

Print

Board of Commissioners Voting Meeting Comments - February 12, 2026 - Submission #133985

Date Submitted: 2/5/2026

Comments completed in the form below will be submitted into the record for the February 12, 2026 Voting Meeting of the Hall County Board of Commissioners.

First Name*

Danielle

Last Name*

Roberts

Address1*

3300 Athens Highway

Address2

City*

Gainesville

State*

GA

Zip*

30507

Item for Comment*

3294 & 3290 Athens Highway | Rezone



Select from the list below which item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

Your Comments*

Dear Hall County Board of Commissioners,

My name is Danielle Roberts, and I live at 3300 Athens Highway which is within 1 mile of the property located at 3290 & 3294 Athens Highway, which has applied to be rezoned from AR-1 & PID to I-1. I want to formally express my objections to this rezoning request, and urge the Hall County Board of Commissioners to deny it. I am specifically objecting to it because of the following:

As a nearby resident, my property will be negatively affected if the Board approves the applicant's rezoning request because I use part of my 12+ acres of property for hunting and wildlife preservation. These will be negatively affected by the noise, traffic, increased lighting, and construction.

This Board of Commissioners has reviewed the applicant's paperwork and evidence, and determined in its January 22, 2026 Hall County Board of Commissioners Staff Report to DENY the rezoning application as it determined on page 5 that "the requested rezoning is not consistent with the Hall County Comprehensive Plan and the future land use designation of Suburban Neighborhood, Low-Density." Arguably, the rezoning request also does not comply with the requirements set forth in the Gateway Corridor Overlay District standards within Section 6.2 of the Hall County Code of Ordinances. I urge this Board to follow the recommendations set for in its own detailed Staff Report.

Other nearby or adjacent properties are zoned as Agricultural Residential 1 (AR-1), including Sugar Hill Elementary School. Christopher Hash, P.E. D1 Traffic Operations Supervisor at GDOT has expressed concerns regarding driveway placement, permitting, and adaptation of the traffic pattern to at least include a right turn lane, if not a traffic safety signal after conducting a study of the intersection. Under Georgia law, if the public benefit outweighs the detriment, the zoning will be upheld. See *Browning v. Cobb County*, 259 Ga. 430 (1989). Traffic safety in this area is an issue and there have been several accidents involving injuries, which is especially concerning given the elementary school located across the street. Adding additional construction, traffic, and vehicles would make safety issues worse and could cause a loss of life. The Board must consider the public benefit and safety.

Safety is a big concern as there have already been several accidents at the driveway of the property located just before this address. Additional traffic will cause added congestion and increase the likelihood of additional vehicles being rear-ended or mailboxes of residents being damaged. I have been forced to replace my mailbox several times due to it being run into by vehicles.

Here, part of the property has already been rezoned to PID since July 24, 2008, yet, the site was never developed in accordance with the approved zoning, and in 2018 a small storage building was constructed. This shows that there is not a hardship imposed on the property owner as the property is currently zoned, and the denial of this request would not make the property unusable. Georgia Courts have emphasized that zoning is not unconstitutional merely because it limits the property's profitability or potential uses, as long as it does not render the property useless. See *Delta Cascade Partners II v. Fulton County*, 260 Ga. 99 (1990), *Dekalb County v. Dobson*, 267 Ga. 624 (1997), *Guhl v. Holcomb Bridge Rd. Corp.*, 238 Ga. 322 (1977). Further, this Board has currently determined that it "is unable to comment on the impact of property values without a full market analysis," and has not determined any effect on the property's value by keeping it zoned as AR-1 & PID.

Most importantly, the application does not mention or address the private historic cemetery located on the property. O.C.G.A. § 36-72-4 prohibits the disturbance of any known cemetery, burial ground, human remains, or burial objects for development purposes without first obtaining a permit from the local governing authority. This requirement applies regardless of the intended zoning change. The governing authority must consider factors such as the presumption in favor of leaving the cemetery undisturbed, the concerns of descendants, and the public interest in preserving the cultural and natural environment. See O.C.G.A. § 36-72-8. The fact that the applicant has not addressed the historic cemetery within his paperwork or communications with the Board, despite clearing all trees and foliage surrounding it--where it is clearly visible, is a negligent oversight at best, and immoral at worst. As you're aware, state agencies and local governments are required to identify, evaluate, and protect historic properties under their jurisdiction, including cemeteries, in consultation with relevant stakeholders. See O.C.G.A. § 12-3-55. The Gainesville Times interviewed me at the cemetery site where I expressed my concerns regarding the future of the cemetery.

I sincerely hope the board will take all of the issues into consideration when making a decision regarding this issue. This is the wrong location for development of this kind.

Thank you for your time.

Sincerely,
Danielle Roberts
Please write your comments in the box above.

File Upload

Choose File

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If you have files, such as photos, videos or text documents to include with your comments, upload them in the box above.

Follow-up Communication

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.