

**HALL COUNTY BOARD OF COMMISSIONERS
STAFF REPORT**

Applicant Hall County

Request **Amend Conditions of Zoning**

Use Dumpsite for recoverable materials

Size 12.75± acres

Zoning Heavy Industrial (I-2)

Location **1563 Calvary Church Road** | Tax Parcel 15031
000097

Commission District Four

Commission Date October 22, 2026

Staff Recommendation **Approval, with conditions**

Record Number(s) HZCU26-0041

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

1. The development shall be generally consistent with the submitted site plan and narrative modified for compliance with Hall County regulations at time of development permit application.
2. Any business operating at the subject property shall obtain a business license from Hall County.
3. Proposed pond for hydro-excavating services shall be limited to only waste consisting of soil and water. No other materials shall be accepted for disposal on the property. These materials shall be considered recoverable and/or reusable as per the Georgia Environmental Protection Division (EPD) dated January 23, 2017.
4. Owner shall provide written documentation from Georgia Environmental Protection Division (EPD) regarding pond design and use prior to acceptance of disposal of waste materials on the property.
5. Hall County shall conduct monthly routine compliance inspections.
6. The owner shall maintain logs and manifests of all materials accepted for disposal on the property. These records shall be made available for review upon request by Hall County.
7. Any change in use shall be subject to Hall County Board of Commissioners' approval.
8. The access point to the pit area shall be closed and locked after hours.

9. The applicant shall contract with a third party environmental testing consultant who shall prepare a monitoring, inspection, and testing plan to include: on-site and downstream water quality testing and testing of on-site waste materials. Both the consultant and the plan shall be subject to the approval of Hall County Engineering for verification that waste materials contain no prohibited waste and only consist of water and soil as the applicant's proposal outlines.
10. In the event of any violation of the conditions, the Director of Planning and Development shall bring such violations before the Hall County Board of Commissioners, in accordance with the provisions of [§5.10.490], hearing on revocation of business license, of the Official Code of Hall County.
11. Erosion control measures and a double row of silt fence shall be installed and maintained.
12. The county engineer identified at least five drainage study points along the southern property line (adjoining tax parcels include: 15031 000143, 15031 000049, 15031 000050C, 15031 000050). The developer shall ensure that post-development flow rates from those five individual drainage study points shall not exceed the pre-development flow rates.

Summary Analysis

The applicant, Hall County, is requesting approval of an amendment to conditions placed on an inert landfill/dumpsite for recoverable materials located at 1563 Calvary Church Road.

On April 13, 2023, the Hall County Board of Commissioners voted to approve a Use Subject to County Commission approval (HZCU23-0017) to Southern Utility Group for a dumpsite for recoverable materials subject to thirteen (13) conditions as follows:

1. The development shall be generally consistent with the submitted site plan and narrative modified for compliance with Hall County regulations at time of development permit application.
2. Any business operating at the subject property shall obtain a business license from Hall County.
3. Proposed pond for hydro-excavating services shall be limited to only waste consisting of soil and water. No other materials shall be accepted for disposal on the property. These materials shall be considered recoverable and/or reusable as per the Georgia Environmental Protection Division (EPD) dated January 23, 2017.
4. Owner shall provide written documentation from Georgia Environmental Protection Division (EPD) regarding pond design and use prior to acceptance of disposal of waste materials on the property.
5. Hall County shall conduct monthly routine compliance inspections.
6. The owner shall maintain logs and manifests of all materials accepted for disposal on the property. These records shall be made available for review upon request by Hall County.
7. Any change in use shall be subject to Hall County Board of Commissioners approval.
8. The access point to the pit area shall be closed and locked after hours.
9. The applicant shall contract with a third party environmental testing consultant who shall prepare a monitoring, inspection, and testing plan to include: on-site and downstream water quality testing and testing of on-site waste materials. Both the consultant and the plan shall be subject to the approval of Hall County Engineering for verification that waste materials contain no prohibited waste and only consist of water and soil as the applicant's proposal outlines.

10. The business license associated with this use shall go before the Board of Commissioners' approval on an annual basis for renewal. As part of this renewal the owner shall provide the maintenance logs and manifests, as described in condition 6 and the inspection and testing results as described in condition 9.
11. In the event of any violation of the conditions, the Director of Planning and Development shall bring such violations before the Hall County Board of Commissioners, in accordance with the provisions of [§5.10.490], hearing on revocation of business license, of the Official Code of Hall County.
12. Erosion control measures and a double row of silt fence shall be installed and maintained.
13. The county engineer identified at least five drainage study points along the southern property line (adjoining tax parcels include: 15031 000143, 15031 000049, 15031 000050C, 15031 000050). The developer shall ensure that post-development flow rates from those five individual drainage study points shall not exceed the pre-development flow rates.

This request seeks to remove Condition #10 which requires annual business license renewal approval by the Board of Commissioners.

Planning staff has been directed to bring businesses with conditions that require future Planning Commission or Board of Commissioners action in order to continue operating back before the Board for reconsideration. This includes review and potential removal of conditions that mandate additional applications or Commission-level approval solely to ensure ongoing zoning compliance.

History

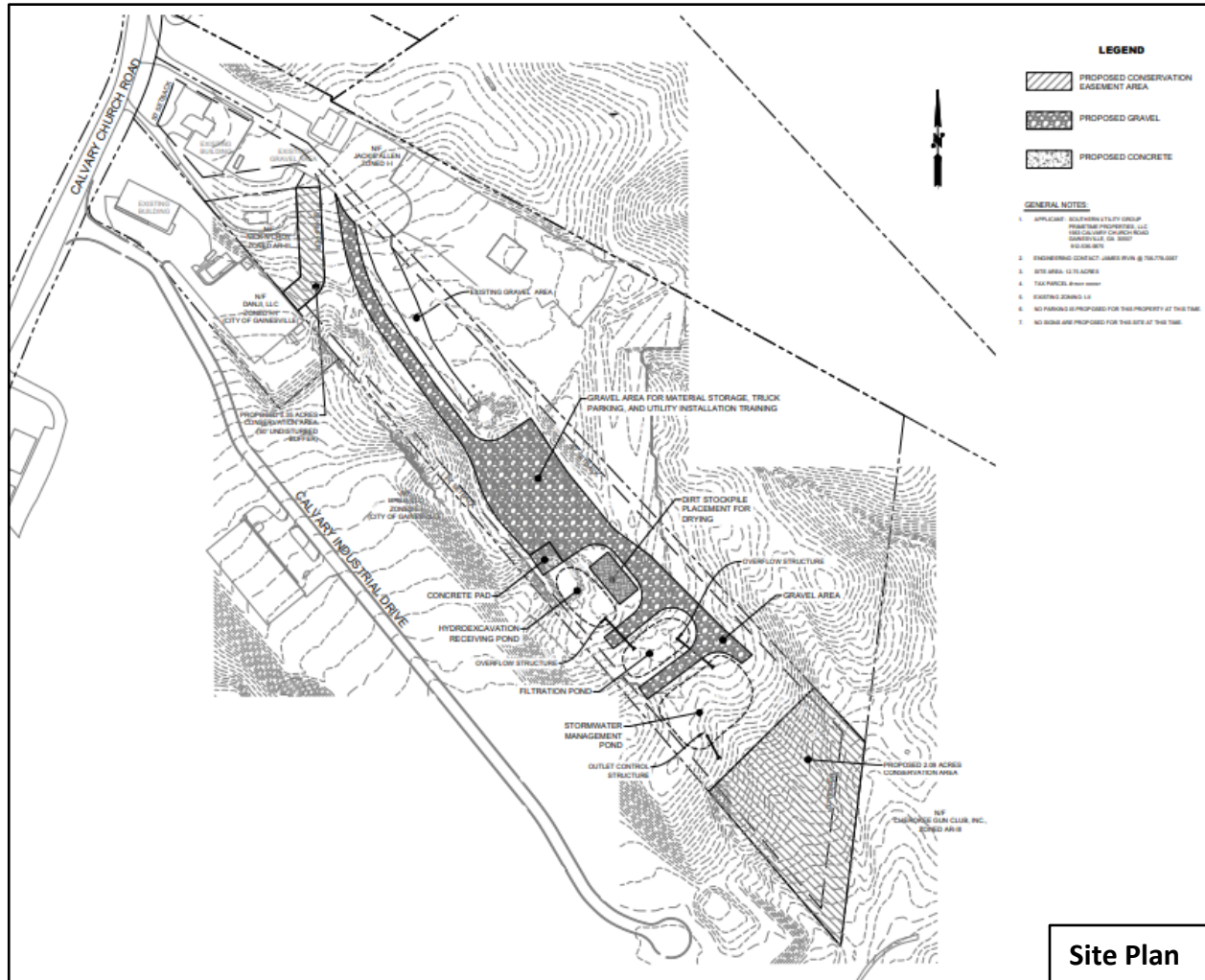
This parcel has had three previous approvals for this business. The first request included rezoning the property to Heavy Industrial (I-2) and a conditional use approval for the inert landfill which was approved by the Board of Commissioners on December 16, 2019. On December 10, 2021, the Board of Commissioners approved the conditional use of an inert landfill for a second time. The second application was the result of the applicant not taking action to implement the use within 12 months from the date of approval.

The 2021 approval restricted the use and business operations to the original applicant with the sale of the business requiring the new owner to seek Board of Commissioners approval. This condition resulted in Special Use approval HZCU23-0017 to remove the ownership restriction.

Compliance

The current business license for the operation was issued to Calvary Station, LLC on February 1, 2024, (BUS-000996). No complaints have been received and all conditions of the Special Use (HZCU23-0017) have been met.

Below is the approved site plan.



Development Support and Constraints

Hall County Environmental Health

In a memorandum dated September 17, 2026, the Hall County Environmental Health Department stated, "No comment."

Georgia Department of Transportation

In an email dated September 21, 2026, Christopher Hash, 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 23, 2026, Jorge Gomez, Director of Public Works and Utilities, provided the following comments:

Engineering:

The 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:

There are no traffic concerns with the request to amend the previously approved zoning condition.

Utilities:

This location is within the City of Gainesville sewer district.

Hall County Fire Marshal

In a memorandum dated September 18, 2026, the Hall County Fire Marshal's Office stated, "The Hall County Fire Marshal's Office has no comment regarding the applicants' request to have condition 11 removed."

Note: This comment references the incorrect condition number; however, it is in reference to condition #10 as outlined in this staff report.

Hall County Building Inspections

In a memorandum dated September 21, 2026, Barry Shaw, Interim Director of Development Services, stated, "No comment."