

**HALL COUNTY PLANNING COMMISSION  
RECOMMENDATION REPORT**

**Applicant**..... Tyler Crawford

**Request**..... Rezone from Agricultural Residential-IV (AR-IV) to Planned Industrial Development (PID)

**Proposed Use**..... Fabrication Business

**Size** ..... 0.96± acres

**Zoning** ..... AR-IV

**Location** ..... On the west side of Henry Smith Road at its intersection with Edwards Road; a.k.a. 6541 Henry Smith Road; Tax Parcel 11023 000024 (pt.)

**Commission District**..... Three

**Planning Commission Date** ..... December 20, 2021

**Staff Recommendation**..... **Approval, with conditions**

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**Planning Commission Recommendation – Approval, with conditions**

**Vote: 3-2**

*Conditions:*

1. *Development shall occur as described in the submitted concept plan and the use shall be limited to those described in the submitted narrative.*
2. *The portion of the property zoned PID shall be surrounded by a 50 foot undisturbed buffer along all exterior property lines.*
3. *The driveways for the proposed development shall meet Hall County Engineering commercial specifications regarding ingress and egress to the site.*
4. *Commercial traffic, deliveries and shipments to the workshop shall be limited to the hours between 8:00 a.m. and 5:00 p.m. Monday through Friday.*
5. *Production hours shall be limited to the hours between 7:00 a.m. and 7:00 p.m. Monday through Saturday.*
6. *Commercial traffic shall be allowed to only turn right out of property. Must make left turns back towards GA 52.*
7. *Proposed building must receive approval through the development review process and shall be subject to stormwater management requirements as determined by Hall County Engineering.*
8. *No business license shall be issued to another business, or for any other use without approval of the Board of Commissioners.*

9. *Upon the closure of the business, the applicant shall submit an application to rezone the 0.96 acres back to Agricultural-Residential-IV.*
10. *A 50 foot planted buffer shall be planted along Edwards Road, as well as the western property lines.*
11. *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."*

### **Applicant Proposal**

The applicant is requesting to rezone 0.96± acres from Agricultural-Residential-IV (AR-IV) to Planned Industrial Development (PID) in order to operate a fabrication business. The subject property is part of a 5.65-acre tract that includes an existing detached single-family home built in 2004. The applicant is not proposing to subdivide the 0.96 acres into a separate lot from the residence. His submitted narrative proffers the condition that if approved; he will apply to have the PID zoning designation for this portion of the property rezoned to AR-IV in the event his business closes.

### **History and Existing Land Uses**

The subject property consists of 5.65± acres and is zoned Agricultural-Residential-IV (AR-IV). The area of the subject property where the proposed workshop is located is undeveloped. All adjacent properties are also zoned AR-IV, and developed with single-family residences, mobile homes, or agricultural uses.

### **Comprehensive Plan Land Use Designation**

The Comprehensive Plan's future land-use designation for the subject property is "Rural Residential." This land use category is characterized by low-density single-family residential uses with deep setbacks from the road. The primary future land uses includes: agricultural/forestry uses; low-density detached single-family residences, including the use of Conservation Subdivision design that sets aside a high percentage of open space within a new neighborhood; civic benefit uses such as parks, places of worship, schools, community centers, and county services; and greenways and trails.

The rezoning request is not consistent with the Hall County Comprehensive Plan.

### **Development Support and Constraints**

#### **Hall County Environmental Health**

In an email dated October 18, 2021 Emily McGahee, Hall County Environmental Health provided the following comment: "Must meet all Environmental Health commercial septic system permitting requirements if proposed building will have plumbing."

#### Hall County Fire Services

The subject property is located approximately 6 miles from Hall County Fire Station #2, located at 6012 Hulsey Road.

#### Hall County Public Works and Utilities

In a memo dated October 20, 2021, the Srikanth Yamala, Director of Public Works and Utilities provided the following comments for this request:

##### Engineering:

The site may require a stormwater management report should the site plan indicate the proposed development meets stormwater threshold for impervious surfaces and/or disturbed acreage.

##### Traffic:

No Comments

##### Utilities:

No Comments

#### Hall County Tax Assessors

No comments were provided.

#### Gainesville Water Resources

The proposed building would be serviced by an onsite septic system and private well.

#### Georgia Department of Transportation

In an email dated October 15, 2021 Parker Niebauer, GDOT District 1 Traffic Operations confirmed that no GDOT coordination will be required.

#### **Zoning Analysis**

- The Comprehensive Plan's future land-use designation for the subject property is "Rural Residential" and the property is surrounded by residential and agricultural uses on adjacent properties. The rezoning request is not consistent with the Hall County Comprehensive Plan. However, the use as proposed would be compatible with the character of the surrounding area. An identical building would be permitted by-right if the stated use were to be for any type of agricultural activity including the repair of farm equipment, storage of livestock, or the storage of agricultural chemicals.
- §17.180.090. of the Official Code of Hall County states that a Planned Industrial Development (PID) should consist of land which has been designated for a planned, organized and controlled industrial use or for multiple but compatible industrial uses in a planned industrial park. The standards employed should be designed to encourage the formation and continuance of a compatible environment for the planned industrial uses and the surrounding land uses.
  - The proposed use is defined as industrial because the applicant is proposing to fabricate or machine aluminum, metal, and plastic parts. The proposed workshop

would house all of the required equipment and materials for the applicants business. Staff would consider the use compatible with the surrounding properties in this location.

- §17.180.090.B.2 of the Official Code of Hall County states that the development controls for the PID shall be detailed (lot coverage, setbacks, building heights, lot sizes, etc.). If standards are not specifically proposed, then the applicable standards in the light industrial (I-I) district, together with the screening and buffer requirements, shall apply.
  - The applicant has provided a concept plan which identifies the proposed shop's location, buffers, and the area proposed to be rezoned.
- §17.260.010.A of the Official Code of Hall County states that inventory items and manufacturing scrap and by-products at all business and industrial locations shall be stored inside a fenced enclosure in the rear or to the side of the facility. Fencing shall be six feet in height and shall be constructed of materials which provide a non-visible screen.
  - The applicant's narrative states that no outside storage will be utilized for the proposed business.
- §17.260.020.B.4 of the Official Code of Hall County states that where an industrial use with outside activity abuts residential uses, the minimum buffer shall be 50 feet.
  - The narrative states that there will be no outside activity, and all work and storage will occur inside the proposed 50 by 100 foot workshop building.
- §17.260.020.B.5 of the Official Code of Hall County states that where existing residential structures are less than 50 feet from the property line, or where zoning or Comprehensive Plan designation suggests that future residential structures will be less than 50 feet from the property line, the buffer shall be increased by a minimum of ten feet.
  - The closest residence would be that of the applicant.

### **Staff Recommendation**

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

1. Development shall occur as described in the submitted concept plan and the use shall be limited to those described in the submitted narrative.
2. The portion of the property zoned PID shall be surrounded by a 50 foot undisturbed buffer along all exterior property lines.
3. The driveways for the proposed development shall meet Hall County Engineering commercial specifications regarding ingress and egress to the site.
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6. No business license shall be issued to another business, or for any other use without approval of the Board of Commissioners.
7. Upon the closure of the business, the applicant shall submit an application to rezone the 0.96 acres back to Agricultural-Residential-IV.

## **Excerpts from the minutes of the meeting of December 20, 2021**

**A motion was made by Ms. Pilcher to remove the item from the table. The motion was seconded by Mr. Bell. Vote 5-0.**

### **Background Information:**

The applicant is requesting to rezone 0.96± acres from Agricultural-Residential-IV (AR-IV) to Planned Industrial Development (PID) in order to operate a fabrication business. The subject property is part of a 5.65-acre tract that includes an existing detached single-family home built in 2004. The applicant is not proposing to subdivide the 0.96 acres into a separate lot from the residence. His submitted narrative proffers the condition that if approved; he will apply to have the PID zoning designation for this portion of the property rezoned to AR-IV in the event his business closes.

### **Applicant's Presentation:**

**Beth Garmon, Principal Planner**, presented a summary of the request.

**Tyler Crawford, 6541 Henry Smith Road, Murrayville**, presented the request. Stated a new site plan was provided with the following changes: a single driveway will be coming off Edwards Road. Now, a single driveway will make a 'L' to address concerns with gravel road. To address the septic system, a new soil test is being done, which has pushed the project back. Additions to the 50 foot buffers were added.

### **Public Forum:**

**Regina Burrell, 6395 Henry Smith Road, Murrayville**, spoke in opposition. Concerns were tax increases, truck traffic, health factors, such as toxic air. Stated the area is not made for a industrial building. Wishes to have property remain farmland.

**Richie Lathem, 6444 Payne Road, Murrayville**, spoke in opposition. Concerns were the development type in the area and affecting property values.

**Gary Copeland, 6685 Henry Smith Road, Murrayville**, spoke in opposition. Provided pictures to the board of truck traffic in the area. Concerns were tractor trailer traffic, the views of the road being blocked while driving and road being too narrow. Stated he does not want change in zoning.

### **Rebuttal**

The truck referenced in Copeland's photos belongs to Copeland. The truck was not coming to the property in question. The updated site plan shows the trucks will turn into the property. Has not had a tractor trailer delivery since October and will not have another until some time in January. Once a month is the average. During March and October, usually get tractor trailer deliveries once a month. Most of the concern is unfounded. Not a lot of traffic that would be added. There are a lot of chicken houses in the area and there is truck traffic associated with those. Locations of 6264 Henry Smith Road, 5557 Mount Vernon Road, 6391 Henry Smith Road, and 6460 Payne Road were mentioned with having metal buildings. Applicant stated that his home is located on the property and is close to family. Applicant stated there would be minimal fumes due to how the machinery is designed. All fluids go into a trap and is recycled into a drum. There will be zero employees except for the applicant and possibly his mother. Applicant's children will be living on the property and deems it safe for area children.

**Planning Commission Comments:**

Ms. Pilcher questioned what would be planted within the buffer and the applicant advised that it would be left as a undisturbed field. Mr. Braswell asked why the applicant chose this area. Mr. Hunt asked what the kind of machinery would be used and any possible fumes. Mr. Hunt also asked about the number of employees and if it would be safe for children in the area. Ms. Pilcher stated she would like to see a planted buffer on the northern and western borders of the property. Mr. Varner asked if the CNC machine is programmed.

**Motion:** *A motion was made by Mr. Hunt to approve with conditions and was seconded by Mr. Varner. Vote 3-2.*

**Mr. Bell – aye**  
**Ms. Pilcher – nay**  
**Mr. Braswell – nay**  
**Mr. Hunt – aye**  
**Mr. Varner – aye**

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