

**HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT**

Applicant Rochester & Associates/Doug Magnus

Request Rezone from Light Industrial (I-I) to
Residential I (R-I)

Proposed Use Single family residence

Size 2.06± acres

Zoning I-I

Location On the west side of Youngblood Road
approximately 416 feet from its intersection
with Winder Highway; a.k.a. 4740
Youngblood Road; Tax Parcel
15037A000031 (pt.).

Commission District One

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. *The property shall be developed as generally depicted on the site plan.*
2. *The property owner shall coordinate with Hall County Public Works to ensure proper easements are in place for the continued maintenance of the detention pond.*
3. *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."*
4. *All conditions of zoning shall appear on any plat recorded for this property.*

Applicant Proposal

The applicant is requesting approval to rezone 2.06 acres from Light Industrial (I-I) to Residential I (R-I) for the purpose of constructing a single family residence. The narrative submitted by the application states that the proposed residence will be connected to Hall County sanitary sewer and City of Gainesville water. The residence will be occupied by a designated employee or caretaker of the Magnus Estate, the property owner.

The applicant's narrative states that the property has been subdivided from a larger 5± acre parent parcel. The parent tract totals 2.968 acres in size, zoned Light Industrial (I-I) and is developed with three (3) businesses. A plat has been recorded reflecting the subdivision in Plat Book 881, Page 354.

History and Existing Land Uses

The subject property is approximately 2.06± acres and zoned Light Industrial (I-I). The property is currently developed with a detention pond at the front of the property near Youngblood Road, which provides stormwater management for the adjacent businesses, and a sanitary sewer line and easement along the rear of the property. The property is otherwise undeveloped.

The adjacent parcel to north is zoned Agricultural Residential III (AR-III). Properties to the west of the subject parcel are zoned Residential I (R-I). To the south is the parent parcel, zoned I-I. Across Youngblood Road to the east are properties zoned both R-I and AR-III. At the intersection of Youngblood Road and Winder Highway is an undeveloped Highway Business (H-B) zoned parcel, which was rezoned for an office use in 2019.

Comprehensive Plan Land Use Designation

The Comprehensive Plan's future land use designation for the subject parcel is "Residential." Residential Areas are characterized by moderate-density residential development and neighborhoods. Street networks are defined by curvilinear streets and green space is largely provided on individual lots but neighborhood open space and/or park amenities may also be provided. Pedestrian connectivity is moderate, where sidewalks may be internal to a neighborhood but may not currently connect nearby parks and schools.

Future development will continue to be detached, single-family homes at moderate densities, with opportunities for variations in housing size and types through the Planned Development District zoning classification. New development should provide opportunities for open space/greenspace, including shared areas for the benefit of residents and ample tree cover

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 “Connection to public sewer required”

Hall County Fire Services

No comments were provided as part of this request.

Per Hall County GIS, the subject parcel is located approximately 1.3 miles from Hall County Fire Station #12, located at 4890 Winder Highway. There are no fire hydrants along Youngblood 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

Show Hall County studied flood zone. Show stream and impervious setback from wretched vegetation not centerline of stream.

Traffic Engineering No comment.

Utilities

Hall County sewer district.

The applicant has submitted a letter from Bill Nash, Assistant Director of Public Works and Utilities, confirming sewer availability for the proposed residence.

Hall County Tax Assessors No comments were provided.

Gainesville Water Resources

The applicant has submitted a letter from Nick Swafford, Permitting Services Manager, from the City of Gainesville Water Resources Department, confirming the availability of residential water service for the proposed residence.

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 rezoning request is consistent with the Comprehensive Plan, as it is less dense than the lot density requirement within the “Residential” land use designation.
 - The proposed lot is 2.06 acres in size and will contain one single family residence. This use is less dense than the lot density of 2 units per acre for the residential land use designation.

- §17.240.010 of the Official Code of Hall County designates lots within the R-I zoning districts with a public water supply to be a minimum of 35,000 square feet in size.
 - The proposed lot is 2.06 acres in size. This standard is met.
- §17.240.010 of the Official Code of Hall County designates lots within R-I zoning districts to have a minimum 50 feet of lot frontage when along local roadways. Youngblood Road is designated a local roadway.
 - The lot has 323.09 feet of frontage along Youngblood Road. This standard is met.
- §17.60.010 of the Official Code of Hall County lists permitted uses with R-I district as: sitebuilt single-family detached dwelling units; class A single-family detached 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; agricultural or horticultural uses; 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; family day care home; community residences; home occupations; and transient occupancy of a vacation home.
- The site plan depicts a detention pond on the southeast portion of the property. It appears that this is part of the stormwater management system for the adjacent Light Industrial zoned property.
- There is a stream located along the northern property line. The site plan depicts a 50 foot undisturbed stream buffer and a 75 foot impervious setback.
 - The proposed residence and other site developments are not located within either the buffer or impervious setback.
- The northern portion of the property contains the Hall County Future Flood area.
 - No development or improvements are proposed within the flood area.
- The applicant's narrative indicates that the residence will be occupied by a caretaker or employee of the Magnus Estate.

Staff Recommendation

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

1. The property shall be developed as generally depicted on the site plan.
2. The property owner shall coordinate with Hall County Public Works to ensure proper easements are in place for the continued maintenance of the detention pond.
3. 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.”

4. 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.

Kedrick Scott, 425 Oak Street, Gainesville, presented the request. The applicant stated that the surrounding zoning is AR-II and R-I. The applicant stated that the residence will be in compliance with all buffer setbacks as well as building line setbacks. The applicant stated that there is a sewer line that extends across the property which it can connect onto.

Public Forum:

There were no comments in support or opposition.

Planning Commission Comments:

Mr. Braswell questioned if the applicant had read the proposed conditions. The applicant stated that they had no issues with them.

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

Conditions:

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