

**HALL COUNTY BOARD OF COMMISSIONERS
STAFF REPORT**

Applicant Jessie Bruce

Request **Special Use** | for a minor subdivision

Proposed Use 5-lot subdivision

Size 16.02± acres

Zoning Vacation Cottage (V-C)

Location **3542 & 3538 Point View Circle** | Tax Parcels
10087 000029 & 10087 000087

Commission District Two

Commission Date August 13, 2026

Staff Recommendation **Approval, with conditions**, as the proposed use
meets all minimum standards of the Vacation
Cottage (V-C) zoning district.

Record Number HZCU26-0022

Staff recommends APPROVAL of the applicant’s requests with the following condition:

1. The property shall be developed in accordance with the site plan dated June 9, 2026, and narrative dated May 26, 2026, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The two existing driveways on the sites shall be consolidate into one.
3. A common use driveway, in addition to the one consolidated driveway, is required to provide access to all parcels to be created in this request. The driveway is to be located to maximize intersection sight distance.
4. No variances or development exceptions are granted as part of this request that are not explicitly granted by board approval.
5. All conditions of zoning shall be made a part of any plats or construction plans created for the property.

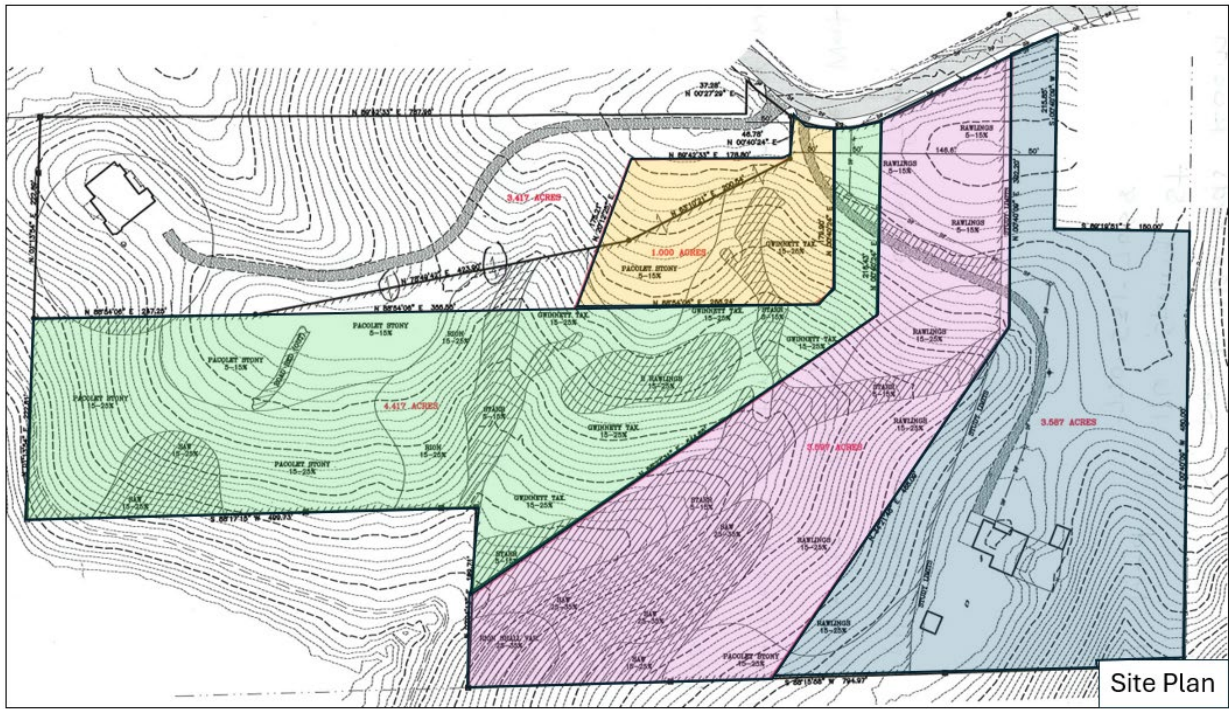
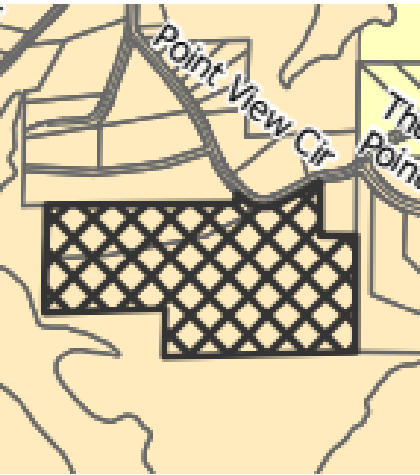
Summary Analysis

The applicant is requesting a Special Use for a minor subdivision on a combined 16.02± acre tract, zoned Vacation Cottage (V-C). The subject properties are currently developed with a single-family residence on each parcel.

The surrounding properties are zoned Vacation Cottage (V-C) and developed with single family residences. Lake Lanier lies to the west and south.

Per the submitted narrative, the applicant is proposing a 5-lot subdivision, reconfiguring the parcel boundary of 3538 Point View Circle, to create 5 lots out of 2. Per the submitted site plan, each tract meets the minimum lot size of 35,000 square feet for parcels served by septic, as well as minimum road frontage of 50 feet for properties fronting a local road.

Water service is provided by the City of Gainesville Department of Water Resources as confirmed in an email dated February 4, 2026. Sanitary sewer services will be provided by an on-site septic system.



Zoning Analysis

When considering a use subject to the approval of the County Commission, 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 use is suitable in view of the use and development of adjacent and nearby properties along Point View Circle as there are lots of similar size for single family residential uses in the surrounding area.**
- b) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The proposed use does not appear to adversely affect the existing use or usability of adjacent 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 use is not anticipated 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 zoning, lot size, and residential nature of the surrounding properties.**
- 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. 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 property at 3542 Point View Circle is developed with a 1,966 square foot single-family residence constructed in 1979 and a 360 square foot carport constructed in 2000. The property at 3538 Point View Circle is developed with a 3,399 square foot single-family residence constructed in 2015.**
- 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 special use would not create an isolated district unrelated to the surrounding zoning districts.**
- 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; **The existing zoning of the subject site supports the proposed use; however, the proposed 5-lot subdivision 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; **A minor subdivision in Vacation Cottage (V-C) zoning requires approval by the Board of Commissioners.**
- 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 a memorandum dated July 7, 2026, the Hall County Environmental Health Department stated, "All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. Please note that Zoning approval does not imply approval from other county departments. Further determination will be made during the plat review process. All proposed plats must be submitted to the Hall County Plat Review Team for review and approval prior to submittal to Clerk of Courts for recordation."

Georgia Department of Transportation

In an email dated July 2, 2026, Christopher Hash, P.E., D1 Traffic Operations Supervisor, stated "Off-System. No impacts expected, no coordination with Georgia DOT required."

Hall County Public Works and Utilities

In a memorandum dated July 15, 2026, Jorge Gomez, Director of Public Works and Utilities, provided the following comments:

Engineering:

Further subdivisions of these lots will result in the necessity of a stormwater management plan if the total number of lots reaches more than 6.

Show FEMA and Hall County studied Flood plains that are present on site.

Traffic:

A common use driveway to provide access to all parcels to be created in this request. The driveway is to be located to maximize intersection sight distance. It is also recommended to consolidate the two exiting driveways into one.

Utilities

No comment. This property is located in the Gainesville/Hall County sewer district, but sewer infrastructure is not located in this area.

Hall County Fire Marshal

In a memorandum dated July 10, 2026, the Hall County Fire Marshal's Office stated, "The Hall County Fire Marshal's Office has no comments as proposed."