

**HALL COUNTY BOARD OF COMMISSIONERS
STAFF REPORT**

Applicant Generations Metal Recycling c/o Sarah Hales

Request **Rezone** | from Agricultural Residential 1 (AR-1)
to Light Industrial (I-1)

Proposed Use Uses permitted in Light Industrial (I-1)

Size 0.229± acres

Zoning **Current:** Agricultural Residential 1 (AR-1)
Proposed: Light Industrial (I-1)

Location **886 Gainesville Highway** | Tax Parcel 08170
001004

Commission District One

Commission Date April 9, 2026

Staff Recommendation **Approval, with conditions**, as the proposed use
is consistent with the “Business Nodes &
Corridors” future land use classification within
the Comprehensive Plan

Record Number.....HZON26-0004

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

1. No outside storage is permitted, including the existing shipping containers on site. The fenced area located in front of the building shall be utilized for employee/customer parking only.
 2. All conditions of zoning shall be made a part of any plats or construction plans created for the property.
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Summary Analysis

The applicant is requesting to rezone a 0.229± acre tract from Agricultural Residential 1 (AR-1) to Light Industrial (I-1) to recognize the historical light industrial use of the property.

The site is developed with a 2,400 square-foot warehouse constructed in 1972. The surrounding properties are zoned and developed as outlined below:

North:	Light Industrial (I-1): Steel fabrication business
East:	Light Industrial (I-1): Steel fabrication business
South:	City of Buford, M-1 Light Industrial: Amazon distribution facility
West:	Highway-Business (H-B): Used vehicle sales



According to Hall County tax records, the property was developed in 1972. The current property owner acquired the site from Tullis Metals in May 2023 and has continued the long-standing scrap metal recycling operation under the name Generations Metal Recycling. No building permits or business licenses are on file with the County, as there has been uncertainty over time as to whether this property was located within the Town of Resthaven or unincorporated Hall County. With the jurisdictional boundary now confirmed to be unincorporated Hall County, the property owner seeks to bring the property into compliance with its long established industrial use by requesting to rezone from Agricultural Residential (AR-1) to Light Industrial (I-1) to allow uses permitted in the I-1 zoning district.

Per the submitted narrative, the property has continuously been used as a metal commodities processing facility. The existing shipping containers, which were placed by the previous owner, will be removed to bring site into compliance with zoning standards and the fenced area will be used solely for employee/customer parking and not outdoor storage.

The submitted site plan shows that the existing warehouse and overall site development do not meet current building setbacks, minimum road frontage standards, or the Gateway Corridor Overlay District (GCOD) standards. However, because the subject property was created and developed before the adoption of the Unified Development Code (UDC), the UDC does not require changes to buildings or uses that were lawfully established and actively pursued prior to the code's adoption or amendment (Section 11.3.2, Continuation of Nonconforming Use or Structure), subject to the following limitations:

- It cannot be changed to another nonconforming use.
- It cannot be re-established if discontinued for one year.
- It cannot be expanded beyond its size or intensity at the time it became nonconforming, including building size, number of employees, hours of operation, use of additional land, or more powerful equipment.
- It cannot be rebuilt or replaced if damaged by more than 75% of its fair market value at the time of damage.

(A) Zoning Analysis – Rezone

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 proposed Light Industrial (I-1) zoning district and existing use is consistent with the use, development, and zoning 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 use would adversely affect adjacent or nearby property as the property is surrounded by industrially and commercially zoned property.**
- c. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; **The subject property is currently developed. The applicant is planning to use the property as it currently exists and is not proposing any additional improvements.**
- 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 as the use has been in continuous operation since before the adoption of the Unified Development Code.**
- 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 use is consistent with the Comprehensive Plan and the Business Nodes & Corridors future land use designation.**
- 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.**
- h. The relative gain to the public as compared to the hardship imposed upon the individual property owner; **Denying the rezoning would provide no meaningful public benefit, as the use has operated safely and compatibly for decades. However, it would impose a hardship on the property owner by leaving the long-established business in a legal non-conforming status, limiting routine maintenance and operational certainty. Rezoning removes this hardship without negatively affecting the public.**

- 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 warehouse building constructed in 1972 as reflected in the county tax records. Research indicates that it has been utilized for scrap metal recycling for more than 40 years.**
- 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; **The proposed zoning of Light Industrial (I-1) would not create an isolated district as other surrounding properties are also zoned I-1.**
- 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; **There are other properties within the County that support light industrial uses based on the Future Land Use Map; however, the current development requires rezoning 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 indication that a mistake was made in the original zoning as the property was developed in 1972 for industrial use prior to the adoption of the first Zoning Ordinance in 1978.**

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 use; 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 March 5, 2026, Emily McGahee stated, "No comment."

Georgia Department of Transportation

In an email dated March 2, 2026, Christopher Hash, P.E., GDOT D1 Traffic Operations Supervisor, stated, "On-System no impacts expected to the State Route."

Hall County Public Works and Utilities

In a memo dated March 11, 2026, Jorge Gomez, Director of Public Works and Utilities, provided the following comments:

Engineering:

No comment

Traffic:

This application does not impact traffic operations at the intersection with SR13.

Utilities:

No comment. Site is in Buford sewer district.

Hall County Fire Marshal

In an email dated March 6, 2026, John Hornick, NPQ Fire Service Plans Examiner 1, stated, "The Hall County Fire Marshal's Office has no comments as proposed."