

**HALL COUNTY BOARD OF COMMISSIONERS
STAFF REPORT**

Applicant Keith Bell

Request **Special Use** | Amend conditions of zoning

Proposed Use Agri-entertainment venue

Size 17.29± acres

Zoning Agricultural Residential 1 (AR-1)

Location **5351 Lanier Islands Parkway** | Tax Parcel 08169
003011

Commission District One

Commission Date May 28, 2026

Staff Recommendation **Approval, with conditions**, as the special use is
consistent with the use standards for Agri-
entertainment Events in the Unified
Development Code.

Record Number.....HZCU26-0015

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 21, 2024, and as described in the project narrative received December 3, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. Per previous approval by the county commission on September 14, 2023, a variance is granted for the building setback requirement for agri-entertainment structures, reducing the setback from 300 feet to 240 feet.
3. Per the previous approval by the county commission on September 14, 2023, a variance is granted to the parking area setback, reducing the setback from 200 feet to 160 feet.
4. With the exception of permitted gravel parking, the non-residential development shall be subject to the standards of the Gateway Corridor Overlay District. No other variances are granted from these standards
5. All conditions of zoning shall be made part of any plats or construction plans created for the property.

Summary Analysis

The applicant is requesting to amend conditions of zoning for an approved agri-entertainment venue on a 17.29± acre tract zoned Agricultural Residential 1 (AR-1).

The subject property received Special Use approval for an agri-entertainment venue on September 14, 2023, (HZCU23-0031) with the following 7 conditions:

1. The agri-entertainment business shall operate as described in the narrative dated May 15, 2023 and depicted on the site plan dated January 31, 2022.
2. A variance is granted for the building setback requirement for agri-entertainment structures, reducing the setback from 300 feet to 240 feet.
3. A variance is granted to the parking area setback, reducing the setback from 200 feet to 160 feet.
4. With the exception of permitting gravel parking, the non-residential development shall be subject to the standards of the Gateway Corridor Overlay District (GCOD, 17.420). No other variances are granted from these standards.
5. Plans for any further improvements or development of the property shall be submitted for review and appropriate permits obtained.
6. Per, 2.60.060.- effective period of approved applications, all applications approved by the board, whether a request for variance from the terms of Title 17, a request for conditional use, a request for the enlargement, change or continuance of a nonconforming use or a request to appeal a decision by an administrative official in the enforcement of Title 17, shall be effective for a period of six months. If no action is taken by the applicant to implement the purpose of the application by obtaining the proper permit and/or license and proceeding with the building, occupancy or establishment of business within six months from the date of approval; by the board, said approval shall become null and void.
7. The business license associated with this use shall go before the Hall County Planning Commission and the Board of Commissioners for renewal after a period of three years.

The applicant subsequently received approval to expand the existing agri-entertainment venue on March 13, 2025, (HZCU24-0056) with the following 6 conditions:

1. The property shall be developed in accordance with the site plan dated November 21, 2024, and as described in the project narrative dated December 3, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
- 2.

2. Per previous approval by the county commission on September 14, 2023, a variance is granted for the building setback requirement for agri-entertainment structures, reducing the setback from 300 feet to 240 feet.
3. Per the previous approval by the county commission on September 14, 2023, a variance is granted to the parking area setback, reducing the setback from 200 feet to 160 feet.
4. With the exception of permitted gravel parking, the non-residential development shall be subject to the standards of the Gateway Corridor Overlay District. No other variances are granted from these standards
5. The business license associated with this use shall go before the Hall County Planning Commission and the Board of Commissioners for renewal after a period of three years following the approval by the county commission on September 14, 2023.
6. All conditions of zoning shall be made part of any plats or construction plans created for the property.

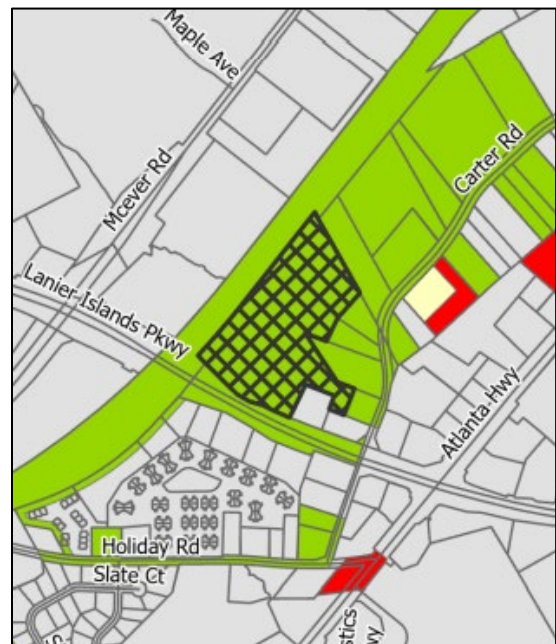
The applicant is now requesting to remove condition number 5, highlighted above.

The property is developed with two pole barns (HCADD24-0059 and HRNEW24-0111), an accessory building (HCNEW24-0226) and an open deck (HCNEW24-0227). The venue includes two corn mazes, a pumpkin patch, two ground-level bounce pads, a slide, a picnic area with concession stands, a trail for wagon-rides, an equipment barn, and a parking area. The property has an active business license (HBUS-001417) for the agri-entertainment business which expires on December 31, 2026.

The surrounding properties are zoned and developed as outlined below:

- North: Agricultural Residential 1 (AR-1): Single-family residences; Norfolk Southern Railroad; City of Buford General Business (C-2);
- South: City of Buford General Business (C-2)
- East: Agricultural Residential 1 (AR-1): Single-family residences
City of Buford General Business (C-2)
- West: Norfolk Southern Railroad; City of Buford General Business (C-2)

Per the submitted narrative, the applicant is requesting the removal of condition number 5, which requires Board of Commissioners approval to renew the business license after 3 years, as the business is well established and is operating in compliance with all conditions without complaints.



Zoning Analysis

When considering a zoning amendment, 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 requested amendment is consistent with the previously approved agri-entertainment use. The proposed change in condition does not alter the nature or intensity of the use and is compatible with surrounding development and zoning of nearby property.**
- b. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **As the agri-entertainment venue has been established for almost two years and the County has not received complaints, it is not anticipated that the requested amendment will adversely affect the use or usability of adjacent or nearby property.**
- 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 project was originally approved on September 14, 2023, and the expansion of the agri-entertainment venue was approved on March 13, 2025. The proposed amendment will not create an excessive or burdensome demand on existing infrastructure, as the business is well established and has consistently operated in compliance with all conditions without any reported complaints.**
- 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 agri-entertainment venue has been established by previous board action. The request does not impact the designated future land use of the 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 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 site is currently developed with accessory structures (HCADD24-0059, HRNEW24-0111, HCNEW24-0226, and HCNEW24-0227). Also, the development includes two corn mazes, a pumpkin patch, two ground-level bounce pads, a slide, picnic area with concession stand, trail for wagon-rides, equipment barn, and parking area.**
- 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; **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; **The request is not out of scale with the needs of the immediate neighborhood or 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, the request to amend the approved conditions 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 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 request; 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 a memorandum dated April 29, 2026, the Hall County Environmental Health Department stated “No comment.”

Georgia Department of Transportation

In an email dated April 17, 2026, Christopher Hash, P.E., D1 Traffic Operations Supervisor, stated “Applicant will need to coordinate with GDOT District 1 Traffic Operations Office for consideration of driveways.”

Hall County Public Works and Utilities

In a memorandum dated April 28, 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 meets stormwater thresholds for impervious surfaces and/or disturbed acreage.

Traffic:

As access is on SR 347 and subject to review by GDOT, traffic has no concerns with this request.

Utilities:

No comment. Property is not located in the Hall County service delivery area.

Hall County Fire Marshal

In a memorandum dated April 20, 2026, the Hall County Fire Marshal's Office stated "The Hall County Fire Marshal's Office has no comments as proposed."

Hall County Business License

In a memorandum dated April 21, 2026, Brandi Smith, Business License Director, stated "CB Farms has an active business license. Their opening date for their business license was October 11, 2024. We have received no complaints regarding the business."