

**HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT**

Applicant Cook Communities

Request Rezone from Agricultural Residential-III
(AR-III) to Residential-I (R-I)

Proposed Use 23-lot subdivision

Size 67.9± acres

Zoning AR-III

Location On the west side of Leach Road
approximately 1,941 feet from its
intersection with Willie Robinson Rd.;
a.k.a.4035 Leach Rd.; a.k.a. Tax Parcel
10050 000008 (pt.)

Commission District Two

County Commission Date June 24, 2021

Staff Recommendation **Approval, with conditions**

Planning Commission Recommendation – Approval, with conditions
Vote: 4-0 (Mr. Varner absent)

Conditions

√	1. <i>The development shall conform substantially with the proposed site plan and narrative, modified as necessary for compliance with current development standards at time of site plan approval.</i>
√	2. <i>The development shall conform substantially with the proposed site plan and narrative, modified as necessary for compliance with current development standards at time of site plan approval.</i>
√	3. <i>Minimum lot width shall be 100 feet.</i>
√	4. <i>The minimum heated area shall be 1,800 square feet for each home.</i>
√	5. <i>All homes shall include a two-car garage.</i>
√	6. <i>Exterior finishes of the homes shall be Hardie siding/panel, brick, or stone exclusively.</i>
√	7. <i>All conditions of zoning shall be made a part of any plat of the property</i>

√	<p>8. <i>The following statement regarding the potential impacts of agricultural operations in the area shall be made a part of any plat recorded on the property:</i></p> <p><i>“Owners, occupants, and users of property shown on this plat are hereby informed of the impacts associated with normal farming practices which may take place on adjacent and nearby property including, but not limited to, noise, odors, dust, the operation of machinery of any kind, the storage and disposal of manure, and the application of fertilizers, herbicides, and pesticides. Therefore, owners, occupants, and users of the property shown on this plat should be prepared to expect the effects of such practices.”</i></p>
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√ **Applicant agrees with conditions.**

Applicant Proposal

The applicant is requesting to rezone a 69.9± acre tract from Agricultural-Residential-III (AR-III) to Residential-I (R-I) in order to subdivide the property into twenty-three lots for single family homes. The narrative states that each lot will be a minimum of 1.5 acre in size with the largest being approximately 12 acres. The applicant proposes single family detached homes with a minimum 1,800 square feet of heated floor area, 3 bedrooms, 2 bathrooms, and a two-car garage. The homes are described in the submitted narrative are to be constructed with Hardiplank, brick and stone, and will be served by onsite septic systems and public water. No interior roads are proposed to serve the newly created lots, with access from Leach Road for 20 of the 23 lots and 3 lots gaining access from Willie Robinson Road all lots will have a minimum width of 100’.

History and Existing Land Uses

The subject property is approximately 67.9± acres and is part of a larger 74.13± acre tax parcel zoned Agricultural Residential-III (AR-III). It is currently wooded and undeveloped and contains identified floodplain, creeks, and springheads. The surrounding properties are zoned AR-III and are developed with a mixture of low-density single family and agricultural uses. The subject property is located across Leach Road from an existing power station, and an existing transmission lines with an apparent 150’ line easement is depicted on the submitted site plan.

This appears to be the original zoning per Hall County records.

The analysis of surrounding properties provided the following data regarding average lot size:

Within 500 ft.	9.7 acres
Within 0.5 mi.	6.9 acres
Within 1 mi.	4.9 acres
Within 2 mi.	2.5 acres

The same analysis provided the following data regarding average heated floor area for homes:

Within 500 ft.	1,530 sq. ft.
Within 0.5 mi.	1,350 sq. ft.
Within 1 mi.	1,649 sq. ft.
Within 2 mi.	1,892 sq. ft.

Comprehensive Plan Land Use Designation

The subject property is located within the “Lake Area Residential” land use designation. This land use designation is characterized by detached low-density single-family residential development, less intensive agricultural uses, greenways and trails, and civic-benefit uses such as community centers, libraries, places of worship and schools.

The request is consistent with the Comprehensive Plan.

Development Support and Constraints

Hall County Environmental Health

In an email dated May 4, 2021 Emily McGahee commented: "All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements."

Hall County Fire Services

The subject parcel is located approximately 0.75 miles from Hall County Fire Station #3, located at 4460 Ledan Extension. The nearest fire hydrant located at the intersection of Willie Robinson Rd. and Ledan Extension.

Hall County Public Works and Utilities

In a memorandum dated May 6, 2021, Srikanth Yamala, Director of Public Works and Utilities, stated the following:

Engineering: As this subdivision is greater than 6 lots on an existing road, a stormwater management report prepared by a professional engineer will be required. FEMA flood zone and future flood zones must be shown on plans. Preliminary plat must show zoning conditions prior to final plat submittal.

Traffic: All proposed driveways shall meet the minimum required sight distance based on the posted speed limit.

Utilities: No comment

Hall County Tax Assessors

No comments were provided.

Gainesville Water Resources

The Hall County GIS shows that public water approximately 2,500 ft. away from the subject property along Ledan Extension provided by the City of Gainesville. No service availability letter or verification was provided with the application.

Georgia Department of Transportation

In an email dated April 26, 2021 GDOT Assistant District Traffic Engineer Jonathan Peevy indicated this project **will not** require GDOT coordination.

Zoning Analysis

- The proposed use request is consistent with the Comprehensive Plan.
- §17.20.1210 of the Hall County Zoning Regulations defines a *subdivision* as the division of a tract or parcel of land into two or more lots, building sites or other divisions for the purpose of sale, legacy, a new street or a change in existing streets, and includes re-subdivision.
- §17.240.010 of the Official Code of Hall County designates lots within an R-I zoning district to be a minimum of 35,000 square feet in size.

- The proposed lots **meet** this requirement.
 - The submitted application indicates 100' minimum lot width.
- §17.240.010 of the Official Code of Hall County designates lots within the R-I zoning district to have a minimum 50 feet of lot frontage along local roadways.
 - The proposed lots **meet** this requirement.
 - Both Leach Road and Willie Robinson Road are classified as local roads.
- An analysis of surrounding properties determined that within a two-mile radius of the subject property the average residential lot size 2.5 acres, and the average residence has a heated floor area of 1,892 square feet.
 - The proposed lots vary in size between 1.5 and 12 acres, and the applicant has proffered a minimum heated floor area of 1,800 square feet for each new home.

The proposal **is consistent** with the size and density of the surrounding area.

Staff Recommendation

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

1. The development shall conform substantially with the proposed site plan and narrative, modified as necessary for compliance with current development standards at time of site plan approval.
2. The subdivision shall be limited to 23 residential lots.
3. Minimum lot width shall be 100 feet.
4. The minimum heated area shall be 1,800 square feet for each home.
5. All homes shall include a two-car garage.
6. Exterior finishes of the homes shall be Hardie siding/panel, brick, or stone exclusively.
7. All conditions of zoning shall be made a part of any plat of the property.

Excerpts from the minutes of the meeting of May 17, 2021

Applicant's Presentation:

Sarah McQuade, Planning Director, presented a summary of the request.

Jane Range, 200 E E Butler Parkway, Gainesville, presented the request. Ms. Range showed the Planning Commissioners a concept plan of the request. She stated that the lots on Willie Robinson Road are larger lots and the rest of the lots off Leach Road would be smaller lots but would all still meet the minimum lot size requirement. She stated that they meet minimum road frontage, so there would be ample road frontage for each lot and would be able to space the driveways out. She also stated that they would meet whatever minimums would be required to obtain public water. Ms. Range stated that building plans and renderings were the same as what was presented for the previous request. Mr. Braswell asked if lots along Leach Road were 100 feet wide. Ms. Range stated that they were all at least 100 feet wide. Mr. Braswell asked if the applicant had given any thought to shared driveways. **Geoff Cook, 3120 Frontage Road, Gainesville**, stated that he did not think the level of traffic on Leach Road would require shared driveways. He also stated that he would prefer not to do shared driveways. Mr. Braswell stated that from a safety standpoint, he would rather them work with Planning staff to minimize the number of driveways. Mr. Braswell asked if any of the lots along the power line easement would need a variance of any kind. Mr. Cook stated that he did not think they would need any, but they were not completely sure. Mr. Braswell stated that he would like to add the agricultural statement as a condition.

Public Forum:

No one spoke in favor or opposition of the request.

Planning Commission Comments:

Mr. Hunt asked if the shared driveways needed to be addressed now. Ms. McQuade stated that they could add it as a condition, however this request would go through the county's development review process. Therefore, that would be reviewed then so a condition is not necessary.

Motion: ***Mr. Hunt made a motion to recommend approval, with conditions for the request, with a second from Mr. Bell and the motion passed by a 4-0 vote. (Mr. Varner absent)***

Conditions:

1. *The development shall conform substantially with the proposed site plan and narrative, modified as necessary for compliance with current development standards at time of site plan approval.*
2. *The subdivision shall be limited to 23 residential lots.*
3. *Minimum lot width shall be 100 feet.*
4. *The minimum heated area shall be 1,800 square feet for each home.*
5. *All homes shall include a two-car garage.*
6. *Exterior finishes of the homes shall be Hardie siding/panel, brick, or stone exclusively.*
7. *All conditions of zoning shall be made a part of any plat of the property.*
8. *The following statement regarding the potential impacts of agricultural operations in the area shall be made a part of any plat recorded on the property:*
 "Owners, occupants, and users of property shown on this plat are hereby informed of the impacts associated with normal farming practices which may take place on adjacent and nearby property including, but not limited to, noise, odors, dust, the operation of machinery of any kind, the storage and disposal of manure, and the application of fertilizers, herbicides, and pesticides. Therefore, owners, occupants, and users of the property shown on this plat should be prepared to expect the effects of such practices."