

**HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT**

Applicant Jamie T. Crawford

Request Rezone from Planned Commercial Farm District (PCFD) to Agricultural Residential (AR-IV)

Proposed Use Homestead

Size 3.19± acres

Zoning PCFD

Location On the south side of Henson Road approximately 358 feet from its intersection with Fields Road; a.k.a. 5727 & 5769 Henson Road; Tax Parcel 12044 000016 & 12044 000001 (pt.).

Commission District Three

Planning Commission Date July 5, 2022

Staff Recommendation **Approval, with conditions**

Planning Commission Recommendation: Approval, with conditions
Vote: 3-0 (Pilcher and Bell absent)

Conditions:

1. *A new plat shall be recorded prior to the issuance of any building permits.*
2. *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.”*
3. *All conditions of zoning shall appear on any plat recorded for this property.*

Applicant Proposal

The applicant is requesting approval to rezone the property from a Planned Commercial Farm District (PCFD) to Agricultural-Residential-IV (AR-IV) to continue utilizing the tract as a single family residential homestead. The property currently consists of 1.23± acres. If the zoning is approved, the applicant will proceed to combine a portion of 5769 Henson Rd to the subject property, proposing a total lot area of 3.19± acres as shown in the submitted exhibit.

The applicant's narrative states that the property is currently served by an on-site septic system and a well. The current residents intend to purchase the property from the applicant.

Per §17.180.100(D)(2), the minimum lot size for a property zoned PCFD is five (5) acres. The applicant cannot meet the PCFD requirements with the applicant's proposed 3.19± acre combination. A few options to move forward with the combination is to either rezone the property out of PCFD or increase the acreage to meet the PCFD minimum lot size requirement. The applicant has chosen to move forward with the rezoning request as presented.

History and Existing Land Uses

The subject property is approximately 1.23± acres and zoned Planned Commercial Farm District (PCFD). The property is currently developed with a 1,852 square foot single family residence, constructed in 1955. The property is also developed with two metal buildings, one being approximately 22' by 46' and the other 32' by 62', both constructed in 1960.

The adjacent parcel to the east is also zoned PCFD. Further east, across Fields Road, are properties zoned Agricultural Residential IV (AR-IV). To the south and west are other PCFD properties. There is also a mixture of acreage surrounding the subject property, ranging from approximately 5 acres to 30 acres.

Comprehensive Plan Land Use Designation

The Comprehensive Plan's future land use designation for the subject parcel is "Rural Residential." This land use category is characterized by low-density single-family residential uses with deep setbacks from the road, agriculture, and greenways and trails.

The request is consistent with the Comprehensive Plan.

Development Support and Constraints

Hall County Environmental Health

In an email dated June 15, 2022 Emily McGahee stated "No comment."

Hall County Fire Services

The subject parcel is located approximately 3 miles from Hall County Fire Station #2, located at 6012 Cleveland Highway. There are no fire hydrants along Henson Road.

Hall County Public Works and Utilities

In a memo dated June 16, 2022, from Srikanth Yamala, Director of Public Works and Utilities, the following comments were provided:

Engineering

No comment.

Traffic Engineering No

comment.

Utilities

No comment.

Hall County Tax Assessors

No comments were provided.

Gainesville Water Resources

The Hall County GIS shows that no public water is available for the subject property along Henson Road. The closest municipal water supply is approximately 1,200 feet away at the intersection of Brookton-Lula Road and Fields Road.

Georgia Department of Transportation

Per an email dated June 16, 2022, Parker Niebauer, District 1 Traffic Operations Supervisor confirmed that this project will not require GDOT coordination.

Zoning Analysis

- The proposed use request is consistent with the Comprehensive Plan, as it meets the minimum lot size requirement within the “Rural Residential” land use designation. The subject property exceeds 1 acre in size.
- §17.240.010 of the Official Code of Hall County designates lots within AR-IV zoning districts without a public water supply to be a minimum of 1.5 acres in size.
 - The current configuration and the proposed configuration of the subject property meets this standard.
- §17.60.010 of the Official Code of Hall County lists permitted uses with AR-IV districts as: Agricultural, horticultural [uses] and/or farm winery, accessory farm uses, including the sale of products grown on the premises and the keeping of livestock or poultry, sawmills used to process timber grown and harvested on the property where it is processed, sitebuilt single-family detached dwelling units, class A single-family manufactured home, class A single-family industrialized dwelling units, non-commercial accessory residential uses, including but not limited to a private garage, detached home workshop, swimming

pool, or greenhouse, all of which shall be incidental to the use of the property as a residence, home offices, churches and other places of worship, but excluding cemeteries, county uses including parks and playgrounds, but excluding cemeteries, substations for electrical transformers, gas regulators and telephone subscriber carrier sites, minor subdivisions, family day care home, construction trailer, community residences, home occupations, and transient occupancy of a vacation home.

Staff Recommendation

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

1. A new plat shall be recorded prior to the issuance of any building permits.
2. 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.”

3. All conditions of zoning shall appear on any plat recorded for this property.

Excerpts from the minutes of the July 5, 2022 meeting

Applicant’s Presentation:

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

Jaimie Crawford, 5727 Henson Road, Gainesville, presented the request. The applicant stated that they have a purchaser for the property.

Public Forum:

There were no comments in support or opposition.

Planning Commission Comments:

No Comments.

Motion: A motion to approve, with conditions was made by Mr. Hunt and seconded by Mr. Varner. Vote: 3-0 (Pilcher & Bell Absent)

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