

STATE OF GEORGIA

COUNTY OF HALL

**RESOLUTION OBJECTING TO THE CITY OF OAKWOOD'S ANNEXATION OF THE PROPERTIES OF
CAJUN-DAWG LAND HOLDINGS, LLC KNOWN AS HALL COUNTY TAX PARCELS 15044H000125,
15044H000095, AND 15044 000028**

WHEREAS, Hall County has received three notices from the City of Oakwood of Petitions for annexation filed with the City of three properties of Cajun-Dawg Land Holdings, LLC located on Falcon Crest Drive and on Martin Road and bearing Hall County Tax Parcel Numbers 15044H000125, 15044H000095, and 15044 000028; and

WHEREAS, the annexation petitions seek to rezone the subject properties from Hall County's designation of R-1 Residential and PRD Planned Residential Development to the City of Oakwood's designation of R-1 and R-3 Residential; and

WHEREAS, the annexation petition for the primary parcel of 24+ acres seeks to rezone that property from Hall County's designation of PRD Planned Residential Development to the City of Oakwood's designation of R-3 Residential; and

WHEREAS, the City of Oakwood has notified the County that the City intends to take action on the annexation and rezoning requests on January 18, 2022 but has delayed that date until January 29, 2022; and

WHEREAS, the proposed development represents a significantly more intense use of the subject property than allowed by Hall County's existing residential zoning of the property; and

WHEREAS, the proposed annexation and rezoning would result in a material increase in infrastructure demands upon Hall County; and

WHEREAS, the proposed annexation and rezoning of the subject property is inconsistent with Hall County's Comprehensive Plan and Future Land Development Map; and

WHEREAS, the area has developed with lower density residential subdivisions in the past, and the surrounding area is substantially lower density residential in character; and

WHEREAS, the Hall County Board of Commissioners has carefully reviewed the annexation and rezoning requests, and the Board has determined that annexation and rezoning of the primary parcel from PRD to Oakwood R-3 is not in the best interest of the residents of Hall County; and

WHEREAS, the Georgia Code provides a procedure for resolving annexation disputes; and

WHEREAS, the Board of Commissioners wishes to avail itself of the remedies provided by the annexation dispute resolution process as a result of its objection to this annexation and rezoning request;

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF HALL COUNTY DOES HEREBY OBJECT to the City of Oakwood's annexation and rezoning of Hall County Tax Parcel Numbers 15044H000125, 15044H000095, and 15044 000028 as requested by Cajun-Dawg Land Holdings, LLC. This objection is based upon a material increase in burden on Hall County directly related to the proposed change in zoning and land use. This objection is also based upon a material increase in burden upon the County directly related to infrastructure demands related to the proposed zoning and land use.

Based upon the information presented in the applications for annexation provided by the City of Oakwood and the concept plan for the 24.23 acre primary parcel that shows a total of 61 lots (and which is attached hereto as an exhibit), Hall County further objects to the proposed zoning and land use that would result from the annexation. The application for annexation as to the primary 24.23 acre parcel (15044 000028) describes a rezoning from the County's PRD Planned Residential Development to the R-3 Oakwood Zoning District for the construction of 61 single family detached residences within the subdivision. Other than the concept plan, insufficient information has been provided by the City as to the nature and scope of the subdivision planned for this parcel, and thus specific objection is impossible. However, the residential subdivision allowed by Oakwood's R-3 zoning as shown in the concept plan appears to permit smaller lots and permits more than two residential structures per acre, in stark contrast with the existing zoning. The County's PRD existing zoning allows for flexibility and coordinated design of the development, provides for a mixture of uses and housing types, and encourages the use of natural features as shown on the attached Chapter 17-180.060 of the Hall County Code. It also requires conformity to the existing character and development pattern of the surrounding area, protects adjacent residential uses from adverse impacts that might result from a higher density development, maintains consistency with the county comprehensive plan and transportation plan, and sets minimum lot sizes at 8000 feet for lots served by sanitary sewer and an overall gross density of two units per acre or less. The expected change in both zoning and land use as proposed in the application for annexation would create a material increase in burden upon Hall County directly related thereto. Hall County attaches the applications for annexation and supporting documents served upon Hall County.

Although the City has provided insufficient information to adequately assess the proposed development on the primary parcel, the proposed change in zoning and land use as described in the application for annexation and the concept plan would appear to result in a substantial change in the intensity of the allowable use of the property. Hall County's zoning ordinance has allowed single-family uses on half-acre to one-acre lots in the adjoining residential subdivisions. By increasing the density of the development on the primary parcel, the proposed rezoning would adversely impact the surrounding residential developments by increasing the traffic in the

area, by increasing the pressure on schools, parks, and government facilities, and by increasing storm water runoff, in contrast to Hall County's PRD zoning which is designed to protect adjacent residential uses from adverse impacts. In addition, a higher density subdivision in the area could reduce the value of the property of surrounding landowners.

The proposed change in zoning and land use would also appear to differ from the existing uses suggested for the property by Hall County's Comprehensive Land Use Plan. As shown on the attached Hall County Future Development Map, the Land Use Plan designates the primary subject property for lower density residential uses. The proposed change in zoning and land use would increase the density of the development on the primary parcel to a higher density residential use.

Again, although the City has provided insufficient information concerning the development planned for the primary parcel, the proposed annexation would appear to significantly increase the net cost of infrastructure that is furnished by Hall County to the area to be annexed. The proposed annexation and rezoning would significantly increase automobile trips in the area because it increases the residential density of the development thereon. The increased traffic volume in the area would significantly decrease the useful life and value of roads in the area, which are presently owned and maintained by Hall County. The proposed annexation and land use would also increase the net cost of providing emergency and other services to the development on the primary parcel.

The members of the Board of Commissioners have executed this objection to the annexation petition of Cajun-Dawg Land Holdings, LLC regarding Hall County Tax Parcels 15044H000125, 15044H000095, and 15044 000028 this the 27th day of January, 2022.

HALL COUNTY BOARD OF COMMISSIONERS

By: _____

Richard Higgins, Chairman

By: _____

Kathy Cooper, Commissioner, District 1

By: _____

Billy Powell, Commissioner, District 2

[Signatures continued on following page.]

By: _____

Shelly Echols, Commissioner, District 3

By: _____

Jeff Stowe, Commissioner, District 4

ATTEST:

By: _____

Lisa A. Ritchie, Commission Clerk

(SEAL)

APPROVED AS TO FORM:

By: _____

Van Stephens, County Attorney