

**HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT**

Applicant Roger Perkins

Request..... Use subject to County Commission approval to amend conditions of an existing PRD

Proposed Use..... Single Family Residence

Size 0.295± acres

Zone PRD

Location..... On the south side of Lakeshore Drive approximately 149 feet from its intersection with Oakwood Trail; a.k.a. 6527 Lakeshore Drive; Tax Parcel 10011D000105

Commission District Two

Planning Commission Date..... April 18, 2022

Staff Recommendation **Approval**

Planning Commission Recommendation – Approval
Vote: 4-0 (Varner absent)

Applicant Proposal

The applicant is seeking to reinstate a previously approved amendment to the Timberidge Subdivision Planned Residential Development (PRD). In 2017 the Board of Commissioners approved the conversion of the subject property from a camping use to a single family residential use.

The requirement to convert camping lots to residential lots was part of a rezoning of the community to PRD, in March 1990, to bring the development into compliance with Hall County development standards. Timberidge has lots that are designated camper and residential. Residential development can occur on lots that either are a minimum of 12,500 square feet or can draw on “reserve” lots designated to provide this square footage. The residential lots cannot be combined with camper lots to meet this requirement.

The current request seeks to reinstate the change from camper to residential, which was approved for the period of one year. The property totals 0.295 acres or 12,850 square feet, which exceeds the 12,500 square foot minimum. Timberidge was approved with the following setbacks for the development, front setback of 40 feet from the centerline of the road, and ten feet side and rear property lines. The applicant also seeks to reinstate the variance which was approved in 2017 to vary the front setback requirement from 40 feet from the centerline of the road to 25 feet from the centerline of the road.

History and Existing Land Uses

The applicant proposes to build a single-family home on the property. Timberidge is made up of both mobile and site-built homes and camper sites. Approximately ½ mile southwest of the property is a 70 lot subdivision zoned PRD by Hall County on July 27, 2006. This subdivision is currently under construction. South and west of the property is an area zoned V-C and developed with site-built homes. Northwest of the property is Jerd Grant Estates, zoned R-I and sparsely developed with large acreage tracts. There is some residential development located within the AR-III zoning district.

Comprehensive Plan Land Use Designation

The property is located within the “Lake Area Residential” land-use category of the Comprehensive Plan. The Lake Area Residential category includes low-density residential development and neighborhoods. Land use patterns are similar to Residential Areas, and there is orientation toward Lake Lanier in terms of development and flexibility in use of single-family homes. The area includes the 500-foot buffer around the lake, wherein properties have the potential to be zoned Vacation Cottage District in order for single-family homes to be used as short-term vacation rentals. Future development will continue to be detached, single family homes at low densities in addition to less intensive agricultural uses that are found in the northwestern part of the area.

The request is consistent with the comprehensive plan.

Development Support and Constraints

Hall County Environmental Health

In an email dated March 25, 2022, Emily McGahee provided the following comment: Must meet all Environmental Health residential septic system permitting requirements.

Hall County Fire Services

The subject property is located approximately 4.2 miles from Hall County Station 3, location at 4660 Ledan Extension. There is a fire hydrant located at the intersection of Lakeshore Drive and Oakwood Trail, approximately 100 feet away.

Hall County Public Works and Utilities

In a memo dated March 31, 2022, from Bill Nash, Interim Director of Public Works and Utilities, the following comments were provided:

Engineering

NA.

Traffic Engineering

No comment.

Utilities

No comment.

Hall County Tax Assessors

No comments provided.

Gainesville Water Resources

Public water is available from the City of Gainesville along Lakeshore Drive.

Georgia Department of Transportation

In an email dated March 31, 2022, Parker Niebauer, District 1 Traffic Operations Supervisor for the Georgia Department of Transportation, stated that this project would not require GDOT coordination.

Zoning Analysis

- The request to reinstate the approved amendment to the PRD in 2017 is consistent with the comprehensive plan.
- The requested variances are consistent with other front setbacks within the subdivision.
- The lot totals 12,850 square feet and exceeds the minimum residential lot requirement of 12,500 square feet.
- The addition of one residential lot should not be detrimental to Timberidge Subdivision. In many cases residents seek to eliminate camping lots to support permanent residential housing.
- Other similar requests have been approved by Hall County.

Variance Analysis

Application of Roger Perkins

Factor	<u>Analysis</u>	Supports requested variance?		
		Yes	No	
1) Are there extraordinary and exceptional conditions pertaining to the particular lot in question because of its size, shape or topography (the hardship must relate to the physical character of the lot and not to a personal or economic hardship).	The topography and road configuration lends support to this request.	X		
2) Would the application of the requirements of this resolution to this particular piece of property create an unusual hardship.	The lot at its widest is 53 ft. and width and at the narrowest is 46ft. in width. If the required setbacks were enforced the maximum width of a house would be 30ft.	X		
3) Are such conditions peculiar to the particular piece of property involved and not common to other properties in the neighborhood.	This lot is similar in size to many of those found within this subdivision.	X		

4) Are the conditions the result of any actions of the property owner.	The applicant is responsible for the size and location of the proposed structure.			X
5) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this resolution provided, however, that no variance may be granted for a use of land or building or structure that is prohibited by this resolution or for a conditional use which has been denied by the Hall County Planning Commission.	Hall County has approved several similar type variances within this subdivision. Locating a new home on the property would improve both the existing parcel and surrounding neighborhood. The combination of five lots also reduces the density of the subdivision.	X		

Staff Recommendation

Staff recommends **approval** of both setback variance and amending the PRD.

Excerpts from the minutes of the meeting of April 18, 2022

Applicant’s Presentation:

David Webb, Principal Planner, presented a summary of the request.

Roger Perkins 2315 Lakeside Trail, Cumming, presented the application. The applicant stated that they were ready to build. The applicant stated that he has purchased that water meter and that septic has already been coordinated.

Public Forum:

There were no comments in support or opposition.

Planning Commission Comments:

Mr. Braswell asked if anything has changed on the site plan. The applicant stated it hasn’t.

Motion: A motion to approve was made by Mr. Hunt and seconded by Ms. Pilcher. Vote: 4-0 (Varner absent)