

**HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT**

Applicant Bark Camp Farm

Request..... Use Subject to County Commission approval

Proposed Use..... Farm-style dog daycare, boarding facility and family/community events

Size 30.62± acres

Zoning..... AR-IV

Location..... On the south side of Hunter Road approximately 1,252 feet from its intersection with Cleveland Highway; a.k.a. 4294 Hunter Road; Tax Parcel 12023 000010

Commission District Three

Planning Commission Date May 16, 2022

Staff Recommendation **Approval, with Conditions**

Planning Commission Recommendation: Approval, with conditions
Vote: 5-0

Conditions:

1. *Development shall be as generally depicted on the proposed plan and narrative as submitted.*
2. *A variance to the 200 foot setback requirement shall be approved for the existing barn so that it may be utilized as shelter for the dogs in inclement weather.*
3. *All outdoor runs utilized for the business shall meet the 200 foot setback requirement or a variance shall be obtained.*
4. *As stated in the applicant's narrative, the following dog breeds are not permitted at their facility, German Shepherds, Pit Bulls, Doberman Pinschers, Rottweilers, and Presa Canaros.*
5. *The proposed use shall be limited to the submitted narrative and site plan, and shall exclude any and all breeding activities.*
6. *There shall be a maximum of 50 dogs for the daycare facility and 20 for overnight boarding.*
7. *Unsupervised outdoor dog activity shall be limited to proposed business hours only, 8:00 am – 6:00 pm daily. Office operation for boarding shall be from 8:00 am – 6:00 pm, Monday – Sunday and Doggy day care shall operate from 8:00 am – 6:00 pm, Monday – Friday.*

8. *Any change of ownership of the property or substantial change to the proposed conditional use will require a new use permit application to be submitted as this approval is for this applicant only.*
9. *Any site improvements shall be subject to the Hall County Development Review process and any applicable regulations.*
10. *All conditions of zoning shall be made a part of any plat created for property.*
11. *There shall be a right turn only sign placed at the exit of the property.*
12. *There shall only be one event per quarter, for a total of four per year.*
13. *The shuttle service shall not operate on Hunter Road 45 minutes before school starts and 45 minutes after school ends.*

Applicant Proposal

The applicants are requesting permission for a use subject to County Commission approval for a farm-style dog daycare, boarding facility with the potential for family and community events on an Agricultural-Residential-IV (AR-IV) zoned property. The subject property is 30.62± acres in size and developed with 2 mobile homes, a barn, and various outbuildings. The applicants intend to purchase the subject property and convert it into the commercial kennel use.

The narrative describes the applicant's vision of creating a farm-style dog daycare and boarding facility, including a family style dog park with families and their dogs can play with their dogs in a safe environment. The narrative states that the subject property has previously been used as a horse farm and is entirely fenced. They intend to use approximately 2-3 acres of the property at a time for the dog daycare. The number of dogs shall be limited to 50 for daycare services and 20 for overnight boarding. The applicant also states that certain dogs are not permitted at their facility, including, German Shepherds, Pit Bulls, Doberman Pinschers, Rottweilers, and Presa Canaros.

The proposed hours of operation are between 8:00am to 6:00pm daily, with a daily shuttle service used to pick up dogs within the area. Staff will be on the property before and after the public hours for the care of the dogs. The dogs will be kept in pens, or runs on the property with access to both shade and water. If there is inclement weather than the existing barns will be used for shelter.

The applicant intends to utilize the existing signage on the rock wall at the entrance of the property, updating it with their name. The applicant also notes that the existing office and bathrooms for the horse farm will be remodeled but remain office and bathroom space.

History and Existing Land Uses

The subject property is developed with two mobile homes, a barn, and various other outbuildings. The property is primarily open fields, with trees lining the streams which cross the property. The adjacent properties are medium to large agricultural and residential tracts of land. Across the street are 9 properties zoned Residential-I (R-I) that range in size from 1 to 1.83 acres and are developed with site built single family residences

Comprehensive Plan Land Use Designation

The subject area falls within the “Rural Residential” land use designation. This designation is characterized by agricultural and very low-density single-family residential uses. The primary future land use includes agricultural/forestry uses, low-density detached single-family residences, civil benefits such as parks and places of worship, and greenways and trails.

Development Support and Constraints

Hall County Environmental Health

In an email dated April 29, 2022, Emily McGahee states: “Must meet all Environmental Health commercial septic system permitting requirements. Further determination will be made during the civil plan review process. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, existing septic system evaluation, or septic system installation/modification may be required after review of business plan. Tourist Accommodation permit/plan review and/or Food Service permit/plan review may be required after review of business plan.”

Hall County Fire Services

The subject property is located approximately 3.1 miles from Hall County Fire Station #15, located at 4219 Autry Spur Road. There is fire hydrants located approximately 350 feet from the southern property line, in front of 4321 Hunter Road.

Hall County Public Works and Utilities

In a memo dated April 29, 2022, Bill Nash, Interim Director of Public Works and Utilities, provided the following comment:

Engineering

The site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage. Show stream buffer and impervious setback from wrested vegetation, not centerline of creek. Show flood.

Traffic Engineering

No comments.

Utilities

No comments.

Hall County Tax Assessors

No comments were provided.

Gainesville Water Resources

The Hall County GIS shows that public water ends at the southern boundary of the property and could likely be access if it was needed.

Georgia Department of Transportation

This project will not require GDOT coordination.

Zoning Analysis

1. The proposed use is consistent with the comprehensive plan.
2. §17.20.620 of the Hall County Zoning Regulations defines a commercial kennel as any place in or at which more than four adult dogs (or cats) are kept for the purpose of sale, boarding, care, breeding or training and for which any fee is charged. A commercial kennel shall be located on not less than five acres of land in the residential zoning districts. The raising of four or fewer adult dogs (or cats) would be inherently allowed in all residential zones that allow a commercial kennel.
 - o The applicant's request for a dog daycare and boarding facility on a 30.62± acre property fits the definition of a commercial kennel.
3. §17.240.060 of the Hall County Zoning Regulations states that in a commercial kennel, no structure, including outside runs, for the keeping of dogs or cats shall be constructed closer than 200 feet to a property line.
 - o The applicant's site plan does not indicate the proposed location for outdoor runs, so it cannot be determined the setback distance to property lines.
 - o The existing barn, which will be used for boarding and in events of inclement weather, is approximately 165 feet to the front property line, 415 feet to the northern property line, 420 feet to the southern property line, and 855 feet to the rear property line. **A variance would be required.**
4. §17.120.040 of the Hall County Zoning Regulations requires commercial kennels to be approved by the County Commission in the AR-IV zoning district.
5. The residential and agricultural tracts in the surrounding area are predominantly larger acreage tracts.

Variances to the Official Code of Hall County

Staff recommends **approval** of the following variance:

1. §17.240.060 requires that no structure, including outside runs, for the keeping of dogs or cats shall be constructed closer than 200 feet to a property line.
 - a. This shall apply to the existing barn only.

Staff Recommendation

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

1. Development shall be as generally depicted on the proposed plan and narrative submitted, modified for compliance with new development standards as necessary at the time of plan approval.
2. A variance to the 200 foot setback requirement shall be approved for the existing barn so that it may be utilized as shelter for the dogs in inclement weather.

3. All outdoor runs utilized for the business shall meet the 200 foot setback requirement or a variance shall be obtained.
4. As stated in the applicant's narrative, the following dog breeds are not permitted at their facility, German Shepherds, Pit Bulls, Doberman Pinschers, Rottweilers, and Presa Canaros.
5. The proposed use shall be limited to the submitted narrative and site plan, and shall exclude any and all breeding activities.
6. There shall be a maximum of 50 dogs for the daycare facility and 20 for overnight boarding.
7. Unsupervised outdoor dog activity shall be limited to proposed business hours only, 8:00am – 6:00pm daily.
8. Any change of ownership of the property or substantial change to the proposed use will require a new use permit application to be submitted for review as specified in the Hall County Code of Ordinances.
9. Any site improvements shall be subject to the Hall County Development Review process and any applicable regulations.
10. All conditions of zoning shall be made a part of any plat created for property.

Excerpts from the minutes of the May 16, 2022 meeting

Applicant's Presentation:

Randi Doveton, Planning Director, presented a summary of the request.

Megan Partrick, 143 Woodlake Drive, Gainesville, presented the request. The applicant is proposing a doggy day care and boarding with a shuttle service that will pick up and drop off dogs from their homes. The applicant stated that they hope to have occasional events for people to take their dogs and socialize.

Rebuttal

The applicant stated that there would only be three employees at most at the location since there will be a shuttle transporting the dogs to and from the location. The applicant stated that the events would only be occasional. Ms. Pilcher asked if the events were only for customers. The applicant stated they will also advertise it on social media to promote their business.

Public Forum:

Michael Lance, 4303 Hunter Road, Gainesville, spoke in opposition. Concerns were traffic overflow and no paving on Hunter Road.

Emily Lance, 4303 Hunter Road, Gainesville, spoke in opposition. Concerns were no paving on Hunter Road and traffic.

Planning Commission Comments:

The applicant stated the hours of operation for the doggy daycare were Monday - Friday, 8 am - 6 pm. The applicant stated the dogs will be picked up on the shuttle between 7 am - 9 am and dropped off between 3 pm - 5 pm. Mr. Braswell stated that there will have to be some boundaries when it comes to events due to the location being off a narrow unpaved road. Mr. Varner questioned if one event per quarter would work for the applicants. The applicant said yes. Mr. Braswell stated that it

would be best to not have the shuttle bus running on Hunter Road during school bus pickup and drop off times.

Motion: A motion to approve, with conditions was made by Mr. Hunt and seconded by Mr. Bell. Vote: 5-0

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