Heather Terry, 5677 Mulberry Street addressed the Board in favor of the item.

Motion by Commissioner Cooper seconded by Commissioner Stowe and voted, unanimously, to approve item 7.24.

The Commission requested to go ahead and hear item 8.29

8. Public Hearing to consider applications to amend the Zoning Map of Hall County as follows:

8.29 Application of Heather Terry to rezone from R-II to PID, a 3.19+ acre tract located on the northern terminus of Mulberry Street; a.k.a 5681 Mulberry Street; Zoned R-II; Tax Parcel 08114 002002(pt). Proposed Use: Repair shop and equipment storage. Commission District 1. NOTE: Tabled at the March 22, 2017 Commission Meeting until the April 13, 2017 Commission Meeting

Motion by Commissioner Stowe, seconded by Commissioner Powell and voted, unanimously, to remove item 8.29 from the table.

Mr. Yamala issued the Reading. He stated that the Planning Commission recommended approval with four conditions.

Mr. Blalock issued the Public Hearing.

Motion by Commissioner Cooper seconded by Commissioner Stowe and voted, unanimously, to approve item 8.29 with the conditions as recommended by the Planning Commission with an amendment to condition number one.

CONDITIONS:

1. Any new structures shall have to meet the minimum setbacks requirements as per the County code. Amended to read, Any new structures shall be approved by the Hall County Board of Commissioners.

**BOARD OF COMMISSIONERS
VOTING MEETING**

2. The subject parcel will be held to Hall County Engineering regulations and shall resolve the right of way encroachment, close the landfill, and return to compliance with stormwater management requirements before the issuance of a business license.
3. Where the property adjoins residential zoning a planted buffer shall be required and maintained by the applicant in compliance with section 17.260 of the Hall County Code of Ordinances.
4. Any future expansion of activities on the property shall require approval by the Hall County Board of Commissioners

Commissioner Cooper left the meeting.

7.25 Second Reading and Public Hearing to consider the request to approve the abandonment of a section of platted right-of-way on Odom Drive off Wade Orr Road. Commission District 1. NOTE: Tabled at the March 22, 2017 Commission Meeting to April 13, 2017

Motion by Commissioner Powell, seconded by Commissioner Gibbs and voted, 4 to 0, to remove item 7.25 from the table.

Mr. Blalock issued the Reading.

Mr. Rearden addressed the Board. He said staff is making a recommendation to approve the abandonment.

Mr. Blalock issued the Public Hearing.

Motion by Commissioner Gibbs seconded by Commissioner Powell and voted, 4 to 0, to approve item 7.25.

7.26 First Reading and Public Hearing to consider the request to approve the abandonment of a section of right-of-way for A Avenue in Commission District 4.

Mr. Blalock issued the Reading and Public Hearing.

Commissioner Stowe stated that the Second Reading and Public Hearing would be heard in the Commissioners April 25, 2017 Special Called Voting Meeting.

7.27 Consider East Hall Community Center HVAC Replacement

Tim Sims, Purchasing Manager, addressed the Board. He stated that staff recommends approval to the County's Building Maintenance Department through the U.S. Communities contract with Trane.

Brett Jockell, Building Maintenance Department Superintendent and Director, addressed the Board.

Motion by Commissioner Stowe seconded by Commissioner Gibbs and voted, 4 to 0, to approve item 7.27 as recommended by the Purchasing Department.

**BOARD OF COMMISSIONERS
VOTING MEETING**

7.28 Consider Approval of Utility Relocation Agreement for Georgia Power to move utilities on the Joe Chandler Bridge replacement project

Mr. Rearden addressed the Board. He stated that the funding would come from SPLOST VII.

Motion by Commissioner Gibbs seconded by Commissioner Powell and voted, 4 to 0, to approve item 7.28.

8. Public Hearing to consider applications to amend the Zoning Map of Hall County as follows:

Srikanth Yamala, Planning Director, addressed the Board.

8.29 Application of Heather Terry to rezone from R-II to PID, a 3.19+ acre tract located on the northern terminus of Mulberry Street; a.k.a 5681 Mulberry Street; Zoned R-II; Tax Parcel 08114 002002(pt). Proposed Use: Repair shop and equipment storage. Commission District 1. NOTE: Tabled at the March 22, 2017 Commission Meeting until the April 13, 2017 Commission Meeting

This item was heard earlier in the meeting after item 7.24.

8.30 Application of Dwayne Walton for a Use Subject to County Commission approval for an Agri-Entertainment District on a 5.0± acre tract located 1,724 ft west of the intersection of Jim Crow Road and Conner Road; a.k.a. 5773 Conner Road; Zoned AR-III; Tax Parcel 08110 000151. Proposed Use: Event Venue. Commission District 1. NOTE: Tabled at the March 22, 2017 Commission Meeting until the April 13, 2017 Commission Meeting

Motion by Commissioner Gibbs, seconded by Commissioner Stowe and voted, 4 to 0, to remove item 8.30 from the table.

Motion by Commissioner Gibbs seconded by Commissioner Stowe and voted, 4 to 0, to approve the withdrawal item 8.30 as per the applicant's request.

8.31 Application of Michael James Properties, LLC to rezone from Agricultural-Residential-III (AR-III) to Light Industrial (I-I) on a 4.68± acre tract located on the west side of Mabry Road at its intersection with Centennial Drive; a.k.a. 3501 Mabry Road; Tax Parcel 08024 002048. Proposed Use: Machine Shop** Commission District 2. NOTE: Tabled at the March 22, 2017 Commission Meeting until the April 13, 2017 Commission Meeting

Motion by Commissioner Powell, seconded by Commissioner Stowe and voted, 4 to 0, to remove item 8.31 from the table.

Mr. Blalock issued the Reading.

Mr. Yamala addressed the Board. He stated that the Planning Commission recommends approval with three conditions.

Mr. Blalock issued the Public Hearing.

BOARD OF COMMISSIONERS VOTING MEETING

Jim Edwards, 2232 Crimson King Drive addressed the Board in favor of the item.

Motion by Commissioner Powell seconded by Commissioner Gibbs and voted, 4 to 0, to approve item 8.31 with the conditions as recommended by the Planning Commission.

CONDITIONS:

1. Any future business requiring outdoor storage shall be requiring outdoor storage shall be required to seek approval from the Hall County Board of Commissioners.
2. The following uses shall be prohibited on the property:
 - a. Adult entertainment
 - b. Junk yards
 - c. Billboards
3. Trucks accessing the property shall not use Mabry Road north of Centennial Drive.

8.32 Application of Gold Creek Acquisitions I, LLC to amend the conditions of an existing Planned Industrial District (PID) on a 12.48± acre tract located on the north side of Webb Girth Road at its intersection with Lee Land Road; a.k.a. 2320, 2338, and 2360 Webb Girth Road; Tax Parcels 15030 000027B; 000113 and 114. Proposed Use: Gravel Parking Lot. Commission District 4. NOTE: Tabled at the March 22, 2017 Commission Meeting until the April 13, 2017 Commission Meeting

Motion by Commissioner Stowe, seconded by Commissioner Powell and voted, 4 to 0, to remove item 8.32 from the table.

Mr. Blalock issued the Reading.

Mr. Yamala addressed the Board. He stated that the Planning Commission recommended approval with two conditions.

Mr. Blalock issued the Public Hearing.

Bo Webber, Counsel, 329 Pointe Olympus Drive, addressed the Board in favor of the item.

Motion by Commissioner Stowe seconded by Commissioner Gibbs and voted, 4 to 0, to approve item 8.32 with the conditions as recommended by the Planning Commission and with three additional conditions.

CONDITIONS:

1. The applicant shall pave, with concrete or asphalt, the entrance to the parking area where accessed by a public street.
2. Any further expansion of parking shall be approved by the Hall County Planning Director.
3. Trucks shall use Lee Land road to Candler road and not use Webb Girth road to enter and exit.

**BOARD OF COMMISSIONERS
VOTING MEETING**

4. The applicant shall develop Webb Girth Road from its intersection with Lee Land Road a distance of 100 feet past the main entrance to industrial standard width and depth. The applicant shall utilize the County's asphalt contractor to construct the section required to meet industrial standards. The applicant shall be responsible for the difference in cost between the normal cost of resurfacing this section and the cost to construct this section to industrial standards. Curb and gutter installation will not be required.
5. All areas going into parking would be paved 5 feet passed the County's right of way.

8.33 Application of Michael Eberhardt and Scott Jarrett to change the road name on the official Hall County road map from Lynncliff Drive to Old Lynncliff Drive; being a $0.25\pm$ mile section between the realigned Lynncliff Drive and Dawsonville Highway. Commission District 2. NOTE: Tabled at the March 22, 2017 Commission Meeting until the April 13, 2017 Commission Meeting

Motion by Commissioner Powell, seconded by Commissioner Gibbs and voted, 4 to 0, to remove item 8.33 from the table.

Mr. Blalock issued the Reading and Public Hearing.

Mr. Yamala stated that the Planning Commission recommended approval without any conditions.

Motion by Commissioner Powell seconded by Commissioner Gibbs and voted, 4 to 0, to approve item 8.33.

8.34 Application of Trinidad Guerrero for a Use Subject to County Commission Approval on a $0.29\pm$ acre tract located on the south side of Bennett Circle, $400 \pm$ ft. from its intersection with Spring Road, a.k.a. 2111 Bennett Circle; Zoned R-II; Tax Parcel 00121 001006. Proposed Use: Reestablish a use of a mobile home on a nonconforming lot. Commission District 4.

Mr. Blalock issued the Reading and Public Hearing.

Mr.; Yamala stated that the Planning Commission recommended approval without any conditions.

Motion by Commissioner Stowe seconded by Commissioner Gibbs and voted, 4 to 0, to approve item 8.34.

9. Report from County Attorney

Mr. Blalock did not have any items to report.

10. Report from County Administrator

Mr. Knighton did not have any items to report.

BOARD OF COMMISSIONERS VOTING MEETING

11. Commission Time

Commissioner Kathy Cooper, District 1, left the meeting earlier and was not in attendance.

Commissioner Billy Powell, District 2, asked Mike McGraw to come up as he attended the meeting as part of his Leadership Hall County requirements. Commissioner Powell mentioned the ground breaking at Mincey Marble. He stated that it is a very impressive place.

Commissioner Scott Gibbs, District 3, did not have any items to report.

Commissioner Jeff Stowe, District 4, made a motion, seconded by Commissioner Gibbs and voted, 4 to 0, to appoint Tonya Harris Jackson to replace Beka Havice Beccue on the Department of Family and Children Services Board as Ms. Beccue resigned.

Commissioner Stowe invited the Young Republican Party to address the Board. Those present were Brenau Freshmen Emma Johnson and Olivia Brewer.

Chairman Richard Higgins did not have any items to report.

12. Adjourn

Motion by Commissioner Gibbs, seconded by Commissioner Powell and voted, unanimously, to adjourn the meeting at 6:54 p.m.

Exhibit 3

**STATE OF GEORGIA
COUNTY OF HALL**

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF HALL COUNTY, GEORGIA FOR THE IMPOSITION OF A TEMPORARY SUSPENSION OF THE HALL COUNTY PLANNING COMMISSION PENDING THE OUTCOME OF AN INVESTIGATION OF THE CONDUCT OF ITS MEMBERS IN RELATION TO GEORGIA'S OPEN MEETINGS ACT, O.C.G.A § 50-14-1 ET SEQ.

WITNESSETH

WHEREAS, in accordance with Article IX, Section II, Paragraph 1 of the Constitution of the State of Georgia (“Constitution”), the Hall County Board of Commissioners (the “Board”) has been vested with substantial power to regulate its property, affairs, and local government for which no provision has been made by general law and where the exercise of said power is not inconsistent with the Constitution or any local law applicable thereto; and

WHEREAS, the Board has been tasked with the duty to protect and promote the public health, safety, morality, and general welfare of Hall County and its citizens; and

WHEREAS, the Unified Development Code of Hall County, Georgia, (the “UDC”), as adopted on November 14, 2024, provides for the creation of the Hall County Planning Commission (“Planning Commission”), an appointed board delegated certain quasi-judicial zoning and land use review powers to make findings and recommendations with respect to new applications for rezoning, special uses, conditional use permits, and variances, amongst other duties; and

WHEREAS, the Planning Commission is an “agency” within the meaning of O.C.G.A. 50-14-1 et seq., Georgia’s Open Meetings Act, and is subject to the requirements of that law; and

WHEREAS, the Board has been made aware of the potential conduct by certain members of the Planning Commission that may not meet the requirements of the law; and

WHEREAS, the Board has authorized the engagement of a third party to conduct an independent investigation of the conduct; and

WHEREAS, the Board believes it is in the best interest of the citizens and residents of Hall County to impose a temporary suspension of the operations and functions of the Planning Commission pending an independent investigation in order to maintain the County’s policy objectives of protecting and promoting the public health, safety, morality, and general welfare of its citizens by means which are reasonable and not unduly oppressive; and

WHEREAS, the Board will assume and perform all duties and responsibilities of the Planning Commission during the pendency of the temporary suspension, including, but not limited to, the consideration and hearing of all new and pending applications for rezoning, special uses,

conditional use permits, and/or variances in due course and without delay, the same as if no Planning Commission existed; and

WHEREAS, the Board finds that implementing a temporary suspension of the Planning Commission's operations and functions to be (i) necessary to allow sufficient time to investigate the conduct of the Planning Commission members in relation to the Open Meetings Act, (ii) a reasonable and proper exercise of the County's legislative and police powers through the use of appropriate measures, which are reasonably necessary and the least restrictive means available, to accomplish its goals, and (iii) is in the best interests of the public health, safety, morality, and general welfare of the citizens of Hall County;

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF HALL COUNTY, GEORGIA HEREBY RESOLVES AS FOLLOWS:

SECTION 1.

IMPOSITION OF TEMPORARY SUSPENSION OF PLANNING COMMISSION

The Hall County Planning Commission is hereby suspended in its operations and functions, as defined under the UDC, effective immediately. This suspension shall be temporary in nature but will last as long as necessary for completion of an independent investigation regarding the conduct of the Planning Commission members in relation to the Open Meetings Act and to allow the Board additional time for any responsive actions needed. This temporary suspension shall remain in full force and effect until it is further amended, repealed, or otherwise terminated by action of the Board through a subsequent resolution.

SECTION 2.

BOARD OF COMMISSIONERS TO PERFORM DUTIES OF PLANNING COMMISSION

The Hall County Board of Commissioners will assume and perform all powers, duties, and responsibilities of the Planning Commission, as set forth under the UDC, during the pendency of the temporary suspension, including, but not limited to, the consideration and hearing of all new and pending applications for rezoning, special uses, conditional use permits, and/or variances in due course and without delay, the same as if no Planning Commission existed. During the pendency of this suspension, the provisions of this Resolution shall control over any conflicting or inconsistent provisions as contained in the UDC or the Official Code of Hall County, including those which reference the Hall County Planning Commission and any requirement that a zoning or land use application be first submitted to the Planning Commission before consideration by the Board.

SECTION 3.

SEVERABILITY

To the greatest extent allowed by law, each and every section, paragraph, sentence, clause, or phrase of this Resolution is severable from every other section, paragraph, sentence, clause, or phrase herein. In the event that any section, paragraph, sentence, clause, or phrase of this Resolution is, for any reason whatsoever, declared invalid, unconstitutional, or unenforceable by the valid judgment or decree of any court of competent jurisdiction, such judgment or decree shall not render invalid, unconstitutional, or unenforceable any of the remaining sections, paragraphs, sentences, clauses, or phrases herein, which as a result will remain in full force and effect.

SECTION 4.

NATURE

This Resolution is of a temporary nature and shall be amended, repealed, or otherwise terminated as described herein.

SECTION 5.

INCORPORATION

The preamble to this Resolution shall be considered to be and is hereby incorporated by reference as if fully set out herein.

SECTION 6.

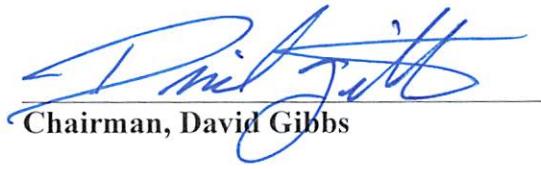
EFFECTIVE DATE

This Resolution shall be in full force and effect immediately upon and after its adoption and passage upon a majority vote by the Board of Commissioners of Hall County, Georgia.

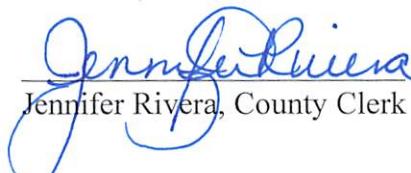
SO RESOLVED, this 7th day of October, 2025.

[SIGNATURES ON FOLLOWING PAGE]

HALL COUNTY BOARD OF
COMMISSIONERS


Chairman, David Gibbs

ATTEST:


Jennifer Rivera, County Clerk



APPROVED AS TO FORM:

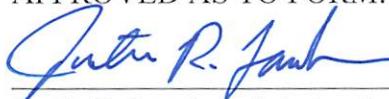

Justin R. Lawhon, Interim County Attorney

Exhibit 4

HALL COUNTY BOARD OF COMMISSIONERS
STAFF REPORT

Applicant Dwayne Bradley Walton

Request (A) **Special Use** | Agri-entertainment venue
(B) **Variance** | from section 7.7.3

Proposed Use (A) & (B) Agri-Entertainment venue

Size 11.96± acres

Zoning Agricultural Residential 1 (AR-1)

Location 5773 & 5769 Conner Road | Tax Parcel 08110
000151 & 08110 000015 (pt)

Commission District Two

Commission Date January 22, 2026

Staff Recommendation (A) **Approval, with conditions**, as the proposed special use is compatible with the Agricultural Residential 1 (AR-1) zoning district.
(B) **Denial**, as no hardship exists pursuant to the criteria of 11.1.1.D.11

Record Number(s) (A) HZCU25-0057
(B) HVAR25-0070

(A) 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 September 12, 2025, and the project narrative dated October 22, 2025, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. Prior to issuance of an agri-entertainment venue business license, a combination plat application shall be submitted to the County for approval.
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 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.

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

(B) Staff recommends DENIAL of the applicant's request.

The following should be considered as variances 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. **7.7.3.B.3 – Agri-entertainment Events** – The agri-entertainment primary event structure must be located at least 300 feet from any property line under separate ownership.
 - The primary event structure is approximately 200 feet from the nearest property line under separate ownership.
2. **7.7.3.B.3 – Agri-entertainment Events** – All parking for agri-entertainment event must be located at least 200 feet from any property line under separate ownership.
 - The parking for the primary event is approximately 32 feet from the nearest property line under separate ownership.

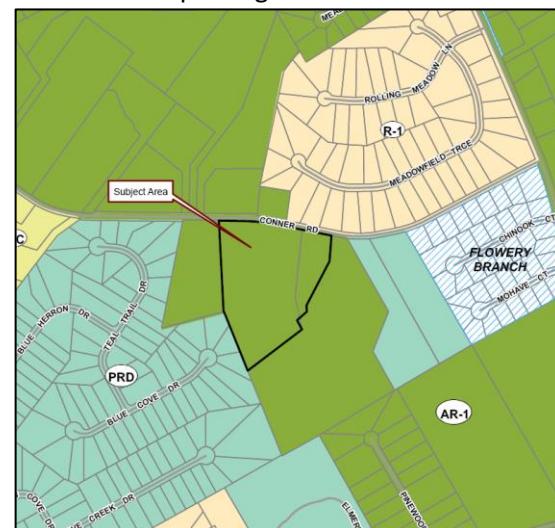
Summary Analysis

The applicant is requesting approval of a special use to allow an agri-entertainment venue on an 11.96± acre tract zoned Agricultural Residential 1 (AR-1). The proposed business will be focused on operating a farm winery and vineyard that hosts a variety of special events. Concurrent to this request, the applicant is also seeking multiple variances from the agri-entertainment use standards to reduce the minimum required setback for the existing primary event structure from 300 feet to 200 feet. Additionally, the applicant is requesting to reduce the minimum required setback for the parking area from 200 feet to 34 feet.

The subject property is currently developed with a single-family residence, one metal building, and three areas designated for grape vineyard.

The surrounding properties are zoned Agricultural Residential 1 (AR-1) and Planned Residential District (PRD) and are developed with single-family residences and agricultural uses.

Per the narrative, the applicant is requesting special use approval to establish an agri-entertainment venue centered around the operation of a farm winery and



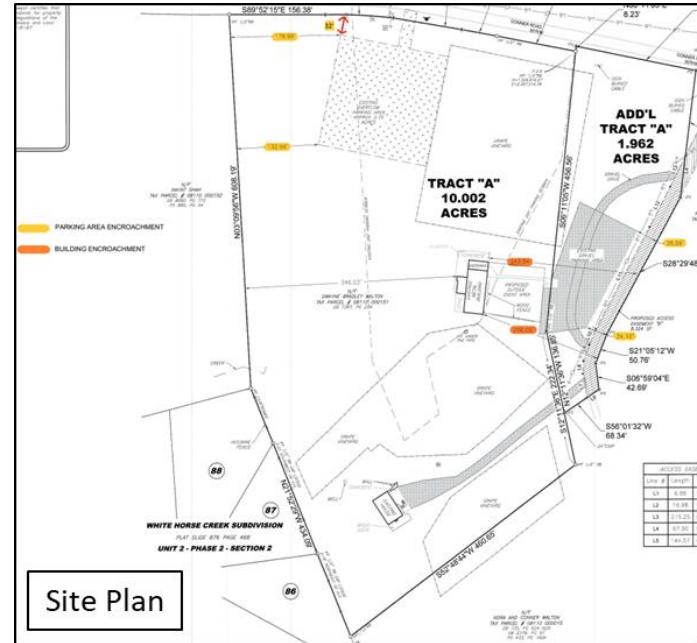
vineyard. In addition to wine production and vineyard tours, the applicant seeks approval to host a variety of special events to include the following:

- Outdoor Vineyard Weddings: Ceremonies and receptions held in designated vineyard areas or in a tent. Events will conclude no later than 9 p.m., with music and activities conducted in compliance with local sound ordinances and guidelines. Maximum attendance would be capped at 50 cars / 100 guests.
- Themed Sunday ‘Festivals’ Featuring local small businesses: Community-focused festival / gathering typically hosted every couple of months, lasting approximately four hours on Sunday afternoons. Each ‘festival’ may showcase local artisans, food vendors, and small businesses, encouraging local commerce and tourism while maintaining a relaxed and family-friendly environment.
- Private Office Parties and Corporate Events: Generally small, professional gatherings for local businesses for team-building or appreciation events.
- Private Receptions and Celebrations: Occasional receptions, anniversary parties, birthday parties, and small community celebrations.
- Other events and organizations: Local organizations that can use the space could use the property as needed for promotional events. For example, a local animal adoption group that wants to host an animal adoption event on the premises.

Per the submitted narrative, all of the above would be limited in scale and duration and managed with attention to noise, parking, and safety.

The submitted site plan identifies the locations of the grape vineyards, the existing metal building, and the parking area. The existing metal building, constructed in 2023, is approximately 200 feet from the eastern property line. The applicant has requested a variance to section 7.7.3.B.3 to allow this structure to be closer than the required distance of 300 feet from any property line under separate ownership and to allow the parking area to be closer than the required 200 feet from the nearest property line under separate ownership in compliance with Section 7.7.3.B.5.

Water service is provided by a private well. Sanitary sewer services are provided by an on-site septic system.



Zoning Analysis – Special Use

When considering a use subject to approval of the County Commission, the 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 is suitable in view of the use, agricultural zoning, and development of adjacent and nearby properties.**
- b) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **It is not anticipated that the proposed special use of an agri-entertainment venue, operating under the specified parameters, would adversely affect the existing use or usability of adjacent properties.**
- 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 Agricultural Residential 1 (AR-1); however, a special use for an agri-entertainment venue requires Board of Commissioner approval.**
- 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; **It is not anticipated that the proposed special use will 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 agri-entertainment venue is consistent with the Agricultural Residential 1 (AR-1) zoning district and does not impact the Suburban Neighborhood Low Density future land use of the area.**
- 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 diminished 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 zoned Agricultural**

Residential 1 (AR-1). The site is currently developed with a single-family residence, constructed in 2015 and a metal building, constructed in 2023, as reflected in county tax records. The property has had an active business license for the farm winery since March 1, 2022.

- 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; **There are no known 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; **No, the request 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; **The existing zoning of the subject site supports the proposed use; however, the expansion of the farm winery into an agri-entertainment venue 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.**

Zoning Analysis - Variance

The 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 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, as the existing metal building (constructed in 2023) was built in accordance with setback requirements applicable to general agricultural uses and do not meet the standards specific to agri-entertainment operations.**

2. The application of the requirements of this UDC to this particular piece of property would create an unusual hardship; **No unusual hardship would be created through application of the requirements of Article 11.**
3. Such conditions are particular to the property involved and are not common to other properties in the neighborhood; **The conditions affecting the subject property are not unique and are generally consistent with those of neighboring parcels. However, the placement and development of the existing metal building by the applicant has created limitations in meeting current setback requirements specific to agri-entertainment use.**
4. Such conditions are not the result of any actions of the property owner; **The metal building was constructed by the applicant in 2023 in compliance with standards applicable to general agricultural uses.**
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, would not cause substantial detriment to the public good or impair the purposes and intent of this UDC nor authorize any prohibited or previously denied use.**

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 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 December 16, 2025, Emily McGahee stated, "Must meet all Environmental Health commercial 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/modification may be required after review of business plan."

Georgia Department of Transportation

In an email dated December 11, 2025, Christopher Hash, P.E., D1 Traffic Operations Supervisor, stated "Off system, no impacts to the state route expected."

Hall County Public Works and Utilities

In a memo dated December 17, 2025, Jason Skarda, Assistant Director of Public Works and Utilities, 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.

Traffic:

No comments

Utilities

Flowery Branch Sewer Service area.

Hall County Fire Marshal

In an email dated December 15, 2025, John Hornick, NPQ Fire Service Plans Examiner 1, stated, "Hall County Fire Comment: existing access to venue does not appear to meet the below fire code requirement, site plan will be required showing road width improvements. International Fire Code SECTION 503 FIRE APPARATUS ACCESS ROADS. 503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet, exclusive of shoulders."

PLANNING AND ZONING DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
t: 770-531-6809 | f: 770-531-3902



SPECIAL / CONDITIONAL USE APPLICATION

Applicant (Name & Mailing Address)

DWAYNE BRADLEY WALTON
5773 CONNER RD.

Flowery Branch GA 30542

Phone 678-687-1428

Email Address [REDACTED]

Proposed Use Agri-entertainment

Property Owner (Name & Mailing Address)

DWAYNE BRADLEY WALTON
5773 CONNER RD.

Flowery Branch GA 30542

Phone 678-687-1428

Email Address [REDACTED]

Contact Person (Name & Mailing Address)

BRAD WALTON

5773 CONNER RD.

Flowery Branch GA 30542

Phone 678-687-1428

Email Address [REDACTED]

Tax Parcel Number 08110 000151

Location Address 5773 CONNER RD

I hereby certify that the above information and all attached information are true and correct.

Print DWAYNE BRADLEY WALTON

Sign Dwayne Bradley Walton

Status of Applicant

Owner

Option to Purchase

Area Resident

Other

Zoning: AR-1

Acreage 11.964

Requested Action

Type of Request:

SU CUP

Fee: \$ [REDACTED]

Receipt #: [REDACTED]

Check #: [REDACTED]

Date: 10/13/25

Date: 10/13/25

Applicant must complete all information above. Failure to complete this section will result in the refusal of the application. The Planning Department has 15 days to review all applications and will set the dates for each application. If the application is found insufficient, an agenda date will not be set until the required information is submitted. Please note that the Planning Commission and County Commission dates are tentative.

Application Withdrawal: I hereby withdraw the application.

Sign [REDACTED] Date: [REDACTED]

Staff Use Only

Application Date: [REDACTED] Taken by: [REDACTED]

Tentative Planning Commission Date: [REDACTED] Tentative County Commission Date: [REDACTED]

County Commission District: [REDACTED]

VARIANCE APPLICATION

Applicant (Name and Mailing Address)

Dwayne Bradley WALTON
5773 Conner Rd.
Flower Branch GA 30542
Phone 078-687-1428

Email Address [REDACTED]

Location of Property 5769 & 5773 Conner Rd. Flower Branch GA 30542 08110 000151
08110 000015

Present Zoning ARI Existing Structures Home, Winery TASTING ROOM

Property Owner (Name and Mailing Address)

Same As Applicant

Phone [REDACTED]

Email Address [REDACTED]

Type of Appeal:

Setback Variance
 Road Frontage Variance
 Sign Variance
 Hardship Mobile Home
 GCOD Variance
 Other: _____

Front Yard
 Right Side Yard
 Left Side Yard
 Rear Yard
 Road Frontage
 Sign Area
 Sign Height
 Doctor's Letter

From 200 ft. to 3410 ft. (200 to 3410)
From 300 ft. to 2435 ft. (300 to 2435)
From ____ ft. to ____ ft.
____ Terms Agreement

Supporting Documents: Plat of Property
 Deed of Property
 Hardship Statement

Site Plan
 Floor Plans
 Other

Fee (Must be paid for application to be complete): \$ _____

Hardship Mobile Home:
I understand that, if granted, the mobile home must be removed from the property when my hardship ceases to exist.

(Signature)

I hereby certify that the above information is true & correct to the best of my knowledge.

Print Dwayne Bradley Walton
Sign Dwayne Bradley Walton

Date 11/25/25
Date 11/25/25

I hereby withdraw this application.

Date _____

Sign _____

Staff Use Only

Application Date: _____

Taken by: _____

Tentative Planning Commission Date: _____

If Appealed County Commission Date: _____

County Commission District: _____

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AUTHORIZATION OF PROPERTY OWNERS

Note: If the applicant is the property owner, please disregard this form.

Name of owner(s)

Nora Ann Walton

Address

5709 Conner Rd.

Flower Branch Ga 30542

Phone Number

Dwayne Bradley Walton

Address

5773 Conner Rd.

Flower Branch Ga 30542

Phone Number

678-687-1428

I swear that I am the owner of the property which is the subject matter of the attached applications as shown in the records of Hall County, Georgia.

I authorize the person named above to act as applicant in the pursuit of a rezoning, permissive use, or variance of this property.

Signature of Owner(s)

Nora Ann Walton

Personally appeared before me

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Kylie Stasiewski
Notary Public



10/15/25

Date

CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

This form must be completed by the applicant and property owner, or person representing the property owner, for all zoning actions.

OCGA § 36-67A-3[C] Disclosure of campaign contributions:

(b) When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant's application for the zoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:

(3) The name and official position of the local government official to whom the campaign contribution was made; and

(4) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

I hereby certify that I have read the above and that:

I have** I have not

within the two years immediately preceding this date, made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

***If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.*

Name of Official(s): _____

Office: _____

Dollar Amount: _____

Date of Contribution: _____

Applicant's/Owner's Signature: Nora Ann Walton

Date: 10/17/25

Applicant's/Owner's Name (Printed): Nora Ann Walton



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***If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.*

Name of Official(s): _____

Office: _____

Dollar Amount: _____

Date of Contribution: _____

Applicant's/Owner's Signature: Dwayne Bradley Walton Date: 10/16/25

Applicant's/Owner's Name (Printed): Dwayne Bradley Walton

Narrative in Support of Special Use Application for Flowery Branch Winery and Vineyard

Submitted to the Hall County Board of Commissioners

Introduction

Flowery Branch Winery and Vineyard respectfully requests approval from the Hall County Board of Commissioners for special use of the property as an Agri-Entertainment property. This change will allow our family-owned winery to responsibly host a limited number of special events—such as outdoor weddings, themed Sunday festivals featuring local businesses, private office parties, and reception gatherings, and other gatherings—in a way that enhances both the community experience and the local economy.

Our goal is to expand opportunities for agritourism and community engagement while maintaining the peace, safety, and rural charm of the surrounding area. Situated on ten scenic acres, Flowery Branch Winery and Vineyard is a family-run farm winery rooted in sustainable agriculture, responsible land stewardship, and helping further Georgia's rapidly growing wine industry.

Background

Flowery Branch Winery and Vineyard officially opened its tasting room in February of 2025 year after having had vines in the ground since approximately 2017. The Walton family has invested years of preparation, cultivation, and investment in the farm. From the beginning, our goal has been to produce high-quality, locally sourced wines while entertaining the community through fun and family friendly activities. We take pride in having created a welcoming, community-centered environment in which to ultimately enjoy our farm.

The large majority of wine we sell is made from grapes grown directly on the property. We make sure to mention the fact most of what is sampled reflects the unique flavor of the Flowery Branch soil, water, and sun. Our customer are generally interested in having a product that is 'local' and honestly representative of wine from the area and we are proud to provide that. Our vineyard operations are supported by a loyal group of volunteers who assist with harvests each year—many returning annually to participate and share in the sense of community the winery fosters. Our harvests are party for all those who participate!

Currently zoned Agricultural (AR-1), our property is limited in what it can offer regarding the quantity and quality of entertainment we can offer to the community without a special use permit. Most vineyards, particularly those with significant vineyards such as ours, in general provide additional forms of entertainment that also help generate revenue and exposure from the enjoyment people experience from the vineyard environment. Granting a special use to the property to allow for event hosting will allow us to diversify responsibly,

offering community-oriented events that align naturally with our mission of promoting local agriculture and fellowship, and entertainment to the community.

Proposed Event Types

Upon approval of the AG-ENT special use, Flowery Branch Winery and Vineyard intends to host a limited number of well-managed events that will highlight Hall County's agricultural character and heritage past and present. These events would possibly include:

- **Outdoor Vineyard Weddings:** Scenic ceremonies and receptions held in designated vineyard areas or in a tent offering guests a peaceful, natural setting. Events will conclude at reasonable hours (no later than 9 p.m.), with music and activities conducted in compliance with local sound ordinances and guidelines. Maximum attendance would be capped at 50 cars / 100 guests.
- **Themed Sunday 'Festivals'** Featuring local small businesses: Community-focused festival / gathering typically hosted every couple of months, lasting approximately four hours on Sunday afternoons. Each 'festival' may showcase local artisans, food vendors, and small businesses, encouraging local commerce and tourism while maintaining a relaxed and family-friendly environment.
- **Private Office Parties and Corporate Events:** Generally small, professional gatherings for local businesses seeking an inviting indoor or outdoor setting for team-building or appreciation events.
- **Private Receptions and Celebrations:** Occasional receptions, anniversary parties, birthday parties, and small community celebrations.
- **Other events and organizations:** Local organizations that can use the space could use the property as needed for promotional events. For example, a local animal adoption group that wants to host an animal adoption event on the premises.
- All of the above would be limited in scale and duration and managed with attention to noise, parking, and safety.

Variances Requested

1. Event Venue Setback Variance (Unified Development Code Section 7.7.3.B.3.)
 - a. A reduction in the required setback from 300 feet to 243.54 feet from any property line.
2. Parking Area Setback Variance (Unified Development Code Section 7.7.3.B.5.)
 - a. A reduction in the required setback from 200 feet to 34.10 feet from any property line.

Responsible Event Management

Flowery Branch Winery and Vineyard places the highest importance on responsible event management and community consideration. We have plans in place to ensure that parking is managed appropriately and noise guidelines are followed. We would ensure that any event is handled safely, responsibly, and professionally.

Parking and Traffic

Our property includes two designated parking lots: a main parking lot used daily for regular winery operations and a separate overflow parking lot to accommodate additional vehicles for special events (if needed). All parking and event-related traffic will be contained entirely within our 10-acre property in existing parking areas. Directional signage will guide guests to designated areas, and staff will be present to manage parking efficiently. Events will be scheduled to avoid local traffic peaks and will not obstruct or inconvenience neighboring properties.

Noise Control

The natural layout of our property—including gentle slopes, vegetation, and tree coverage help provide a good deal of sound buffering but we are committed to maintaining reasonable and permissible sound levels during all events. Music sound levels will be controlled and end at established hours in compliance with Hall County regulations. Our events will be peaceful, family-friendly, and non-obtrusive, preserving the quiet enjoyment of nearby residents.

Economic and Community Benefits

Granting Agri-entertainment special use to the property will generate clear economic and cultural benefits for Hall County. Nationally, wineries permitted to host events experience an average 25% increase in revenue and local economic impact, primarily through tourism, hospitality, and small business collaboration.

The Georgia wine industry contributes billions annually to the state's economy. By expanding our ability to host modest, well-regulated events, Flowery Branch Winery and Vineyard will help draw visitors to Hall County that may be going to other counties for their winery experience, stimulate spending at nearby restaurants, shops, and hotels, and create additional employment opportunities for local residents.

Importantly, these benefits will be realized without altering the rural character of the area. Our events are intentionally small in scale, seasonal, and conducted with the utmost respect for our neighbors and the environment.

Community Engagement

Community engagement has always been the heart of our mission. Our volunteer-supported harvests and public tastings foster connection and pride in local agriculture. Many of our customers have become active participants in our vineyard community, returning year after year to help harvest, taste, and celebrate the fruits of Georgia's soil. Our harvests a genuine celebration a couple times a year where we provide food, music, and a good time to all those participating. We have had people from all over the state come for what is now an annual event for our community. A very large proportion of our weekly business are already multiple repeat visitors and we are quickly becoming a community hub. We have a large and engaged social media following that reflects this!

The proposed special use will allow us to extend these opportunities by hosting inclusive events that bring residents together in a shared appreciation of local food, wine, and culture. Each gathering will be an expression of our core values: sustainability, hospitality, and responsible enjoyment.

Conclusion

Granting Agri-Entertainment special use to the Flowery Branch Winery and Vineyard will:

- Encourage responsible, small-scale agritourism;
- Strengthen Hall County's local economy;
- Support local vendors and small businesses;
- Deepen community engagement and pride; and
- Maintain respect for the land, neighbors, and rural tranquility.

Our family is deeply committed to operating with integrity and ensuring all events are conducted with professionalism, responsibility, and neighborly care. We respectfully ask for the Board's support in approving this special use application so that Flowery Branch Winery and Vineyard can continue to grow as a model of agricultural entrepreneurship and community partnership in Hall County.

Thank you for your consideration,

Brad Walton and family

10/22/2025

DWAYNE BRADLEY WALTON

5772 CONNER ROAD
LAND LOT 110, SR. DISTRICT
HALL COUNTY, GEORGIA

BOUNDRY SURVEY FOR

1 of 1
SHEETS

VERTICAL SURVEY

N/A

HORIZONTAL SURVEY

90° - 60°

DATE

9-12-2025

TIME

10:00 AM

DATE OF PLAT

10-20-2025

DRAWN BY

JVN

CHECKED BY

DRJ

JOB NO.

22150

SURVEYOR CERTIFICATION:

As required by subsection (d) of O.C.G.A. Section 15-6-67, this plot has been prepared by a licensed surveyor and approved by a public official, and is being issued as evidence by sworn certificates, signatures, stamps, or statements herein. Such approvals or signatures are not to be construed as an endorsement of the information contained in this plot. The surveyor certifies that this plot complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration of Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.



- PARKING AREA ENCROACHMENT
- BUILDING ENCROACHMENT

NOTES:

1.) THIS PLAT HAS BEEN DONE FOR THE USE AND PURPOSE OF THE CLIENT ASCRIBED AND CONTRACTED WITHIN. ALL OTHER PARTIES ARE SUBSCRIBED TO THE INFORMATION AS TO THE LIMITED DEGREE OF RELIANCE UPON THIS PLAT BY THIRD PARTIES.

2.) THE PUBLIC RECORDS REFERENCED ON THIS PLAT ARE ONLY THOSE USED AND/OR NECESSARY TO THE BOUNDARY OF THIS PROPERTY. THEY ARE NOT AND DO NOT CONSTITUTE A TITLE SEARCH.

3.) THE NORTH MERIDIAN SHOWN HEREON IS BASED ON GRD NORTH, GEORGIA WEST ZONE BASED ON OBSERVATION ON LOCAL CONTROL POINTS MADE WITH A LEICA GS14 GPS RTK UNIT LOGGED ONTO THE DOPE'S RTK NETWORK.

4.) UNDERGROUND UTILITIES ARE BASED ON SURFACE FIELD INVESTIGATION AND UTILITY COMPANY RECORDS. THERE ARE OTHER UNDERGROUND UTILITIES WHICH ARE NOT SHOWN HEREON. UNDERGROUND UTILITIES SHOULD BE MARKED BY A QUALIFIED UNDERGROUND UTILITY LOCATION SERVICE.

5.) THE CURRENT OWNER OF THE PROPERTY SHOWN HEREON IS DWAYNE BRADLEY WALTON, TAX PARCEL # 08110 000151.

PLAT REFERENCES:

1.) PLAT FOR DOUGLAS W. WALTON SR. & NORA ANN CONNER WALTON DATED 7-29-2014, RECORDED IN P.D. 880, PG. 44.

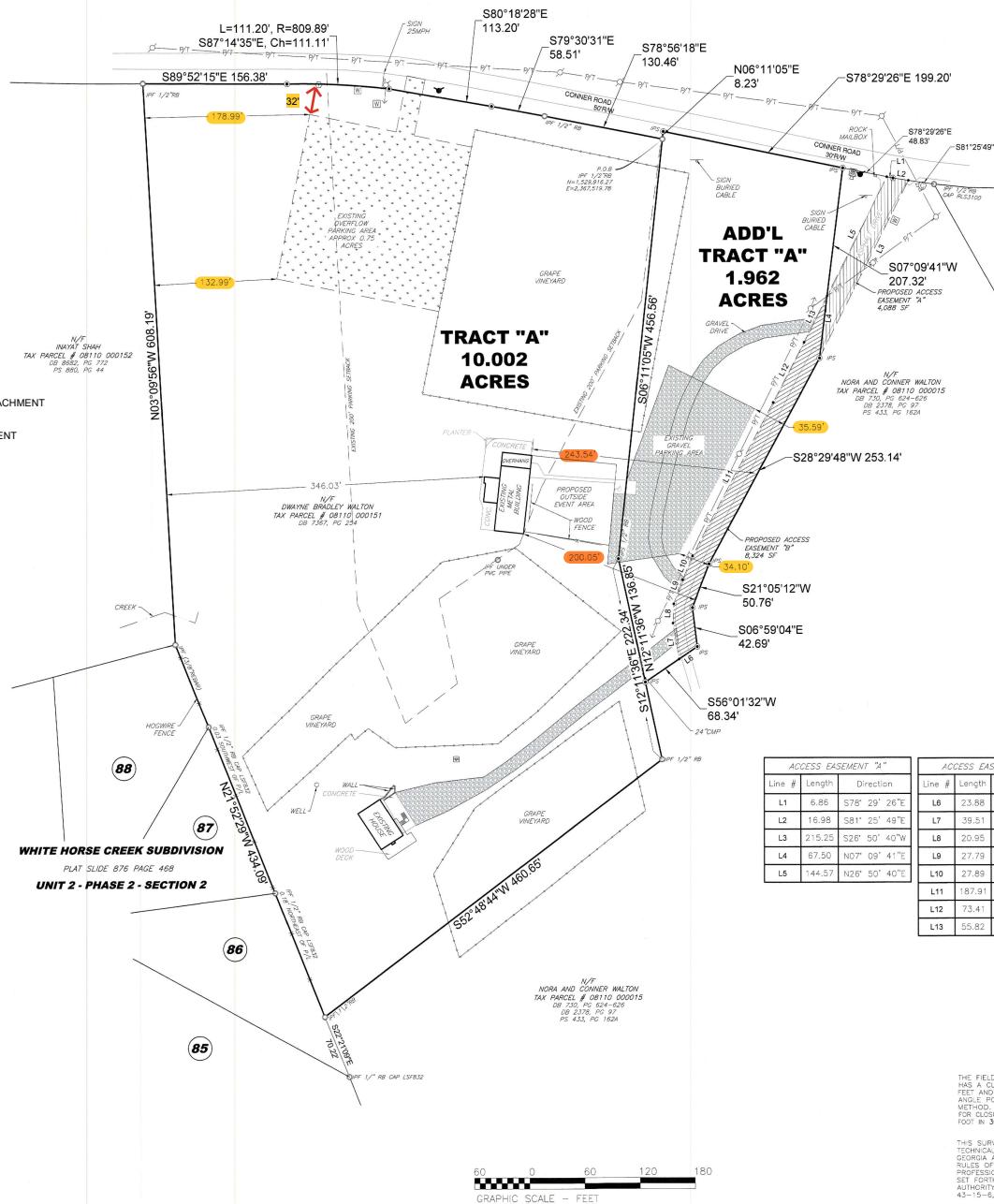
DEED REFERENCES:

1.) LIMITED WARRANTY DEED BETWEEN DOUGLAS W. WALTON SR. & NORA ANN CONNER WALTON & DWAYNE BRADLEY WALTON RECORDED IN DEED BOOK 9997, PAGE 659.

2.) CLAW DEED BETWEEN DOUGLAS W. WALTON SR. & NORA ANN CONNER WALTON & DWAYNE BRADLEY WALTON RECORDED IN DEED BOOK 8997, PAGE 659.

FLOOD NOTE:
ACCORDING TO FIRM COMMUNITY PANEL NUMBER 13139C0283G OF HALL COUNTY, GEORGIA DATED 4-4-2018, THIS PROPERTY IS IN A MINIMAL FLOOD HAZARD AREA ZONE "X".

LEGEND	
C&S	OUTLINE
TM	TOPOGRAPHIC BENCH MARK
CON	CONCRETE
IRON	IRON PIN FOUND
PI	PILOT HOLE (1/2" REBAR)
GT	OPEN TOP PIPE
CRP	CRIMP TOP PIPE
CMP	COMPILED FOUND
R/W	RIGHT OF WAY -----
CA	CAVITY -----
CL	CENTERLINE -----
LL	LAND LOT LINE
N/D	NOT DRAWN FORMERLY
DR	DRILL HOLE
FB	FLAT BODY
VL	VALVE LINE
NTS	NOT TO SCALE
DRW	DRY RIVER WARNING SURFACE
PU	PUANT URN
FOC	FIBER OPTIC CABLE
SSW	SEWAGE SEWER MANHOLE
PT	PIPE
TL	TRAFFIC LIGHT
CP	CAVITY POLE
TE	TELEPHONE POLE
EM	ELECTRIC MANHOLE
EB	ELECTRIC BOX
HW	HIGHWAY
WM	WATER VALVE MOUNT
WV	WATER VALVE
CPB	CORRUGATED PLASTIC PIPE
CB	CATCH BASIN
SWB	SINGLE WING CATCH BASIN
C&S	OUTLINE
REB	REBARS
E	ENCLOSURE
FC	FLAT
C	CURB INLET
D	DRIVE INLET
JB	JUNCTION BOX
CMP	CORRUGATED METAL PIPE
FCP	FLARED END SECTION
PIP	DUCTILE IRON PIPE
PF	PIPE
FFE	FINISHED FLOOR ELEVATION
BS	BASEMENT ELEVATION
GS	GRAVEL SPACE ELEVATION
HDP	HIGH DENSITY POLYETHYLENE
SE	SEWER EASMENT
S.S.E.	SANITARY SEWER CASING
PP	POWER POLE
LP	LIGHT POLE
LT	LIGHT
GA	GUY WIRE ANCHOR
TM	TELEPHONE MANHOLE
SB	SOUTHERN BELL (BELL SOUTH)
SP	SPRINKLER
OP	OVERHEAD POWER
OPW	OVERHEAD POWER & TELE
UPW	UNDERGROUND POWER & TELE
UC	U.G. COMMUNICATIONS
TT	TELEPHONE TERMINAL / BOX
TR	TELEPHONE RINGING BOX
WL	WATER LINE
SS	SANITARY SEWER LINE



THE FIELD DATA ON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 104,005 FEET AND AN ANGULAR PRECISION OF ONE SECOND ANGLE. THE DATA HAS BEEN ADJUSTED BY THE COMPASS METHOD. THIS MAP OR PLAT HAS BEEN CALCULATED FOR COORDINATES FOUND TO BE ACCURATE WITHIN ONE FOOT IN 302,448 FEET.

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE 1983 EDITION OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTIONS 15-6-67, 43-15-4, 43-15-5, 43-15-19, 43-15-22, 43-15-23, 43-15-24, 43-15-25, 43-15-26, 43-15-27, 43-15-28, 43-15-29, 43-15-30, 43-15-31, 43-15-32, 43-15-33, 43-15-34, 43-15-35, 43-15-36, 43-15-37, 43-15-38, 43-15-39, 43-15-40, 43-15-41, 43-15-42, 43-15-43, 43-15-44, 43-15-45, 43-15-46, 43-15-47, 43-15-48, 43-15-49, 43-15-50, 43-15-51, 43-15-52, 43-15-53, 43-15-54, 43-15-55, 43-15-56, 43-15-57, 43-15-58, 43-15-59, 43-15-60, 43-15-61, 43-15-62, 43-15-63, 43-15-64, 43-15-65, 43-15-66, 43-15-67, 43-15-68, 43-15-69, 43-15-70, 43-15-71, 43-15-72, 43-15-73, 43-15-74, 43-15-75, 43-15-76, 43-15-77, 43-15-78, 43-15-79, 43-15-80, 43-15-81, 43-15-82, 43-15-83, 43-15-84, 43-15-85, 43-15-86, 43-15-87, 43-15-88, 43-15-89, 43-15-90, 43-15-91, 43-15-92, 43-15-93, 43-15-94, 43-15-95, 43-15-96, 43-15-97, 43-15-98, 43-15-99, 43-15-100, 43-15-101, 43-15-102, 43-15-103, 43-15-104, 43-15-105, 43-15-106, 43-15-107, 43-15-108, 43-15-109, 43-15-110, 43-15-111, 43-15-112, 43-15-113, 43-15-114, 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NOTES:
EQUIPMENT USED FOR MEASUREMENT:
TOPCON PS 103A
G.P.S. EQUIPMENT USED - CHAMPION TWO GNSS RECEIVER
HORIZONTAL INFORMATION SHOWN HEREON
WAS BASED ON GPS OBSERVATIONS ON 04/28/2014
WROUGHT THROUGH THE EGPS NETWORK
COMBINED SCALE FACTOR: 1.0

HORIZONTAL: NAD83 (HARN83)
(G. North Zone Geod 12A Plane Coordinates)

THE FIELD DATA UPON WHICH THIS PLAT IS
BASED HAS A CLOSURE PRECISION OF ONE FOOT
IN 12.103 FEET AND AN ANGULAR
ERROR OF OCTOGON PER ANGLE POINT,
AND WAS ADJUSTED USING LEAST SQUARES
RULE. PARTY: J.M.J.

THIS PLAT HAS BEEN CALCULATED
FOR CLOSURE AND WAS FOUND TO
BE ACCURATE AS FOLLOWS:
TRACT - 1 WITHIN ONE FOOT IN 993.086 FEET;
TRACT - 2 WITHIN ONE FOOT IN 489.193 FEET;
TRACT - 3 WITHIN ONE FOOT IN 690.827 FEET.

BY MY OATH, THIS PLAT IS A CORRECT
REPRESENTATION OF THE LAND PLATTED, &
HAS BEEN PREPARED IN CONFORMITY WITH THE
MINIMUM STANDARDS AND REQUIREMENTS OF LAW.

THE SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL
STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN
CHAPTER 160 OF THE RULES OF THE BOARD OF PROFESSIONAL
REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS
AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.

-N/T-
RED FUNDING SOLUTIONS II, LLC
DEED BOOK 7064, PAGES 263-266

eFiled and eRecorded
DATE: 02/24/2021
TIME: 1:23 PM
PLAT BOOK: 880
PAGE: 44 - 44
FILING FEES: \$10.00
PART ID: 0419150030
RECORDED BY: CH
Charles Baker, C.S.C
Hall County, GA

RECORDING PERMIT

BY  12/21/2020
HALL COUNTY PLANNING COMMISSION

CALLS ALONG PERIMETER OF 20' INGRESS-EGRESS EASEMENT:

CURVE RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	229.15'	50.35'	N 43° 47' 42" E
C2	275.01'	33.10'	N 21° 56' 52" E

LINE BEARING	DISTANCE	
L1	N 27° 56' 54" E	115.27'
L2	N 26° 57' 07" E	63.75'
L3	N 27° 01' 25" E	106.91'
L4	N 26° 19' 48" E	179.52'
L5	S 79° 53' 77" E	20.83'
L6	S 26° 19' 48" W	185.46'
L7	S 27° 01' 23" W	107.28'
L8	S 26° 26' 20" W	63.86'
L9	S 27° 56' 04" W	114.73'

CURVE RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C3	101.36'	32.18'	S 03° 45' 04" W

LINE BEARING	DISTANCE	
L10	S 79° 20' 09" W	20.00'

CURVE RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C4	249.15'	43.70'	S 43° 55' 11" W

100' 0' 100' 200' 300'

GRAPHIC SCALE - 1 INCH = 100 FEET

REFERENCES:
1. DEED BOOK 730, PAGES 624-626
2. DEED BOOK 2378, PAGE 97
3. PLAT SLIDE 232, PAGE 161A
4. PLAT SLIDE 433, PAGE 162A

STATE WATERS BUFFER:
AN UNDISTURBED VEGETATIVE BUFFER MEETING CITY AND
STATE REQUIREMENTS FOR PROTECTION AGAINST
ALL STREAMS AND LAKES. BUFFER IS TO BE MEASURED
HORIZONTALLY FROM POINT WHERE VEGETATION HAS BEEN
WRECKED BY NORMAL STREAM FLOW OR WAVE ACTION.

AREA:
TRACT - 1 = 5.00 ACRES
TRACT - 2 = 5.00 ACRES
TRACT - 3 = 5.00 ACRES

LEGEND:
○ C.T. - CRIMPED TOP PIN FOUND
○ C.L. - CENTER LINE
○ C.P. - CENTER POINT
○ C.P. - EDGE OF PAVEMENT
○ C.P. - FIRE HYDRANT
○ C.V. - GATE VALVE
○ G.M. - GAS MAIN
○ H.D.P.E. - HIGH DENSITY POLYETHYLENE PIPE
○ H.P. - HIGH PRESSURE PIPE
○ L.L. - LAND LOT LINE
○ L.T. - LINE OR FORMERLY
○ O.T.P. - OPEN TOP FOUND
○ O.W.P. - OVERHEAD POWER
○ P.L. - POWER LINE
○ P.P. - POWER POLE
○ R.B.F. - REBAR FOUND
○ R.B.S. - REBAR PIN SET
○ R.W. - RIGHT OF WAY
○ S.P. - SURVEY POINT
○ T.R. - TELEPHONE PISER
○ W.M. - WATER MAIN
○ W.W. - WATER METER
○ W.F. - WIRE FENCE

GRID NORTH
LAND & WATER CORNERS (S)
NAD83 (G)



DOUGLAS W. WALTON, SR.
NORA ANN CONNER WALTON
LAND LOT 110 - 8TH LAND DISTRICT
HALL COUNTY, GEORGIA

REVISIONS:
DATE:

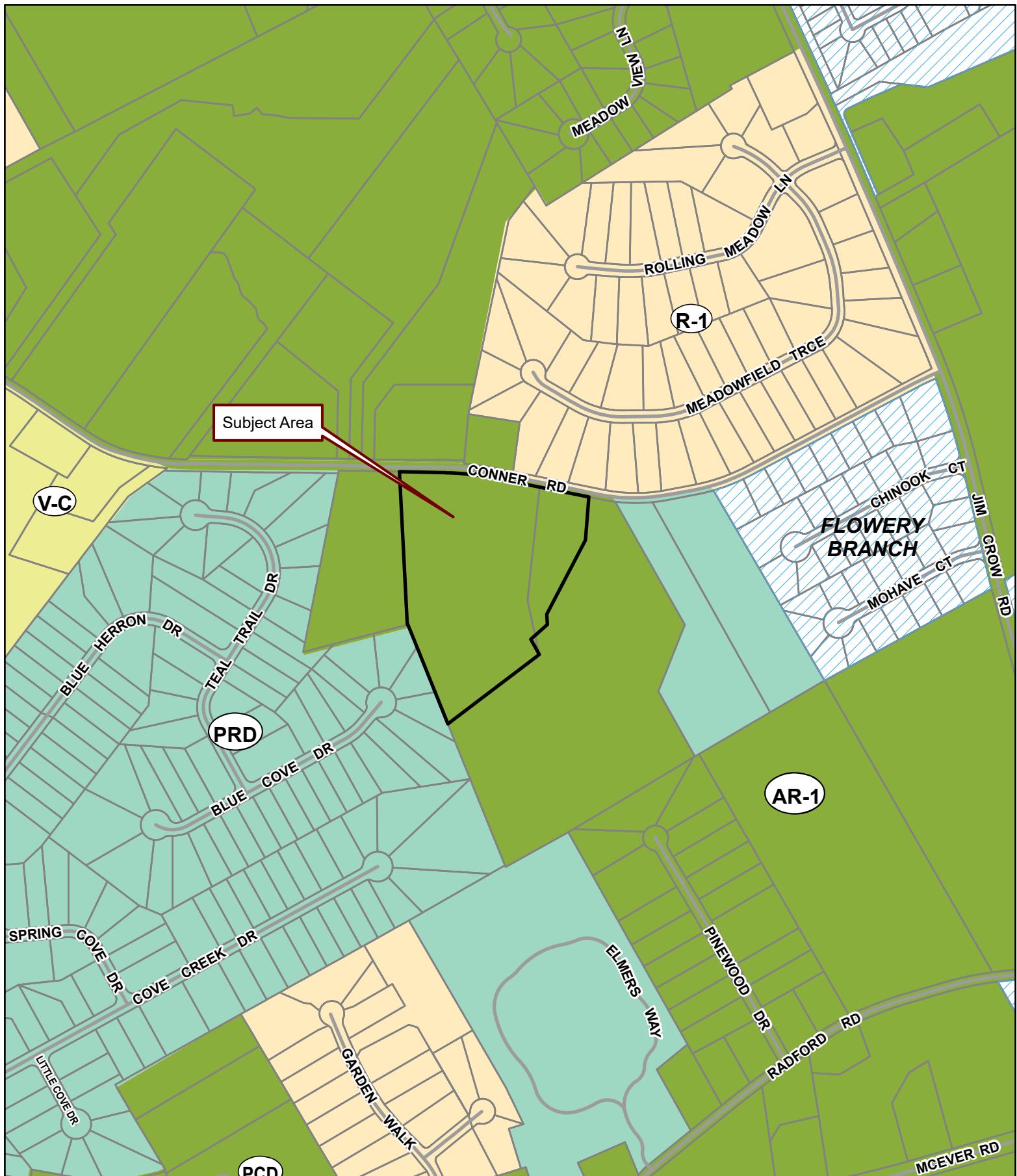
SHEET NUMBER:
1 of 1
SCALE: 1" = 100'
SURVEY DATE: 04/28/2014
PLAT DATE: 04/29/2014
14-047-000
JN 14-047



1/2 Dan Parham Sols
3 Lot of record

REGISTERED PROFESSIONAL
LAND SURVEYORS
P.O. BOX 256
GAINEVILLE, GA. 30523
PHONE: (770) 532-6492
FAX: (770) 532-1995
www.pattonland.com

DRAFTED BY: R. W. WALTON
COMPUTATIONS BY: C. M. PATTON



Applicant: DWAYNE BRADLEY WALTON

Tax Parcel #: 08110 000151, 08110 000015

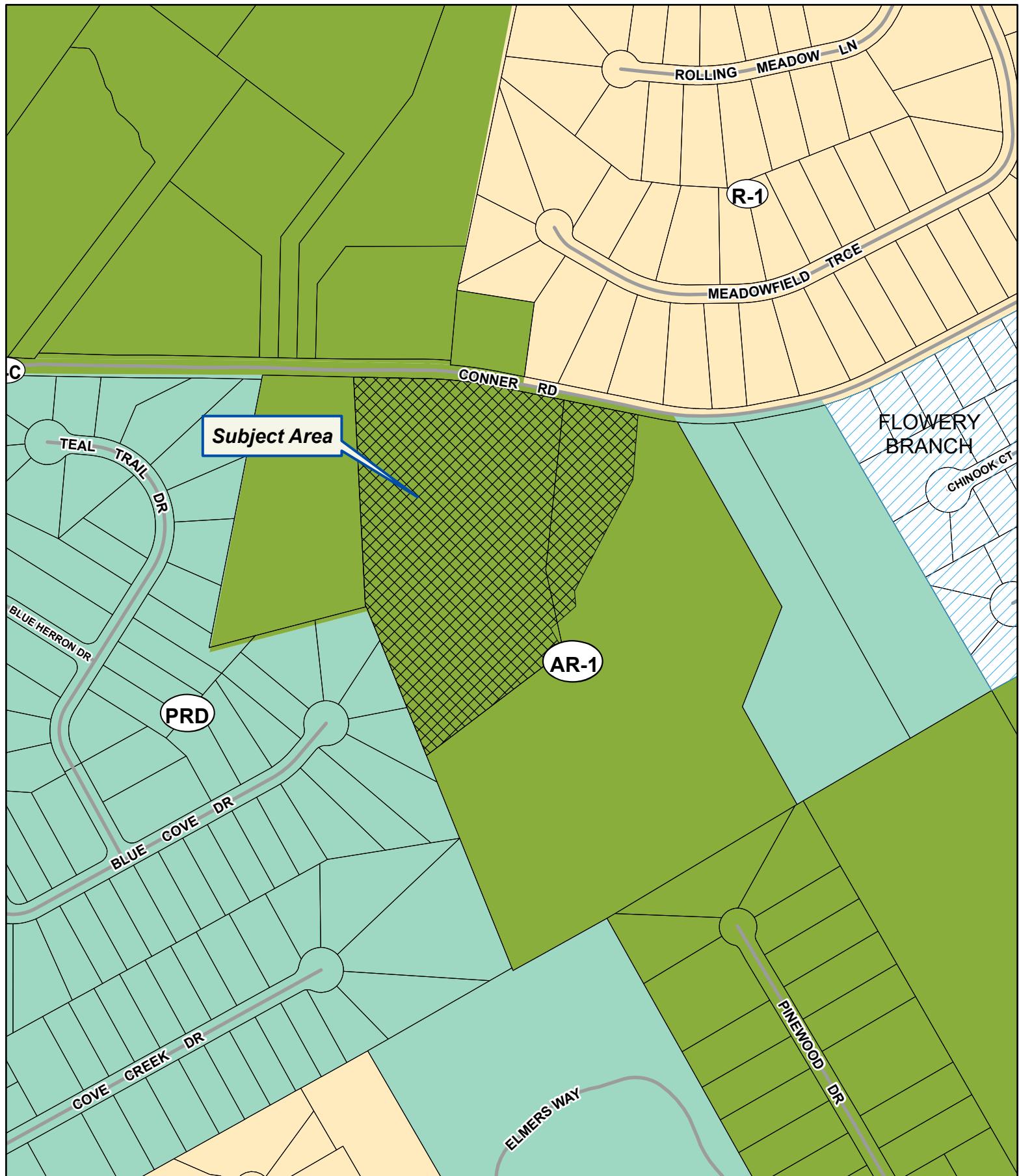
Location: 5773 & 5769 CONNER ROAD, FLOWERY BRANCH, GA 30542

Commission District 2

0 100 200 400
Feet

- Zoning Boundary
- City Limits
- Subject Area
- Structure





Applicant: DWAYNE BRADLEY WALTON

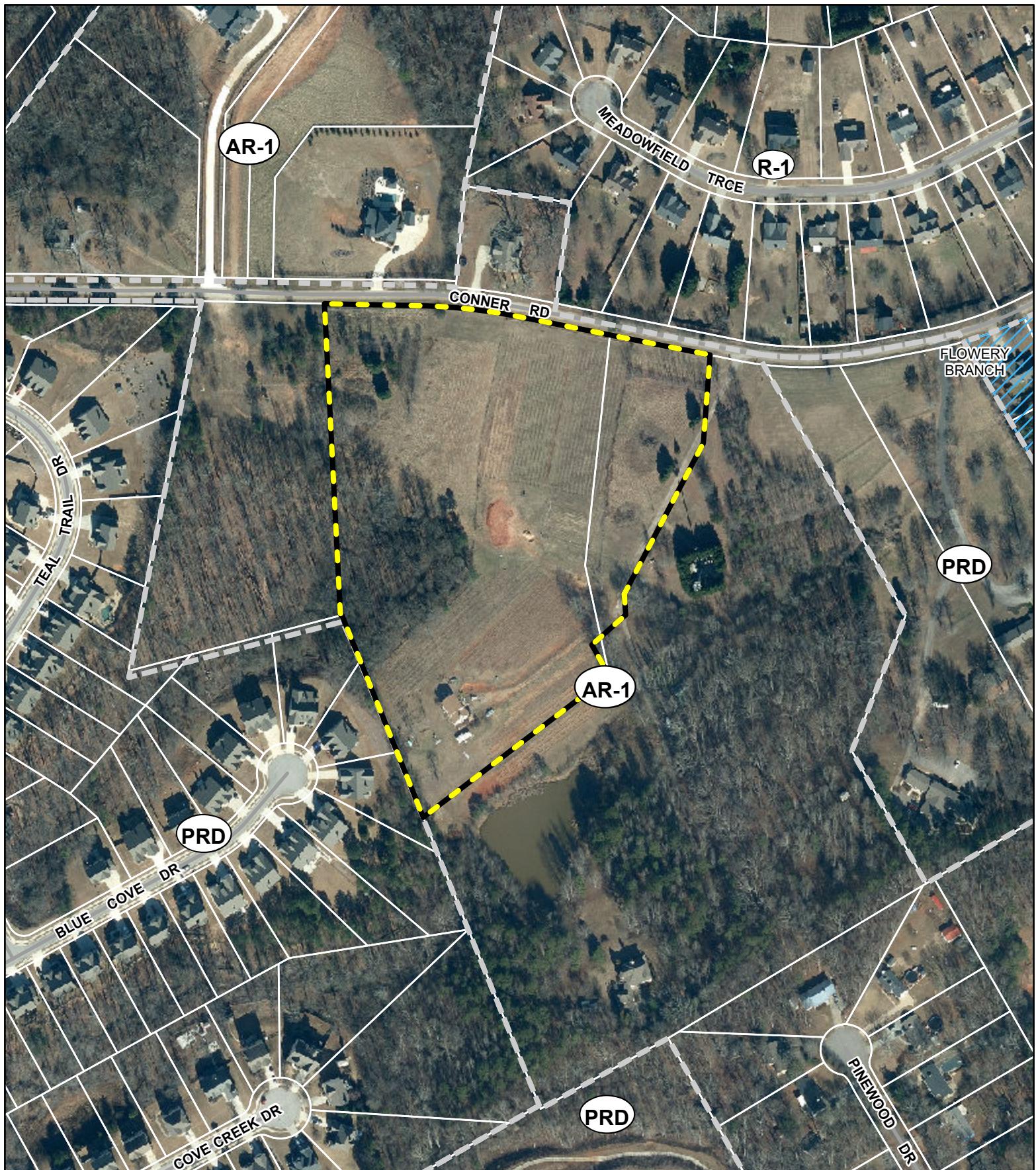
Tax Parcel #: 08110 000151, 08110 000015

Location: 5773 & 5769 CONNER ROAD, FLOWERY BRANCH, GA 30542

Commission District 2

0 100 200 300 400
Feet

■ Zoning Boundary
□ City Limits
■ Subject Area
□ Structure
N



Applicant: DWAYNE BRADLEY WALTON

Tax Parcel #: 08110 000151, 08110 000015

Location: 5773 & 5769 CONNER ROAD, FLOWERY BRANCH, GA 30542

Commission District 2

0 50 100 200
Feet

Zoning Boundary
 City Limits
 Subject Area

N

000254

GEORGIA, HALL COUNTY, CLERK SUPERIOR COURT
Filed in office, this 20 day of May
2014 at 4:25 PM. Recorded in Deed
Book 7367 Page(s) 254-255
Charles Baker, Clerk By JWK

After recording, return to James M. Coyle
file → Stewart, McElvin & Frost, LLP
P O Box 3280
Gainesville, GA 30503

HALL COUNTY, Georgia
Real Estate Transfer Tax

Paid \$ -0-
Date 5-20-14
Charles Baker
Superior Court Clerk
By JWK

STATE OF GEORGIA
COUNTY OF HALL

009121

PT61 069-2014-003029

LIMITED WARRANTY DEED

THIS INDENTURE is made as of May 20, 2014, between **Douglas W. Walton, Sr. and Nora Ann Conner Walton** (hereinafter collectively referred to as "Grantors") and **Dwayne Bradley Walton** (hereinafter referred to as "Grantee") ("Grantors" and "Grantee" to include their respective successors, legal representatives and assigns where the context requires or permits).

WITNESSETH

GRANTORS, in consideration of the love and affection Grantors have for the Grantee and the sum of Ten and No/100 Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency whereof are hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and does hereby grant, bargain, sell, alien, convey and confirm unto Grantee the following described real property, to wit:

See Exhibit "A" attached hereto and incorporated herein by reference

TO HAVE AND TO HOLD the real property, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of Grantee forever in FEE SIMPLE.

AND GRANTORS WILL WARRANT and forever defend the right and title to the real property unto Grantee against the claims of any persons owning, holding or claiming by, through or under Grantors.

It is the intent of the Grantors to convey all of their right, title and interest to the real property to the Grantee such that the Grantee will now own the real property in fee simple

EXECUTED under seal as of the date above.

Signed, sealed and delivered in
the presence of:

Grantors:

Cathy D. Walton
Unofficial Witness

Douglas W. Walton, Sr.
Douglas W. Walton, Sr.

Nora Ann Conner Walton
Nora Ann Conner Walton



DEED PREPARATION ONLY

000255

EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 110, 8th Land District, Hall County, Georgia, containing 5.00 acres and being shown as Tract 3 on a survey for Douglas W. Walton, Sr. and Nora Ann Conner Walton, dated April 29, 2014, prepared by Chris M. Patton, Georgia Registered Land Surveyor, and being more particularly described as follows:

Begin at a $\frac{1}{2}$ " rebar set, said rebar located North 84°42'54" West 1148.20 feet from a concrete monument found at the corner common to Land Lots 99, 100, 110 and 111; running thence South 52°48'11" West 460.57 feet to a $\frac{1}{2}$ " rebar set; thence North 21°54'03" West 434.38 feet to a 3/8" rebar found; thence North 75°25'24" East 362.62 feet to a $\frac{1}{2}$ " rebar set; thence North 06°12'42" East 483.06 feet to a $\frac{1}{2}$ " rebar found on the southern right of way of Conner Road (50' right of way used); thence running along said right of way South 78°55'06" East 130.47 to a $\frac{1}{2}$ " rebar set; thence leaving said right of way South 06°12'42" West 456.56 feet to a $\frac{1}{2}$ " rebar set; thence South 12°13'29" East 222.16 feet to the point of beginning.

Return to:
Russell C Petersen, LLC
P.O. Box 6499
GAINESVILLE, GA 30504
KM

eFiled and eRecorded
DATE: 11/29/2021
TIME: 1:22 PM
DEED BOOK: 8997
PAGE: 659 - 659
FILING FEES: \$26.00
TRANSFER TAX: \$0.00
PARTICIPANT ID: 0419150030
PT61: 069-2021-011950
RECORDED BY: CH
CLERK: Charles Baker, C.S.C
Hall County, GA

QUITCLAIM DEED

The preparer of this deed renders no "Opinion of Title" or "Title Certification". The legal description below was provided by the parties herein and the preparer provided legal services limited to on the deed preparation.

**STATE OF GEORGIA
COUNTY OF HALL**

THIS INDENTURE, made this 29th day of November, 2021 between **NORA ANN CONNER WALTON, A/K/A ANN C. WALTON, AND DOUGLAS W. WALTON, SR.**, of the State of Georgia as party of the first part, and **DWAYNE BRADLEY WALTON**, as party of the second part.

WITNESSETH: That the said Party of the first part, for in consideration of the sum of One Dollar (\$1.00), in hand paid, the receipt whereof is acknowledged, has bargained, sold, and by these presents does remise, convey and forever Quit-Claim to the said Party of the second part, his heirs and assigns,

All that tract or parcel of land lying and being in Land Lot 110 of the 8th Land District of Hall County, Georgia, being Tract 2, containing 5.00 acres, more or less, according to that certain plat entitled "Subdivision From A Parent Parcel Survey For: Douglas W. Walton, Sr. and Nora Ann Conner Walton", dated April 28, 2014, and recorded in Plat Book 880, Page 44, Hall County, Georgia Records, which plat is hereby referred to and made a part of this description.

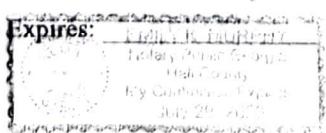
TO HAVE AND TO HOLD the said described premises to the said Party of the second part, so that neither the said Party of the first part nor its heirs, nor any other person or person claiming under it shall at any time, by any means or ways, have, claim or demand any right or title to the aforesaid described premises or appurtenances, or any rights thereof.

IN WITNESS WHEREOF, the said Party of the first part has hereunto set its hands and seals, the day and year above written.

Signed, sealed and delivered
this 29th day of November,
2021 in the presence of:

Stephanie Rose
Unofficial Witness

Emily K. Murphy
Notary Public
My Commission Expires: 11/29/2024
[Notary Seal]



Nora Ann Conner Walton (SEAL)
**NORA ANN CONNER WALTON, A/K/A
ANN C. WALTON**
Douglas W. Walton (SEAL)
DOUGLAS W. WALTON, SR.

000254

GEORGIA, HALL COUNTY, CLERK SUPERIOR COURT
Filed in office, this 20 day of May
2014 at 4:25 PM. Recorded in Deed
Book 7367 Page(s) 254-255
Charles Baker, Clerk By JWK

After recording, return to James M. Coyle
file → Stewart, McElvin & Frost, LLP
P O Box 3280
Gainesville, GA 30503

HALL COUNTY, Georgia
Real Estate Transfer Tax

Paid \$ -0-
Date 5-20-14
Charles Baker
Superior Court Clerk
By JWK

STATE OF GEORGIA
COUNTY OF HALL

009121

PT61 069-2014-003029

LIMITED WARRANTY DEED

THIS INDENTURE is made as of May 20, 2014, between **Douglas W. Walton, Sr. and Nora Ann Conner Walton** (hereinafter collectively referred to as "Grantors") and **Dwayne Bradley Walton** (hereinafter referred to as "Grantee") ("Grantors" and "Grantee" to include their respective successors, legal representatives and assigns where the context requires or permits).

WITNESSETH

GRANTORS, in consideration of the love and affection Grantors have for the Grantee and the sum of Ten and No/100 Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency whereof are hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and does hereby grant, bargain, sell, alien, convey and confirm unto Grantee the following described real property, to wit:

See Exhibit "A" attached hereto and incorporated herein by reference

TO HAVE AND TO HOLD the real property, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of Grantee forever in FEE SIMPLE.

AND GRANTORS WILL WARRANT and forever defend the right and title to the real property unto Grantee against the claims of any persons owning, holding or claiming by, through or under Grantors.

It is the intent of the Grantors to convey all of their right, title and interest to the real property to the Grantee such that the Grantee will now own the real property in fee simple

EXECUTED under seal as of the date above.

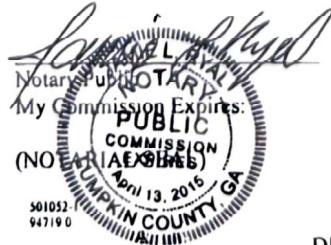
Signed, sealed and delivered in
the presence of:

Grantors:

Cathy D. Walton
Unofficial Witness

Douglas W. Walton, Sr.
Douglas W. Walton, Sr.

Nora Ann Conner Walton
Nora Ann Conner Walton



DEED PREPARATION ONLY

000255

EXHIBIT "A"

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Return to:
Russell C Petersen, LLC
P.O. Box 6499
GAINESVILLE, GA 30504
KM

eFiled and eRecorded
DATE: 11/29/2021
TIME: 1:22 PM
DEED BOOK: 8997
PAGE: 659 - 659
FILING FEES: \$26.00
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PARTICIPANT ID: 0419150030
PT61: 069-2021-011950
RECORDED BY: CH
CLERK: Charles Baker, C.S.C
Hall County, GA

QUITCLAIM DEED

The preparer of this deed renders no "Opinion of Title" or "Title Certification". The legal description below was provided by the parties herein and the preparer provided legal services limited to on the deed preparation.

**STATE OF GEORGIA
COUNTY OF HALL**

THIS INDENTURE, made this 29th day of November, 2021 between **NORA ANN CONNER WALTON, A/K/A ANN C. WALTON, AND DOUGLAS W. WALTON, SR.**, of the State of Georgia as party of the first part, and **DWAYNE BRADLEY WALTON**, as party of the second part.

WITNESSETH: That the said Party of the first part, for in consideration of the sum of One Dollar (\$1.00), in hand paid, the receipt whereof is acknowledged, has bargained, sold, and by these presents does remise, convey and forever Quit-Claim to the said Party of the second part, his heirs and assigns,

All that tract or parcel of land lying and being in Land Lot 110 of the 8th Land District of Hall County, Georgia, being Tract 2, containing 5.00 acres, more or less, according to that certain plat entitled "Subdivision From A Parent Parcel Survey For: Douglas W. Walton, Sr. and Nora Ann Conner Walton", dated April 28, 2014, and recorded in Plat Book 880, Page 44, Hall County, Georgia Records, which plat is hereby referred to and made a part of this description.

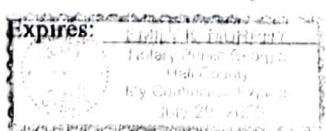
TO HAVE AND TO HOLD the said described premises to the said Party of the second part, so that neither the said Party of the first part nor its heirs, nor any other person or person claiming under it shall at any time, by any means or ways, have, claim or demand any right or title to the aforesaid described premises or appurtenances, or any rights thereof.

IN WITNESS WHEREOF, the said Party of the first part has hereunto set its hands and seals, the day and year above written.

Signed, sealed and delivered
this 29th day of November,
2021 in the presence of:

Stephanie Rose
Unofficial Witness

Emily K. Murphy
Notary Public
My Commission Expires: 11/29/2024
[Notary Seal]



Nora Ann Conner Walton (SEAL)
**NORA ANN CONNER WALTON, A/K/A
ANN C. WALTON**
Douglas W. Walton (SEAL)
DOUGLAS W. WALTON, SR.

HCBOC Tentative Agenda 1.22.26

From Emily McGahee (Environmental Health) <emcgahee@hallcounty.org>

Date Tue 12/16/2025 6:59 AM

To Kaitlyn Elliott (Planning) <kelliott@hallcounty.org>; Katie G. Ahmed (Planning) <kahmed@hallcounty.org>; Lynn Taylor (Planning) <ltaylor@hallcounty.org>

Cc Chad Harper (Environmental Health) <charper@hallcounty.org>; Kelly Hairston (Environmental Health) <khairston@hallcounty.org>

Please find Environmental Health comments below:

3610 Mountain View Road, Mosqueda: No comment. Public sewer.

2479A Broadway Place, Gray: Septic permit OSC-10379 was issued for a 1 bdrm ADU on August 25, 2025.

2479B Broadway Place, Gray: Septic permit OSC-10616 was issued for a 1 bdrm ADU on December 9, 2025.

1148 Hancock (A/B), Cordoba: Must meet all residential permitting requirements. Original copy of Level 3 soil evaluation and copy of recorded plat will be required at time of septic permit application.

5401 Old Winder Hwy (A/B), K2P Land Partners: No comment. Public sewer.

5773/5769 Conner Road (A/B), Walton: Must meet all Environmental Health commercial 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/modification may be required after review of business plan.

5953/5965 Yellow Creek Road, Stover: Must meet all Environmental Health commercial 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/modification may be required after review of business plan.

3294/3290 Athens Hwy, Rizqallah: 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.

Emily McGahee
Hall County Environmental Health
Hall County Government Center
2875 Browns Bridge Road
Mailing: PO Box 5901
Gainesville, GA 30504
(770) 531-3973 (phone)
emcgahee@hallcounty.org

<http://dph.georgia.gov/environmental-health> (State Website)

<http://www.phdistrict2.org/HallCounty.htm> (District Website)

<https://www.hallcounty.org/192/Environmental-Health> (County Website & Forms)

EMAIL Reader Advisory Notice: Email to and from a Georgia state agency is generally public record, except for content that is confidential under specific laws. Security by encryption is applied to all confidential information sent by email from the Georgia Department of Public Health (DPH). This message is only intended for specific recipient(s) and may contain privileged, private, or sensitive information. If you received this message in error, please delete it, and contact me.



RE: Tentative Planning Agenda for the January 22, 2026 Hall County Board of Commissioners meeting

From Hash, Christopher M <CHash@dot.ga.gov>
Date Thu 12/11/2025 4:30 PM
To Kaitlyn Elliott (Planning) <kelliott@hallcounty.org>

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon Kaitlyn,

Please see the below responses in red.

If you have any questions, please feel free to reach out.

Thanks,

Christopher Hash, P.E.
D1 Traffic Operations Supervisor



A1, A4 Access and Operations
1475 Jesse Jewell Pkwy
Suite 100
Gainesville, GA, 30501
470.201.8029 cell

From: Kaitlyn Elliott (Planning) <kelliott@hallcounty.org>
Sent: Thursday, December 11, 2025 3:28 PM
Subject: Tentative Planning Agenda for the January 22, 2026 Hall County Board of Commissioners meeting

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon,

Please see below for the Tentative Planning Agenda and Maps for the **January 22, 2026** Hall County Board of Commissioners meeting. Please use the links to review the documents and respond with comments to Hall County

Planning and Development. Failure to provide comments in a timely manner may result in the information not being included in the staff report.

When submitting comments, please include the name of the applicant along with the address of the property with the corresponding comment.

Comments are due by **Thursday, December 18, 2025**. Email comments to Katie (kahmed@hallcounty.org) and Kaitlyn (kelliott@hallcounty.org).

- **3610 Mountain View Road | Variance to Section 3.2** | to reduce the minimum yards | on a $0.16\pm$ acre tract located on the north side of Mountain View Road approximately 70 feet from its intersection with Whiting Road | Zoned AR-1; Tax Parcel 08031 003013 | **Proposed Use: To bring an existing structure into compliance** | Commission District 4 | **Marcial Mosqueda, applicant**
Off system, no impacts to the state route expected.
- **2479A Broadway Place | Variance to Section 7.8.3** | ADU standards | on a $0.29\pm$ acre tract located on the east side of the extension of Broadway Place approximately 466 feet from Broadway Drive | Zoned R-1; Tax Parcel 00121 005001 | **Proposed Use: Accessory dwelling unit** | Commission District 4 | **Amelia Gray, LLC, applicant**
(B) 1148 Hancock Avenue | Variance to Section 5.3 | to reduce the minimum yards | on a $0.51\pm$ acre tract located on the east side of the extension of Broadway Place approximately 543 feet from Broadway Drive | Zoned R-1; Tax Parcel 00121 005007 (pt) | **Proposed Use: Accessory dwelling unit** | Commission District 4 | **Amelia Gray, LLC, applicant**
Off system, no impacts to the state route expected.
- **(A) 1148 Hancock Avenue | Conditional Use** | expansion of a nonconforming use | on a $0.59\pm$ acre tract located on the west side of Hancock Avenue at its intersection with Jarrard Drive | Zoned H-B & R-1; Tax Parcels 00031 005009 | **Proposed Use: Accessory dwelling unit** | Commission District 4 | **Santos Cordoba, applicant**
(B) 1148 Hancock Avenue | Variance to Section 5.3 | to reduce the minimum yards | on a $0.59\pm$ acre tract located on the west side of Hancock Avenue at its intersection with Jarrard Drive | Zoned H-B & R-1; Tax Parcels 00031 005009 | **Proposed Use: Accessory dwelling unit & to bring an existing structure into compliance** | Commission District 4 | **Santos Cordoba, applicant**
Off system, no impacts to the state route expected.
- **5401 Old Winder Highway | Special Use** | to amend conditions of zoning | on an $84.30\pm$ acre portion of a tract located on the east side of Old Winder Highway at its intersection with Pleasant Hill Lane | Zoned R-MF; Tax Parcel 15039A000007(pt) | **Proposed use: 700-unit residential development** | Commission District 1 | **K2P Land Partners, LLC, applicant**
Will need to permit with our office.
- **5401 Old Winder Highway | Special Use** | to amend conditions of zoning | on a $194.10\pm$ acre portion of a tract located on the east side of Old Winder Highway at its intersection with Pleasant Hill Lane | Zoned I-1; Tax Parcel 15039A000007(pt) | **Proposed use: Industrial park** | Commission District 1 | **K2P Land Partners, LLC, applicant**
Will need to permit with our office.

- (A) 5773 & 5769 Conner Road | Special Use | for an agri-entertainment venue | on a 11.96± acre tract located on the south side of Conner Road approximately 1415 feet from its intersection with Jim Crow Road | Zoned AR-1; Tax Parcels 08110 000151 & 08110 000015 (pt) | Proposed Use: Agri-entertainment venue | Commission District 2 | Dwayne Bradley Walton, applicant

(B) 5773 & 5769 Conner Road | Variance to section 7.7.3 | to vary the standards for an agri-entertainment venue | on a 11.96± acre tract located on the south side of Conner Road approximately 1415 feet from its intersection with Jim Crow Road | Zoned AR-1; Tax Parcels 08110 000151 & 08110 000015 (pt) | Proposed Use: Agri-entertainment venue | Commission District 2 | Dwayne Bradley Walton, applicant

Off system, no impacts to the state route expected.

- 5953 & 5965 Yellow Creek Road | Special Use | for rural business | on a 2.21± acre tract located on the south side of Yellow Creek Road approximately 340 feet from its intersection with Walden Road | Zoned AR-1; Tax Parcels 11105 000019 & 11105 000002C (pt) | Proposed Use: Rural Business | Commission District 2 | Joshua Stover, applicant

Off system, no impacts to the state route expected.

- 3294 & 3290 Athens Highway | Rezone | from Agricultural Residential (AR-1) & Planned Industrial Development (PID) to Light Industrial (I-1) | on a 14.11± acre tract located on the south side of Athens Highway approximately 1655 feet from its intersection with Bluffton Drive | Zoned AR-1 & PID; Tax Parcel 15014 000192 | Proposed Use: Uses permitted in I-1 | Commission District 3 | Jim Rizqallah, applicant

Will need to permit with our office. Driveway will need to align, and a right turn lane will be required. Intersection will need to be studied.

Thank you,

Kaitlyn Elliott

Planning Commission Clerk

Hall County Planning and Zoning

(770) 531-6810 www.hallcounty.org



Human trafficking impacts every corner of the globe, including our state and local communities. Georgia DOT is committed to end human trafficking in Georgia through education enabling its employees and the public to recognize the signs of human trafficking and how to react in order to help make a change. To learn more about the warning signs of human trafficking, visit <https://doas.ga.gov/human-resources-administration/human-trafficking-awareness/trafficking-in-georgia>. To report any suspicious activity, call the Georgia Human Trafficking Hotline at 866-363-4842. Let's band together to end human trafficking in Georgia.



Hall County Government
COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PUBLIC WORKS AND UTILITIES

M E M O R A N D U M

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

ASSISTANT DIRECTOR
Jason Skarda, P.L.S.

To: Katie Ahmed, Planning and Zoning Administrator
From: Jason Skarda, Assistant Director of Public Works and Utilities
Date: Wednesday, December 17, 2025
Subject: January 22, 2025 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the January 22, 2026, meeting. Upon review, we provide the following comments.

NEW BUSINESS

- [**3610 Mountain View Road | Variance to Section 3.2 | to reduce the minimum yards | on a 0.16± acre tract located on the north side of Mountain View Road approximately 70 feet from its intersection with Whiting Road | Zoned AR-1; Tax Parcel 08031 003013 | Proposed Use: To bring an existing structure into compliance | Commission District 4 | Marcial Mosqueda, applicant**](#)
 - **Engineering:** No Comment
 - **Traffic:** No Comment
 - **Utilities:** Gainesville Sewer on the south side of Mt. View Road.
- [**2479A Broadway Place | Variance to Section 7.8.3 | ADU standards | on a 0.29± acre tract located on the east side of the extension of Broadway Place approximately 466 feet from Broadway Drive | Zoned R-1; Tax Parcel 00121 005001 | Proposed Use: Accessory dwelling unit | Commission District 4 | Amelia Gray, LLC, applicant**](#)
 - **Engineering:** No Comment
 - **Traffic:** No Comment
 - **Utilities:** Gainesville Sewer – No infrastructure in vicinity.

- [**2479B Broadway Place | Variance to Section 7.8.3 | ADU standards | on a 0.51± acre tract located on the east side of the extension of Broadway Place approximately 543 feet from Broadway Drive | Zoned R-1; Tax Parcel 00121 005007 \(pt\) | Proposed Use: Accessory dwelling unit | Commission District 4 | Amelia Gray, LLC, applicant**](#)
 - **Engineering:** No Comment
 - **Traffic:** No Comment
 - **Utilities:** Gainesville Sewer – No infrastructure in vicinity.
- [**\(A\) 1148 Hancock Avenue | Conditional Use | expansion of a nonconforming use | on a 0.59± acre tract located on the west side of Hancock Avenue at its intersection with Jarrard Drive | Zoned H-B & R-1; Tax Parcels 00031 005009 | Proposed Use: Accessory dwelling unit | Commission District 4 | Santos Cordoba, applicant**](#)
 - **Engineering:** No Comment
 - **Traffic:** No Comment
 - **Utilities:** Gainesville Sewer – Infrastructure on Marler Street.
- [**\(B\) 1148 Hancock Avenue | Variance to Section 5.3 | to reduce the minimum yards | on a 0.59± acre tract located on the west side of Hancock Avenue at its intersection with Jarrard Drive | Zoned H-B & R-1; Tax Parcels 00031 005009 | Proposed Use: Accessory dwelling unit & to bring an existing structure into compliance | Commission District 4 | Santos Cordoba, applicant**](#)
 - **Engineering:** No Comment
 - **Traffic:** No Comment
 - **Utilities:** Gainesville Sewer – Infrastructure on Marler Street.
- [**5401 Old Winder Highway | Special Use | to amend conditions of zoning | on an 84.30± acre portion of a tract located on the east side of Old Winder Highway at its intersection with Pleasant Hill Lane | Zoned R-MF; Tax Parcel 15039A000007\(pt\) | Proposed use: 700-unit residential development | Commission District 1 | K2P Land Partners, LLC, applicant**](#)
 - **Engineering:** No Comment
 - **Traffic:** GDOT access Permit is required.
 - **Utilities:** Hall County Sewer – Infrastructure on site.
- [**5401 Old Winder Highway | Special Use | to amend conditions of zoning | on a 194.10± acre portion of a tract located on the east side of Old Winder Highway at its intersection with Pleasant Hill Lane | Zoned I-1; Tax Parcel 15039A000007\(pt\) | Proposed use: Industrial park | Commission District 1 | K2P Land Partners, LLC, applicant**](#)
 - **Engineering:** No Comment
 - **Traffic:** GDOT access Permit is required.
 - **Utilities:** Hall County Sewer – Infrastructure on site.

- [**\(A\) 5773 & 5769 Conner Road | Special Use | for an agri-entertainment venue | on a 11.96± acre tract located on the south side of Conner Road approximately 1415 feet from its intersection with Jim Crow Road | Zoned AR-1; Tax Parcels 08110 000151 & 08110 000015 \(pt\) | Proposed Use: Agri-entertainment venue | Commission District 2 | Dwayne Bradley Walton, applicant**](#)
 - **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.
 - **Traffic:** No Comments
 - **Utilities:** Flowery Branch Sewer Service area.
- [**\(B\) 5773 & 5769 Conner Road | Variance to section 7.7.3 | to vary the standards for an agri-entertainment venue | on a 11.96± acre tract located on the south side of Conner Road approximately 1415 feet from its intersection with Jim Crow Road | Zoned AR-1; Tax Parcels 08110 000151 & 08110 000015 \(pt\) | Proposed Use: Agri-entertainment venue | Commission District 2 | Dwayne Bradley Walton, applicant**](#)
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 - **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.
 - **Traffic:** No Comments
 - **Utilities:** Hall County Sewer Service area – No infrastructure in vicinity.
- [**3294 & 3290 Athens Highway | Rezone | from Agricultural Residential \(AR-1\) & Planned Industrial Development \(PID\) to Light Industrial \(I-1\) | on a 14.11± acre tract located on the south side of Athens Highway approximately 1655 feet from its intersection with Bluffton Drive | Zoned AR-1 & PID; Tax Parcel 15014 000192 | Proposed Use: Uses permitted in I-1 | Commission District 3 | Jim Rizqallah, applicant**](#)
 - **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 is required.
 - **Utilities:** Hall County Sewer Service area – No infrastructure in vicinity.

Fire Comments

From John Hornick (Fire Services) <jhornick@hallcounty.org>

Date Mon 12/15/2025 3:39 PM

To Katie G. Ahmed (Planning) <kahmed@hallcounty.org>

Cc Kaitlyn Elliott (Planning) <kelliott@hallcounty.org>

A. [5773 & 5769 Conner Road | Special Use | for an agri-entertainment venue | on a 11.96± acre tract located on the south side of Conner Road approximately 1415 feet from its intersection with Jim Crow Road | Zoned AR-1; Tax Parcels 08110 000151 & 08110 000015 \(pt\) | Proposed Use: Agri-entertainment venue | Commission District 2 | Dwayne Bradley Walton, applicant](#)

Hall County Fire Comment: existing access to venue does not appear to meet the below fire code requirement, site plan will be required showing road width improvements.

International Fire Code SECTION 503 FIRE APPARATUS ACCESS ROADS

503.2.1 Dimensions.

Fire apparatus access roads shall have an unobstructed width of not less than 20 feet, exclusive of shoulders.

B. [5773 & 5769 Conner Road | Variance to section 7.7.3 | to vary the standards for an agri-entertainment venue | on a 11.96± acre tract located on the south side of Conner Road approximately 1415 feet from its intersection with Jim Crow Road | Zoned AR-1; Tax Parcels 08110 000151 & 08110 000015 \(pt\) | Proposed Use: Agri-entertainment venue | Commission District 2 | Dwayne Bradley Walton, applicant](#)

International Fire Code SECTION 503 FIRE APPARATUS ACCESS ROADS

503.2.1 Dimensions.

Fire apparatus access roads shall have an unobstructed width of not less than 20 feet, exclusive of shoulders.

Regards,

John Hornick, NPQ Fire Service Plans Examiner 1

Lieutenant, Hall County Fire Rescue

Hall County Government

Main: 770-531-6838 | Cell: 404-597-0083

Website: www.Hallcounty.org



PUBLIC NOTICE REQUIREMENTS

Zoning regulations require that public notice must be given prior to all zoning hearings as follows:

1. The Planning Department shall publish a legal advertisement no less than fifteen (15) days and no more than forty-five (45) days prior to the public hearing.
2. The Planning Department shall send notification by letter of all other property owners within a 500-foot radius of the applicant's property, which is standard administrative policy of the Planning Department.
3. The applicant/property owner shall place the public notice sign in a conspicuous location on the property not less than fifteen (15) days and not more than forty-five (45) days prior to the public hearing.

The Planning Department shall post the legal advertisement and notify property owners within a 500ft radius to the subject property.

The applicant is required to post the public notice sign not less than fifteen (15) days and no more than forty-five (45) days prior to the public hearing. A photo of the sign placed at the location is required and must be sent to the Planning Department.

Multiple sign postings on a site may be required as determined by the Planning Department. The sign must be in a location where it is clearly visible from the roadway. The sign cannot be obstructed in any manner, placed too far from the road, or placed in such manner as would cause it to blend into the landscape.

Should you find the sign missing or vandalized in any manner, contact the Planning Department for a replacement sign. When the proceeding is complete and final Board action has occurred, the sign shall then be removed from the property by the applicant.

**THE ZONING SIGN MUST BE POSTED NO EARLIER THAN DECEMBER 19, 2026 AND
NO LATER THAN JANUARY 02, 2026.**

**THE ORGINAL SIGNED AFFIDAVIT MUST BE RETURNED TO THE PLANNING DEPARTMENT
NO LATER THAN JANUARY 02, 2026 ALONG WITH A MINIMUM OF ONE PHOTO
SHOWING THE SIGN POSTED AT THE SUBJECT PROPERTY.**

Failure to comply will result in a delay of the application.

AFFIDAVIT

By my signature, I, Rwayne Bradley Weller, hereby acknowledge that I have
Please Print Name

read and understand the sign posting requirements. I further certify that the required

public notice sign was posted on 12/28/25 for Rwayne Bradley Weller

(Name application filed as)

Signature Rwayne Bradley Weller

(The original document is required)

ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO
THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: DWAYNE BRADLEY WALTON

REQUEST: SPECIAL USE FOR AN AGRI-ENTERTAINMENT
VENUE WITH VARIANCES

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION

Date: N/A

COUNTY COMMISSION

Date: JAN 22, 2026

Time: N/A

Time: 6:00 P.M.

HALL COUNTY GOVERNMENT CENTER, 101 BROWN'S BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6899

To whomever is currently deciding planning and zoning request for Hall County,

This is my response to proposed agri entertainment site at 5769 and 5773 Conner Road.

I am against the approval of this request! This proposed site is in the middle of at least 3 neighborhoods. There are close to 60 homes within 500 feet of the proposed site. I feel it will have a negative impact property values on the quality of life for more than just these 60 homes.

Number 1 is the noise. On 1 or 2 occasions music was played from this site and it was very loud. Loud enough for me to go to the street in front of my house to see if my neighbor across the street was having a party in their backyard. Approval of this request means nights of having windows open or sitting outside in the fresh air will not be possible on days of events involving music. This will include more than just the 60 homes. It will be easily audible to houses two and three times the 500 foot distance.

I do not know what type of music that will be played. But some music such as rap and some rock lyrics contain profanity. I personally do not want to sit listen to "f", "mf" and other such words from events.

My second reason is the number of people attending events where alcohol is served. We certainly do not need more inebriated drivers on the road. We already have the Branch House which is within a mile of our homes. This area is really a residential area. It is no longer an agricultural area. There will be even more houses built in this area. So this will be impacting even more homes in the future. What was approved as a small personal winery now wants to expand into events. What will they be asking for after this?

Robert Lathroum

5858 Meadowfield Trce

Flowery Branch, GA 30542



(A) 5773 & 5769 Conner Road | Special Use and (B) 5773 & 5769 Conner Road | Variance to section 7.7.3

From: Kaitlyn Elliott (Planning) <kelliott@hallcounty.org>

Date: Thu 1/15/2026 1:35 PM

To: Kaitlyn Elliott (Planning) <kelliott@hallcounty.org>

From: Alden Woodside <[REDACTED]>

Sent: Thursday, January 15, 2026 12:34 PM

To: Jennifer Rivera (Administration) <jrivera@hallcounty.org>

Cc: Alden Woodside <[REDACTED]>

Subject: (A) 5773 & 5769 Conner Road | Special Use and (B) 5773 & 5769 Conner Road | Variance to section 7.7.3

You don't often get email from [REDACTED] [Learn why this is important](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Alden Woodside
5786 Conner Road
Flowery Branch, GA 30542
[REDACTED]

1-15-26

Hall County Board of Commissioners
P.O. Drawer 1435
Gainesville, GA 30503

Dear Members of the Hall County Board of Commissioners,

I am writing as a resident of Hall County to strongly oppose the special use permit and variance request for the proposed Flowery Branch Winery. While I appreciate efforts to support local businesses, I have serious concerns about the impact this project would have on our community's character, safety, and quality of life.

The proposed permit and variance raises multiple issues, including significantly increased traffic and frankly danger on an exceedingly narrow and frankly hazardous road. To be clear, Conner Road, the road granting access to the Applicant's property is already narrow. Two cars have difficulty passing each other under current conditions. Further, there is a personal care home at the end of the road, and emergency vehicles are frequently seen going to and from that property. Allowing numerous events on the Applicant's property will only exacerbate these problems and create an even more unsafe environment. Indeed, the Applicant has hosted several events on-site in the past, and cars

parked on the lawn using a blind hill for access, providing a safety concern for drivers and an eyesore for nearby property owners. Granting the special use permit will only increase the hazards already faced by area residents. The added traffic would endanger pedestrians, cyclists, and children who frequently use Conner Road which is notably without a sidewalk on the bulk of the road.

The Board has ample grounds to deny the project for these reasons alone. It is unclear if the road's width currently meets standard safety requirements imposed by the International Fire Code as adopted by Hall County. At the very least, if the Applicant seeks to increase motor vehicle traffic along the existing, narrow road, the Applicant should be required to widen it—at the Applicant's cost. Notably, a similar request was made by the Applicant in 2017 and was denied for these same reasons.

In addition to the objective safety risks associated with granting a special use permit, it is important to consider the exacerbation of noise pollution from ongoing events and gatherings. While we acknowledge that the Applicant is currently prohibited from using amplified sound outdoors, our observations suggest otherwise. We have documented instances, including videos of amplified music being played and images of unauthorized festivals that were held without permission. The Applicant has consistently disregarded existing regulations; thus, one must question what would prevent them from hosting events attracting 200 vehicles with loud music extending past midnight if a special use permit is granted.

Allowing this special use permit would significantly impact the quality of life for surrounding neighbors and likely lead to decreased property values. We urge you to consider these implications carefully.

Equally concerning is the change in land use that this permit and variance would enable. An event venue is fundamentally incompatible with the surrounding residential and rural environment. Granting these exceptions would set a troubling precedent that undermines existing zoning protections designed to preserve the tranquility and safety of our neighborhood.

I urge the Board to protect the interests of residents by denying the special use permit and variance request for the Flowery Branch Winery. Our community deserves thoughtful, responsible development that aligns with the area's zoning, safety, and public welfare standards.

Jennifer Woodside will be testifying on my behalf.

Thank you for your consideration and for your continued service to the residents of Hall County.

Sincerely,
Alden Woodside

Exhibit 5



From: Sheila Humberstone <sheilaghumberstone@gmail.com>
Date: January 16, 2026 at 12:35:10 PM EST
To: Jennifer Rivera <jrivera@hallcounty.org>
Subject: (A) 5557 & 5769 Conner road Special Use and (B) 5773 & 5769 Conner Road Variance to Section 7.7.3 Opposition to Rezoning/ Variance/ Request for Flowery Branch Winery into Agri-Event Venue

Sheila Humberstone
5916 Stuart Drive
Flowery Branch, GA 30542

January 16, 2025

Hall County Board of Commissioners
P.O. Drawer 1435
Gainesville, GA 30503

Subject: (A) 5557 & 5769 Conner road Special Use and (B) 5773 & 5769 Conner Road Variance to Section 7.7.3

Opposition to Rezoning/ Variance/ Request for Flowery Branch Winery into Agri-Event Venue

Dear Commissioners,

I am writing as a resident of Hall County who lives on Stuart Drive which connects to Conner Road to express my fervent concern and opposition to the proposed application of the Flowery Branch Winery property to allow it to operate as an agri-entertainment space. While I value local business development and agriculture-based entrepreneurship, this rezoning would negatively affect my neighborhood's character, safety, and quality of life.

I've owned my cottage since Labor Day weekend in 2011. While it only recently became my full time house, it has been my sanctuary since acquiring it. As opposed to Atlanta, I love the peace and quiet and governance, even if it means that my commute to downtown Atlanta is intense. I'm desperately afraid that the Flowery Branch Winery's proposal, if approved, will destroy all that I've come to love about my Hall County home.

The proposed permit and variance raises multiple issues, including significantly increased traffic and danger on an exceedingly narrow and already hazardous road. To be clear, the road granting access to the Applicant's property is too narrow now. Two cars have difficulty passing each other under current conditions. In fact, two full size cars cannot pass each other going in opposite directions without one car pulling into the rough. Notably, there are many areas of the road with ditches for shoulders and the shoulder is non-existent. For those of us that live here, we understand the danger of the road and many of us take the precautions accordingly. Visitors, however, may not be familiar with the conditions and are generally not as cautious as those of us who live nearby. An application that purports to add as many as 100 trips for an event is wildly dangerous for all of us and is irresponsible. Before you consider this application, I would urge you to not only drive the full length of Conner Road but to walk it as I do. Ask yourself if you would feel comfortable walking with your children or grandchildren. Only then will you truly understand the weight of the proposal before you.

Further, there is a personal care home next to the winery, and emergency vehicles are often seen going to and from that property. How would event related traffic impact that nursing center's ability to care for its vulnerable residents in the event of an emergency? Allowing numerous events on the Applicant's property will only exacerbate this problem and create an even more unsafe environment.

Finally, despite not being appropriately zoned to do so, and having full awareness of the prohibition to do so, the Applicant has hosted several events on-site in the past, including large festivals. These cars were parked in an unsafe manner and further impeded residents' ability to safely reach their homes. Granting the special use permit will only increase the hazards already faced by area residents.

The Board has ample grounds to deny the project for these reasons alone. It is unclear if the road's width currently meets standard safety requirements imposed by the International Fire Code as adopted by Hall County. At the very least, if the Applicant seeks to increase motor vehicle traffic along the existing, narrow, windy and hilly Conner Road, the Applicant should be required to widen and pave it—at the Applicant's cost.

Beyond these objective safety risks attached to a special use permit, the noise pollution from events and gatherings already occurring will surely worsen. We understand that the Applicant is not allowed to use amplified sound outdoors now, but again, that has not been our experience. I fear that granting a special use condition will remove any restrictions on the use of speakers on the property, and the surrounding neighbors like us will face decreased property values and a decreased quality of life.

Equally concerning is the change in land use that this permit and variance would enable. An event venue is fundamentally incompatible with the surrounding residential and rural environment. Granting these exceptions would set a troubling precedent that undermines existing zoning protections designed to preserve the tranquility and safety of our neighborhood.

I respectfully urge the Board to protect the interests of residents like me by denying the special use permit and variance request for the Flowery Branch Winery. Our community deserves thoughtful, responsible development that aligns with the area's zoning, safety, and public welfare standards.

Thank you for your consideration and for your continued service to the residents of Hall County.

Sincerely,
Sheila

Sheila Humberstone
Principal
Tel 404.234.1234
sheila@humberstone.com



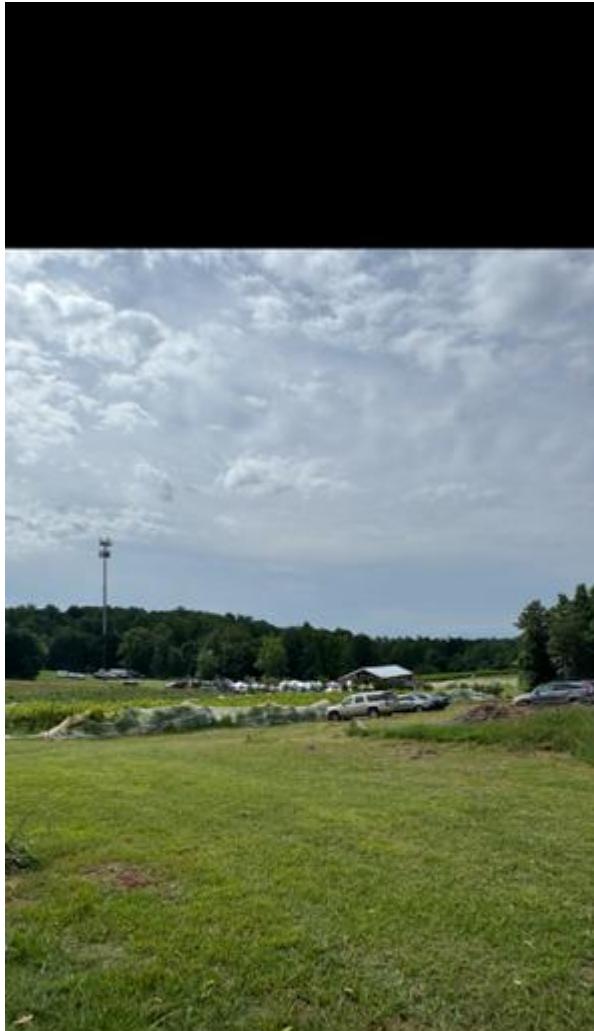
STONE BRIDGE CONSULTING GROUP

SOLUTIONS BRIDGING BUSINESS & GOVERNMENT

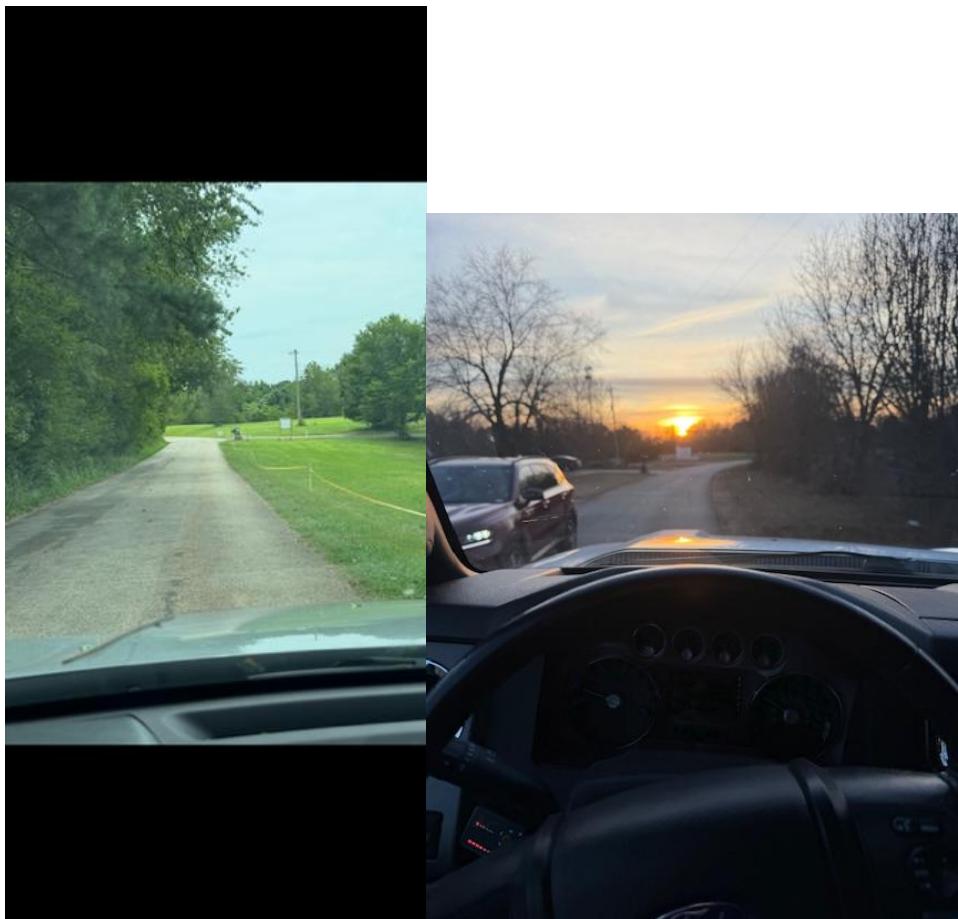


Sheila Humberstone
Principal
Tel [404.234.1408](tel:4042341408)
sheilaghumberstone@gmail.com

Exhibit 6



Unscreened Parking



Conner Road



Outdoor Amplification