

**HALL COUNTY BOARD OF COMMISSIONERS
STAFF REPORT**

Applicant William Barr

Request **Special Use** | amend condition of plat

Proposed Use Amend condition of plat to allow a single-family residence

Size 2.40± acres

Zoning Residential 1 (R-1)

Location **5578 Stone Trace** | Tax Parcel 08077 004093

Commission District Two

Commission Date August 27, 2026

Staff Recommendation **Approval, with conditions**, as the proposed use meets the standards of the UDC.

Record Number(s) HZCU26-0023

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

1. The property shall be developed in accordance with the project narrative received June 29, 2026, modified as necessary for compliance with conditions herein and development standards enforced at the time of approval.
2. Prior to the issuance of any development permits, the applicant shall submit a revised plat for the subject parcel reflecting the removal of the "reserved for community development" designation. The revised plat shall be reviewed and approved through the County's standard plat review process.
3. All conditions of zoning shall be made part of any plats created for the property.

Summary Analysis

The applicant is requesting approval of a Special Use to amend a condition of the subdivision plat to allow a single-family residence on a 2.40± acre tract zoned Residential 1(R-1). The property is currently undeveloped.

2.

4. NO RESIDENCE MAY BE MOVED FROM OTHER PROPERTY ON ANY LOT

THESE COVENANTS TO RUN WITH & REMAIN IN FULL FORCE & EFFECT UNTIL JAN. 1, 1998 & MAY BE ENFORCED BY ANY OWNER OF A LOT IN THE SUBDIVISION.

THESE LOTS SUBJECT TO RULES & REGULATIONS OF THE HALL CO. ZONING & PLANNING BOARD.

A. J. Wetherington
A. J. WETHERINGTON DEVELOPER

William T. Bryant
WILLIAM T. BYRANT OWNER

Recording and Approval Certificate
All requirements of the Hall County Subdivision Regulations having been completed, this document was accepted and approved for recording at meeting held 5-6 in 74

Date 5-7-74 (Signed)
Clarin Cooper W.H.H.
Chairman, Planning Commission
Donald Parks W.H.H.
Secretary, Planning Commission

Name Change
Re-recording
April 4, 1977
April 6, 1977
J. A. White
Hugh Lambert

2 OF 2
E 154 N 15° 19' E 100.0
MINIMUM
50' R/W
100.0
SUBD.

Comprehensive Plan

The subject property is located within the future land use designation of Lakeside Residential within the South Hall character area. These areas are located near and adjacent to the edges of Lake Lanier and can range from low density residential to resort-style multifamily. Lakeside Residential is intended to preserve established lakefront neighborhoods and create opportunities for permanent and vacation residences along and adjacent to the lake. While some of these areas are not located directly on the lake, they have a development pattern similar to their lakeside neighbors or are likely to see a style of development that is denser than Rural Neighborhood or slightly less dense than Suburban Neighborhood, Low Density.

Zoning Analysis

When considering a use subject to 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:

- 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 as the use is permitted within the Residential 1 (R-1) zoning district.**

- 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 as properties to the north, east and south are also developed with single family residences. The property to the west is conservation space for an adjacent single-family subdivision.**
- c) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; **The property does not have reasonable economic use as currently zoned. The recorded plat designates the lot as “reserved for community development,” which restricts it from being developed for any other purpose. Any alternative use would require an amendment to the existing condition on the plat through a Special Use approval by the Board of Commissioners.**
- 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 Lakeside Residential future land use designation and the single-family residential development 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 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; **The hardship to the property owner outweighs relative gain to the public, as the plat’s “reserved for community development” designation prevents any viable use of the property without amending the condition of the plat .**
- 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 has remained undeveloped since the establishment of the subdivision in 1977. The surrounding properties are developed with single-family residences.**
- 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 that would support grounds for disapproval.**

- 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; **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 property allows for the proposed use. However, the recorded subdivision plat identifies the parcel as “reserved for community development.” Removal of this designation requires Special Use approval to amend the condition on the plat 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 for a Special Use 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.**

Development Support and Constraints

Hall County Environmental Health

In a memorandum dated July 29, 2026, Hall County Environmental Health Department stated, “All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. Please note that BOC 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 21, 2026, Christopher Hash, P.E., GDOT D1 Traffic Operations Supervisor, stated, “Off system, no impacts expected to the State Highway System.”

Hall County Public Works and Utilities

In a memorandum dated July 29, 2026, Jorge Gomez, Director of Public Works and Utilities, provided the following comments:

Engineering:

No comment.

Traffic:

There are no concerns with traffic for the proposed use as a single-family residential home.

Utilities:

No comment. This property is located in the Oakwood sewer district.

Hall County Fire Marshal

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

Hall County Building Inspections

In a memorandum dated July 28, 2026, Kristie Turner, Development Services Director, stated "No structures on property, Building Inspections has no comment."