

**HALL COUNTY BOARD OF COMMISSIONERS
STAFF REPORT**

Applicant Haley Stapleton

Request **Special Use** | Institutional Residential

Proposed Use Institutional Residential

Size 1.70± acres

Zoning Agricultural Residential 1 (AR-1)

Location **7355 Tribble Gap Road** | Tax Parcel 09030
000022

Commission District Three

Commission Date February 26, 2026

Staff Recommendation **Approval, with conditions**, as the proposed use aligns with the intent of the zoning district and is compatible with surrounding commercial and residential land uses.

Record Number(s) HZCU25-0059

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 November 24, 2025, and as described in the project narrative dated November 19, 2025, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. No variances are granted as part of this request, except those explicitly approved by the Board and specified in the conditions herein.

Summary Analysis

The applicant is requesting approval for a Special Use Permit to allow an Institutional Residential use within the AR-1 zoning district. According to the submitted narrative, the proposed facility falls under two subcategories of “Institutional Residential”: Independent Living and Intermediate Care Home.

The applicant intends to provide 24/7 supervision and monitoring of Activities of Daily Living (ADLs), such as dressing and feeding, but will not offer skilled nursing services. The facility will accommodate up to 12 residents, ages 18 to 105, with stays ranging from a minimum of 30 days to a maximum of 20 years.

Staffing will include two employees during daytime hours and one employee overnight when operating at full capacity, ensuring continuous supervision and care for all residents.

The property encompasses approximately 1.70± acres and is zoned Agricultural Residential I (AR-I). It is currently developed with a 3,375-square-foot building, originally constructed and previously used as a daycare center.

The Board of Commissioners approved a Use Subject to County Commission approval for the subject property on January 8, 2004, for a Daycare Center with the following conditions:

1. The proposed development is approved as generally shown on the site plan submitted.
2. The development will be required to meet all the requirements of the Corridor Development Overlay District, or any future overlays for the Corridor of Highway 365 that might apply to this property.
3. Driveway entrance and design is subject to approval by the Hall County Engineering Department. Any road improvements required by the county shall be the financial responsibility of the applicant/developer.
4. All lighting on the premises shall be of a non-spill type.
5. Parking areas shall be paved with either asphalt or concrete.
6. All septic tanks shall have inspection tubes at the inlet and outlet.
7. All conditions of zoning shall appear on any plats created for the development.

The surrounding properties are zoned and developed as follows:

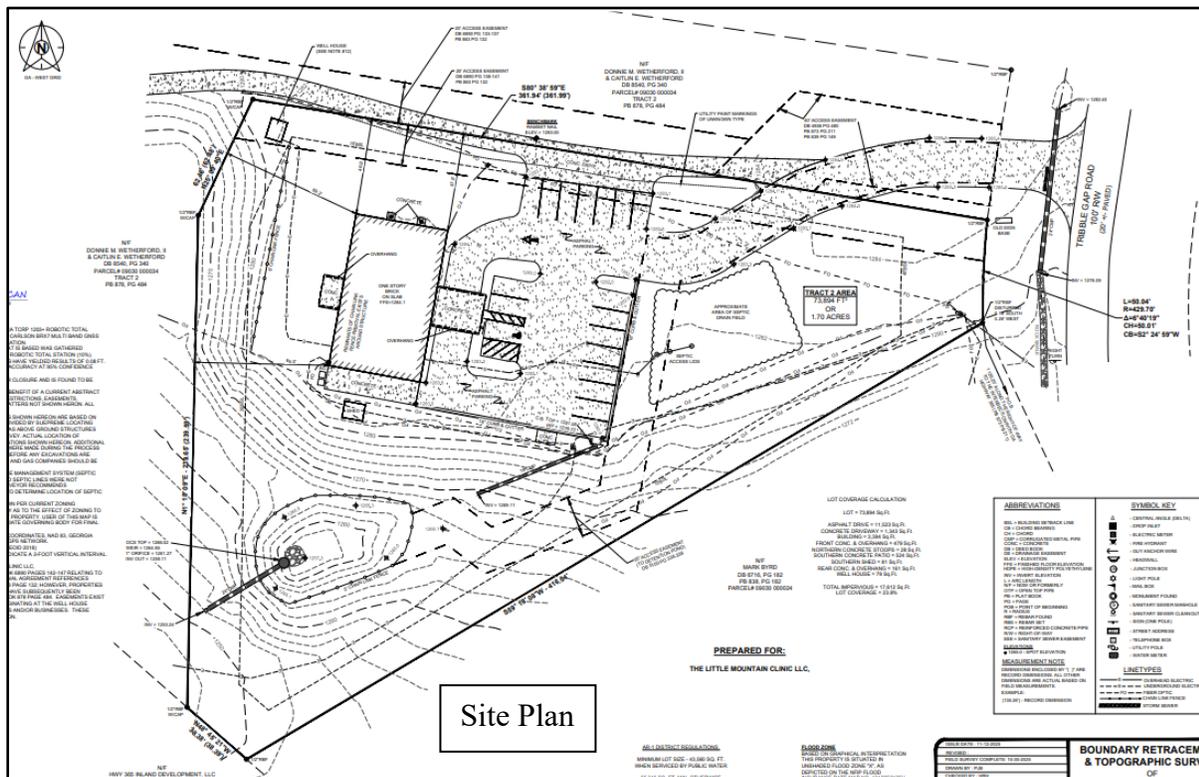
- North: Agricultural Residential (AR-1): Single-family residence
- East: Agricultural Residential (AR-1): Vacant
Planned Commercial Development (PCD): Dental lab
- South: Light Industrial (I-1): Self-service - storage facility
Planned Industrial Development (PID): Vacant
- West: Agricultural Residential (AR-1): Single-family residence



No exterior modifications are proposed; the request includes only interior renovations to convert the existing building from a daycare center to a personal care home. The facility will utilize the existing driveway and parking areas, with no increase in the number of parking spaces proposed.

The existing sign will be removed, and a new permanent monument-style sign will be installed. The proposed sign will have a base that is at least two-thirds the width of the sign itself, faced in brick for consistency with design standards. The monument sign will not exceed a height of 5 feet and will have a maximum display area of 16 square feet. It will be located at least 15 feet from all property lines. The current sign is situated within the right-of-way; the new sign will be relocated to comply with the required 15-foot buffer as described in the narrative.

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



Based on the future land use plan, staff finds the requested zoning designation *is not consistent* with the Hall County Comprehensive Plan future land use designation of “Suburban Neighborhood, Low Density” These areas consist of low-density, detached single-family housing. In less developed areas of the county, they should be focused where there is existing water and sewer infrastructure, or where future infrastructure is expected to be located. Future infrastructure may be driven by the Sewer System Master Plan & Rate Study or by developers willing to fund access where it isn't already planned. However, the use is consistent with the immediately abutting future land use designation of Employment Nodes and Corridors and is consistent with the development of the immediately surrounding area.

Zoning Analysis

When considering a zoning amendment to the zoning maps, the Planning Commission must study the need and justification for the change based on a determination of the facts applicable to the particular case, and the following general lines of inquiry must be considered:

- a) Whether the zoning proposal will permit a use that is suitable in view of the use, development and zoning of adjacent and nearby property; **The proposed special use is suitable in view of the use 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; **The proposed use does not appear to 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.**
- 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; **The proposed use is not anticipated to cause an excessive or burdensome use of the existing streets, transportation facilities, utilities, schools, police protection, fire protection, public facilities, or emergency medical service.**
- e) Whether the zoning proposal is in conformity with the policy and intent of the future land use plan for the physical development of the area; **The proposed Institutional Residential use is compatible with the Agricultural Residential 1 (AR-1) zoning district and surrounding land uses.**
- 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 property is currently developed**

with a 3,375-square-foot building constructed in 2004 and previously licensed for a daycare center.

- 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, requires approval by the Board of Commissioners.**
- o) Whether the need for rezoning could be handled instead by a variance request to the Planning Commission; **The request for a special use could not be handled alternatively as a variance.**
- p) Whether there would be an ecological or pollution impact resulting from major modifications to the land if the request is granted; **Any land disturbance activities on the property shall be required to go through the land development permitting process, and as a result are subject to local, state, and federal regulations. As a result, there are no anticipated ecological or pollution impacts resulting from any modification to the land if the request is granted.**
- q) Whether there is reasonable evidence based upon existing and anticipated land use that would indicate a mistake was made in the original zoning of the property; **There is no indication that a mistake was made in the original zoning.**

11.2.6.E - Submission requirements

1. Any person or persons requesting a change in the official zoning map or use subject to approval of the County Commission must file an application with a plat or map of the property attached thereto, together with payment of such fees set forth in this Sec 11.2. to cover administrative and advertising costs, in the Planning and Zoning Department office. Such person or persons or their authorized agent must appear in person at the public hearing held to consider the district change. **The proposal meets the requirement. The applicant has paid the appropriate fees and**

understands that someone must be present at 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 January 15, 2026, Emily McGahee stated "Must meet all Environmental Health commercial septic system permitting requirements. Further determination will be made during 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 January 13, 2026, 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 memorandum from Public Works and Utilities dated January 16, 2026, Assistant Director Jason Skarda stated the following:

Engineering:

This site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.

Traffic:

No traffic issues; the proposed use will not significantly change trip rates, so existing driveway will be adequate.

Utilities:

Lula sewer service area.

Hall County Fire Marshal

In an email dated January 14, 2026, John Hornick, NPQ Fire Service Plans Examiner 1, stated, "Hall County Fire Comments:

1. The occupancy use is changing from Day Care to New Residential Board & Care, the change of use will require the existing building to be brought up to New Residential Board & Care standards see Life Safety Code Chapter 32, for requirements along with Rules and Regulation for the State minimum Fire Safety Standards 120-3-3
2. Architectural plans will have to be submitted to the Hall County Building Department for review and approval.
3. The nearest fire hydrant is located approximately 1,426 feet away from the proposed Residential Board & Care Facility. The International Fire Code 2018 Edition requires a fire hydrant to be installed 500 feet from the occupancy as the fire apparatus travels, in this case the fire hydrant is greater than 500 foot which will require an extension of the fire line to meet the 500-foot requirement. See GIS attachment for current fire hydrant location.
4. The extension of the fire line will require engineered site development plans to be submitted to Hall County for review and approval, site plans are required to be reviewed and approved before the architectural plans will be reviewed."