



Hall County Government

PLANNING & DEVELOPMENT

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To: Richard Higgins, Chairman
Kathy Cooper, District 1
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Shelly Echols, District 3
Jeff Stowe, District 4

From: Randi Doveton, Director

Date: August 16, 2022

Subject: Application of Cook Communities for a Use Subject to County Commission approval on a 20.74± acre tract located on the south side of Hardy Road at its intersection with Nancy Creek Road; a.k.a. 3710, 3780, 3786 Hardy Road and 3416, 3428 Nancy Creek Road; Zoned R-I & V-C; Tax Parcels 10121 000015, 000015A, 000015B, 000071, 000071A. Proposed use: twenty (20) lot subdivision. Commission District 2.

The application before you is a use subject to County Commission approval to allow development of approximately 20 acres with a dual zoning designation of R-I, Residential 1 and V-C, Vacation Cottage as a 20 lot single-family detached subdivision.

Since the Planning Commission took action, the applicant has submitted an updated site plan showing the community dock access easement connected to the end of the cul-de-sac.

At their August 1, 2022 meeting, the Hall County Planning Commission voted to recommend approval (5-0) of this request with the following sixteen (16) conditions:

- 1. The development shall conform to the zoning and development standards set forth in the code of ordinances and with the site plan submitted with the application except for variances granted.*
- 2. All roads must have a right-of-way and street design that meets Hall County codes.*
- 3. The right-of-way must be dedicated and deeded to the homeowners association with the dedication of a public access and utility easement.*
- 4. Hall County will not maintain the roads or stormwater facilities for this subdivision.*
- 5. If required, no stormwater pond shall be on a residential lot. If a stormwater pond is required, a separate utility lot shall be created that does not have to meet the minimum size for the zoning district. The utility lot shall have a minimum 20' wide access to a street.*
- 6. The applicant shall construct a low impact access to Lake Lanier to be maintained by the Homeowners Association per submitted site plan dated 5-2-22. This easement shall connect to a private street.*
- 7. Sidewalks shall be required on both sides of the street in accordance with Chapter 16, Subdivisions, and shall be installed prior to the*

Certificate of Occupancy with each residence in accordance with §16.70.330 Sidewalk installation options, Option 2.

- 8. A homeowners association shall be created to maintain the streets and any stormwater facilities. The applicant shall submit the homeowners documents and any covenants for review with the application for the Final Plat.*
- 9. The applicant shall meet engineering requirements pertaining to stormwater regulations.*
- 10. A 5' Non-Access easement shall be placed on all lots with frontage on Hardy Road or Nancy Creek Road. Direct access to Hardy Road and Nancy Creek Road is prohibited. All other street frontage requirements of the Hall County ordinance shall be met.*
- 11. All conditions of zoning shall be listed on the Final Plat.*
- 12. A variance shall be granted to allow a private street to be built per Hall County standards.*
- 13. Single story homes shall be a minimum of 2,500 heated sq. ft. not including the basement level. Two story homes shall have a minimum of 1,800 heated sq. ft. on the first floor for a total of 3,200 sq. ft. total.*
- 14. All front yards shall be sodded.*
- 15. There shall be a turnaround area for vehicles that cannot pass through the front gate.*
- 16. The Fire Marshal shall have to approve the gate access and private streets in accordance will all Hall County Fire codes.*

There was one (1) written comment in opposition submitted in advance of the Planning Commission meeting and five (5) people spoke in opposition during the public hearing on August 1, 2022.