

HALL COUNTY BOARD OF COMMISSIONERS
STAFF REPORT

Applicant Derrick Prater

Request **Rezone** | from Agricultural Residential 1 (AR-1) & Highway Business (H-B) to Light Industrial (I-1)

Proposed Use Office warehouse

Size 4.70± acres

Zoning **Current:** Agricultural Residential 1 (AR-1) & Highway-Business (H-B)
Proposed: Light Industrial (I-1)

Location **5650 Old Dahlonega Highway** | Tax Parcel 11082 000016

Commission District Three

Commission Date April 21, 2026

Staff Recommendation **Approval, with conditions**, as the proposed zoning is consistent with the “Rural Scenic Corridors” future land use classification within the Murrayville Sardis Character area in the Comprehensive Plan

Record Number.....HZON26-0006

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 20, 2026, and narrative received February 20, 2026, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. No variances or development exceptions are granted as part of this request that are not explicitly granted by board approval.
3. All conditions of zoning shall be made a part of any plats or construction plans created for the property.



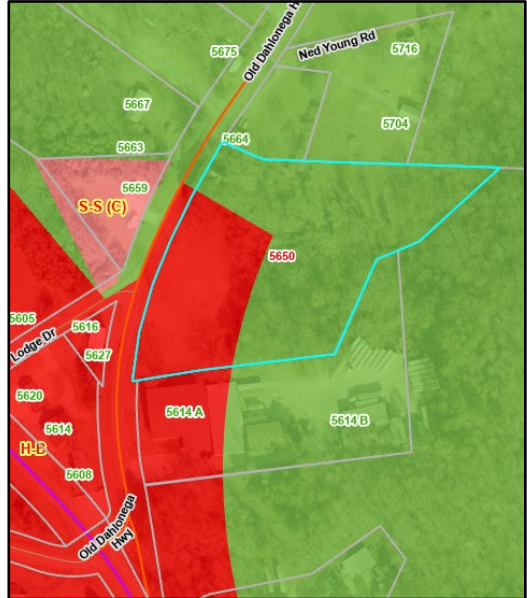
Summary Analysis

The applicant is requesting to rezone a 4.70+ acre tract from Agricultural Residential 1 (AR-1) and Highway Business (H-B) to Light Industrial (I-1) for an office/warehouse development.

The split zoning of the property is the historical zoning established with the 1978 zoning ordinance. Currently, the site is developed with a single-family residence constructed in 1925 according to the Hall County Tax Assessor records. This structure will be removed if the rezoning is approved.

The surrounding properties are zoned and developed as outlined below:

- North: Agricultural Residential 1 (AR-1): Single-family residence
- East: Agricultural Residential 1 (AR-1): Undeveloped
- South: Agricultural Residential 1 (AR-1) & Highway Business (H-B): Dahlonge Box & Supply, Inc. & North Georgia Freight
- West: Suburban Shopping (S-S): 1925 SFR used as office
Highway-Business (H-B): Masonic lodge



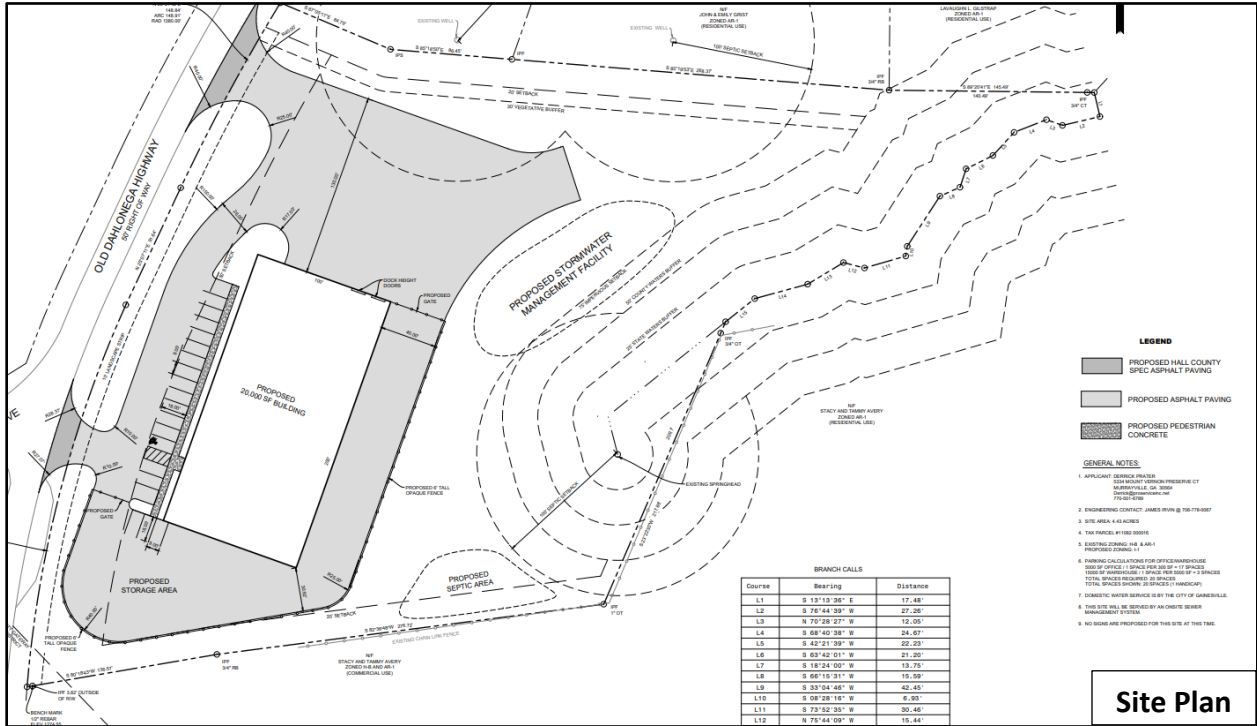
Per the submitted narrative, the applicant is proposing to develop a 20,000 square foot building to be utilized as an office and warehouse for Pro Service, a commercial roofing and glass contractor business. Pro Service is currently located nearby at 5647 Thompson Bridge Road.

The submitted site plan adheres to the Light Industrial district standards and the applicable development requirements of the UDC. The plan meets the 50-foot front setback and 20-foot side yard setbacks, provides the required 10-foot landscape strip along Old Dahlonge Highway, and includes a 30-foot transitional buffer adjacent to residential properties. Stream buffer requirements at the rear of the site are also observed. Two access points are proposed along Old Dahlonge Highway, with paved parking and loading areas identified on the plan. An outdoor storage area is shown between the building and southern property line, positioned adjacent to existing commercial uses to the south.

The elevation provided reflects the building the applicant constructed for his Pro Service business at 5647 Thompson Bridge Road. The proposed building is anticipated to be similar in appearance.



Water service will be provided by the City of Gainesville as confirmed in a letter dated January 27, 2026. Sanitary sewer service will be provided by an on-site septic.



Based on the future land use plan, staff finds the rezoning request *is consistent* with the Comprehensive Plan’s future land use classification of Rural Scenic Corridors within the Murrayville/Sardis character area. The intent of this future land use designation is to preserve the county's rural roadways that feature significant natural, historic, or cultural features, and scenic or pastoral views. To balance that with necessary growth, new development along these minor road corridors and intersections should be limited to low-intensity, small-scale commercial uses to serve nearby communities, and well as agricultural uses of all scales. Where there is residential development, the density should be up to 0.75 dwellings per acre. By concentrating growth exclusively along SR 60/Thompson Bridge Road, as it has existing and planned infrastructure and the beginnings of a regional activity center, the County can preserve the rural character that is important to the residents in the Murrayville/Sardis area.

(A) Zoning Analysis – Rezone

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 Light Industrial (I-1) zoning district and 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 provided required buffers are maintained.**
- c. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; **Yes, 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; **The proposed use is consistent with the Comprehensive Plan and the Rural Scenic Corridors future land use designation within the Murrayville/Sardis character 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 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; **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) and Highway Business (H-B). The site is developed with a single-family residence constructed in 1925.**
- 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; **While the proposed Light Industrial (I-1) zoning would differ from the adjacent Highway Business (H-B), Suburban Shopping (S-S), and Agricultural Residential 1 (AR-1) districts, it would not create an isolated or incompatible zoning pattern. The property immediately to the south at 5614 Old Dahlonga Highway has been developed with commercial and light industrial uses since 1969, establishing a longstanding industrial/commercial presence in the area. Given this existing development pattern—and the fact that the Light Industrial (I-1) district is consistent**

with the Comprehensive Plan—the request represents a logical and appropriate extension of compatible zoning rather than the creation of an isolated district.

- 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 or the immediate neighborhood.**
- 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 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 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 25, 2026, Emily McGahee stated, "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."

Georgia Department of Transportation

In an email dated March 16, 2026, Christopher Hash, P.E., GDOT D1 Traffic Operations Supervisor, stated, "Off system, no impacts to the state route expected."

Hall County Public Works and Utilities

In a memorandum dated March 26, 2026, Jorge Gomez, Director of Public Works and Utilities, provided the following comments:

Engineering:

Show stream buffer and impervious setback from wrested vegetation not the centerline of stream. 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:

Recommend consideration of one commercial driveway. Intersection and stopping sight distance must be met.

Utilities:

No comment. There is no sewer available in this area.

Hall County Fire Marshal

In an email dated January 14, 2026, John Hornick, NPQ Fire Service Plans Examiner 1, provided the following comments:

1. If approved all commercial buildings greater than 12,000 SF, below grade plane, 2 stories or greater in height will be required to have an emergency responder radio frequency test completed to determine the radio signal strength inside the building, any building failing the test will be required to have a bi-directional antenna system designed, installed, and certified prior to occupancy.
2. If approved all buildings exceeding 12,000 SF will require a fire protection system installed, tested, and certified to NFPA 13 standards.
3. If approved the site development plan may require modifications during the development review process to meet fire code.
4. If approved depending on where existing fire hydrants are located the project may require an additional fire hydrant(s) to meet fire code.

Hall County Business License

In an email dated March 16, 2026, Brandi Smith, Business License Director, stated “Will require a business license.”