



Hall County Government

PLANNING & DEVELOPMENT

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To: Richard Higgins, Chairman
Kathy Cooper, District 1
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From: Randi Doveton, Director

Date: July 28, 2022

Subject: Application of Ponderosa Land Holdings, LLC to rezone from Agricultural Residential-III (AR-III) and Residential-I (R-I) to Planned Residential District (PRD) on a 31.64± acre tract located on the west side of Winder Highway at its intersection with Plantation Drive; a.k.a. 4610 & 4616 Winder Highway; Zoned AR-III & R-I; Tax Parcel 15037A000070 & 000001. Proposed use: single family development. Commission District 1.

On July 28, 2022, the applicant submitted a revised site plan that partially addressed some items within the Planning Commission's recommended conditions:

- The 50FT vegetative buffer is not included in the lot area.
- The streets have a sidewalk on each side.
- The 75FT stream buffer is not included in the lot but is the rear property line of lots 21 through 31, and a side property line for lots 42 and 43.
- A landscape strip is shown adjacent to Winder Hwy but is not labeled as a "no access strip" and is included in the lot area.
- Also, the applicant did not create separate parcels for the detention ponds and lift station as requested by the Planning Commission.
- The applicant submitted photos of the front of existing homes but did not submit true elevations of the proposed dwellings nor did they provide renderings or photos of the sides and rear facades.
 - It should also be noted that the adjacent property owner to lots 1 through 8 is not J. Douglas Magnus but David T. and Mary Jean Strickland.

At their July 5, 2022 meeting, the Hall County Planning Commission voted to recommend approval (3-0) of this request with the following fourteen (14) conditions:

1. *The development shall generally occur as depicted on the site plan and described in the project narrative.*
2. *The proposed residential development shall conform to §17.180.060 Planned Residential Development (PRD) standards, if not amended in the conditions to follow.*

3. There shall be no more than 54 total units in the development (a density of 1.9 units per acre).
4. The following standards shall apply to the development:
 - a. Setbacks:
 1. Front: 25 feet from center line of road
 2. Side: 5 feet
 3. Rear: 20 feet
 - b. All site plans shall indicate that the distance from the rear of the sidewalk to the garage meets or exceeds 22 feet.
 - c. Open Space: minimum of 30%.
 - d. The Open Space and lot configuration shall be redesigned to meet §17.430.110.E and §17.430.110.F, including the requirement that “F. The open space shall be directly accessible to the largest practicable number of lots within the subdivision. Non-adjoining lots shall be provided with safe, convenient access to the open space.” The redesigned lot layout shall be approved by the Planning Director prior to submission of the application for a Preliminary Plat/ LDP application.
 - e. All trail systems shall be in compliance with §17.430.110.C.
 - f. Buffers: A minimum 50 foot planted buffer shall be established along the perimeter of all property boundaries adjacent to residential and/or non-residential zoning districts to ensure that the planned residential development is appropriately screened. The planted buffers shall conform to the requirements as described in section 17.260.020 titled Vegetation Buffers and Vision Clearance.
 - g. Architectural standards: All facades of all residences, shall be finished with brick, stone, stucco, wood siding, wood shakes, or fiber cement type siding. The front facades shall incorporate changes in building material, texture, and/or color. Vinyl siding on all residential and non-residential buildings shall be prohibited.
5. The applicant has stated that there shall be a mandatory homeowners association.
- 6. The proposed Stormwater BMP (pond) shall be on a separate “utility” lot that is not a part of the open space.**
- 7. The proposed sewer lift station shall be on a separate “utility” lot with design, ownership and access to be determined by Hall County Public Works prior to submission of the Preliminary Plat/ LDP application.**
8. All access to the development shall be provided via a new road connecting to Winder Highway (GA-53), which shall be reviewed and permitted by GDOT/ Hall County Public Works. No lot shall have direct access to Winder Highway. **A five (5) foot non-access easement shall be indicated on all lots that have direct frontage to Winder Highway (GA-53).**
9. **The lots shall be designed so that all state waters and required buffers (75’) do not encroach on individual lots.**
10. 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.”

11. *All conditions of zoning shall be made part of any plats created for the property.*

12. Applicant shall provide architectural renderings and elevations depicting materials to Hall County Planning staff no later than July 29, 2022.

13. 5 foot sidewalks shall be required along each side of the streets.

14. *Stream buffer shall meet all 50 foot buffer requirements.*

There were zero (2) written comments in opposition submitted in advance of the Planning Commission meeting and three (3) people spoke in opposition during the public hearing on July 5, 2022.