

**HALL COUNTY BOARD OF COMMISSIONERS  
STAFF REPORT**

**Applicant** ..... Lori Lynn Monty

**Request** ..... **Rezone** | from Planned Commercial Farm District (PCFD) to Agricultural (AG-1)

**Proposed Use** ..... Second dwelling

**Size** ..... 16.913± acres

**Zoning** ..... **Current:** Planned Commercial Farm District (PCFD) | **Proposed:** Agricultural (AG-1)

**Location** ..... **6752 Shoal Creek Road** | Tax parcel 12060 000006

**Commission District** ..... Three

**Planning Commission Date** ..... April 21, 2026

**Staff Recommendation** ..... **Approval**, as the proposed zoning is consistent with the “Rural Agricultural” future land use classification within the Comprehensive Plan.

**Record Number**.....HZON26-0005

Staff recommends APPROVAL of the applicant’s request.

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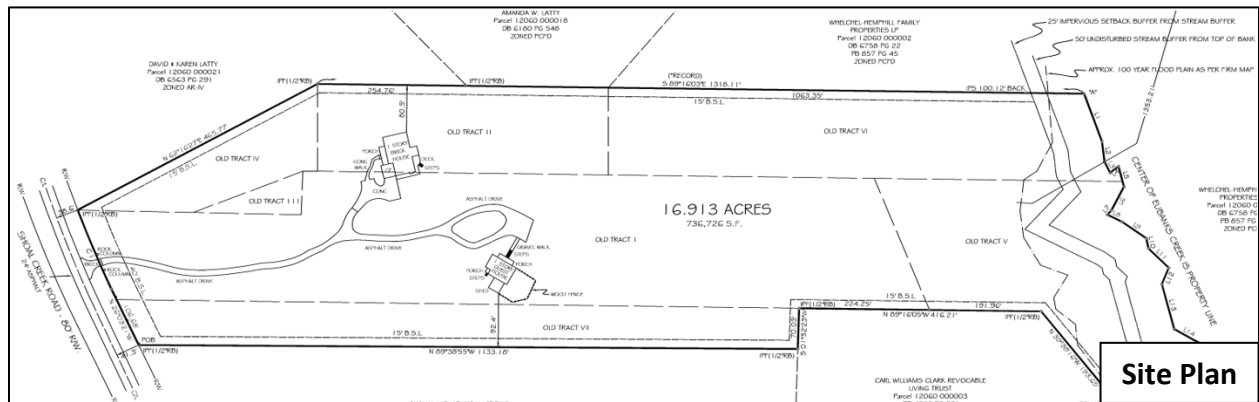
**Summary Analysis**

The applicant is requesting to rezone the subject property from Planned Commercial Farm District (PCFD) to Agricultural (AG-1) to allow the single-family dwelling, currently used as a guest house, to be occupied as a second primary single-family dwelling.

According to the Hall County Tax Assessor records, the property is currently developed with a 3,144 square foot single-family residence constructed in 1996, a 4,928 square foot single-family residence constructed in 1998, and a 132 square foot shed constructed in 2024. Eubank Creek runs along the eastern property boundary, and the rear of the property is affected by County Studied and FEMA Flood Zones.



Surrounding properties are zoned Agricultural Residential 1 (AR-1) and Planned Commercial Farm District (PCFD) and are developed with single-family residences and/or agricultural uses



The site plan shows the location of the two existing residences and former parcels that were combined to create the current property boundary.

Water service is provided by the City of Gainesville and sanitary sewer services are provided by on-site septic system.

**Based on the future land use plan, staff finds the requested rezoning *is consistent* with the Hall County Comprehensive Plan and the future land use designation of Rural Agricultural.** These areas should consist of active farms and agricultural enterprises and very low-density, large lot single-family residential up to 0.75 dwellings per acre. Development patterns may involve larger areas of undeveloped or cultivated land characterized by large distances between buildings and deep setbacks.

**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 proposed Agricultural (AG-1) zoning district is consistent with the residential 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; **The proposed rezoning does not adversely affect the existing use or usability of adjacent residential 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 rezoning will**

**not cause an excessive or burdensome use of 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 Agricultural” 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 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 value 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 property is currently developed with two single-family residences constructed in 1996 and a second residence in 1998 as reflected in the county tax records.**
- 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; **The Agricultural (AG-1) zoning district was created to accommodate agricultural uses and to allow a second dwelling unit on parcels of 5 acres or more which is directly relevant to the applicant's request.**
- k) Whether the change would create an isolated district unrelated to the surrounding districts; **The Hall County Comprehensive Plan and Unified Development Code adopted in 2024 established the Agricultural (AG-1) zoning district. As such, the rezoning of this property to Agricultural (AG-1) would not be considered 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.**
- n) Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **There are no other zoning districts within the county that are permitted to have a second primary residence, excluding Accessory Dwelling Units (ADU), without approval from 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 rezoning 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**

- a. 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.**
- b. 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 March 25, 2026, Emily McGahee stated "No comment."

#### **Georgia Department of Transportation**

In an email dated March 16, 2026, Christopher Hash, P.E. D1 Traffic Operations Supervisor, stated "On system, no impacts to 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:**

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. Show stream buffer and impervious setback from wrested vegetation not the centerline of the stream. Show FEMA and Hall County studies Flood plains that are present on the site.

##### **Traffic:**

The proposal does not impact traffic volumes.

##### **Utilities:**

No comment. Sewer is not available in this area.

#### **Hall County Fire Marshal**

In an email dated March 19, 2026, John Hornick, NPQ Fire Service Plans Examiner 1, stated "The Hall County Fire Marshal's Office has no comments as proposed."

#### **Hall County Tax Assessors**

In an email dated March 16, 2026, Cher Melendez, Specialized Assessment Manager, stated "12060 000006 Conservation 2024 no issue for CUVA."