

HALL COUNTY BOARD OF COMMISSIONERS
STAFF REPORT

Applicant JenSto Equipment, LLC

Request (A) **Special Use** | Equipment sales and repair
 (B) **Variance to Section 6.2** | GCOD standards

Proposed Use Equipment sales and repair

Size 2.23± acres

Zoning Light Industrial (I-1) and Agricultural Residential (AR-1)

Location **1780 Candler Road** | Tax parcel 15031A000058

Commission District Four

County Commission Date March 12, 2026

Staff Recommendation **(A) Approval**, as the proposed use is permitted within the Light Industrial (I-1) zoning district subject to the standards of the Gateway Corridor Overlay District (GCOD).
(B) Approval, as hardship exists pursuant to the criteria of 11.1.1.D.11.

Record Number.....HZCU26-0001 & HVAR26-0001

(A) & (B) 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 February 16, 2026, and as described in the project narrative dated February 15, 2026, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The storage of wrecked, junk, and/or inoperable vehicles shall be prohibited.
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 Environmental Health, the Fire Marshal, and Hall County Engineering.

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

The following should be considered as exceptions to the Unified Development Code of Hall County, and shall warrant further determination by the Board should it choose to approve the submitted narrative and site plan:

- **Section 6.2.5.A.2.b – Width of transitional buffer** - Where an industrial zoning district abuts property zoned for residential or agricultural use, the width must be at least 50 feet.
 - The applicant proposes a 30 foot planted buffer along a portion of the eastern property line where the existing building is located.
- **Section 6.2.5.B.2 – Frontage landscape strip** – Along each street frontage there must be a landscape strip at least 10 feet in width except for perpendicular crossings for driveways and utilities.
 - The applicant requests a waiver of this requirement due to topography of the property and location of utility lines.
- **Section 6.2.5.C.2.d – Parking lot design** – All parking areas must be paved with asphalt, concrete or pervious materials as approved by the Director.
 - The applicant requests a waiver of this requirement for the Phase 2 expansion area for equipment sales display.
- **Section 6.2.5.C.2.e – Parking Lot Design – Location** - Off-street parking must be located to the side or rear of the principal building and may not be located between the principal building and the street.
 - The applicant is proposing 10 parking spaces between the building and Candler Road

Summary Analysis

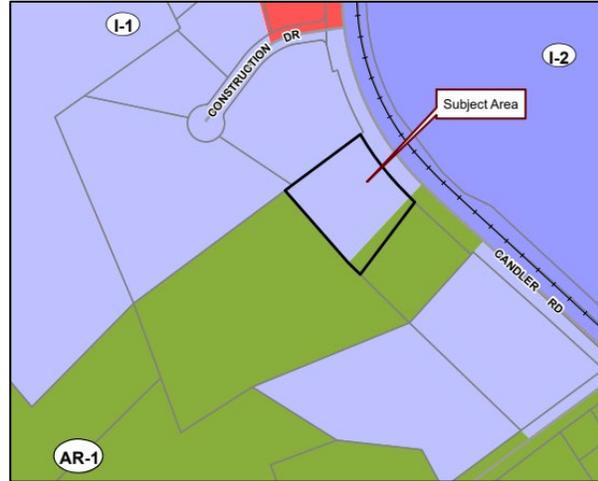
The applicant has submitted two concurrent requests: (A) Special Use to allow for equipment sales and repair within the Gateway Corridor Overlay District (GCOD) and (B) Variance to Section 6.2 to reduce the required buffer, frontage landscape requirement, and parking lot design standards.

- In 1973, the property at 1780 Candler was rezoned from Agricultural Residential IV (AR-IV) to Light Industrial (I-1) to allow construction of an auto repair garage. At that time, the parcel measured 1.88 acres.
- The 1973 site plan showed the proposed commercial building located near the western corner of the property.
- Current aerial imagery and the plat recorded on October 26, 2022, show the lot enlarged to 2.23 acres, with the existing 1973 commercial building situated approximately 38 feet from the southeast property line.
- Based on these records, it appears the building was constructed on or over the 1973 southeast property line. The 2022 plat likely adjusted the boundary to bring the structure into compliance

with setback requirements. This explains the mismatch between the zoning boundary and the current parcel configuration.

The surrounding properties are zoned and developed as outlined below:

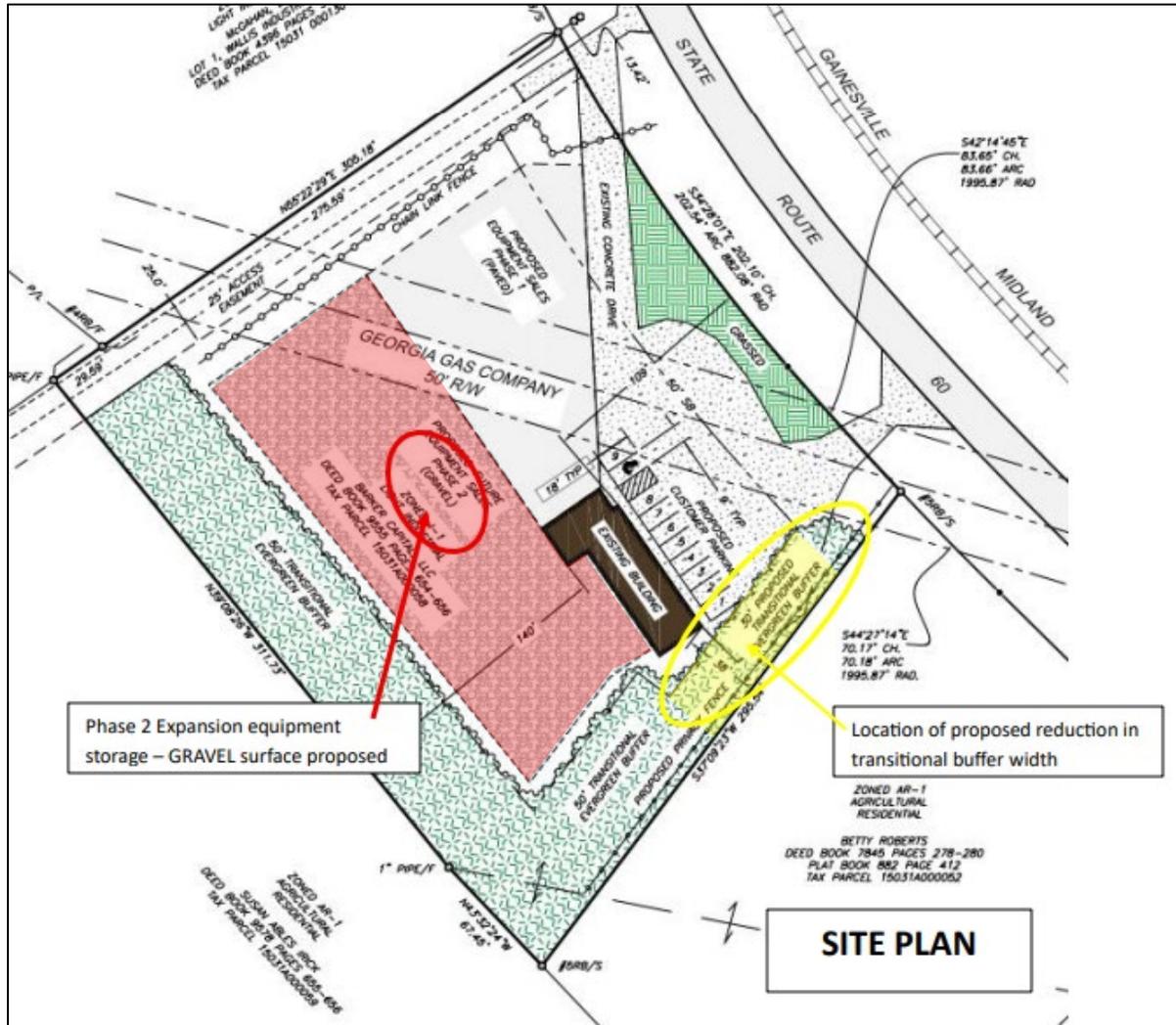
- North: Light Industrial (I-1) – Light industrial park
- East: Heavy Industrial (I-2) – Hall County Landfill
- South: Agricultural Residential 1 (AR-1) – Single-family residence
- West: Light Industrial (I-1) – Light industrial park
Agricultural Residential 1 (AR-1) – Undeveloped



Per the submitted narrative, the applicant proposes to establish a used construction and industrial equipment sales and repair business on the subject site. An automotive repair business was approved in 1973 in conjunction with the property’s rezoning to Light Industrial. Expansion of the approved automotive repair use to include vehicle sales requires Special Use approval within the Gateway Corridor Overlay District (GCOD). The business will utilize the existing 2,528 square foot building for office and repair functions, which has been updated with new brick and siding. Approximately 2,075 square feet will be utilized for equipment repair and 453 square feet for a sales office. Equipment will initially be displayed on the existing paved area shown on the site plan, with two expansion areas, Phase 1 having a paved surface and Phase 2 proposed for gravel surface. Hours of operation will be Monday through Friday from 8am to 5pm.

Per the submitted site plan, existing conditions on the property include a commercial building with associated customer parking spaces along the front and two points of access from Candler Road. Sales

inventory will initially be displayed within the existing paved area. Two expansion phases are identified: Phase 1 with a proposed paved surface and Phase 2 with a proposed gravel surface. A 50-foot transitional buffer is shown along the southwest property line and most of the southeast property line, narrowing to 30 feet where the existing building encroaches into the standard buffer width. Mature landscaping is established along the side and rear property lines.



Comments from the Georgia Department of Transportation (GDOT) state that “At a minimum, the access will need to be brought up to standards including meeting min 100’ first internal movement and grading requirements. Only 1 driveway will be able to be permitted since they do not meet spacing requirements. Left and right turn lanes may be required as well.”

Water service is provided by the City of Gainesville and sanitary sewer service is provided by private septic.

Concurrently, the applicant requests variances from three GCOD standards as identified in the table below.

GCOD Analysis

Standard	Proposed	Notes	Compliance
6.2.5.A. – Transitional buffers	50- foot buffer along the southwest and most of southeast property line, reducing to 30 feet where the existing building is less than 50 feet to property line.	Where an industrial zoning district abuts property zoned for residential or agricultural use, the width must be at least 50 feet.	Deficient
6.2.5.B.2 – Frontage landscape strip	Waiver of this requirement is requested	Along each street frontage there must be a landscape strip at least 10 feet in width except for perpendicular crossings for driveways and utilities.	Deficient
6.2.5.C.1 – Parking Lot Design - Required number of Parking Spaces	9 parking spaces	15 parking spaces required	Deficient – Applicant to provide adequate parking spaces
6.2.5.C.2.d – Parking Lot Design - Surface	Customer parking and Phase 1 of the equipment sales area paved; Phase 2 expansion area for equipment sales display proposed for gravel surface.	All parking areas must be paved with asphalt, concrete or pervious materials approved by the Director.	Deficient
6.2.5.C.2.e – Parking Lot Design - Location	Off-street parking located between the building and street.	Off-street parking must be located to the side or rear of the principal building and may not be located between the building and the street.	Deficient – pre-existing
6.2.6.A.4 – Architectural Standards	Existing building	Any future changes shall comply with GCOD standards.	Pre-existing
6.2.7 – Signs	Unknown	Signage shall comply with GCOD standards.	Unknown

Based on the future land use plan, staff finds the requested rezoning *is not consistent* with the Hall County Comprehensive Plan and the future land use designation of “Suburban Neighborhood, Medium-Density”. These areas consist of medium-density, single family housing (attached or detached). They should be located 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. Although this designation allows residential densities ranging from 2.5 to 8 units per acre, the future land use map is not recognizing

the property’s longstanding Light Industrial zoning. The proposed use is permitted within the Light Industrial (I-1) zoning district, subject to the standards of the Gateway Corridor Overlay District (GCOD). Surrounding development to the north, east and south consist of industrial uses, including the County landfill, further reflecting the area’s established industrial character.

(A) Zoning Analysis

When considering a zoning amendment to the zoning maps, 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 use is consistent with the property’s longstanding light industrial zoning, subject to the standards of the Gateway Corridor Overlay District (GCOD). Surrounding development to the north, east and south consist of industrial uses, including the County landfill, further reflecting the area’s established industrial character.**
- b) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **It is not anticipated that the use would adversely affect adjacent or nearby property, provided required buffers are maintained.**
- 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 rezoning is not expected 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; **Although the use is not consistent with the Suburban Neighborhood Medium Density future land use designation, the future land use map is not recognizing the property’s longstanding Light Industrial zoning. The proposed use is permitted within the Light Industrial (I-1) zoning district, subject to the standards of the Gateway Corridor Overlay District (GCOD). Surrounding development to the north, east and south consist of industrial uses, including the County landfill, further reflecting the area’s established industrial character.**
- f) The extent to which property values are diminished by the existing zoning restrictions; **Staff is unable to determine the extent to which property values are affected by the existing zoning restrictions.**
- g) The extent to which the destruction of the subject property's value under the existing zoning promotes the health, safety, morals or general welfare of the public; **Staff is unable to comment on the impact of property values without a full market analysis. Multiple factors impact property values including construction types, proposed uses, and maintenance. Often it is**

difficult to determine the effect of a development on adjacent properties until the development is completed.

- h) The relative gain to the public as compared to the hardship imposed upon the individual property owner; **Staff has not identified a hardship imposed on the property owner as the property is currently zoned, however, the addition of sales activity as related to the Gateway Corridor Overlay District standards must be approved by the Board of Commissioners.**
- i) The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the property; **The property was rezoned to Light Industrial in 1973 at which time the existing commercial building was constructed for use as an automotive repair shop.**
- j) Whether there are other existing or changing conditions affecting the use or development of the property which give supporting grounds for either approval or disapproval of the zoning proposal; **Staff is not aware of any changing conditions affecting the use or development of the property.**
- k) Whether the change would create an isolated district unrelated to the surrounding districts; **No change to the current zoning of Light Industrial (I-1) is proposed.**
- 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, as the property is located within the Gateway Corridor Overlay District (GCOD), the expansion to allow sales activity requires Special Use 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 could not be handled alternatively as a variance.**
- p) Whether there would be an ecological or pollution impact resulting from major modifications to the land if the request is granted; **Any land disturbance activities on the property shall be required to go through the land development permitting process, and as a result are subject to local, state, and federal regulations. As a result, there are no anticipated ecological or pollution impacts resulting from any modification to the land if the request is granted.**
- q) Whether there is reasonable evidence based upon existing and anticipated land use that would indicate a mistake was made in the original zoning of the property; **There is no indication that a mistake was made in the original zoning.**

(B) Zoning Analysis – Variance to Section 6.2

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

- 1. There are extraordinary and exceptional conditions pertaining to the particular lot in question because of its size, shape, or topography (the hardship must relate to the physical character of the lot and not to a personal or economic hardship); **The existing building was constructed in 1973 prior to the establishment of the Gateway Corridor Overlay District (GCOD). While the building meets required setbacks of the Light Industrial zoning district, its location encroaches into a portion of the GCOD transitional buffer. The topography of the property and location of power lines along the front property line create a hardship in establishing a 10-foot front landscape strip. There is no relevant hardship related to the request for gravel parking.**
- 2. The application of the requirements of this UDC to this particular piece of property would create an unusual hardship; **As the building was established prior to the adoption of the Gateway Corridor Overlay District, and there is a topographical and power line conflict in meeting the front landscape requirement, the application of the requirements of this UDC to this particular piece of property would create an unusual hardship. Related to the gravel parking request, there is no relevant hardship.**
- 3. Such conditions are peculiar to the property involved and are not common to other properties in the neighborhood; **There are other industrially developed properties in the vicinity within the GCOD for which gravel surface is utilized for storage of equipment including 1716 Candler Road and 1904 Lee Land Road which were established prior to the adoption of the Gateway Corridor Overlay District.**
- 4. Such conditions are not the result of any actions of the property owner; **The location of the building was established prior to the current property owner; however, the proposed development is a direct action by the current property owner.**
- 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.**

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 21, 2026, 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 January 22, 2026, Christopher Hash, P.E. D1 Traffic Operations Supervisor, stated “At a minimum, the access will need to be brought up to standards including meeting min 100’ first internal movement and grading requirements. Only 1 driveway will be able to be permitted since they do not meet spacing requirements. Left and right turn lanes may be required as well.”

Hall County Public Works and Utilities

In a memorandum dated February 2, 2026, 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 that meets stormwater thresholds for impervious surfaces and/or disturbed acreage.

Traffic:

No issues as the proposed application does not impact on traffic.

Utilities:

Gainesville Sewer Service Area; No infrastructure in the vicinity.

Hall County Fire Marshal

In an email dated January 30, 2026, John Hornick, NPQ Fire Service Plans Examiner 1, stated, "The Hall County Fire Marshal's Office has no comments as proposed."