HALL COUNTY PLANNING COMMISSION
STAFF REPORT

Applicant ..... Udis Calderon

Request ..... **Rezone** | from Highway Business (H-B) to Residential 1 (R-1)

Proposed Use ..... Single-family dwelling

Size ..... 0.11± acres

Zoning ..... **Current:** Highway Business (H-B)
Proposed: Residential 1 (R-1)

Location ..... **1646 March Drive** | Tax Parcel 15032E006034

Commission District ..... Four

Planning Commission Date ..... November 16, 2026

Staff Recommendation ..... **Approval, with conditions,** as the proposed zoning is consistent with the residential nature of the surrounding properties.

Record Number..... HZON26-0034

Staff recommends <u>APPROVAL</u> of the applicant's request with the following conditions:

1. The property shall be developed in accordance with the site plan dated April 20, 2026, and as described in the project narrative dated September 14, 2026, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.

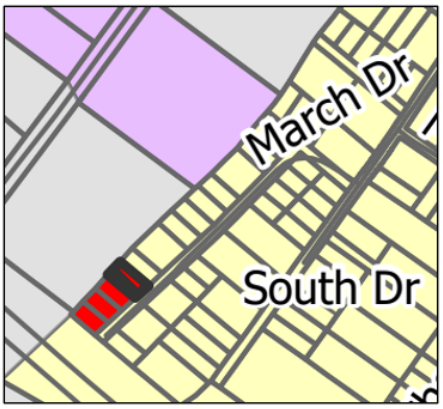
2. No variances or development exceptions are granted as part of this request that are not explicitly granted by board approval.

3. All conditions of zoning shall be made a part of any plats or construction plans created for the property.

<u>Summary Analysis</u>

The applicant is requesting to rezone a 0.11± acre tract from Highway Business (H-B) to Residential 1(R-1) to allow for a single-family dwelling. The property is currently undeveloped.
The subject parcel is identified as Lot 47 of the S.C. Moon Subdivision, which was platted in 1954. Since that time, roadway configurations in the area have changed with the development of Athens Highway.

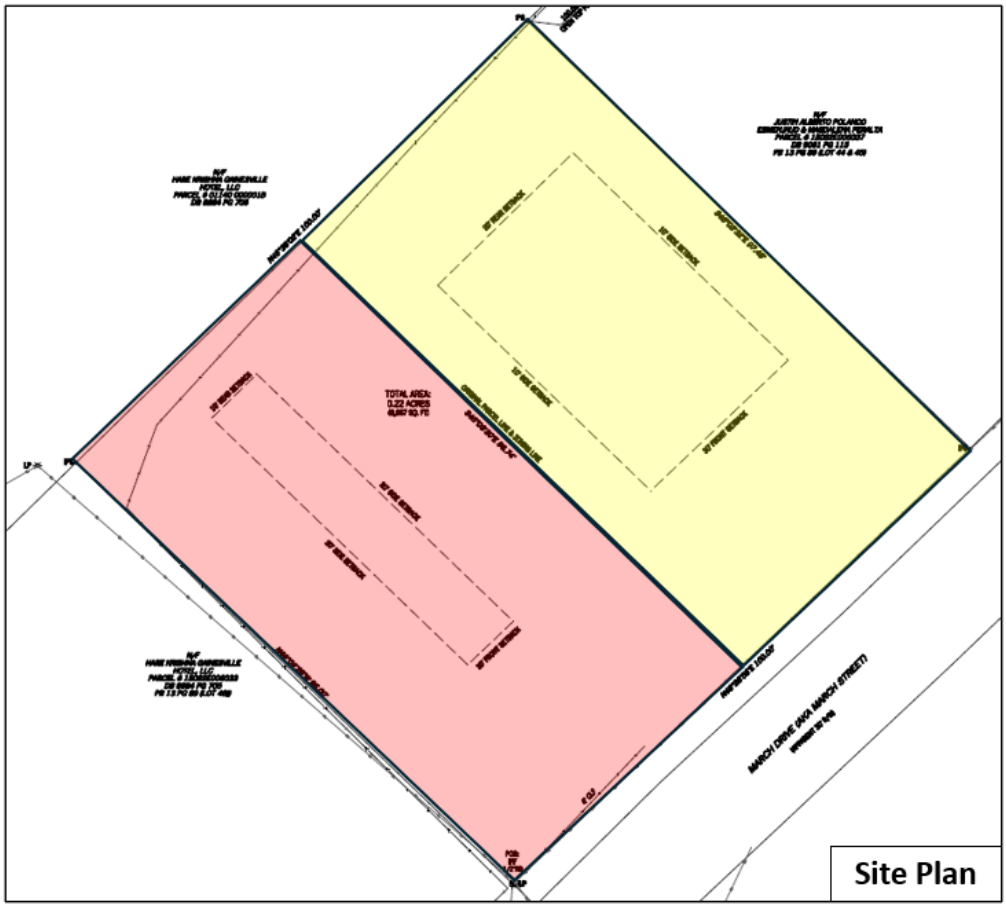
The property's Highway Business (H-B) zoning designation was established as part of the County's historical zoning pattern in 1978.



The surrounding properties are zoned and developed as outlined below:

North: City of Gainesville General Business (G-B): hotel
Residential 1 (R-1): undeveloped
East: Residential 1 (R-1): single-family dwellings
South: Residential 1 (R-1): single-family dwellings
Highway Business (H-B): hotel parking
West: Highway Business (H-B): hotel & related parking

Per the submitted Narrative and Site Plan, the applicant proposes to combine the subject property, shown in red and zoned Highway Business (H-B), with an adjacent parcel, shown in yellow and zoned Residential 1 (R-1), resulting in a combined site of approximately 0.22± acres. The combined parcel would be developed with a single-family dwelling.



Water service will be provided by the City of Gainesville as confirmed in an email from Nick Swafford, Permitting Services & GIS Manager, dated July 14, 2026. Sanitary sewer services will be provided by an on-site septic system.

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 Employment Nodes and Corridors within the Gainesville Character Area; however, the use is consistent with the character and development of residential neighborhood from which the property's only access is available. New employment nodes and corridors should consist of industrial and/or office uses housed in either formalized campuses or along major road corridors that have existing or future access to water and sewer.

Zoning Analysis - Rezoning

When considering a zoning amendment to the zoning maps, 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 is suitable in view of the use, development, and zoning of adjacent and nearby properties as access to the property is through a single-family residential 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 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 does not have reasonable economic use as currently zoned as the only access to the property is through a residential neighborhood.**

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 rezoning will not 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 zoning is not consistent with the Comprehensive Plan's future land use designation of Employment Nodes and Corridors; however, and proposed use is consistent with the residential nature of the surrounding properties to the north, east, and south, and the property's only access is through a residential 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; **The proposed rezoning would allow development that is compatible with the surrounding residential neighborhood and existing access patterns, resulting in a greater public benefit than retaining a commercial zoning designation on the property.**

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 undeveloped.**

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 rezoning of this property to Residential 1 (R-1) would not create an isolated district.**

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 where a single-family dwelling is a permitted use. However, the subject property's current Highway Business (H-B) zoning district does not permit single-family dwellings, necessitating approval of the requested rezoning to allow the proposed residential use.**

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 October 19, 2026, the Hall County Environmental Health Department stated, "Must meet all residential permitting requirements. Original copy of Level 3 soil evaluation and copy of recorded plat will be required at time of septic permit application."

Georgia Department of Transportation
In an email dated October 7, 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 October 19, 2026, Jorge Gomez, Director of Public Works and Utilities, provided the following comments:

Engineering:
No comment.

Traffic:
There are no traffic issues with the proposed SRF use. Any proposed driveways must be located to maximize intersection sight distance.

Utilities:
Property is in the Gainesville service district.

Hall County Fire Marshal
In a memorandum dated October 6, 2026, the 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 October 19, 2026, Barry Shaw, Interim Director of Development Services, stated, "No comment."