

**HALL COUNTY BOARD OF COMMISSIONERS
STAFF REPORT**

Applicant Hudson Land Holdings, LLC

Request (A) **Rezone** | from Agricultural Residential 1 (AR-1) to Residential 1 (R-1)
..... (B) **Special Use** | for a minor subdivision

Proposed Use 3-lot subdivision

Size 2.672± acres

Zoning **Current:** Agricultural Residential 1 (AR-1)
..... **Proposed:** Residential 1 (R-1)

Location **3710, 3716 & 3728 Jones Drive** | Tax Parcels
..... 08156 002004B (pt), 08156 002004C, 08156 002004

Commission District One

Board of Commission Date October 8, 2026

Staff Recommendation (A) **Approval, with conditions**, as the proposed zoning is consistent with the surrounding residential neighborhood.
..... (B) **Approval, with conditions**, as the proposed use is consistent with the surrounding residential neighborhood.

Record Number..... (A) HZON26-0029
..... (B) HZCU26-0031

(A) & (B) Staff recommends APPROVAL of the applicant's request with the following conditions:

1. The property shall be developed in accordance with the site plan received June 5, 2026, and as described in the project narrative dated August 5, 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. The development shall be compliant with the Unified Development Code of Hall County, as well as any other agencies or reviewing departments.
3. All conditions of zoning shall be made a part of any plats or construction plans created for the property.

Summary Analysis

The applicant has submitted two concurrent requests on a 2.672± acre tract: (A) Rezone from Agricultural Residential 1 (AR-1) to Residential 1 (R-1); and (B) a Special Use to allow a 3-lot subdivision.

The parcels are collectively developed with a residence and outbuildings constructed in 1960 along with a mobile home.

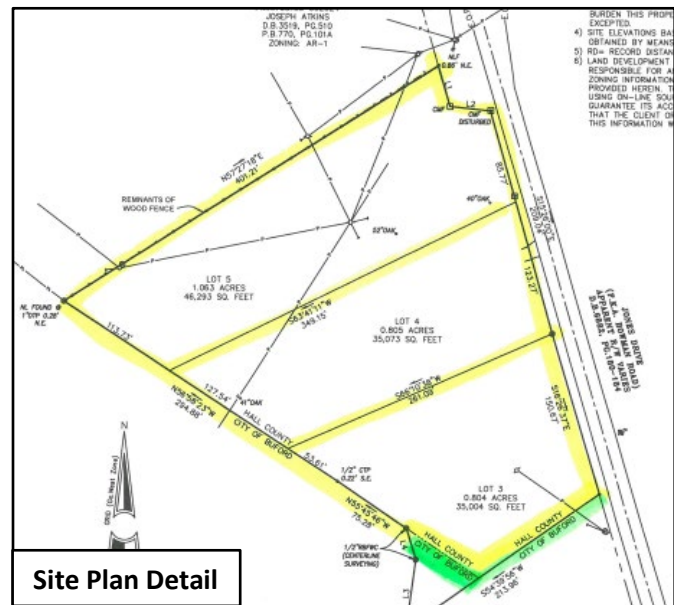
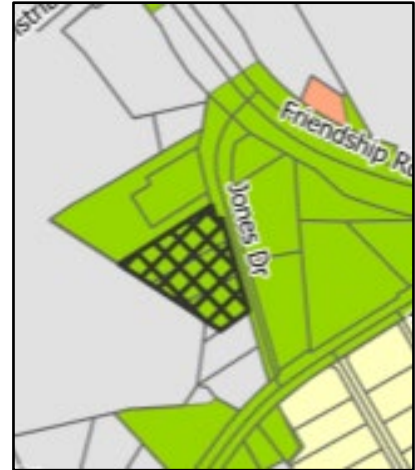
Surrounding properties are zoned and developed as outlined below:

North: Agricultural Residential 1 (AR-1): single-family residences
 East: Agricultural Residential 1 (AR-1): single-family residence
 South: City of Buford, Single-Family (R-100): undeveloped
 West: City of Buford Light Industrial (M-1): distribution center

The subject properties currently constitute one legal parcel, however, the three-parcel configuration shown on the GIS maps and site plan was recently created by deed without County approval, for financing purposes. The requested rezoning and special use approval would allow the subdivision of the property by plat, thereby creating three legal parcels.

Per the narrative, the applicant proposes to subdivide the property into three lots and construct a new single-family residence on each. All existing structures would be demolished. The two parcels located to the south of the site, within Buford city limits, are also owned by the applicant and zoned for single-family residential development.

The site plans below show the location of existing structures on the property and the proposed lot lines. All lots meet the minimum lot size of 35,000 square feet (0.80± acres) for parcels served by septic, as well as, minimum road frontage of 50 feet for properties fronting a local road.



Water service is currently provided by individual well, however, the City of Gainesville has confirmed, in an email from Nick Swafford, Permitting Services & GIS Manager, dated September 17, 2026, that public water is available. Sanitary sewer services will be provided by individual on-site septic systems.

Comprehensive Plan Analysis

Based on the future land use plan, staff finds the requested rezoning *is not consistent* with the Hall County Comprehensive Plan and the future land use designation of Business Nodes and Corridors within the South Hall Character Area. The intent of this land use designation is for new development along major road corridors and intersections to consist of higher-intensity commercial uses, and low-intensity, consumer-facing industrial uses that house businesses that serve nearby communities.

Applicant Information: The applicant provides in their narrative that although the Future Land Use Map designates the area as Business Nodes & Corridors, where R-1 zoning is not listed as compatible, the requested rezoning should be evaluated in the context of the established development pattern. This is a well-established residential neighborhood adjacent to Cloudland Winery. Two parcels immediately south of the site, within Buford city limits, were recently rezoned to Single-Family (R-100) to allow single-family residential development. The applicant further notes that Jones Road is a local residential road, not improved for industrial traffic. Additionally, Jones Road was recently modified to allow right turn only movements onto Friendship Road. Given this context, the proposed R-1 zoning would not introduce an isolated residential use but would continue the existing residential character of the area.

(A)& (B) Zoning Analysis – Rezone and Special Use

When considering a zoning amendment to the zoning maps or 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 rezoning and use are suitable in view of the use, development, and zoning of adjacent and nearby properties, as they represent a continuation of the existing residential character of the neighborhood.**
- b) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **It is not anticipated that the proposed rezoning or use will adversely affect the existing use or usability of adjacent or nearby 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 proposal is not anticipated to 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 not consistent with the “Business Nodes & Corridors” land use designation within the Comprehensive Plan, however, the proposal represents a continuation of the existing residential character of the neighborhood.**
- 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 developed with a residence and outbuildings constructed in 1960 along with a mobile home.**
- 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; **The change in zoning would align the subject property with the zoning of adjacent parcels to the south, within Buford city limits.**
- 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 Residential 1 (R-1) zoning based on the Future Land Use Map; however, the current development requires rezoning and special use 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 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.**

Development Support and Constraints

Hall County Environmental Health

In a memorandum dated September 2, 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 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 August 31, 2026, Christopher Hash, P.E. 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 September 9, 2026, Jorge Gomez, Director of Public Works and Utilities, provided the following comments:

Engineering:

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

Traffic:

There are no traffic concerns with the proposed 3-lot subdivision. The proposed driveway should be located at a point that maximizes sight distance.

Utilities:

The property is in the Buford service district.

Hall County Fire Marshal

In a memorandum dated September 4, 2026, the Hall County Fire Marshal's Office stated, "The Hall County Fire Marshal's Office has no comment as proposed."

Hall County Building Inspections

In a memorandum dated September 4, 2026, Barry Shaw, Interim Development Services Director, stated, "Applicant would be required to get demo permits for all structures from Building Inspections before building new structures. All structures that were built prior to 1980 will require asbestos inspections and reports by a state licensed asbestos inspector. Building Inspections has no further comments."