



## HALL COUNTY BOARD OF COMMISSIONERS WORK SESSION AGENDA

Hall County Government Center 2<sup>nd</sup> Floor  
2875 Browns Bridge Road  
Gainesville, GA 30504

Streamed Live on Hall County Government's Website - [www.hallcounty.org](http://www.hallcounty.org)  
Monday, January 23, 2023 - 03:00 PM

### Call to Order

### Presentation/s

- 1 Chestatee/Chattahoochee Resource Conservation and Development (RC&D) Council Update.

### Appointments for Consideration

- 2 Appointment to the Avita Community Services Board to serve an unexpired term from January 1, 2023 to December 31, 2026. Commission Districts 1, 2, 3, & 4.
- 3 Appointment to the Keep Hall Beautiful Board to fill an unexpired term to May 31, 2023. Commission Districts 1, 2, 3 & 4.

### Community Services and Parks

- 4 Approve the purchase of a Public Address (PA) Audio System for Chicopee Woods Agricultural Center to dB Integrations of Gainesville, GA, in the amount of \$209,050.00.

### Court Administration

- 5 Approve the Hall County Grand Jury's increase and fixed compensation of court bailiffs in the Superior and State Courts, effective February 1, 2023.

### Human Resources

- 6 Approve the Employment Agreement for the Assistant Director of Parks and Community Services.

### Planning and Development

- 7 **5741 Holiday Road | Rezone** | from Highway-Business (H-B) to Planned Commercial Development (PCD) on a 2.12± acre tract located on the east side of Holiday road at its intersection with Green Road | Zoned H-B; Tax Parcel 07329 001005 | **Proposed use: boat & RV storage** | Commission District 2 | **Torris J. Babbs, PE, applicant.** NOTE: Tabled at the December 8, 2022 Voting Meeting until the January 26, 2023 Voting Meeting.

- 8     **4020 & 3886 Cornelia Highway and 4761 Cagle Mill Road | Rezone** | from Agricultural-Residential-III (AR-III) & Agricultural-Residential-IV (AR-IV) to Heavy Industrial (I-II) on a 134.14± acre tract located on the south side of Cornelia Highway approximately 679 feet from its intersection with Cagle Road | Zoned AR-III & AR-IV; Tax Parcel 15007 000129, 000270, & 000027A | **Proposed use: heavy industrial** | Commission District 3 | **Ridgeline Land Planning, Inc, applicant.** NOTE: Tabled at the December 8, 2022 Voting Meeting until the January 26, 2023 Voting Meeting.
- 9     **3625 McEver Road, 3634 & 3640 Pleasant Hill Road | Rezone** | from Agricultural-Residential-III (AR-III) to Planned Commercial Development (PCD) on a 11.36± acre tract located on the east side of McEver Road approximately 626 feet from its intersection with Whitling Road | Zoned AR-III; Tax Parcel 08032 000006, 000021A, & 000080 | **Proposed use: self-storage facility** | Commission District 4 | **3625 McEver Road, LLC, applicant.**

### **Public Works and Utilities**

- 10     Approval and authorization for the Chairman to execute an agreement between the Georgia Department of Transportation (GDOT) and Hall County concerning the lighting for three (3) roundabouts as part of the future State Route 60 widening and construction project from State Route 136 to Yellow Creek Road. Commission Districts 2 & 3.

### **County Administrator**

**Public Comments (PUBLIC HEARING ITEMS (i.e. ZONINGS, ORDINANCE CHANGES, ETC.) WILL ONLY BE RECEIVED AT THE REGULAR SCHEDULED VOTING MEETINGS IN WHICH THE ITEM IS TO BE HEARD) 2 minutes per speaker/20 minutes**

### **Commission Time**

### **Adjourn**

*Hall County Government welcomes people with disabilities and their trained service animals. For questions about accessibility or to request reasonable accommodations please contact Maria Tuck, Compliance Specialist at 770-531-6712 48 hours prior to the event or as soon as possible.*



# AGENDA ITEM

## Presentation/s

**REPORT TO:** Work Session (01/23/23)

**REPORT TO:** Voting Meeting (01/26/23)

**ITEM NO:** 20/2023

**SUBJECT:** Chestatee/Chattahoochee Resource Conservation and Development (RC&D) Council Update.

### Meetings:

**Work Session Date:** 01/23/23                      **Voting Meeting Date:** 01/26/23

### Executive Summary:

**Presenter:** FRED

**Recommendation:** n/a

**Purpose of Request:** Update from Chestatee/Chataahoochee RC&D Council.

**History:**

**Facts and Issues:**                                      **Options:**

**Funding Requested** \$ 0.00

**Are funds within current budget?** No

**Source of Funds**

**Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?** No

**Has it been reviewed by the County Attorney?** Yes

**Is there a deadline for this item?**

### Approvals:

Approve	Clerk
JR	JR

### Attachments:

Chestatee Chattahoochee RC&D Handout



# Chestatee-Chattahoochee RC&D Council, Inc.

## Program Updates as of 12/31/2022

### Fire Adapted Communities Learning Network–

- 2022 is our 9<sup>th</sup> year – one of the first 8 national members in 2013
- Fire Adaptive Communities Network for all of Southeast recently renewed for 2023

### Georgia Firewise Liaison – CCRCD administer Firewise USA for Georgia Forestry Commission

- Georgia has 124 Firewise USA Communities
- 6th in nation
- Renewed for 2023

### Appalachian RC&D FAC Coalition – Develop Firewise and Fire Adapted communities in the Appalachian region. We will Continue ongoing projects developed over the last 6+ years-

- Agreement has been renewed with the US Forest Service for 2 more years thru 2024
- Appalachian RC&D FAC Coalition 6 RC&Ds + 1 contractor in South Carolina
  - Western North Carolina 4 RC&Ds
  - Southwestern Virginia 1 RC&D Council
  - Western South Carolina 1 wildfire contractor
  - Northwestern Georgia 1 RC&D added 2022
  - North Georgia – Chest-Catt RC&D developed the coalition and administers complete program:
    - Working with US Forest service to secure funding and cooperating with USFS projects
    - Working with Georgia Forestry Commission on funding and cooperating with GFC projects
    - Administers Advertising for entire project
    - Administration and payment to the 6 RC&Ds & 1 contractor for entire project
    - Present Appalachian RC&D FAC Coalition program and results to local, state, regional, and national meetings

### USFS/GFC – Fuel mitigation contract with Georgia Forestry Commission to contract fuel mitigation work within 10 miles around USFS lands

### NRCS Small Landowner Assistance grant 2020 – 2022 – ***“Small Farmers need to make a profit Too!”***

Funded again as ***“Small Farmers must make a profit to survive!”*** Approved for 2 yrs. - 2022 – 2024

These grants include projects such as:

- Work with county commissions to plan and facilitate ag and forestry projects
- Facilitate Ag and Forestry field days, Fire on the farm, grain bin rescue, farm safety
- Develop Local ag events – feral hog workshops, feral hog traps
- Sponsor School Ag programs – vegetable field days, viticulture workshops,
- Sponsor FFA projects & events, Livestock shows, greenhouse supplies, livestock trailers
- Sponsor 4H projects events,
- Sponsor and partner with Soil & Water Conservation District for projects & events
- Donate High Tunnels to community gardens, schools, senior centers, and others public groups
- Perform Drone demonstrations with our 2 drones to show farm mapping capabilities.
- Sponsor and promote Agrability program for disabled farmers
- Loan small farm equipment to beginning, veteran, and small farmers
  - 6ft - 3pt no till drill
  - BCS garden tractor and equipment
  - No till Transplanter
  - Roller Crimper
  - 4 row no till planter
  - 6 ft Weed wiper
  - One row Covington planter

- One row cultivator
- 4 ft All-purpose plow,
- 5 ft bush hog,
- 5 ft harrow,
- This equipment is for beginning, disabled, veteran, and other farmers to use to start or help their operations
- Help Veteran Farmers learn or continue to farm
- Partner with North Georgia Technical College on events and ag projects to support their ag program and other local, state, or regional projects as requested

**NRCS cooperative assistance grant 2 years “Farm Help for Success” similar to previous grant. 2021 - 2023**

**NRCS Watershed Dam inspection projects** – internally inspect pipes on 15 dams - 2 years across N. Georgia

**GA Soil & Water Commission** – contract for watershed dam clearing & mowing

**Georgia GEFA RC&D funding for 2023 & 2024**

## **2022 Events Sponsors and Participants**

**\* All Events, field days, conferences, donations, equipment, & workshops are co-sponsored with a local Soil & Water Conservation District**

**2020 – 2021 - Firewise** Friday information email to all Firewise Communities across Georgia

1/21/2022 – Pigs on the Ridge Fannin County YF

1/22/22 – Farm Bureau Area livestock show

1/27 – 28/2022 – Georgia Young Farmer Convention – Savannah

2/1/2022 - Georgia Agribusiness Council Annual banquet – Atlanta

2/2/2022 – Georgia Agribusiness Council Legislative breakfast – Atlanta

2/5/2022 – Lumpkin county livestock show

2/5/2022 – Grain Bin Rescue Farm Bureau area 2

2/11/2022 – Learn & Burn New River state Park West Jefferson NC

2/26/2022 – Learn & Burn North Georgia Technical College Clarkesville

3/4/2022 – Georgia FFA Foundation GALA – Mercedes Benz Stadium Atlanta

3/15/2022 – Georgia RC&D Meeting – Athens

3/22-24/2022 – IAFC WUI conference Reno NV

4/4/ - 4/13/2022 Wildfire Prevention Team Southwest Georgia

4/10-12 2022 GACD conference Callaway Gardens Georgia

4/25-29/2022 Annual FAC NET conference Austin TX

4/24 – 4/27/2022 National RC&D conference – Gulf Shores AL

5/13/ - 5/14/2022 – Abbeville SC Community festival – Firewise USA

5/17-18-2022 – Washington DC

5/24 – 26/2022 – SBF FLN Dillard GA

6/9/2022 - Georgia Prescribed Fire Council Jasper Ga

6/10/2022- Coosawattee HOA Firewise meeting

6/11/2022 – Upper Chatt field day, Drone, pasture, fencing, Agrability

8/18/2022 – North Ga Ag Expo

8/29/2022 – Farm field day – Rabun elementary schools Tiger Ga

9/26/2022 – Ne GA Farm Bureau annual meeting – NGTC

10/8/2022 – Union county Farmers Market Firewise Day

10/17/2022- Sunbelt AG Expo exhibitor

10/22/2022 – Hardman Farms Ag field day – Sorghum cane grinding with mill we donated

10/25/2022 – GACD Group II meeting Rock Eagle

11/8/2022 – Firewise program for Sons of the American Revolution

11/14/2022 – Cohesive Strategy workshop Asheville NC

12/3/2022 – Georgia Farm Bureau annual meeting Jekyll Island Ga

12/12/2022 – Exhibit Firewise at Young Harris college Basketball tournament plus Smokey

**Seasonal High Tunnels – 2016 – 2022 - Donated to public groups, colleges, and counties**  
**Funded with GEFA, NRCS, and Soil & Water Conservation District funds**

1. **Oglethorpe** – Senior Center (Broad River S&WCD)
2. **Clarke** – Gaines School Elementary – (Oconee S&WCD)
3. **Rabun** – Community Garden (Blue Ridge S&WCD)
4. **Union** – Union Ag Center - NRCS grant
5. **Franklin** – Emmanuel College (Broad River S&WCD)
6. **Forsyth** – Silver City Elem. School (Upper Chatt)
7. **Forsyth** – Liberty Middle school (Forsyth Rotary)
8. **Lumpkin** – Lumpkin High School – (Upper Chatt S&WCD)
9. **Habersham** – Wilbanks Middle School – (Upper Chatt S&WCD)
10. **Hart** - Hart Community Garden – (no sponsor)
11. **Stephens** – Senior Center – Stephens S&WCD
12. **White** – White County high Ag center – (Upper Chatt S&WCD)
13. **Lumpkin** - University of North Georgia – Appalachian Studies (NRCS)
14. **Forsyth** - Little Mill Elem School (Forsyth Rotary)
15. **Forsyth** - Cumming Elem School (Forsyth Rotary)
16. **Towns** – Senior Center – (Blue Ridge S&WCD)
17. **Dawson**– Kilough Elementary – (Upper Chatt S&WCD)
18. **Union** – Woody Gap School – (Blue Ridge S&WCD)
19. **Forsyth** – Coal Mountain Middle School – (Forsyth Rotary)
20. **Forsyth** – North Forsyth Middle School – (Forsyth Rotary)
21. **Hall**– Tadmore Elementary School – (NRCS)
22. **Jackson** - East Jackson County Middle – (Oconee S&WCD)
23. **Forsyth** - Chestatee Elementary School – (Forsyth Rotary)
24. **Madison** high School – (Broad River S&WCD)
25. **Oglethorpe** - Oglethorpe Middle School – (Broad River S&WCD)
26. **Madison** - Madison Middle School – (Broad River S&WCD 64')
27. **Rabun** - Lady Bug Farms – Rabun County
28. **Oconee** - Oconee Presbyterian Church – NRCS
29. **Elbert** - Elbert Elementary – (Broad River S&WCD)
30. **Clarke** - Athens Christian School – (Oconee S&WCD)
31. **Forsyth** y - Mashburn Elementary – (Forsyth Rotary)
32. **Hall** - Sugar Hill Elementary – (Hall County S&WCD)
33. **Hall** - The River Church community garden - NRCS
34. **Banks** – Banks County Middle School – (Broad River SWCD)
35. **Habersham** – Level Grove Elementary – NRCS
36. **Stephens**– Shepherds Hill Academy – NRCS
37. **Lumpkin** - The Butterfly Farm - NRCS
38. **Forsyth** – The Place of Forsyth County – (Forsyth Rotary)
39. **Dohty Rehab Farm** – Fannin County – NRCS
40. **Oglethorpe** - Oglethorpe Primary — Broad River S&WCD
41. **Habersham** – North Georgia Technical College – NRCS
42. **Elbert** – Brian Warwick (1<sup>st</sup> private paid for)
43. **Towns** – Towns County Schools – Blue Ridge S&WCD
44. **Clarke** – Athens Christian School – GEFA – expansion
45. **Hall** – East Hall Middle School –NRCS

46. **Clarke** - Master Gardner Coop Extension NRCS
47. **Hall** - Myers Elementary School – NRCS
48. **Franklin** – Lavonia Elementary School - NRCS
49. **Forsyth** – Chestatee Elementary repair
50. **Fannin** - Fannin County Middle School – NRCS
51. **Hall** – Lanier Elementary School – NRCS
52. **Hall** - St Mary of Bethany Episcopal Church school – NRCS
53. **Forsyth** – Sawnee Elementary School NRCS
54. **White** - Mossy Creek Elementary – NRCS
55. **Clayton** – Kendall’s garden – NRCS
56. **Union** – Union County Middle School - NRCS
57. **White** – White county – White Creek Academy
58. **Banks** – Banks County Primary school
59. **Towns** - Nannen Investments – Private for \$
60. **Rabun** – Rabun County Elementary School
61. **Hall** – Sardis Enrichment School

GACD Cooperative Agreement for NRCS office Kim helps in the Eastanollee NRCS office when needed Thru 9/2023





## AGENDA ITEM

### Appointments for Consideration

**REPORT TO:** Work Session (01/23/23)

**REPORT TO:** Voting Meeting (01/26/23)

**ITEM NO:** 15/2023

**SUBJECT:** Appointment to the Avita Community Services Board to serve an unexpired term from January 1, 2023 to December 31, 2026. Commission Districts 1, 2, 3, & 4.

**Meetings:**

**Work Session Date:** 01/23/23                      **Voting Meeting Date:** 01/26/23

**Executive Summary:**

**Presenter:** BoC  
**Recommendation:** N/A

**Purpose of Request:** Appointment to the Avita Community Services Board to serve an unexpired term from January 1, 2023 to December 31, 2026. Commission Districts 1, 2, 3, & 4.  
**History:** Commissioner Gregg Poole is the current appointment.

**Facts and Issues:** Appointment must be an elected official.  
**Options:**

**Funding Requested** \$ 0.00  
**Are funds within current budget?** No  
**Source of Funds**  
**Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?** No  
**Has it been reviewed by the County Attorney?** Yes  
**Is there a deadline for this item?**

**Approvals:**

Approve	Attorney	Administration	Clerk
JR	WLI	CR	JR

**Attachments:**



## AGENDA ITEM

### Appointments for Consideration

**REPORT TO:** **Work Session (01/23/23)**

**REPORT TO:** **Voting Meeting (01/26/23)**

**ITEM NO:** 22/2023

**SUBJECT:** Appointment to the Keep Hall Beautiful Board to fill an unexpired term to May 31, 2023. Commission Districts 1, 2, 3 & 4.

**Meetings:**

**Work Session Date:** 01/23/23                      **Voting Meeting Date:** 01/26/23

**Executive Summary:**

**Presenter:** BoC  
**Recommendation:** n/a

**Purpose of Request:** Appointment to the Keep Hall Beautiful Board to fill an unexpired term to May 31, 2023. Commission Districts 1, 2, 3 and 4.  
**History:** Commissioner Billy Powell is the current appointment and has resigned effective January 20, 2023.

**Facts and Issues:**                                      **Options:**

**Funding Requested** \$ 0.00  
**Are funds within current budget?** No  
**Source of Funds**  
**Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?** No  
**Has it been reviewed by the County Attorney?** Yes  
**Is there a deadline for this item?**

**Approvals:**

<b>Approve</b>	<b>Attorney</b>	<b>Administration</b>	<b>Clerk</b>
JR	WLI	CR	JR

**Attachments:**

Resignation from Commissioner Powell

## **Jennifer Rivera (Administration)**

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**From:** Billy Powell (County Commission)  
**Sent:** Tuesday, January 17, 2023 2:54 PM  
**To:** Shanda Sexton  
**Cc:** Jennifer Rivera (Administration)  
**Subject:** KHB Board

Shanda:

As much as I have enjoyed my tenure with Keep Hall Beautiful I, unfortunately, must tender my resignation from the Board of Directors effective 01/20/2023.

Keep Hall Beautiful is a fantastic organization whose mission is vitally important to the environmental health of Hall County and one that I intend to continue to support in other capacities. In my stead, I've asked new Hall County Commissioner Gregg Poole to serve the remainder of my term on the Board of Directors, if you elect to have him. I know Commissioner Poole will be a great asset to Keep Hall Beautiful and bring a fresh voice to the organization.

Please let me know if you need anything from me and know that I will always support the mission of Keep Hall Beautiful.

Respectfully,

Billy Powell



## AGENDA ITEM

### Community Services and Parks

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**REPORT TO:** Work Session (01/23/23)  
**REPORT TO:** Voting Meeting (01/26/23)  
**ITEM NO:** 6/2023  
**SUBJECT:** Approve the purchase of a Public Address (PA) Audio System for Chicopee Woods Agricultural Center to dB Integrations of Gainesville, GA, in the amount of \$209,050.00.

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#### Meetings:

**Work Session Date:** 01/23/23

**Voting Meeting Date:** 01/26/23

#### Executive Summary:

**Presenter:** KM

**Recommendation:**

Approve the purchase of a new Public Address (PA) audio system for Chicopee Woods Ag Center to dB Integrations of Gainesville, GA, in the amount of \$209,050.00.

**Purpose of Request:**

This project is to update the audio system at the Ag Center. The intention is to showcase the facility as the premier location for outdoor events in North Georgia.

**History:**

The current system is likely the original system that was installed when the facility was built. The new PA System was competitively bid on IFB# 040-43 and dB Integrations would be the selected bidder.

**Facts and Issues:**

The original system is in need of upgrading. The facility is large and includes many buildings and arenas. By upgrading, there would be communication from the tower, to the barn, activity hall and arenas. An upgraded system would be integral in attracting major events to the facility. Concerts, rodeos, dog agility competitions, large company picnics / meetings, dog / cat adoption events, church meetings, and a variety of other events are possible with these improvements.

**Options:**

<b>Funding Requested</b>	\$ 209,050.00
<b>Are funds within current budget?</b>	Yes
<b>Source of Funds</b>	SPLOST VIII
<b>Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?</b>	Yes

**Has it been reviewed by the County Attorney?**

Yes

**Is there a deadline for this item?**

**Approvals:**

<b>Buyer</b>	<b>Submit</b>	<b>Approve</b>	<b>Purchasing</b>
DH	BH	BH	AP
<b>Budget</b>	<b>Finance</b>	<b>Attorney</b>	<b>Administration</b>
EW	WG	WLI	CR
<b>Clerk</b>			
JR			

**Attachments:**

Financial Supplement

040-43 Bid Tab

040-43 Department's choice via email

040-43 - db Integrations quote

040-43 Busker Communications quote

040-43 Bidder's List



**HALL COUNTY BOARD OF COMMISSIONERS  
FINANCIAL SUPPLEMENT REPORT**

**AGENDA ITEM 6/2023**

**Funds Requested:** \$ 209,050.00

**Request Budgeted:** Yes

**Proposed Source of Funding:**

**Budget Transfer Requested:**

SPLOST VIII

No

**Funding Source Items:**

<b>Fiscal Year</b>	<b>Fund</b>	<b>Division</b>	<b>Account</b>	<b>Amount</b>
2023	028 - SPLOST VIII	1845 - SP-VIII VARIOUS PARK IMPROVEMENTS	4488 - REMODEL/RENOVATIONS	\$209,050.00

**Budget Transfer Items:**

**Additional Information/Comments:**

**Contact for Questions:** BH

**Phone:** 678-997-5823



IFB #040-43

PA System for Chicopee Woods Ag Center

<b>db Interations</b>	<b>Busker Comm.</b>
<b>Gainesville, GA</b>	<b>Gainesville, GA</b>

<b>Item #</b>	<b>Description</b>	
1	Remove old PA System, if applicable, and replace with new PA System for <b>Arena A - turnkey project</b>	\$54,800.00
2	Remove old PA System, if applicable, and replace with new PA System for <b>Arena B - turnkey project</b>	\$15,750.00
3	Remove old PA System, if applicable, and replace with new PA System for <b>Arena C - turnkey project</b>	\$24,500.00
4	Remove old PA System, if applicable, and replace with new PA System for <b>Arena D - turnkey project</b>	\$31,500.00
5	Remove old PA System, if applicable, and replace with new PA System for <b>Barn A - turnkey project</b>	\$10,300.00
6	Remove old PA System, if applicable, and replace with new PA System for <b>Barn B - turnkey project</b>	\$10,300.00
7	Remove old PA System, if applicable, and replace with new PA System for <b>Barn C - turnkey project</b>	\$10,300.00
8	Remove old PA System, if applicable, and replace with new PA System for <b>Barn D - turnkey project</b>	\$12,900.00

9	Remove old PA System, if applicable, and replace with new PA System for <b>Activity Hall - turnkey project</b>	\$26,700.00	
10	Remove old PA System, if applicable, and replace with new PA System for <b>Control Room - turnkey project</b>	\$12,000.00	
		12 weeks from date of award and po generated	
11	Delivery lead time for product		
	<b>Total Cost of Project</b>	\$209,050.00	\$542,770.63

Bids sent out: 20 (Hall Co.) 7  
No bids:

**Debra A. Howington (Purchasing)**

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**From:** Khip Miller (Ag Center)  
**Sent:** Tuesday, January 3, 2023 9:54 AM  
**To:** Debra A. Howington (Purchasing)  
**Subject:** RE: BID #040-43 PA SYSTEM FOR CHICOPEE WOODS AG CENTER

Good morning after speaking with Brent we have decided to go with DB integrations on this bid.

*Khip Miller*  
*Facility Manager*  
*Chicopee Woods Agriculture Center 770-531-6855*



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**From:** Debra A. Howington (Purchasing) <dhowington@hallcounty.org>  
**Sent:** Thursday, December 29, 2022 9:45 AM  
**To:** Khip Miller (Ag Center) <kmill@hallcounty.org>  
**Subject:** RE: BID #040-43 PA SYSTEM FOR CHICOPEE WOODS AG CENTER

Thanks

Debra Howington, C.P.M.  
Buyer  
Hall County Financial Services  
Purchasing Division  
770-535-8263 Office  
770-531-7112 Fax  
[dhowington@hallcounty.org](mailto:dhowington@hallcounty.org)  
[www.hallcounty.org](http://www.hallcounty.org)

**Bidders Response**

I. Bid (This section to be completed by the bidder)

**IFB #040-43**

The undersigned agrees, if this bid is accepted within thirty (30) calendar days after date of opening, to furnish all supplies or services in strict accordance with provisions of this Invitation for Bid at the price in the Bid Schedule.

Time discounts allowed for prompt payment as follows: discounts of less than fifteen (15) days will not be used in determining the award of a bid but may be used when paying invoices.

\_\_\_\_\_ % Discount \_\_\_\_\_ Calendar Days

Prices to remain firm for thirty (30) calendar days or \_\_\_\_\_ calendar days after date of opening. Vendor must initial here if he changes the thirty (30) day requirement \_\_\_\_\_.

I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm, or person submitting a bid for the same supplies or services and is in all respects fair and without collusion or fraud. I understand that collusive bidding is a violation of state and federal law and can result in fines, prison sentences, and civil damage awards. I agree to abide by all conditions of this bid and certify that I am authorized to sign this bid for the bidder.

**Bidder Information  
(Type or Print)**

dB Integrations

**Name of Company**  
2196 Hilton Dr.

**Address**  
Gainesville, GA 30501

**City, State Zip Code**  
( 770 ) 534-7920

**Phone Number**  
paul@dbintegrations.tech

**Email Address**

**Name and Mailing Address or where  
to send payments**

dB Integrations

**Name of Company**  
2196 Hilton Drive Suite A.

**Address**  
Gainesville, GA 30501

**City, State Zip Code**  
(770 ) 534-7620

**Phone Number**  
( 770 ) 535-8485

**Fax Number**

| 5 | 8 | - | 2 | 0 | 5 | 0 | 5 | 0 | 0 | |  
Tax ID Number

Or  | | | | - | | - | | | | |  
Social Security Number

**Name and Title of Person authorized to sign**

**Name:** David Clark

**Title:** Operations Manager

**Signature:** 

**Acknowledge receipt of all issued addenda  
by listing their numbers and date of issuance  
below**

No known Addenda

**Bids not signed must be declared as "Non-Responsive" and not considered for award**

**IV. PA System for Chicopee Woods Ag Center:**

<u>Description</u>	<u>Bidders Response</u>
1. (1) Remove old PA System, if applicable, and Replace with new PA System for Arena A <b>Turnkey project</b>	\$ 54,800
2. (1) Remove old PA System, if applicable, and Replace with new PA System for Arena B <b>Turnkey project</b>	\$ 15,750
3. (1) Remove old PA System, if applicable, and Replace with new PA System for Arena C <b>Turnkey project</b>	\$ 24,500
4. (1) Remove old PA System, if applicable, and Replace with new PA System for Arena D <b>Turnkey project</b>	\$ 31,500
5. (1) Remove old PA System, if applicable, and Replace with new PA System for Barn A <b>Turnkey project</b>	\$ 10,300
6. (1) Remove old PA System, if applicable, and Replace with new PA System for Barn B <b>Turnkey project</b>	\$ 10,300
7. (1) Remove old PA System, if applicable, and Replace with new PA System for Barn C <b>Turnkey project</b>	\$ 10,300
8. (1) Remove old PA System, if applicable, and Replace with new PA System for Barn D <b>Turnkey project</b>	\$ 12,900
9. (1) Remove old PA System, if applicable, and Replace with new PA System for Activity Hall <b>Turnkey project</b>	\$ 26,700
10. (1) Remove old PA System, if applicable, and Replace with new PA System for Control Room	\$ 12,000
11. Indicate delivery lead time	12 Weeks from date of award and PO generated.

All questions that pertain to the specifications or are of a technical nature are to be directed to Khip Miller, [kmiller@hallcounty.org](mailto:kmiller@hallcounty.org), 770-531-6855.

All questions that pertain to the proper method of submitting your proposal should be directed to Debra Howington, Buyer, (770) 535-8263, [dhowington@hallcounty.org](mailto:dhowington@hallcounty.org).

**Bid #040-43 – EXCEPTIONS TO OR VARIATIONS FROM SPECIFICATIONS:**

**This page must be returned with your bid proposal:**

**Any exceptions, variances, or differences in enclosed specifications must be stated here to be considered. If none are stated, it will be understood that bid proposal is exactly as specified:**

This bid includes new conduit to all locations.

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This bid includes new fiber runs

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This bid includes new speaker cable runs to each speaker location.

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This bid does not include any high voltage additions. This will be the owners' responsibility.

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Busker Communications, Inc.  
 2567 Athens Hwy  
 Gainesville, GA 30507

**QUOTE**  
**12037**

COMPANY		JOB LOCATION			
<b>Company:</b>	Hall County Board of Commissioners	<b>Company:</b>	Hall County Agricultural Center	<b>Date:</b>	2022-12-20
<b>Address:</b>	PO Drawer 1435 Attn: Accounts Payable Gainesville, GA 30503	<b>Address:</b>	1855 Calvary Church Road Gainesville, GA 30507	<b>Sales Rep:</b>	Bobby Busker
<b>Contact:</b>		<b>Contact:</b>		<b>Phone:</b>	(678)300-0167
<b>Phone:</b>	(770)535-8270	<b>Phone:</b>		<b>Email:</b>	bbusker@buskercom.com
				<b>Exp Date:</b>	1-19-23
					:

**TITLE**

CHICOPEE AGRICULTURAL CENTER AUDIO SYSTEM

**SCOPE OF WORK**

**Chicopee Woods Agricultural Center**

**OSP Conduit and Fiber Installation:**

BCI will install underground conduit for fiber between all buildings shown on the floorplan that will be receiving an audio system.

We will install new 6-strand fiber through all newly installed conduit

- Install 1" and 2" conduit per plans
- Install 6-strand MM In/Outdoor fiber in new conduit
- Install (4) new handhole's
- Terminate, test, and label all strands of fiber

**Audio System for Arena's/Barn's:**

- BCI will install a complete Audio/ PA/ paging system throughout the following buildings at Chicopee Woods:
  - A Arena
  - A Barn
  - B Arena
  - B Barn
  - C Arena
  - C Barn
  - D Arena
  - D Barn
- Headend units will be placed in the following locations:
  - Office between Arena's A & B
  - Office building near Arena D
- System will include:
  - Speakers
  - Amplifiers
  - Wireless Mic Kits with Extenders
  - Mic Input Panels
  - Control Server
  - DSP's
  - Network Devices



Busker Communications, Inc.  
 2567 Athens Hwy  
 Gainesville, GA 30507

**QUOTE**  
**12037**

- Each arena/barn will have a small 12U wall mount rack installed for local network & audio equipment

**Audio System for Activity Hall:**

- BCI will install a PA system in the Activity Hall
- System will include:
  - Small console and stage box
  - Speakers
  - Wireless Mic Kit

**Assumptions:**

- Customer to provide a dedicated 20A Circuits for each arena/barn's wall mount equipment rack (provided by others)
- Existing fiber to be fully working and pass testing. Additional quote to be provided as a CCO, if we are unable to re-use existing fiber that is intended to be reused

**Due to the volatility in the market, material lead times and pricing are changing often and will need to be validated prior to order authorization with any price difference applied via change order.**

MFG	PART NO	PART DESCRIPTION	QTY
	MISC-EXPENSE	DIGITAL SIGNAL PROCESSOR	2.00
	MISC-EXPENSE	AMPLIFIER	9.00
	MISC-EXPENSE	SPEAKER	28.00
	MISC-EXPENSE	CONTROL SERVER	1.00
	MISC-EXPENSE	XIO STAGE BOX	4.00
	MISC-EXPENSE	INPUT PLATES	4.00
	MISC-EXPENSE	CONTROL PANEL	2.00
	MISC-EXPENSE	WIRELESS MICROPHONE KITS	13.00
	MISC-EXPENSE	WIRELESS ANTENNA EXTENTION & DISTRUBUTION KITS	4.00
	MISC-EXPENSE	NETWORK MEDIA PLAYER	3.00
	MISC-EXPENSE	INSTALLATION HARDWARE SUPPORT	1.00
	MISC-EXPENSE	250' XLR SNAKE	2.00
	MISC-EXPENSE	SPEAKER POLE	1.00
	MISC-EXPENSE	CONSOLE AND STAGE BOX FOR ACTIVITY HALL	1.00
BCI	CONS	CONSUMABLES	1.00
	MISC-EXPENSE	24 PORT GIGABIT SWITCH W/ SFP MODULE	10.00
	MISC-EXPENSE	WIRELESS ACCESS POINT	10.00
	MISC-EXPENSE	EQUIPMENT RACKS	10.00
	MISC-EXPENSE	PDU	10.00
	MISC-EXPENSE	UPS	10.00
	MISC-EXPENSE	MISC CABLING	1.00
	MISC-EXPENSE	12 GUAGE SPEAKER CABLE	20,000.00
		<b>CONDUIT/FIBER BACKBONE</b>	<b>0.00</b>





Busker Communications, Inc.  
 2567 Athens Hwy  
 Gainesville, GA 30507

**QUOTE**  
**12037**

MFG	PART NO	PART DESCRIPTION	QTY
CORNING	006T8P-31180-A3	6STR MM 50 MICRON INDOOR/OUTDOOR ARMORED PLENUM FIBER CABLE	2,000.00
CORNING	SPH-01P	SINGLE PANEL HOUSING FOR CCH SERIES PANELS	7.00
CORNING	SCF-6C22-01-72	ADVANCED CLOSURE 72 FIBERS LOADED	2.00
CORNING	SCF-4C18-01	4" X 18" FIBER ENCLOSURE (6 SPLICE TRAY CAPACITY)	2.00
CORNING	CCH-CP06-E4	3 PORT (6 FIBER) MM (PHOS BRONZE) SIMPLEX LC COUPLING PANEL (L)	10.00
CORNING	SOC-LC-900-OM4	FUSELITE CONNECTOR, LC, 900 UM TIGHT-BUFFERED, 50 UM MULTIMODE (OM2/3/4)	120.00
CORNING	050502Q5120001M	FIBER OPTIC JUMPER, TWO FIBER OM4 MULTIMODE 2.0MM ZIPCORD LC/LC 1 METER	60.00
CORNING	2806031-01	FUSION SPLICE HEAT SHRINK 60MM (SOLD IN PACKS OF 50)	2.00
CORNING	CCH-04U	72/144 PORT RACK MOUNT FIBER PANEL-CCH-04U	2.00
GA UNDERGROUND	PC243624STB	24"X36"X24" BOX AND COVER	4.00
UTILICOM	HDPE200135ORN3MEMP	2" SDR-13.5, ORANGE, 3000' REEL, EMPTY	3,000.00
BCI	CONS	CONSUMABLES	1.00
	FREIGHT	FREIGHT	1.00
	MISC-EXPENSE	TRUCK ROLL	1.00
BCI	PROJSERV	Misc. Project Services	1.00
BCI	PROFSERV	Professional Services	1.00

**Total: \$542,770.63**

*All applicable taxes are not included.*

**Thank you for your business!**

## TERMS & CONDITIONS

- 1. Scope of Work** - Contractor shall furnish and pay for all equipment and perform all work necessary and appropriate to furnish and install the systems integration equipment in the facility as described in this proposal.
- 2. Responsibility of Others** - Unless otherwise noted in the proposal, the Owner shall be responsible for all electrical work such as but not limited to AC power, conduit systems, and outlet boxes. All finishes will be supplied as standard manufacturer's finish. All other work necessary to the completion of the project and not specifically defined in the proposal as being furnished by the Contractor shall be the responsibility of the Owner.
- 3. Work Area Access** - Unless otherwise noted in this proposal, Contractor shall be given full and unrestricted access to all work areas and location required to complete the Scope of Work. Any training, access procedures or delays in related to the access of work area impacting productivity will be logged and invoiced in increments of 15 minutes.
- 4. Schedule** - Contractors standard business operating hours are Monday through Friday from 07:00 AM to 04:00 PM. Any requirements outside of these hours must be noted and included in the scope of work.
- 5. Bill of Materials** - The bill of materials shown is an estimated list of materials to provide a general list of items expected to be used in the completion of this proposal, not a guaranteed quantity to be used in completion of this project. Contractor shall furnish all materials as required to complete the scope of work detailed and quantities shown are only an estimated number. All unused materials at the end of the project will be removed from site and returned to Contractor inventory.
- 5. Existing Equipment** - Unless otherwise noted in the proposal, all existing equipment shall remain the property of the Owner and will be incorporated into the new system as proposed. Contractor shall remove and may reuse such equipment as necessary for the purposes of this Agreement.
- 6. Time of Commencement and Substantial Completion** - The work to be performed under the terms of this Agreement shall be coordinated upon receipt of the signed Agreement, or Time of Commencement. Schedules communicated in any form prior to the Time of Commencement are offered as best effort and cannot be confirmed until Time of Commencement. Substantial Completion shall be defined as on-site work being complete, except for punch list items, work that is delayed beyond the control of the Contractor and deliverables. Deliverables include, but are not limited to, as-built drawings, test results, O&M manuals and manufacturer warranties.  
  
Substantial Completion as a milestone date shall be subject to extensions due to conditions beyond the control of the Contractor such as acts of nature, delays in material delivery where the Contractor's actions have no effect, accessibility to the facility, and delays of work by others where such work is necessary to the completion of the project.
- 7. Insurance** - Contractor shall furnish to the Owner a Certificate of Insurance including general liability, auto, and workers' compensation limits prior to commencement of any work on site.
- 8. Agreement Sum** - The Owner shall pay to the Contractor for the performance of the work, the amount noted in this proposal proposal, subject to additions and subtractions by written change order. No changes to the Agreement sum can be made by either the Contractor or the Owner without a written change order agreed to by both parties.
- 9. Title to Goods** - Title to goods is retained by the Contractor until payment of the full Agreement sum subject to allocation of payments and release of security as required by law. The Owner agrees to keep the goods safe, free from other liens and at the address of the installation.
- 10. Warranty** - Installation will comply with BCI, BICSI, TIA/EIA and Owner quality standard, as received prior to proposal. Contractor guarantees all workmanship provided under this Agreement to be free of defects for a period of one year from the date of final acceptance or first beneficial use whichever occurs first. Contractor will provide labor services to correct any defective workmanship during normal business hours while the warranty is in effect at no cost to the Owner. Material or equipment defects not a direct result of workmanship is not covered by warranty, all time and management related to replacement for materials or equipment will be charged at Time & Materials.

All equipment warranties provided by equipment manufacturers are warranties between the Owner and the equipment manufacturer and the Contractor has no liability.

Warranties do not apply in case of abuse, misuse, neglect, acts of nature, or readjustment of system settings when they have been changed by anyone other than the Contractor.



Busker Communications, Inc.  
2567 Athens Hwy  
Gainesville, GA 30507

**QUOTE**  
**12037**

**PAYMENT TERMS**

Terms: N30

Billing Method:

Standard payment terms are Net 30 from date of invoice unless otherwise agreed upon by BCI via Non-Standard Payment Terms Agreement and are subject to credit approval. Past due balances are subject to interest at 1.5% monthly. Credit card transactions will be charged a 2.5% processing fee. Returned checks will be charged a \$100 processing fee.

BCI will issue an invoice for materials and engineering/mobilization labor upon approval of this quote, or within 30 days of the project start date, unless otherwise agreed upon in writing. Additional progress invoices will be issued at no less than monthly intervals.

Due to the volatility of the market, some material costs may be adjusted after initial invoice if price has increased or availability causes material substitution. Any price changes that should follow with any amendment or change order will be reflected on progress or final invoices unless otherwise agreed upon by BCI and the customer.

This quote shall become binding on the parties hereto when signed by Customer and accepted and approved by Busker Communications, Inc. By Customer's signature, Customer acknowledges that they have read, understood and agreed to the Terms and Conditions.

CUSTOMER: **Hall County Board of Commissioners**

**Busker Communications, Inc.**

SIGNATURE:

\_\_\_\_\_

NAME:

\_\_\_\_\_

TITLE:

\_\_\_\_\_

DATE:

\_\_\_\_\_

SIGNATURE:

\_\_\_\_\_

NAME:

\_\_\_\_\_

TITLE:

\_\_\_\_\_

DATE:

\_\_\_\_\_

**IFB #040-43 - PA System for Chicopee**

**Woods Ag Center**

**vcc: 803-18, 40, 45, 55, 60, 61, 80**

COMPANY NAME	MAILING ADDRESS 1	MAILING ADDRESS 2	CITY	STATE	ZIP
BUSKER COMMUNICATIONS, INC.	2567 ATHENS HWY		GAINESVILLE	GA	30507
C3 COMMUNICATIONA	2349 CONTENNIAL DR		GAINESVILLE	GA	30504
CANA COMMUNICATIONS	3939 ROYAL DR	SUITE 204	KENNESAW	GA	30144
CCS PRESENTATION SYSTEMS	4357 PARK DRIVE	SUITE 116	NORCROSS	GA	30093
CJIS GROUP	150 JOHN MILLS CIR		TALLAHASSEE	FL	32309
CONSTRUCT CONNECT	3825 EDWARDS RD	STE 800	CINCINNATI	OH	45209
CROWN SERVICE CONTRACTORS	3617 SOUTHLAND DR	SUITE A	FLOWERY BRANCH	GA	30542
DB INTEGRATIONS	2196 HILTON DRIVE	SUITE A	GAINESVILLE	GA	30501
DODGE CONSTRUCTION NETWORK	2860 S STATE HWY 161	STE 160 #501	GRAND PRARIE	TX	75052
EDMONDSON TECHNOLOGIES, LLC	1465 HARGROVE LAKE RD		WINTERVILLE	GA	30683
ELECTRONIC SALES COMPANY, INC.	2471 HILTON DR, SW		GAINESVILLE	GA	30501
HQE SYSTEMS, INC	27419 VIA INDUSTRIA		TEMECULA	CA	85140
JM COMMUNICATIONS	163 ENOTA AVE., NW		GAINESVILLE	GA	30501
LMI SYSTEMS, INC.	4680 N. ROYAL ATLANTA DR.		TUCKER	GA	30084
NORTH AMERICA PRECUREMENT COUNCIL, INC PBC	PO BOX 40445		GRAND JUNCTION	CO	81504
PREMIER OFFICE ACOUSTICS	955 INTERSTATE RIDGE DRIVE	SUITE J2	GAINESVILLE	GA	30501
PRIME VENDOR	4322 CEDAR AVE		WILMINGTON	NC	28403
PRO ACOUSTIC USA	6612 WOODWAY DR.	BLDG. 2, STE. 1	WOODWAY	TX	76712
PWXPRESS	1900 COFFEPORT ROAD		JACKSONVILLE	FL	32208
THE ESB GROUP INC.	5855 HWY. 11		SPRINGVILLE	AL	35146
THOMAS J. MADDEN & ASSOCIATES, INC.	935 HWY 124	BUILDING 400, SUITE 401	BRASELTON	GA	30517
			Bids sent	20	
			Hall Co	7	



## AGENDA ITEM

### Court Administration

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**REPORT TO:** Work Session (01/23/23)

**REPORT TO:** Voting Meeting (01/26/23)

**ITEM NO:** 2/2023

**SUBJECT:** Approve the Hall County Grand Jury's increase and fixed compensation of court bailiffs in the Superior and State Courts, effective February 1, 2023.

---

#### Meetings:

**Work Session Date:** 01/23/23

**Voting Meeting Date:** 01/26/23

#### Executive Summary:

**Presenter:** CHCODD  
**Recommendation:** Court Administration recommends approval.

#### Purpose of Request:

Approve the Hall County Grand Jury's increase and fixed compensation of court bailiffs in the Superior and State Courts, effective February 1, 2023.

#### History:

Bailiff compensation was last adjusted by the Grand Jury and Hall County Commission on 12/09/2021. While this represents the second adjustment in as many years, the rate was previously unchanged from 2007-2021.

#### Facts and Issues:

OCGA § 15-2-7 provides that the first grand jury impaneled at the fall term of the superior courts "shall fix the compensation of court bailiffs in the superior courts of such counties for the next succeeding year."

#### Options:

On December 13, 2022, a Hall County grand jury fixed the bailiff compensation at \$100 per day for calendar year 2023, representing an increase from the 2022 rate of \$85 per day. The increase will be effective February 1, 2023 "subject to the approval of the governing authority of the county" pursuant to OCGA § 15-2-7(b).

Due to grant funding provided by the courts' 2023 ARPA award from the State of Georgia's Administrative Office of the Courts, no budget adjustment for FY 2023 is necessary.

**Funding Requested**

\$ 17,496.00

**Are funds within current budget?**

Yes

**Source of Funds**

General Fund

**Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?**

No

**Has it been reviewed by the County Attorney?**

Yes

**Is there a deadline for this item?**

2023-01-31

**Approvals:**

<b>Submit</b>	<b>Approve</b>	<b>Budget</b>	<b>Finance</b>
JS	JS	EW	WG
<b>Attorney</b>	<b>Administration</b>	<b>Clerk</b>	
WLI	CR	JR	

**Attachments:**

Financial Supplement

Grand Jury Presentments, October 2022 Term



**HALL COUNTY BOARD OF COMMISSIONERS  
FINANCIAL SUPPLEMENT REPORT**

**AGENDA ITEM 2/2023**

**Funds Requested:** \$ 17,496.00

**Request Budgeted:** Yes

**Proposed Source of Funding:**

**Budget Transfer Requested:**

General Fund

No

**Funding Source Items:**

<b>Fiscal Year</b>	<b>Fund</b>	<b>Division</b>	<b>Account</b>	<b>Amount</b>
2023	001 - GENERAL	154 - STATE COURT	4106 - PART-TIME SALARIES	\$8,828.00
2023	001 - GENERAL	154 - STATE COURT	4110 - F.I.C.A.	\$675.00
2023	001 - GENERAL	153 - SUPERIOR COURT	4106 - PART-TIME SALARIES	\$7,425.00
2023	001 - GENERAL	153 - SUPERIOR COURT	4110 - F.I.C.A.	\$568.00

**Budget Transfer Items:**

**Additional Information/Comments:**

This pay change is a \$15 increase per day per employee. These figures are based on an average number of days worked multiplied by the total number of bailiff positions.

**Contact for Questions:**

**Phone:**

HALL COUNTY GRAND JURY PRESENTMENTS

OCTOBER 2022 TERM

TO: The Honorable Kathlene F. Gosselin, C. Andrew Fuller, Bonnie Chessher Oliver, Jason J. Deal, and Clint G. Bearden,

This Grand Jury, chosen for the October 2022 Term of the Hall County Superior Court, respectfully submits the following presentments:

INDICTMENTS

This Grand Jury was presented with 139 Bills of Indictments; 138 Indictments were Bills, and 1 Indictment was No Bill.

RECALL

The October 2022 Term of the Grand Jury remains subject to recall until the January 2023 Term begins.

FISCAL REPORTS

Pursuant to O.C.G.A. § 36-1-7, this Grand Jury received this term the financial disbursement and receipts journal report of income and expenses for October 2022, from Charles Baker, Clerk of Court, and a report of income and expenses for the months of August 2022, September 2022, and October 2022 from Probate Court Judge Patty Laine.

LAW ENFORCEMENT

The Grand Jury appreciates the professionalism and thoroughness of officers of the Hall County Sheriff's Office, the Hall County Multi-Agency Narcotics Squad, the Gainesville Police Department, the Flowery Branch Police Department, the Oakwood Police Department, the Georgia State Patrol, the Georgia Bureau of Investigation, and other organizations and witnesses in the presentation of testimony before this body.

FILED  
HALL CO., GA.  
2022 DEC 13 PM 4:17  
CHARLES BAKER, CLERK  
SUPERIOR-STATE COURT  
BY *[Signature]*

*[Handwritten Signature]*



## COMMENDATIONS

This Grand Jury commends Judge Bonnie Chessher Oliver for her excellent charge to this body. We thank our bailiff, Clint Sloan, for his service. We thank Christy Brookshire, Executive Assistant and Grand Jury Coordinator, for her work keeping things running smoothly this term.

In recognition of Ms. Brookshire's excellent service to the District Attorney's Office from November 1998 to December 2022, we thank her and wish her the best as she continues her career in the Office of Superior Court Judge Lindsay Burton next year.

## BAILIFF PAY

The Grand Jury acted at the request of the Court Administration and voted on November 16, 2022 that Bailiff's pay should be raised to \$100 per diem from its current amount, pending approval from the Hall County Commission.

## INSPECTION OF THE HALL COUNTY JAIL

The Grand Jury inspected the Hall County Jail this term and appreciates the accommodation of the Hall County Sheriff's Office in doing so. We find the jail to be a well-run operation.

## INSPECTION OF HALL COUNTY DISTRICT ATTORNEY'S OFFICE

The Grand Jury conducted a tour and inspection of the District Attorney's Office this term.

## RECOMMENDATION OF BOARD OF EQUALIZATION MEMBERS

The Grand Jury approves the reappointment of the following members of the Hall County Board of Equalization: on Roster 2 Michael Murphy as a regular member and on Roster 3 Connie Propes as a regular member. Each regular member will serve another three year term. Additionally, the Grand Jury appoints as a Roster Alternate Mr. Albert Carl Liggett also for a three year term. All terms for the individuals above will begin January 2023.

BA

OCTOBER 2022 TERM MEMBERS

Jennifer Baker  
Guy Daniel Cole  
Lindsey Alexandra Johnson  
Pasquale Joseph Longo, Jr.  
Scott Andrew Stephens  
Michael Louis Ackerman  
Elizabeth Busbee Snyder  
Ernest Michael Adams  
Jacky Whitlow, Jr., Alternate

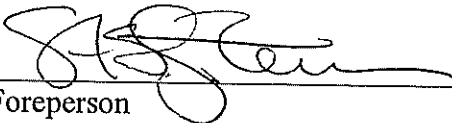
David Bruce Bennett  
Michael Henry Hopman  
Clyde Ernest Pirkle, Jr.  
Martin F. Gordo  
Cerily Marie Mendez  
Alexander Keith Young  
Ethan Jo Baker  
Dawson James Romaine  
Conner Ray Sims, Alternate

Brittany Norelle Bush  
Heather Hughes  
Michael Joseph Small  
Stanley Lee Wilson  
Catherine Young Reid  
Sonya Wilmont Rucker  
Troy Stegeman  
Michelle Weidner, Alt.

RECOMMENDATIONS

As foreperson, I recommend that these presentments be published in one issue of the official organ of this county and that said organ be paid the legal rate thereon.

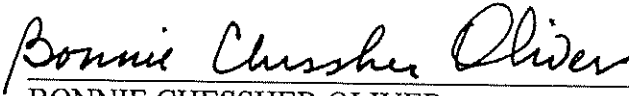
This 13<sup>th</sup> day of December, 2022.

  
\_\_\_\_\_  
Foreperson

GEORGIA, HALL COUNTY.

The within and foregoing presentments received and read in open court, the same are hereby approved and ordered published as recommended and spread upon the minutes of this court.

This 13<sup>th</sup> day of December, 2022.

  
\_\_\_\_\_  
BONNIE CHESSHER OLIVER  
JUDGE, SUPERIOR COURT  
HALL COUNTY, GEORGIA



## AGENDA ITEM

### Human Resources

**REPORT TO:** Work Session (01/23/23)

**REPORT TO:** Voting Meeting (01/26/23)

**ITEM NO:** 23/2023

**SUBJECT:** Approve the Employment Agreement for the Assistant Director of Parks and Community Services.

#### Meetings:

**Work Session Date:** 01/23/23

**Voting Meeting Date:** 01/26/23

#### Executive Summary:

**Presenter:** DLJ

**Recommendation:**  
Department recommends approval of the Employment Agreement for the Assistant Director of Parks and Community Services.

**Purpose of Request:**  
Purpose of this agenda item is to request approval of the Employment Agreement for the Assistant Director of Parks and Community Services.

#### History:

#### Facts and Issues:

#### Options:

<b>Funding Requested</b>	\$ 158,176.00
<b>Are funds within current budget?</b>	Yes
<b>Source of Funds</b>	Parks and Leisure
<b>Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?</b>	Yes
<b>Has it been reviewed by the County Attorney?</b>	Yes
<b>Is there a deadline for this item?</b>	

#### Approvals:

Submit	Approve	Budget	Finance
LJ	LJ	EW	WG
Attorney	Administration	Clerk	
WLI	CR	JR	

---

**Attachments:**

Financial Supplement

Employment Agreement Assistant Director - Parks and Community Services

Position Cost Worksheet - Assistant Director of Parks and Community Services



**HALL COUNTY BOARD OF COMMISSIONERS  
FINANCIAL SUPPLEMENT REPORT**

**AGENDA ITEM 23/2023**

**Funds Requested:** \$ 158,176.00

**Request Budgeted:** Yes

**Proposed Source of Funding:**

**Budget Transfer Requested:**

Parks and Leisure

No

**Funding Source Items:**

Fiscal Year	Fund	Division	Account	Amount
2023	002 - PARKS & LEISURE	1117 - PARKS & LEISURE -SVS DIS	4104 - SALARIES	\$37,692.31
2023	002 - PARKS & LEISURE	1117 - PARKS & LEISURE -SVS DIS	4433 - CAR USE ALLOWANCE	\$1,999.98
2023	002 - PARKS & LEISURE	1117 - PARKS & LEISURE -SVS DIS	4110 - F.I.C.A.	\$3,036.46
2023	002 - PARKS & LEISURE	1117 - PARKS & LEISURE -SVS DIS	4131 - RETIREMENT	\$6,350.77
2023	002 - PARKS & LEISURE	1117 - PARKS & LEISURE -SVS DIS	4121 - HEALTH INSURANCE	\$11,030.21
2023	002 - PARKS & LEISURE	1117 - PARKS & LEISURE -SVS DIS	4122 - LIFE INSURANCE	\$124.84
2023	002 - PARKS & LEISURE	1117 - PARKS & LEISURE -SVS DIS	4123 - OTHER CNTY-PD INSURANCE	\$602.35
2024	002 - PARKS & LEISURE	1117 - PARKS & LEISURE -SVS DIS	4104 - SALARIES	\$60,307.69
2024	002 - PARKS & LEISURE	1117 - PARKS & LEISURE -SVS DIS	4433 - CAR USE ALLOWANCE	\$3,199.98
2024	002 - PARKS & LEISURE	1117 - PARKS & LEISURE -SVS DIS	4110 - F.I.C.A.	\$4,858.34
2024	002 - PARKS & LEISURE	1117 - PARKS & LEISURE -SVS DIS	4131 - RETIREMENT	\$10,161.23
2024	002 - PARKS & LEISURE	1117 - PARKS & LEISURE -SVS DIS	4121 - HEALTH INSURANCE	\$17,648.34
2024	002 - PARKS & LEISURE	1117 - PARKS & LEISURE -SVS DIS	4122 - LIFE INSURANCE	\$199.74
2024	002 - PARKS & LEISURE	1117 - PARKS & LEISURE -SVS DIS	4123 - OTHER CNTY-PD INSURANCE	\$963.77

**Budget Transfer Items:**

**Additional Information/Comments:**

**Contact for Questions:** DLJ

**Phone:**

770-531-6712

**EMPLOYMENT AGREEMENT**  
**Assistant Director of Parks and Community**

**THIS AGREEMENT** made and entered into this 26<sup>th</sup> day of January 2023, by and between **HALL COUNTY, STATE OF GEORGIA**, hereinafter called “the County”, as party of the first part, and **Brandon Smith**, herein called "Employee", as part of the second part, both of whom agree as follows:

**WITNESSETH**

**WHEREAS**, the County desires to employ the services of said **Brandon Smith** as the **Assistant Director of Parks and Community Services** of Hall County; and

**WHEREAS**, it is the desire of the governing board, hereafter called “Commission” to provide certain benefits, establish certain conditions of employment and to set working conditions of said Employee; and

**WHEREAS**, it is the desire of Hall County to secure and retain the services of said Employee and provide inducement for him or her to remain in such employment, and to make possible full work productivity by assuring said Employee’s morale and peace of mind with respect to future security, and to provide a just means of terminating the Employee’s services at such a time as desired by the County Administrator, or his or her designee; and

**WHEREAS**, the Employee desires to accept employment as **Assistant Director of Parks and Community Services** for Hall County;

**NOW THEREFORE**; in consideration of the mutual covenants herein contained, the parties agree as follows:

**SECTION 1.           Duties**

The County hereby agrees to employ **Brandon Smith** as **Assistant Director of Parks and Community Services**, to perform legally permissible functions and duties specified and assigned by the County Administrator or his or her designee.

# EMPLOYMENT AGREEMENT

## Assistant Director of Parks and Community

### SECTION 2. Term

- A. Nothing in this agreement shall prevent, limit or otherwise interfere with the right of the County Administrator to terminate the services of this Employee at any time, subject only to the provisions set forth in SECTION 3 of this agreement. The Employee understands that he or she serves at the pleasure of the County Administrator.
- B. Nothing in the agreement shall prevent, limit or otherwise interfere with the right of the Employee to resign at any time from his or her position with the County, subject to the provisions set forth in SECTION 3, Paragraphs B and C of this agreement.

### SECTION 3. Termination and Severance Pay

- A. In the event the Employee is terminated pursuant to Paragraph B hereof and the Employee is willing and able to perform the duties of the position under this agreement, upon execution of a Separation Agreement and General Release, the Employer agrees to pay the Employee a lump sum cash payment equal to three (3) months aggregate annual salary, exclusive of other forms of compensation, less standard withholdings, in addition to the continuation of medical, dental and vision insurance benefits during the three (3) month period immediately following the date of termination. However, in the event the Employee is terminated because the Employee has been convicted of a misdemeanor or a felony, or if the County determines that the Employee has engaged in unprofessional and improper practice, other than negligence, and breach of public trust, including but not limited to illegal acts involving personal gain, or moral turpitude, the County shall be entitled to terminate the Employee immediately without any severance pay, or medical, dental and vision insurance continuation aside from COBRA.
- B. In the event the Employer at any point during the term of this agreement reduces the salary or other financial benefits of the Employee in a greater percentage than reductions to all other employees of Employer, or if Employer refuses, following a written request to comply with any provision benefiting Employee herein; or the Employee resigns following a suggestion, whether formal or informal, by the County Administrator that he or she resign, then, in that event, Employee may, at his or her option, be deemed to be terminated at the date of such reduction or refusal to comply within the meaning and context of the herein severance pay provision.

# EMPLOYMENT AGREEMENT

## Assistant Director of Parks and Community

C. In the event the Employee voluntarily resigns his or her position with the County as **Assistant Director of Parks and Community Services** then the Employee shall give the County **thirty (30)** days written notice in advance, unless the parties otherwise agree. The provision for severance pay and continuation of employment benefits detailed in SECTION 3, Paragraph A shall not apply to a voluntary resignation.

### **SECTION 4. Termination Due to Disability**

If the Employee is unable to perform his or her duties because of sickness, accident, injury, or mental incapacity, and no reasonable accommodations are available, the County shall have the option to terminate employment, subject to the severance pay requirements of SECTION 3, Paragraph A. However, the Employee shall be compensated for any accrued benefits, in accordance with current policies.

### **SECTION 5. Salary**

The County agrees to pay the Employee for his or her services rendered, pursuant hereto, an annual base salary of **\$98,000.00** payable in installments at the same time as other employees of the County are paid, except that the county may put in place cost reduction measures at any time and for any duration as required by a lack of financial resources. The base annual salary and benefits may be reviewed annually by the County Administrator and consideration for increases may be determined based upon the performance of the employee or consideration of providing a Cost of Living Adjustment (COLA).

### **SECTION 6. Performance Evaluation**

The County Administrator, or his or her designee, shall review and evaluate the performance of Employee at least annually on the anniversary day of this agreement. Said review and evaluation shall be in accordance with criteria developed by the County Administrator, or his or her designee, and Employee. Performance criteria may be added to or deleted from, as the County Administrator, or his or her designee may from time to time determine. Further, the County Administrator, or his or her designee, shall provide the Employee with a written summary statement of the findings of the evaluation.



# EMPLOYMENT AGREEMENT

## Assistant Director of Parks and Community

### SECTION 7. Hours of Work

It is generally recognized that the position of **Assistant Director of Parks and Community Services** involves the devotion of a great deal of time beyond typically recognized business hours.

### SECTION 8. Outside Activities

The Employee shall devote his or her full time to the position described in this agreement. With the approval of the County Administrator, or his or her designee, the Employee may engage in teaching, consulting or other non-employer related activities as long as he or she does not interfere with the execution of the duties of this position, or present a conflict of interest. Such consent must be obtained by advance approval, in writing, detailing the specifics of such activity.

### SECTION 9. Political Activity

If the Employee announces as a candidate for any elective office during the duration of this contract, he or she will resign from Hall County employment immediately upon declaring candidacy as defined by state law. During the term of this contract, the Employee may not:

- A. Be involved in any political activity that would constitute a conflict of interest; including participation in any aspect of any local political campaign on behalf of one's self if intending to seek elected office, or other individual or in opposition to any candidate for office within Hall County; including municipal and/or county government office. This restriction includes but is not limited to displaying or distributing information, materials, or paraphernalia in support of any political candidate, party or organization.
- B. Knowingly solicit, accept, or receive political contributions from any person, to be used in support of or in opposition to any political candidate for election within Hall County, including municipal and/or county government office.
- C. Use, or promise to use, directly or indirectly, any official authority or influence, whether possessed or anticipated, to secure or attempt to secure for any person a job or other advantage for the purpose of influencing the vote or political action of any person.

## EMPLOYMENT AGREEMENT

### Assistant Director of Parks and Community

#### **SECTION 10. Vehicle and Phone**

Employee's duties require the substantial use of their personal automobile during the term of employment. The County shall pay to the Employee in addition to salary a monthly vehicle allowance of \$433.33. A cellular phone dedicated solely for business usage may be provided by the Employer. In such case, the Employer shall be responsible for paying for and maintaining regular monthly service. Should the Employee desire to use their personal cellular phone for business purposes, Employer shall reimburse the Employee the amount of \$50 per month.

#### **SECTION 11. Insurance Benefits**

The County agrees to put in force and make premium payments for Medical, Dental, Vision, Short-Term Disability and Life Insurance policies on behalf of the Employee and if so elected, eligible dependents, at a level of coverage available to other County employees. The Employee may choose not to cover his/her dependents.

#### **SECTION 12. Retirement Benefits**

Provided that contributions are being made by the County, if the Employee elects, Hall County agrees to contribute 8% of annual compensation as defined by the retirement plan in addition to Employer matching contributions made on contributions by the Employee as received by other County employees, into a defined contribution plan, except that the County may reduce or suspend this contribution at any time and for any duration as required due to a lack of financial resources. Retirement contributions shall not be made on any severance pay provided by the Employer, paid in accordance with Section 3.

#### **SECTION 13. Paid Time Off (PTO) or Vacation and Sick Leave**

As applicable, the County will provide for Paid Time Off (PTO) or vacation and sick leave in the same manner as the accruals currently received by other County Employees. In the event that the County changes or adopts a new program for all employees, such changes shall also apply to the **Assistant Director of Parks and Community Services**. Accrued PTO or vacation leave, whichever is applicable, shall be paid to Employee upon termination of employment.

## EMPLOYMENT AGREEMENT

### Assistant Director of Parks and Community

#### **SECTION 14. Dues, Subscriptions and Professional Development**

- A. The County agrees to pay the Employee's annual membership dues, subscriptions and conference expenses incurred by the Employee in conjunction with the Employee's duties, not to exceed the budget and subject to prior approval by the County Administrator or his or her designee.
- B. The County agrees to pay the travel and subsistence expenses of the Employee for expenses related to maintenance of professional certifications, professional and official travel, meetings and occasions adequate to continue the professional development of the Employee and to adequately pursue necessary official and other functions for the department, not to exceed the budget and subject to prior approval by the County Administrator or his or her designee.

#### **SECTION 15. Indemnification**

The County shall defend, save harmless and indemnify the Employee against any claim or demand or legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of the Employee's duties as **Assistant Director of Parks and Community Services**. The County or its insurance carrier will pay the amount of any settlement or judgment agreed to or rendered against the Employee and the County may agree to such settlement or the payment of a judgment with or without the express consent of the Employee. Any defense and/or indemnification of the Employee by the County shall be subject to all of the terms and conditions found in the County's Defense and Indemnification ordinance/policy.

#### **SECTION 16. General Provisions**

- A. The text herein shall constitute the entire agreement between the parties. Any amendment hereto shall be in writing and be executed by both parties.
- B. This agreement shall be binding upon and inure to the benefit of the heirs at law and executors of the Employee.
- C. If any provision, or any portion thereof, contained in this agreement is held unconstitutional, invalid or unenforceable, the remainder of this agreement, or portion thereof, shall be deemed severable, shall not be affected and shall remain in full force and effect.

**EMPLOYMENT AGREEMENT**

**Assistant Director of Parks and Community**

- D. This agreement will become effective on the 26th day of January 2023, and shall continue thereafter unless or until the agreement is terminated by either party as set forth herein.
- E. This agreement shall be executed in duplicate, each of which shall be deemed to be complete of itself and may be introduced into evidence or used for any purpose without the production of the other copy.

**IN WITNESS WHEREOF, THE PARTIES HERETO HAVE SET THEIR HANDS AND SEALS THIS 26<sup>th</sup> DAY OF JANUARY, 2023.**

**HALL COUNTY, GEORGIA**

\_\_\_\_\_  
County Administrator

**ATTEST:**

\_\_\_\_\_  
County Commission Clerk

(Seal)

\_\_\_\_\_  
Employee

**APPROVAL AS TO FORM**

\_\_\_\_\_  
County Attorney



Please complete the tab that correlates with the type of position change you are requesting. Only include ONE request per worksheet. If requesting multiple personnel changes, please prioritize each worksheet in order of importance. For each personnel request, submit this form, along with the "New Position Request."

**REQUEST TYPE: NEW FULL-TIME POSITION**

1117 <b>Department #</b>	Parks & Leisure <b>Department Name</b>
Director of Parks and Community Services <b>Requested Position Title</b>	<b>Priority #</b>

ADDITIONAL PERSONNEL COST CALCULATION		
<i>New Position</i>		<b>Account</b>
\$98,000.00	Salary Requested (use midpoint of paygrade)	4104
\$5,199.96	Car Allowance	4433
7,894.80	Taxes	4110
16,511.99	Retirement	4131
28,299.97	Health	4121
1,566.12	Dental & Vision	4123
254.02	Life	4122
70.56	AD&D	4122
378.58	Short Term Disability	4121
<b>\$158,176.00</b>	<b>Total Additional Personnel Costs</b>	

Per Pay Period	FY 2023	FY 2024
\$3,769.23	\$37,692.31	60,307.69
\$200.00	\$1,999.98	3,199.98
\$303.65	\$3,036.46	4,858.34
\$635.08	\$6,350.77	10,161.23
\$1,088.46	\$10,884.60	\$11,030.21
\$60.24	\$602.35	963.77
\$9.77	\$97.70	156.32
\$2.71	\$27.14	43.42
\$14.56	\$145.61	232.97
	<b>\$60,836.92</b>	<b>97,339.08</b>

**JUSTIFICATION** (please provide a short explanation of your request on the lines below):

PERSONNEL EQUIPMENT REQUEST (list all equipment required and estimated cost)	
<b>**Do not add these estimated costs to your department's operating budget. It is calculated separately by OMB.</b>	
EQUIPMENT DESCRIPTION (uniform, gun, fire safety suit, vehicle, computer, cell phone etc.)	ESTIMATED COST
Cell Phone Reimbursement	\$ 50.00
	\$ -

\$ 4.17 \$ 33.33



## AGENDA ITEM

### Planning and Development

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**REPORT TO:** Work Session (01/23/23)

**REPORT TO:** Voting Meeting (01/26/23)

**ITEM NO:** 667/2022

**SUBJECT:** **5741 Holiday Road | Rezone** | from Highway-Business (H-B) to Planned Commercial Development (PCD) on a 2.12± acre tract located on the east side of Holiday road at its intersection with Green Road | Zoned H-B; Tax Parcel 07329 001005 | **Proposed use: boat & RV storage** | Commission District 2 | **Torris J. Babbs, PE, applicant.** NOTE: Tabled at the December 8, 2022 Voting Meeting until the January 26, 2023 Voting Meeting.

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#### Meetings:

**Work Session Date:** 01/23/23

**Voting Meeting Date:** 01/26/23

#### Executive Summary:

**Presenter:** RD

**Recommendation:**

Approval, with conditions: 1. The applicant shall be required to meet all applicable local, state, and/or federal regulations required as part of the land development process. 2. The development shall be developed in accordance with Gateway Corridor Standards. 3. The property shall have access from 6 a.m. — 11 p.m., Monday - Sunday. 4. The development shall occur as depicted in the submitted site plan and narrative.

**Purpose of Request:**

5741 Holiday Road | Rezone | from Highway-Business (H-B) to Planned Commercial Development (PCD) on a 2.12± acre tract located on the east side of Holiday road at its intersection with Green Road | Zoned H-B; Tax Parcel 07329 001005 | Proposed use: boat & RV storage | Commission District 2 | Torris J. Babbs, PE, applicant.

**History:**

**Facts and Issues:**

**Options:**

**Funding Requested**

\$ 0.00

**Are funds within current budget?**

No

**Source of Funds**

**Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?** No  
**Has it been reviewed by the County Attorney?** Yes  
**Is there a deadline for this item?**

**Approvals:**

<b>Submit</b>	<b>Approve</b>	<b>Budget</b>	<b>Finance</b>
JR	JR	JR	JR
<b>Attorney</b>	<b>Administration</b>		<b>Clerk</b>
JR	JR		JR

**Attachments:**

- Updated Board Memo - as of 1/20/2023
- Board Memo
- Rezone Recommendation Report
- Use Recommendation Report
- Application
- Narrative
- Site plan
- Maps
- Deed
- Environmental Health Comments
- GDOT Comments
- Public Works Comments
- Fire Comments
- Notice Sign Photos
- Public Comments



# Hall County Government

## PLANNING & DEVELOPMENT

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR  
**Randi Doveton**

**To:** Richard Higgins, Chairman  
Kathy Cooper, District 1  
Billy Powell, District 2  
Gregg Poole, District 3  
Jeff Stowe, District 4

**From:** Randi Doveton, Director

**Date:** January 20, 2023

**Subject:** **5741 Holiday Road | Rezone** | from Highway-Business (H-B) to Planned Commercial Development (PCD) on a 2.12± acre tract to allow boat & RV storage | Torris J. Babbs, PE, applicant.

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*This item originally appeared before the BOC on December 8, 2022 and was tabled to the January 26, 2023 voting meeting to allow the applicant an opportunity to prepare a revised site plan that did not access Holiday Road and to address concerns raised during the public hearing. **To date, no revised site plan has been submitted.***

*The applicant failed to post the required signs at least 15 days prior to the meeting; therefore, **staff requests that this be tabled to the February 9, 2023 BOC voting meeting. The public portion of the meeting was closed on December 8, 2023, so the February 9, 2023 meeting will be for a vote only.***

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The applicant sought approval to rezone the property to allow covered boat and RV storage. *This item was presented to the Planning Commission as a rezoning report and a conditional use report. However, the Planning Commission opined that since it was advertised as a single item and since planned developments have historically been voted on as one item, that this should be heard and voted on as one item.* The item is located within Commission District 2.

At their November 7, 2022 meeting, the Hall County Planning Commission voted to recommend approval of this request with four (4) conditions **(5-0)**.

There were two (2) written comments in opposition submitted in advance of the Planning Commission meeting but no one spoke during the public hearing.

There have been no changes to the request since the Planning Commission took action.

### **Planning Commission Rezoning Approval Conditions:**

1. The applicant shall be required to meet all applicable local, state, and/or federal regulations required as part of the land development process.



2. The development shall be developed in accordance with Gateway Corridor Standards.
3. The property shall have access from 6 a.m. – 11 p.m., Monday - Sunday.
4. The development shall occur as depicted in the submitted site plan and narrative.

Staff recommended approval to the Planning Commission **based on the findings that this request is consistent with the Comprehensive Plan and that it meets the criteria outlined in [17.380.060](#)**

## For your Consideration

### These items support approval

1. The current land use pattern is a mixture of single family residential properties and commercial parcels. Adjacent to the subject parcel to the north is a Highway Business (H-B, [17.150](#)) zoned parcels and adjacent to the south is a property within the City of Buford.
2. The proposed zoning of Planned Commercial District (PCD, [17.180.080](#)) is consistent with the Comprehensive Plan as the property is part of the Lake Supportive corridor, where the intent is to develop commercial uses that are boat related (boat sales, storage and equipment sales) or compliment recreational use of Lake Lanier (such as locally-owned restaurants).
3. The proposed development is adjacent to a commercially zoned property and is consistent with the recommendations of the Comprehensive Plan.
4. The proposed development is in conformance with existing zoning districts and adjacent development pattern. The submitted narrative states that the proposed development will be in accordance with the Gateway Corridors Overlay District (GCOD, [17.420](#)) standards.
5. The proposed zoning is adjacent to a Highway Business (H-B, [17.150](#)).

### These items support denial

1. The property is currently zoned Highway Business with a pending rezoning request for PDC. As currently zoned, H-B, the property does have reasonable economic uses. The current request is for a conditional use permit to allow boat & RV storage within the Gateway Corridors Overlay District (GCOD, [17.420](#)). In a PDC, all uses require Planning Commission and Board of Commissioners approval ([17.180.080](#)).
2. Staff has not identified a hardship imposed on the property owner as the property is currently zoned.



# Hall County Government

## PLANNING & DEVELOPMENT

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR  
**Randi Doveton**

**To:** Richard Higgins, Chairman  
Kathy Cooper, District 1  
Billy Powell, District 2  
Shelly Echols, District 3  
Jeff Stowe, District 4

**From:** Randi Doveton, Director

**Date:** November 16, 2022

**Subject:** **5741 Holiday Road | Rezone** | from Highway-Business (H-B) to Planned Commercial Development (PCD) on a 2.12± acre tract to allow boat & RV storage | Torris J. Babbs, PE, applicant.

---

The applicant sought approval to rezone the property to allow covered boat and RV storage. *This item was presented to the Planning Commission as a rezoning report and a conditional use report. However, the Planning Commission opined that since it was advertised as a single item and since planned developments have historically been voted on as one item, that this should be heard and voted on as one item.* The item is located within Commission District 2.

At their November 7, 2022 meeting, the Hall County Planning Commission voted to recommend approval of this request with four (4) conditions **(5-0)**.

There were two (2) written comments in opposition submitted in advance of the Planning Commission meeting but no one spoke during the public hearing.

There have been no changes to the request since the Planning Commission took action.

### **Planning Commission Rezoning Approval Conditions:**

1. The applicant shall be required to meet all applicable local, state, and/or federal regulations required as part of the land development process.
2. The development shall be developed in accordance with Gateway Corridor Standards.
3. The property shall have access from 6 a.m. – 11 p.m., Monday - Sunday.
4. The development shall occur as depicted in the submitted site plan and narrative.

Staff recommended approval to the Planning Commission **based on the findings that this request is consistent with the Comprehensive Plan and that it meets the criteria outlined in [17.380.060](#)**

## **For your Consideration**

### **These items support approval**

1. The current land use pattern is a mixture of single family residential properties and commercial parcels. Adjacent to the subject parcel to the north is a Highway Business (H-B, [17.150](#)) zoned parcels and adjacent to the south is a property within the City of Buford.
2. The proposed zoning of Planned Commercial District (PCD, [17.180.080](#)) is consistent with the Comprehensive Plan as the property is part of the Lake Supportive corridor, where the intent is to develop commercial uses that are boat related (boat sales, storage and equipment sales) or compliment recreational use of Lake Lanier (such as locally-owned restaurants).
3. The proposed development is adjacent to a commercially zoned property and is consistent with the recommendations of the Comprehensive Plan.
4. The proposed development is in conformance with existing zoning districts and adjacent development pattern. The submitted narrative states that the proposed development will be in accordance with the Gateway Corridors Overlay District (GCOD, [17.420](#)) standards.
5. The proposed zoning is adjacent to a Highway Business (H-B, [17.150](#)).

### **These items support denial**

1. The property is currently zoned Highway Business with a pending rezoning request for PDC. As currently zoned, H-B, the property does have reasonable economic uses. The current request is for a conditional use permit to allow boat & RV storage within the Gateway Corridors Overlay District (GCOD, [17.420](#)). In a PDC, all uses require Planning Commission and Board of Commissioners approval ([17.180.080](#)).
2. Staff has not identified a hardship imposed on the property owner as the property is currently zoned.

**HALL COUNTY PLANNING COMMISSION  
RECOMMENDATION REPORT**

**Applicant** ..... Torris J. Babbs, PE

**Request** ..... Rezone from Highway-Business (H-B) to Planned Commercial Development (PCD)

**Proposed Use** ..... Boat & RV storage

**Size** ..... 2.12± acres

**Zoning** ..... Current Highway-Business (H-B) | Proposed Planned Commercial Development (PCD)

**Location** ..... **5741 Holiday Road | Tax Parcel 07329 001005**

**Commission District** ..... Two

**Planning Commission Date** ..... November 7, 2022

**Staff Recommendation** ..... **Approval with conditions based on the findings that this request is consistent with the Comprehensive Plan and that it meets the criteria outlined in [17.380.060](#)**

**Planning Commission Recommendation**.....**Approval, with conditions**

**Vote: 5-0**

**Planning Commission conditions.**

1. The applicant shall be required to meet all applicable local, state, and/or federal regulations required as part of the land development process.
2. The development shall be developed in accordance with Gateway Corridor Standards.
3. The property shall have access from 6 a.m. – 11 p.m., Monday - Sunday.
4. The development shall occur as depicted in the submitted site plan and narrative.

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**Public Forum:**

There were no comments in support or opposition.

**Summary Analysis**

The applicant is requesting to rezone the 2.12 acre property from Highway Business (H-B, [17.150](#)) to Planned Commercial District (PCD, [17.180.080](#)) for the purpose of developing a boat & RV storage lot with 67 covered parking spaces. The narrative continues to explain that the existing residence will be remodeled and brought up to commercial code to serve as an office space for the development.

The narrative explains that the development will be in accordance with the requirements Gateway Corridors Overlay District (GCOD, [17.420](#)), including exterior building materials, site lighting, and signage. Access to the site will be from Holiday Road, with no access proposed on Lanier Islands Parkway. The proposed hours of operation will be 6:00 am – 10:00 pm via an access controlled gate. The office will be staffed between the hours of 9:00 am – 6:00 pm. The proposed driveway will be approximately 75 feet in length before an access gate to allow for vehicle stacking. The site will be graded and a stormwater detention facility will be installed adjacent to Lanier Islands Parkway / State Route 347.

***The current request is to rezone the property.*** A concurrent conditional use application has been submitted for boat & RV storage. A separate staff report has been prepared for the conditional use.

- ***The Planning Commission can hear these items simultaneously but must vote on them separately.***
- ***Within the Gateway Corridors Overlay District (GCOD, [17.420](#)), boat & RV storage requires conditional use approval from the Board of Commissioners, which is being heard concurrent to this request.***

***Should the Planning Commission deny the rezoning request, the conditional use subject to County Commission is automatically denied since boat & RV storage are not allowed in the H-B district.***

No variances were requested as part of this application and none have been identified during the zoning analysis.

**Based on the future land-use plan, staff finds the requested zoning designation is consistent with the future land use map designation of Lake Area Residential and within a Lake Supportive corridor; [2022-Comprehensive-Plan, page 35](#) .**

### **Zoning Analysis**

The proposed boat & RV storage facility is consistent with the Comprehensive Plan as the property is part of the Lake Supportive corridor where the intent is to develop commercial uses that are boat related (boat sales, storage and equipment sales) or compliment recreational use of Lake Lanier (such as locally-owned restaurants); [2022-Comprehensive-Plan, page 35](#) .

**When considering a zoning amendment to the zoning maps, the following items must be considered:**

1. Whether the zoning proposal will permit a use that is suitable in view of the use, development and zoning of adjacent and nearby property; **The proposed boat and RV storage development is proposed adjacent to a Highway Business (H-B, [17.150](#)) zoned parcel which was recently approved to be used as additional parking for a nearby business.**
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The zoning proposal should not have an adverse effect on the existing use or usability of adjacent or nearby property. Boat & RV storage traditionally a low impact use, with those who store their vehicles on the property visiting infrequently. The request is for a**

**PCD district and all uses within a PCD district require Planning Commission and Board of Commissioners approval.**

3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; **The property is currently being used as a residential rental and as such has reasonable economic use as currently zoned. The decision to rezone the property is that of the property owner. There are a number of permitted and conditional uses allowed in the H-B District ([17.150](#)).**
4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, schools, police protection, fire protection, public health facilities or emergency medical service; **No, the proposed use of a boat & RV storage facility will not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, schools, police protection, fire protection, public health facilities or emergency medical service.**
5. Whether the zoning proposal is in conformity with the policy and intent of the future land use plan for the physical development of the area; **The proposed zoning of Planned Commercial District (PCD, [17.180.080](#)) is consistent with the Comprehensive Plan as the property is part of the Lake Supportive corridor, where the intent is to develop commercial uses that are boat related (boat sales, storage and equipment sales) or compliment recreational use of Lake Lanier (such as locally-owned restaurants).**
6. The extent to which property values are diminished by the existing zoning restrictions; **Staff is unable to comment on the impact of property values without a full market analysis. Multiple factors impact property value including construction types, proposed uses, and maintenance. Often it is difficult to determine the effect of a development on adjacent properties until the development is completed.**
7. The extent to which the destruction of the subject property's value under the existing zoning promotes the health, safety, morals or general welfare of the public; **Staff has not identified that the existing property values have been impacted by the existing zoning.**
8. The relative gain to the public as compared to the hardship imposed upon the individual property owner; **Staff has not identified a hardship imposed on the property owner as the property is currently zoned.**
9. The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the property; **The property is not currently vacant, it is developed with a single family residence which currently serves as a rental property.**
10. Whether there are other existing or changing conditions affecting the use or development of the property which give supporting grounds for either approval or disapproval of the zoning proposal; **Staff is not aware of any changing conditions that affect the use and development of the property.**
11. Whether the change would create an isolated district unrelated to the surrounding districts, such as "spot zoning;" **The proposed zoning is adjacent to a Highway Business (H-B, [17.150](#)).**

12. Whether the present zoning district boundaries are illogically drawn in relation to existing conditions in the area; **There is no evidence that the present zoning district boundaries are illogically drawn in relation to existing conditions in the area.**
  13. Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood; **The request does not appear to be out of scale with the needs of the County as a whole, as there is a need for additional storage facilities in proximity to Lake Lanier.**
  14. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **There are other properties within the County that support the boat & RV storage without rezoning.**
  15. Whether the need for rezoning could be handled instead by a variance request to the Planning Commission; **The proposed use could not be handled alternatively as a variance. The proposed use is not allowed within the current zoning district.**
  16. Whether there would be an ecological or pollution impact resulting from major modifications to the land if the request is granted; **The property will be required to meet all local, state, and federal requirements pertaining to stormwater management as part of the development process. No permits will be issued until the applicant completes the Hall County Development Review process.**
  17. Whether there is reasonable evidence based upon existing and anticipated land use that would indicate a mistake was made in the original zoning of the property; **There is no indication that a mistake was made in the original zoning.**
- The property falls within the **Gateway Corridors Overlay District, (17.420.)** which provides supplemental design standards for non-residential property development. The subject property will be subject to the standards found within [17.420.050](#) (non-residential property development standards) which relate to building materials, landscaping, and buffer requirements.
  - **Submission requirements for a rezoning request (17.380.050.):**
    - A. Any person or persons requesting a change in the official zoning map or use subject to approval of the county commission shall file an application with a plat or map of the property attached thereto, together with payment of such fees set forth in [chapter 17.30](#) to cover administrative and advertising costs, in the planning department office. Such person or persons or their authorized agent shall appear in person at the public hearing held to consider the district change. **Proposal meets the requirement. Applicant has paid the appropriate fees and understands that someone must be present at both the Hall County Planning Commission meeting and the voting meeting of the Hall County Board of Commissioners.**
    - B. All applications for a change of zoning classification or use subject to approval of the county commission shall include:
      1. A narrative statement identifying the existing and proposed use of the property and addressing each of the criteria set forth in section [17.380.060.C](#) of this section [chapter]. **Proposal does not meet the requirement, as the applicant has not addressed the review and approval criteria in [Section 17.380.060.C](#). The applicant did submit a narrative but it does not specifically address each of the criteria listed.**

2. A site plan drawn to scale designating the area covered by the application and identifying existing and proposed buildings and uses, adjacent existing land uses, zoning on contiguous parcels, including those across an abutting public right-of-way, and any other significant site improvements proposed to accommodate the proposed use or buffer adjacent uses, etc., or a plat of the subject property where no specific land use is proposed. In cases where only a plat or map is provided and no land use is proposed, the planning commission and county commission shall evaluate the application based on the most intense possible land use permitted in the proposed district. **Proposal meets the requirement.**
3. For any application for a slow rate land treatment system (see [chapter 17.20](#)), the following additional requirements apply. **This project does not proposed a slow rate land treatment system so this is not applicable.**
4. For any application proposing the development of 100 or more residential dwelling units, a traffic impact study shall be submitted prior to consideration of the application by the planning commission. At the applicant's expense, the traffic impact study shall be prepared by a professional engineer in accordance with requirements established by the Hall County Engineering Department. The engineering department shall review the traffic impact study and forward any comments to the Hall County Planning Commission. **The proposed development is commercial and nature and as such this requirement is not applicable.**

### **Development Support and Constraints –Departmental /agency comments**

#### ***Hall County Environmental Health***

An email dated October 18, 2022 from Emily McGahee states: “Must meet all Environmental Health commercial septic system permitting requirements. 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, and septic system installation/modification may be required after review of business plan.”

#### ***Hall County Fire Rescue***

In an email dated October 20, 2022, Lieutenant John Hornick, NPQ Fire Inspector 1, Plans Review, states:

1. IFC Section 507, all storage buildings must be with in the 400’ hose lay distance requirements from a fire hydrant as the truck travels. Fire hydrant(s) may have to be installed along the fire access route to meet the hose lay distance requirements.
2. IFC Section 506.1, access controlled gate will require a Knox key switch override device for fire department access into the gated development.

#### ***Hall County Public Works and Utilities***

In a memo dated October 20, 2022, from Srikanth Yamala, Director of Public Works and Utilities, the following comments were provided:

##### **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.

##### **Traffic:**

Driveway will need to meet Hall County commercial standards

##### **Utilities:**



No comments

**Hall County Tax Assessors**

No comments were provided.

**Gainesville Water Resources**

No comments were provided.

**Georgia Department of Transportation**

Per an email dated October 20, 2022, Parker Niebauer, District 1 Traffic Operations Supervisor confirmed that GDOT coordination will be required.

➤ **Excerpts from the minutes of the November 7, 2022 meeting**

**Applicant's Presentation:**

**Randi Doveton, Planning Director**, presented a summary of the request. Ms. Doveton stated that this application was written as a rezone and conditional use that will be heard and voted on together.

**Torris Babbs**, presented the request. The applicant stated that the location would accommodate with the proposed development.

**Planning Commission Comments:**

Mr. Braswell questioned if the existing structure would be utilized as an office. The applicant stated that was correct, they will bring it to commercial code. Mr. Bell questioned hours of operation. The applicant stated customers will have access from 6 a.m. - 11 p.m.

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

**Conditions:**

1. *The applicant shall be required to meet all applicable local, state, and/or federal regulations required as part of the land development process.*
2. *The development shall be developed in accordance with Gateway Corridor Standards.*
3. *The property shall have access from 6 a.m. – 11 p.m., Monday - Sunday.*
4. *The development shall occur as depicted in the submitted site plan and narrative.*

HALL COUNTY PLANNING COMMISSION  
RECOMMENDATION REPORT

**Applicant** ..... Torris J. Babbs, PE

**Request** ..... Conditional use to allow boat & RV storage

**Proposed Use** ..... Boat & RV storage

**Size** ..... 2.12± acres

**Zoning** ..... Current Highway-Business (H-B) | Proposed  
Planned Commercial Development (PCD)

**Location** ..... **5741 Holiday Road** | Tax Parcel 07329 001005

**Commission District** ..... Two

**Planning Commission Date** ..... November 7, 2022

**Staff Recommendation** ..... **Approval with conditions based on the findings that this request is consistent with the Comprehensive Plan and that it meets the criteria outlined in [17.380.060](#)**

**Planning Commission Recommendation**..... **This item was heard as a Rezone and Conditional Use but voted on as one, recommending approval with conditions**

**Planning Commission Rezoning Conditions:**

1. The applicant shall be required to meet all applicable local, state, and/or federal regulations required as part of the land development process.
2. The development shall be developed in accordance with Gateway Corridor Standards.
3. The property shall have access from 6 a.m. – 11 p.m., Monday - Sunday.
4. The development shall occur as depicted in the submitted site plan and narrative.

---

**The following report is being written under the assumption that the concurrent rezoning request is approved.**

- *The Planning Commission can hear the rezoning and conditional use items simultaneously but must vote on them separately.*
- Within the Gateway Corridors Overlay District (GCOD, [17.420](#)), boat & RV storage requires conditional use approval from the Board of Commissioners.

***Should the Planning Commission deny the rezoning request, the conditional use subject to County Commission is automatically denied since boat & RV storage are not allowed in the H-B district.***

**Public Forum:**

*There were no comments in support or opposition.*

**Summary Analysis**

The applicant is requesting conditional use approval on a 2.12± acre tract of land zoned currently zoned Highway Business (H-B, [17.150](#)) for the purpose of developing a boat & RV storage lot with 67 covered parking spaces.

The narrative explains that the development will be in accordance with the requirements Gateway Corridors Overlay District (GCOD, [17.420](#)), including exterior building materials, site lighting, and signage. The narrative continues to explain that the existing residence will be remodeled and brought up to commercial code to serve as an office space for the development. Access to the site will be from Holiday Road, with no access proposed on Lanier Islands Parkway. The proposed hours of operation will be 6:00 am – 10:00 pm via an access controlled gate. The office will be staffed between the hours of 9:00 am – 6:00 pm. The proposed driveway will be approximately 75 feet in length before an access gate to allow for vehicle stacking. The site will be graded and a stormwater detention facility will be installed adjacent to Lanier Islands Parkway / State Route 347.

No variances were requested as part of this application and none have been identified during the zoning analysis.

**Based on the future land-use plan, staff finds the *requested zoning designation* is consistent with the future land use map designation of Lake Area Residential and within a Lake Supportive corridor; [2022-Comprehensive-Plan, page 35](#) .**

**Zoning Analysis**

When considering a conditional use certain criteria must be considered.

(a) The existing land use pattern. **The current land use pattern is a mixture of single family residential properties and commercial parcels. Adjacent to the subject parcel to the north is a Highway Business (H-B, [17.150](#)) zoned parcels and adjacent to the south is a property within the City of Buford.**

(b) Whether the proposed use would have an adverse effect on the comprehensive land development plan. **The proposed zoning of Planned Commercial District (PCD, [17.180.080](#)) is consistent with the Comprehensive Plan as the property is part of the Lake Supportive corridor, where the intent is to develop commercial uses that are boat related (boat sales, storage and equipment sales) or compliment recreational use of Lake Lanier (such as locally-owned restaurants).**

(c) Whether all proposed structures, equipment or material will be readily accessible for fire and police protection. **The proposed development will be reviewed through the Development Review process, and as such will be required to meet all applicable life safety regulations prior to permit issuance.**

(d) Whether the proposed use will be of such location, size, and character that, in general, it will be in harmony with the appropriate and orderly development of the area in which it is proposed to be situated and will not be detrimental to the orderly development of adjacent properties or a deterrent to the improvement of adjacent properties in accordance with the zoning classification of such properties, the existing land use pattern, or the comprehensive land development plan. **The proposed development is adjacent to a commercially zoned property and is consistent with the recommendations of the Comprehensive Plan.**

(e) Whether, in the case of any use located in, or directly adjacent to, a residential district or area:

(i) The nature and intensity of operations will be such that both pedestrian and vehicular traffic to and from the use and the assembly of persons in connection therewith will not be hazardous or inconvenient to, or incongruous with, said residential district or area, or conflict with the normal traffic of the neighborhood; and **The proposed development is not anticipated to lead to hazardous or inconvenient conditions for pedestrian or vehicular traffic.**

(ii) The location and height of buildings, and other structures, and the crosswalks or pedestrian ways are nature and extent of screening, buffering or landscaping on the site will be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings in conformance with existing zoning districts and development pattern. **The proposed development is in conformance with existing zoning districts and adjacent development pattern. The submitted narrative states that the proposed development will be in accordance with the Gateway Corridors Overlay District (GCOD, [17.420](#)) standards.**

(f) Whether the proposed use will increase the population density resulting in the increase or overtaxing of the load on public facilities such as schools, utilities, streets, etc.; or approval of the use would encourage adjacent areas to develop at higher densities than provided in the comprehensive plan resulting in the overtaxing of such public facilities. **The proposed development is not residential and thus will not increase the population density resulting in the increase or overtaxing of the load on public facilities such as schools, utilities, streets, etc.; nor will the approval of the use encourage adjacent areas to develop at higher densities than provided in the comprehensive plan resulting in the overtaxing of such public facilities.**

(g) Whether the proposed use will cause a health hazard, a public safety problem, or nuisance created or excessively increasing traffic and associated congestion; creating a drainage problem; generating unnecessary disturbances due to noise, the emittance of smoke or other contaminants, odor, electrical interference or causing pollution to land, air and/or water. **The proposed boat & RV storage use will not cause a health hazard, a public safety problem, or nuisance created or excessively increasing traffic and associated congestion; creating a drainage problem; generating unnecessary disturbances due to noise, the emittance of smoke or other contaminants, odor, electrical interference or causing pollution to land, air and/or water.**

(h) Whether the proposed change will adversely affect property values in adjacent areas. **Multiple factors impact property value including construction types, proposed uses, and maintenance. Often it is difficult to determine the effect of a development on adjacent properties until the development is complete.**

(i) Whether there are substantial reasons why the property cannot be used for a permitted use in the district where the property is located. **Outdoor storage requires a conditional use approval to be permitted within the Gateway Corridors Overlay District (GCOD, [17.420](#)).**

Per Planning Commission and Hall County Commission consideration and decision ([17.380.060](#)) the planning commission shall study the need and justification for the change based on a determination of the facts applicable to the particular case, and the following general lines of inquiry shall be considered, to wit:

1. Whether the zoning proposal will permit a use that is suitable in view of the use, development and zoning of adjacent and nearby property. **The current land use pattern is a mixture of single family residential properties and commercial parcels. Adjacent to the subject parcel to the north is a Highway Business (H-B, [17.150](#)) zoned parcels and adjacent to the south is a property within the City of Buford.**
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property. **The proposed zoning of Planned Commercial District (PCD, [17.180.080](#)) is consistent with the Comprehensive Plan as the property is part of the Lake Supportive corridor, where the intent is to develop commercial uses that are boat related (boat sales, storage and equipment sales) or compliment recreational use of Lake Lanier (such as locally-owned restaurants).**
3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned. **The property is currently zoned Highway Business with a pending rezoning request for PDC. As currently zoned, H-B, the property does have reasonable economic uses. The current request is for a conditional use permit to allow boat & RV storage within the Gateway Corridors Overlay District (GCOD, [17.420](#)). In a PDC, all uses require Planning Commission and Board of Commissioners approval ([17.180.080](#)).**
4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, schools, police protection, fire protection, public health facilities or emergency medical service. **The proposed development is unlikely to cause an excessive or burdensome use of existing streets, transportation facilities, utilities, schools, police protection, fire protection, public health facilities, or emergency medical services.**
5. Whether the zoning proposal is in conformity with the policy and intent of the future land use plan for the physical development of the area. **The proposed zoning of Planned Commercial District (PCD, [17.180.080](#)) is consistent with the Comprehensive Plan as the property is part of the Lake Supportive corridor, where the intent is to develop commercial uses that are boat related (boat sales, storage and equipment sales) or compliment recreational use of Lake Lanier (such as locally-owned restaurants).**
6. The extent to which property values are diminished by the existing zoning restrictions. **Staff is unable to comment on the impact of property values without a full market analysis. Multiple factors impact property value including construction types, proposed uses, and maintenance. Often it is difficult to determine the effect of a development on adjacent properties until the development is completed.**

7. The extent to which the destruction of the subject property's value under the existing zoning promotes the health, safety, morals or general welfare of the public. **Staff has not identified that the existing property values have been impacted by the existing zoning.**
  8. The relative gain to the public as compared to the hardship imposed upon the individual property owner. **Staff has not identified a hardship imposed on the property owner as the property is currently zoned.**
  9. The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the property. **The property is not currently vacant, it is developed with a single family residence which currently serves as a rental property.**
  10. Whether there are other existing or changing conditions affecting the use or development of the property which give supporting grounds for either approval or disapproval of the zoning proposal. **Staff is not aware of any changing conditions that affect the use and development of the property.**
  11. Whether the change would create an isolated district unrelated to the surrounding districts, such as "spot zoning." **The proposed zoning is adjacent to a Highway Business (H-B, [17.150](#)).**
  12. Whether the present zoning district boundaries are illogically drawn in relation to existing conditions in the area. **There is no evidence that the present zoning district boundaries are illogically drawn in relation to existing conditions in the area.**
  13. Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood. **The request does not appear to be out of scale with the needs of the County as a whole, as there is a need for additional storage facilities in proximity to Lake Lanier.**
  14. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned. **There are other properties within the County that support commercial uses based on the Future Land Use Map**
  15. Whether the need for rezoning could be handled instead by a variance request to the [Planning Commission]. **The request could not be handled alternatively as a variance.**
  16. Whether there would be an ecological or pollution impact resulting from major modifications to the land if the request is granted. **The property will be required to meet all local, state, and federal requirements pertaining to stormwater management as part of the development process.**
  17. Whether there is reasonable evidence based upon existing and anticipated land use that would indicate a mistake was made in the original zoning of the property. **There is no indication that a mistake was made in the original zoning of the property.**
-

- The property falls within the **Gateway Corridors Overlay District, (17.420.)** which provides supplemental design standards for non-residential property development. The subject property will be subject to the standards found within [17.420.050](#) (non-residential property development standards) which relate to building materials, landscaping, and buffer requirements.
  - Within the **Gateway Corridors Overlay District, (17.420.)**, the use of boat & RV storage requires conditional use approval from the Board of Commissioners, resulting in this request. A companion case to rezone the property to **Planned Commercial District (PCD, 17.180.080)** is running concurrent to this request.

**Development Support and Constraints –Departmental /agency comments**

***Hall County Environmental Health***

An email dated October 18, 2022 from Emily McGahee states: “Must meet all Environmental Health commercial septic system permitting requirements. 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, and septic system installation/modification may be required after review of business plan.”

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**Traffic:**

Driveway will need to meet Hall County commercial standards

**Utilities:**

No comments

***Hall County Tax Assessors***

No comments were provided.

***Gainesville Water Resources***

No comments were provided.

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Per an email dated October 20, 2022, Parker Niebauer, District 1 Traffic Operations Supervisor confirmed that GDOT coordination will be required.

➤ **Excerpts from the minutes of the November 7, 2022 meeting**

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

*Conditions:*

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4. *The development shall occur as depicted in the submitted site plan and narrative.*



PLANNING AND DEVELOPMENT DEPARTMENT  
 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504  
 MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503  
 t: 770-531-6809 f: 770-531-3902

RECEIVED

SEP 18 2012

Planning & Zoning Department



**ZONING APPLICATION**

**Applicant (Name & Mailing Address)**

TORRES J. BABBS, PE  
1836 CARROLLTON VILLA RICA HWY.  
SUITE 108. - VILLA RICA, GA 30180

Phone OFF. (770) 878-2338 MOB. (256) 452-2965

Email Address tbabbs@babbsengr.com

Proposed Use BOAT + RV STORAGE

**Property Owner (Name & Mailing Address)**

JUAN R. JIMENEZ  
1484 HIGH COTTON CT.  
LAWRENCEVILLE, GA 30043

Phone 678-756 3600

Email Address JRJimenezmd@gmail.com

**Contact Person (Name & Mailing Address)**

TORRES J. BABBS, P.E.  
1836 Carrollton Villa Rica Hwy. Ste. 108  
Villa Rica, GA. 30180

Phone 256.452.2965

Email Address tbabbs@babbsengr.com

Tax Parcel Number 07329 001005

Location Address 5741 HOLIDAY RD

**Status of Applicant**

- Owner
- Option to Purchase
- Area Resident
- Other

**Requested Action**

Existing Zoning: H-B  
 Rezone to: ~~H-B~~ PUD  
 Fee: \$ 450.00  
 Receipt #: 859043  
 Check #: 28173 996 775

Acreage 2.173 acres

I hereby certify that the above information and all attached information are true and correct.

Sign [Signature] Date: 9-12-2012

**Applicant must complete all information above. Failure to complete this section will result in the refusal of the application. The Planning Department has 15 days to review all applications and will set the dates for each application. If the application is found insufficient, an agenda date will not be set until the required information is submitted. Please note that the Planning Commission and County Commission dates are tentative.**

**Application Withdrawal:** I hereby withdraw the application.

Sign \_\_\_\_\_ Date: \_\_\_\_\_

**Staff Use Only**

Application Date: \_\_\_\_\_ Taken by: \_\_\_\_\_

Tentative Planning Commission Date: 11/07 Tentative County Commission Date: 12/08

County Commission District: 2

PLANNING AND DEVELOPMENT DEPARTMENT  
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MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503  
t: 770-531-6809 | f: 770-531-3902



**AUTHORIZATION OF PROPERTY OWNERS**

*Note: If the applicant is the property owner, please disregard this form.*

Name of owner(s) JUAN R. JIMENEZ

Address 1484 HIGH COTTON CT.  
LAWRENCEVILLE, GA 30043

Phone Number 678. 756 3600

Name of applicant(s) TORRES J. BARBS, P.E.

Address 70 BOX 681  
CARROLLTON, GA 301

Phone Number OFF. 770. 878. 2338    MOBILE: 256. 452. 2965

**I swear that I am the owner of the property which is the subject matter of the attached applications as shown in the records of Hall County, Georgia.**

**I authorize the person named above to act as applicant in the pursuit of a rezoning, permissive use, or variance of this property.**

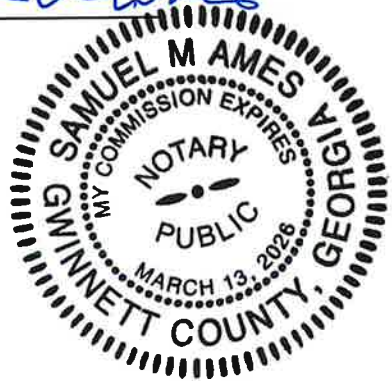
Signature of Owner(s) [Handwritten Signature]

Personally appeared before me SAMUEL M AMES

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

[Handwritten Signature]  
Notary Public

Date 9/13/2022



### CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

This form must be completed by the applicant and property owner, or person representing the property owner, for all zoning actions.

OCGA § 36-67A-3[C] Disclosure of campaign contributions:

(b) When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant's application for the zoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:

- (3) The name and official position of the local government official to whom the campaign contribution was made; and
- (4) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

---

I hereby certify that I have read the above and that:

I have\*\*  I have not

within the two years immediately preceding this date, made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

\*\*If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.

Name of Official(s): \_\_\_\_\_ Office: \_\_\_\_\_

Dollar Amount: \_\_\_\_\_ Date of Contribution: \_\_\_\_\_

Applicant's/Owner's Signature: Torris J. Babbs Date: 9/15/22

Applicant's/Owner's Name (Printed): Torris J. Babbs



**BABBS ENGINEERING CONSULTANTS, LLC**

1836 Carrollton Villa Rica Hwy. Suite 108  
Villa Rica, GA. 30180  
Phone: (770) 878.2338  
Mobile: (256) 452.2965  
Fax: (888) 835-8707

**MISSION STATEMENT: "A Company Committed to Engineering the World for Future Generations"**

BABBS ENGINEERING CONSULTANTS, LLC (**BEC**) is an 8(a) certified professional A&E firm that specializes in civil site development and building infrastructure projects, construction management, storm-water management, civil site and roadway design projects. Additionally, our consultants can assist your organization with environmental remediation and inspection on asphalt, bridge, concrete, and earthwork projects.

09/21/22

Prepared for:  
**Hall County Planning & Development**  
**2875 Browns Bridge Road**  
**Gainesville, Ga. 30504**  
**Phone: 678.531.6809**

**RE: REPORT Existing Highway Business District (H-B) property to Proposed Planned Commercial Development (PCD) district property located within 7<sup>th</sup> District Land Lot 329 found in Deed Book 2326 Page 58 with physical street address of 5741 Holiday Road, Buford, Ga. 30518 (app. 2.1 Acres).**

The existing conditions of the property consists of a residence with carport with concrete driveway that extends to Holiday Road is zoned in Highway Business District (H-B). There is an existing wire woven fence surrounding the north and south sides of the property. The fence stretches from the front to the back yard within the confines of the boundary of the property. The back of the property is all greenspace that consists of trees and vegetation on a meandering topography. There is a small berm in the backyard beyond the fence line on the north side of the property that runs longitudinal with Lanier Islands Parkway streetscape; uphill from streetscape within the confines of the property. The property seems to have a swale area in the back functioning as some sort of retainer for stormwater. The property is not in a flood zone based on TMA MAP Number 13139CO288G effective 04/04/2018.

The proposed activities for this site will consists of making just over 70% of this property impervious surface with asphalt to support the rental parking spaces for potential clients to park their Boats and RVs. The proposed parking spaces will be covered in accordance to all specifications acknowledged in the Gateway Corridor



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Overlay District. The proposed zoning for this site is Planned Commercial Development (PCD). The existing residence that's currently functioning as a rental property is planned to be remodeled if feasible after assessing the pertinent changes in referencing the fire marshal ordinances. The remodeled facility will serve as an active office building in support of all administrative and maintenance activities required to support the operations of the proposed site. The exterior of the remodeled facility will mainly consist of brick and all pertinent items in reference to the regulations of the Gateway Corridor Overlay District. The proposed driveway entrance will be app. 75 ft in length prior to entering proposed coded gate( constructed with metal materials) ; see proposed site plan for more details. The proposed site will be made more level than existing condition of the site and will also have a water quality device within a proposed junction box that will treat the storm water after existing the paved surface and prior to entering greenspace; see proposed site plan for more details. The type of lighting on the site will be determined based on cost benefit analysis on Solar vs LED and will also be installed in accordance to the Gateway Corridor Overlay District specifications. The site operations hours will be from 9am to 6pm most extended office hours, with access through gate between hours of 6am and 10pm. The access will only be granted to clients/customers prior to and after office hours. In closing we see no significant impact to any water resource areas in the watershed of this site from the proposed site of reference. The existing and proposed site outfalls will be in a no-name state-water that runs along the side of Lanier Island Parkway, but this impact will only occur during significant flood conditions. If you have any questions, feel free to contact me at (256) 452-2965 or via email [tbabbs@babbsengrg.com](mailto:tbabbs@babbsengrg.com).



Sincerely,

  
Torris J. Babbs, P.E.

**Principal**

*BABBS ENGINEERING CONSULTANTS, LLC*

# PROPOSED SITE PLAN FOR LANIER ISLANDS BOAT & RV STORAGE FACILITIES

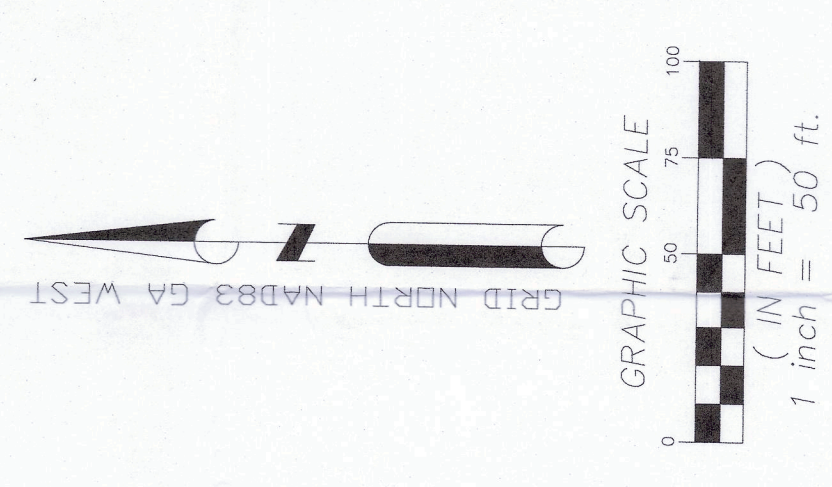
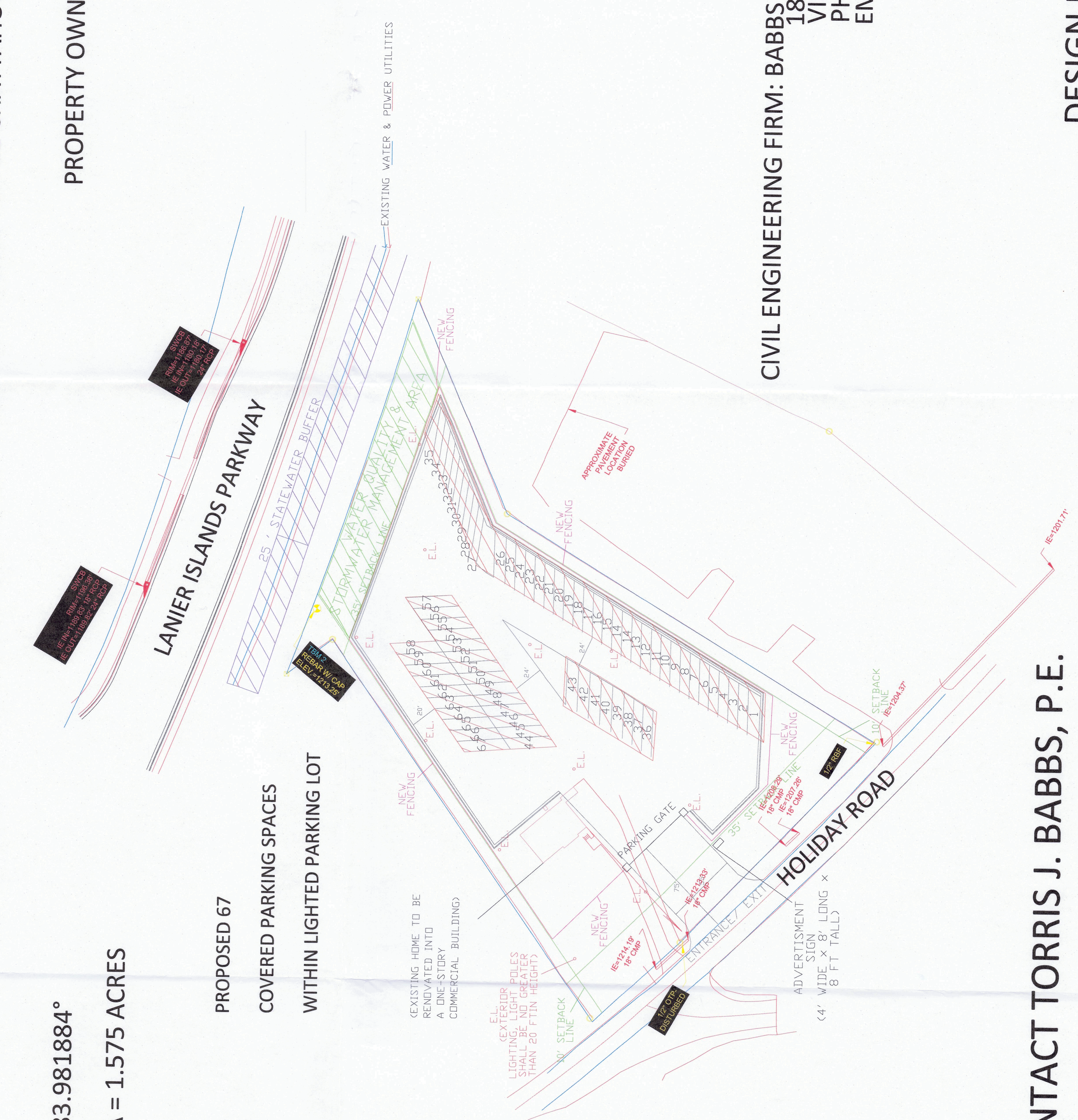
THE PROPOSED PROJECT IS THE CONSTRUCTION OF 67 UNITS OF PARKING FOR BOATS AND RV'S ON APP. 2.1 ACRE PARCEL. THE EXISTING PARCEL LOCATED ON 5741 HOLIDAY ROAD CONSISTS OF CONCRETE DRIVEWAY WITH RESIDENTIAL HOUSE. THE EXISTING RESIDENCE AREA IS PROPOSED TO CONSIST OF PROPOSED COMMERCIAL OFFICE SPACE THAT WILL SUPPORT FACILITY OPERATIONS; IT WILL BE REMODELED OR REPLACED DEPENDENT ON COST BENEFIT ANALYSIS IN MEETING LOCAL FIRE DEPARTMENT REGULATIONS. THE CURRENT EXISTING FENCE OF THE PROPERTY WILL BE REPLACED WITH A SECURITY FENCE WITH CODED GATE ENTRANCE FOR POTENTIAL CLIENTS OF THE FACILITY. THE PROPERTY IS NOT IN A FLOOD ZONE AND THE SOIL TOPOGRAPHY IS SUCH THAT PROPOSED STORMWATER CONDITIONS WILL BE MANAGED ON THE PROPERTY CAMPUS SAME AS EXISTING CONDITIONS; DETERMINED BY EVALUATION OF HISTORICAL RAINFALL DATA AND PROPOSED GREENSPACE REMAINING ON THE OUTSKIRTS OF POTENTIAL DEVELOPMENT.

THE FEMA FIRM PANEL MAP NUMBER FOR THIS WATERSHED AREA IS 13139C0288G EFFECTIVE 04/04/2018; AREA IS NOT IN SPECIAL FLOOD HAZARD AREA. THE WATER RESOURCE AREAS ON THE PROPERTIES SHOWN ABOVE ARE TRIBUTARIES TO BIG CREEK THAT FLOWS TO THE CHATTAHOOCHEE RIVER.


5741 HOLIDAY ROAD  
 LAT. 34.150140° LONG. -83.981884°  
 TOTAL AREA = 2.1+ACRES  
 PROPOSED IMPERVIOUS AREA = 1.575 ACRES

PROPERTY OWNER: MR. JUAN JIMENEZ  
 1484 HIGH COTTON COURT  
 LAWRENCEVILLE, GA. 30043  
 PHONE NO. 678.756.3600  
 EMAIL: JRJIMENEZMD@GMAIL.COM

CIVIL ENGINEERING FIRM: BABBS ENGINEERING CONSULTANTS, LLC  
 1836 CARROLLTON VILLA RICA HWY SUITE 108  
 VILLA RICA, GA. 30180  
 PHONE NO. 770.878.2338  
 EMAIL: TBABBS@BABBSENGRG.COM

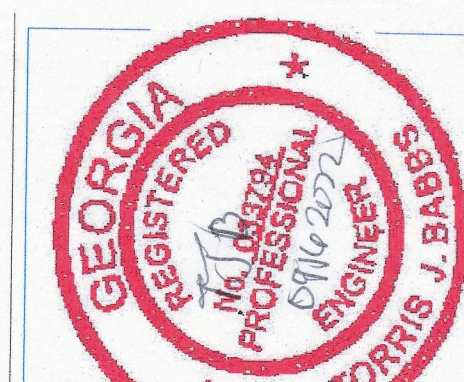


NO.	DATE	BY

PREPARED BY:  BABBS ENGINEERING CONSULTANTS, LLC

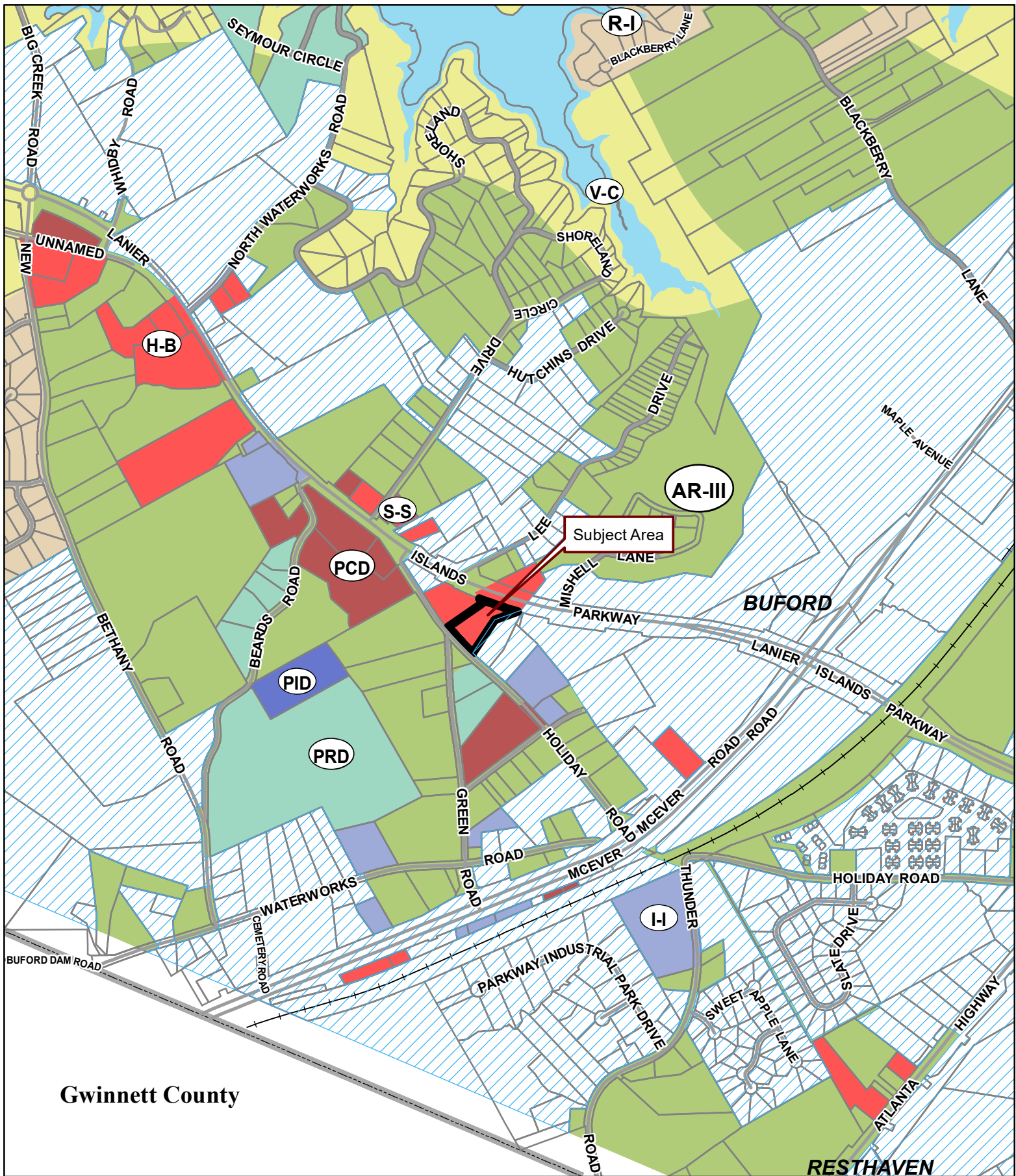
PROPOSED SITE PLAN FOR PLANNED COMMERCIAL DEVELOPMENT FOR LANIER ISLANDS PLY BOAT & RV STORAGE OWNER MR. JUAN JIMENEZ 5741 HOLIDAY ROAD BUFORD, GA. 30518  
 PREPARED FOR: HALL COUNTY

SCALE:	1 : 50
DWN:	KJP
CHK:	TJB
APP:	TJB
FILE:	091522PCD.DWG
PROJ:	PR000PCF082022
DATE:	09/15/2022
SHEET	1 OF 1



24 HOUR EMERGENCY CONTACT TORRIS J. BABBS, P.E.  
 PHONE NO. 770.878.2338

DESIGN PROFESSIONAL: MR. TORRIS J. BABBS, P.E.  
 LEVEL 2 CERTIFICATION NUMBER: 60725



Gwinnett County

RESTHAVEN

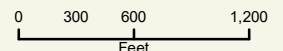
**Applicant:** TORRIS J. BABBS, PE

**Tax Parcel #:** 07329 001005

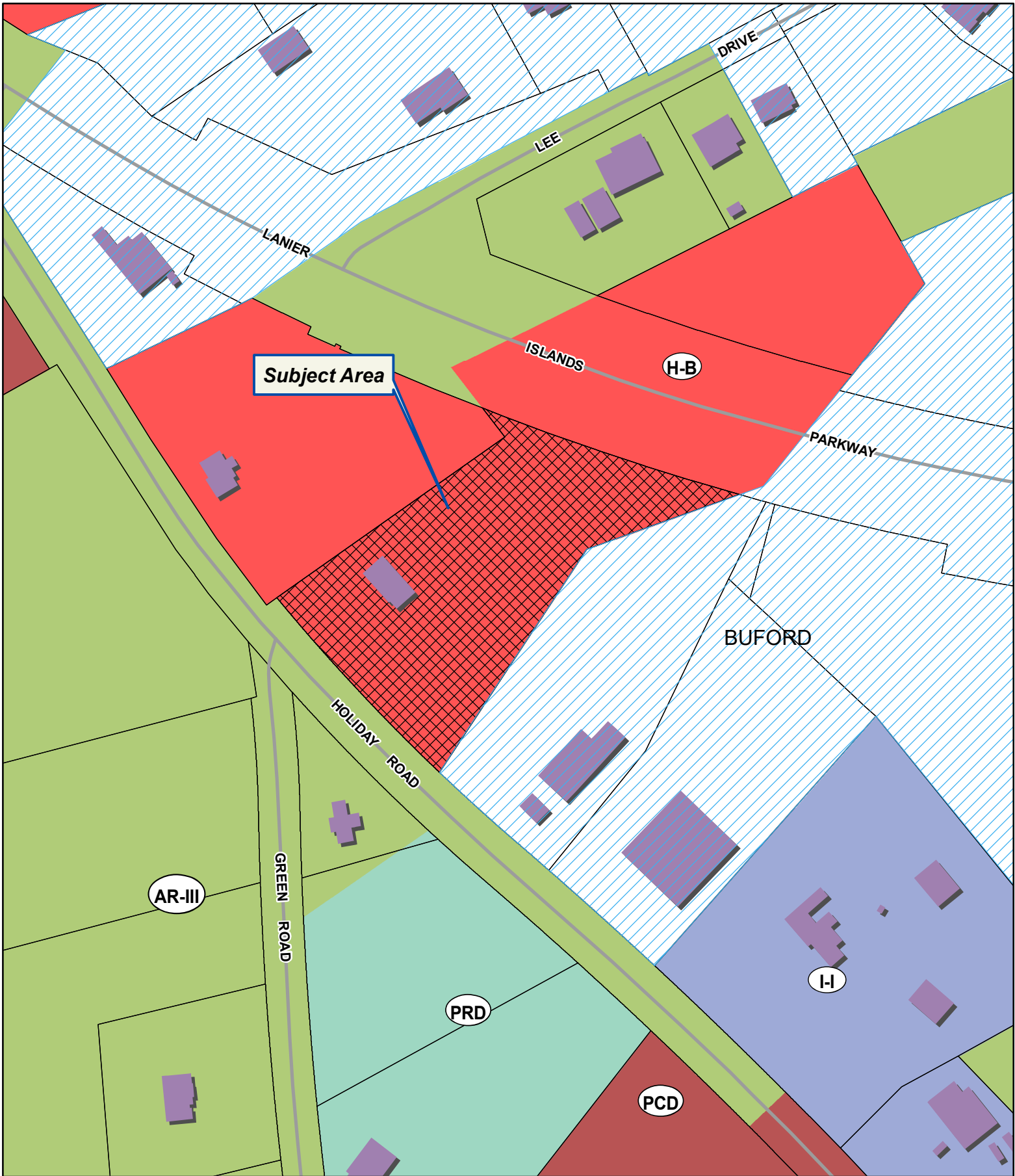
**Location:** 5741 HOLIDAY ROAD, BUFORD, GA 30518

**Commission District 2**

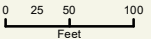
**PC Mtg. Date:** 11/07/2022



- Zoning Boundary
  - ▨ City Limits
  - Subject Area
  - Structure
- N



**Applicant:** TORRIS J. BABBS, PE  
**Tax Parcel #:** 07329 001005  
**Location:** 5741 HOLIDAY ROAD, BUFORD, GA 30518  
**Commission District 2**      **PC Mtg. Date:** 11/07/2022



- Zoning Boundary
- ▨ City Limits
- ▩ Subject Area
- Structure







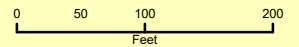
**Applicant:** TORRIS J. BABBS, PE




**Tax Parcel #:** 07329 001005

**Location:** 5741 HOLIDAY ROAD, BUFORD, GA 30518

**Commission District 2**

**PC Mtg. Date:** 11/07/2022



-  Zoning Boundary
-  City Limits
-  Subject Area



Record and Return to:  
Weissman PC  
3500 Lenox Road, 4<sup>th</sup> Floor  
Atlanta, GA 30326  
  
File No.: W-C-08105-22-CM  
  
Parcel ID: 07-00329-01-005

eFiled and eRecorded  
DATE: 06/01/2022  
TIME: 2:10 PM  
DEED BOOK: 9137  
PAGE: 141 - 144  
FILING FEES: \$25.00  
TRANSFER TAX: \$605.00  
PARTICIPANT ID: 2979894615  
PARTICIPANT ID: 7067927936  
PT61: 069-2022-004972  
RECORDED BY: CH  
CLERK: Charles Baker, C.S.C  
Hall County, GA

LIMITED  
WARRANTY DEED

STATE OF GEORGIA  
COUNTY OF FULTON

**THIS INDENTURE**, made this 25th day of May, 2022, between Allen Rey and Chunzhi Rey, as party or parties of the first part, hereinafter called Grantor, and ADE 1014, LLC as party or parties of the second part, hereinafter called Grantee, (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

**WITNESSETH** that Grantor, for and in consideration of the sum of TEN DOLLARS AND NO/100 (\$10.00) and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee.

See Exhibit "A" attached hereto.

This Deed is given subject to all easements and restrictions of record.

**TO HAVE AND TO HOLD** the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, only to the proper use, benefit and behoof of the said Grantee, forever in **FEE SIMPLE**.

**AND THE SAID** Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons claiming by, through and the above named grantor.

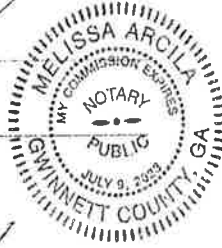
IN WITNESS WHEREOF, the Grantor has signed and sealed this Deed, on the date and year above written.

Signed, sealed and delivered  
in the presence of:

\_\_\_\_\_  
Unofficial Witness

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_



\_\_\_\_\_  
Allen Rey

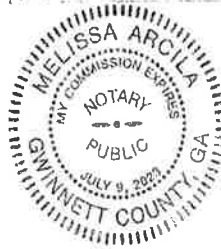
(Seal)

Signed, sealed and delivered  
in the presence of:

\_\_\_\_\_  
Unofficial Witness

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_



\_\_\_\_\_  
Chunzhi Rey

(Seal)

EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 329 of the 7th District, Hall County, Georgia (Roberts GMD) as shown and delineated on plat of survey for Brenda R. Bigham & Robert G. Warnicke by Patton-Patton & Associates dated December 4, 1985, and being more particularly described as follows:

Beginning at an iron pin at a point on the Northeastern right-of-way of Holiday Road (State Route #347), said pin being 430 feet Southeast, along said right-of-way, from the intersection of said right-of-way and the centerline of Lee Drive; thence running North 67 degrees 53 minutes 36 seconds East, a distance of 349.90 feet, to an iron pin; thence running South 31 degrees 46 minutes 28 seconds West, a distance of 328.42 feet, to an iron pin on the Northeastern right-of-way of Holiday Road; thence running North 45 degrees 42 minutes 52 seconds West along said right-of-way, a distance of 211.27 feet, to an iron pin, the place or Point of Beginning. LESS AND EXCEPT ANY PORTION OF THE ABOVE DESCRIBED PROPERTY WHICH LIES WITH THE RIGHT-OF-WAY OF ANY PUBLIC ROAD.

Together with:

All that tract or parcel of land lying and being in Land Lot 329 of the 7<sup>th</sup> District, Hall County, Georgia and being on the Northeasterly right-of-way of Holiday Road, and being a 4.034 acre tract (more or less) more fully shown on a survey by Farley-Collins & Associates, dated 12/5/68, which survey is incorporated by reference for a more particular description, and more particularly described as follows:

Beginning at an iron pin on the Northeasterly right of way line of Holiday Road 337 feet Southeasterly, as measured along the Northeasterly right-of-way line of Holiday Road, from the intersection of the Northeasterly right-of-way line of Holiday Road with the center line of Lee Drive; running thence North 55 degrees 18 minutes East 350.8 feet to an iron pin; thence North 38 degrees 35 minutes West 106.6 feet to an iron pin; thence North 63 degrees 12 minutes East 547.8 feet to an iron pin; thence South 33 degrees 11 minutes East along the line of the property now or formerly owned by Lee 160.4 feet to an iron pin; thence South 38 degrees 31 minutes West along the line of property now or formerly owned by Tommy Smith 299.2 feet to an iron pin; thence South 67 degrees 36 minutes West along the line of property now or formerly owned by Max Ford, Tommy Smith and Frank Holden 596.7 feet to an iron pin on the Northeasterly right-of-way line of Holiday Road; thence North 42 degrees 52 minutes West along the Northeasterly right-of-way line of Holiday Road 89.9 feet to an iron pin at the Point of Beginning; as per survey by Farley-Collins Associates dated December 5, 1968. LESS AND EXCEPT ANY PORTION OF THE ABOVE DESCRIBED PROPERTY WHICH LIES WITH THE RIGHT-OF-WAY OF ANY PUBLIC ROAD.

Less and Except

That Right-of-Way Deed from Allen E. Rey to the Department of Transportation, filed on January 3, 1995 in Deed Book 2326, Page 58, aforesaid records.

That Warranty Deed from Allen Rey to Colonial Telegraph, J.I.C. filed on June 3, 2008 in Deed Book 6349, Page 173, aforesaid records.

## SCHEDULE B

### Permitted Exceptions

1. All taxes for the year 2022 and subsequent years, not yet due and payable.
2. No insurance is afforded as to the exact amount of acreage contained within the Land.
3. Terms, conditions and provisions of Conveyance of Access Rights from Department of Transportation State of Georgia, to Brenda R. Bigham and Robert G. Warnicke, dated 01/08/1986, filed in Deed Book 948, Page 191, aforesaid records.
4. Right-of-Way Deed from Allen E. Rey to the Department of Transportation filed on January 3, 1995 in Deed Book 2326, Page 58, aforesaid records.
5. Warranty Deed from Allen Rey to Coconut Telegraph, LLC, filed on June 3, 2008 in Deed Book 6349, Page 173, aforesaid records.
6. Rights of others in and across subject property.

## Anael Dominguez (Planning)

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**From:** Emily McGahee (Environmental Health)  
**Sent:** Tuesday, October 18, 2022 12:31 PM  
**To:** Anael Dominguez (Planning); Randi Doveton (Planning)  
**Cc:** Chad Harper (Environmental Health); Kelly Hairston (Environmental Health)  
**Subject:** HCPC Tentative Agenda 11.7.22

Please find Environmental Health comments below:

Item 1, 3461 Thompson Bridge Road, Michael James Remodeling: An existing system evaluation will be required. All proposed additions (including parking) must meet required setbacks from septic system.

Item 2, 3600 Maple Valley Drive, Brunson: Please be advised that Environmental Health will be unable to approve any sign easement/separation of property by plat as either would cause the parent parcel (3604 Maple Valley) to be a non-conforming lot in regards to non-restricted lot size as required by the Hall County Board of Health Lot Size Resolution.

Item 3, 4319 Winder Hwy, Genuine Mapping: No comment. Public sewer.

Items 4&5, 6580 Cleveland Hwy, Schermerhorn: Must meet all Environmental Health commercial septic system permitting requirements. 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, and septic system installation may be required after review of business plan.

Item 6, 4020/3886 Cornelia Hwy/4761 Cagle Mill Road, Ridgeline: No comment. Public sewer.

Item 7, 2581 Ramsey Circle, CMWB: No comment. Public sewer.

Item 8, 0 Old Winder Hwy, Baker: No comment.

Item 9, 5741 Holiday Road, Babbs: Must meet all Environmental Health commercial septic system permitting requirements. 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, and septic system installation/modification may be required after review of business plan.

Emily McGahee  
Hall County Environmental Health  
Hall County Government Center  
2875 Browns Bridge Road  
Mailing: PO Box 5901  
Gainesville, GA 30504  
(770) 531-3973  
(770) 531-6767 (fax)

<http://dph.georgia.gov/environmental-health> (State Website)  
<http://www.phdistrict2.org/HallCounty.htm> (District Website)  
<http://www.hallcounty.org/devserv/environmental.asp> (County Website & Forms)



## Anael Dominguez (Planning)

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**From:** Niebauer, Parker J <PNiebauer@dot.ga.gov>  
**Sent:** Thursday, October 20, 2022 9:45 AM  
**To:** Anael Dominguez (Planning); Randi Doveton (Planning)  
**Cc:** Chavers, Veronica E; Peevy, Jonathan  
**Subject:** RE: Tentative Planning Agenda for November 7, 2022

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please see GDOT comments in red below

Thank you,

**Parker Niebauer**

*DITO Traffic Operations Supervisor*



District 1 Division of Field Services

1475 Jesse Jewell Pkwy

Suite 100

Gainesville, GA, 30501

770.533.8275 office

770.519.3223 cell

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**From:** Anael Dominguez (Planning) <adominguez@hallcounty.org>  
**Sent:** Thursday, October 13, 2022 9:27 AM  
**To:** Becky Ruffner (Parks & Leisure) <bruffner@hallcounty.org>; Bill Nash (Public Works) <bnash@hallcounty.org>; Brandi Smith (Business License) <bsmith@hallcounty.org>; Bryan Cash (Fire Services) <bcash@hallcounty.org>; Chad Harper (Environmental Health) <charper@hallcounty.org>; Chris Braswell (Planning) <cbraswell@hallcounty.org>; Christopher Armstrong (Fire Services) <carmstrong@hallcounty.org>; Dan Barnes <Daniel.C.Barnes@usace.army.mi>; Ellis Still (Planning) <estill@hallcounty.org>; Emily McGahee (Environmental Health) <emcgahee@hallcounty.org>; Frank Miller (Engineering) <fmiller@hallcounty.org>; Dykes, Jason <jdykes@dot.ga.gov>; Jason Skarda (Engineering) <jskarda@hallcounty.org>; Jeremy Wills <jeremy.wills@gainesville.org>; John Hornick (Fire Services) <jhornick@hallcounty.org>; Peevy, Jonathan <jpeevy@dot.ga.gov>; Kelly Hairston (Environmental Health) <khairston@hallcounty.org>; Lamar Carver (Building Inspection) <lcarver@hallcounty.org>; Matt Cox <matt.cox@hallco.org>; Michael Vieira (Fire Services) <mvieira@hallcounty.org>; Mike Little (Parks and Leisure) <mlittle@hallcounty.org>; Nicole Griffin (Tax Assessors) <nicole.griffin@hallcounty.org>; nswafford <nswafford@gainesville.org>; Pam Cravero <Pam.Cravero@hallco.org>; Niebauer, Parker J <PNiebauer@dot.ga.gov>; Randi Doveton (Planning) <rdoveton@hallcounty.org>; rich <rich@flowerybranchga.org>; Scott Puckett <spuckett@hallcounty.org>; Srikanth Yamala (Public Works) <syamala@hallcounty.org>; Stephen Cain <troy.s.cain@usace.army.mil>; Steve Watson (Real Property) <rswatson@hallcounty.org>; Tammie Croy (Engineering) <tcroy@hallcounty.org>; Tracy Gilreath (Tax Assessors) <tgilreath@hallcounty.org>; Wanda Moreno (Engineering) <wmoreno@hallcounty.org>; Wanda Sutton (Engineering) <wsutton@hallcounty.org>; will schofield <will.schofield@hallco.org>  
**Subject:** Tentative Planning Agenda for November 7, 2022



Good morning –

Here is the Tentative Agenda and Maps for the **Monday, November 7, 2022** Hall County Planning Commission Meeting.

Please use the links to review the documents and respond with comments to Hall County Planning and Development. Failure to provide comments in a timely manner may result in the information not being included in the staff report.

**When submitting comments, please include the name of the applicant along with the address of the property with the corresponding comment.**

Comments are due by **Thursday, October 20<sup>th</sup>**. Email comments to Randi ([rdoveton@hallcounty.org](mailto:rdoveton@hallcounty.org)) and Ana ([adominguez@hallcounty.org](mailto:adominguez@hallcounty.org)).

## **CALL TO ORDER**

## **AGENDA REVIEW**

## **APPROVAL OF MINUTES** – October 17, 2022

## **OLD BUSINESS**

1. [3461 Thompson Bridge Road | Rezone | from Residential-I \(R-I\) to Office and Institutional \(O-I\) on a 6.85± acre tract located on the west side of Thompson Bridge Road at its intersection with Tommy Aaron Drive | Zoned R-I; Tax Parcel 10114 000039A | Proposed use: office | \\*\\* Commission District 2 | Michael James Remodeling, applicant.](#)

## **NEW BUSINESS**

2. [3600 Maple Valley Drive | Variance | for a rear yard setback variance from 15 feet to 3 feet on a .02± acre tract located on the east side of Maple Valley Drive at its intersection with Friendship Road | Zoned R-I; Tax Parcel 15048H000001 \(pt.\) | Proposed Use: new sign monument | \\* Commission District 1 | Brunson & Company, LLC, applicant.](#)  
GDOT Coordination Required. Sign appears to be off GDOT ROW but is showing minor earthwork ROW.
3. [4319 Winder Highway | Use Subject to Planning Commission approval | on a .98± acre tract located on the east side of Winder Highway approximately 344 feet from its intersection with Strickland Road | Zoned H-B; Tax Parcel 15037B000037 | Proposed use: office & warehouse | \\* Commission District 1 | Genuine Mapping and Design, LLC, applicant.](#)  
GDOT Coordination In Progress - See GDOT Access Permit A-139-008366-1 under review.
4. [6580 Cleveland Highway | Amend Conditions | of a Light-Industrial \(I-I\) on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | Proposed use: self-storage and boat & RV storage | \\*\\* Commission District 3 | Diane Schermerhorn, applicant.](#)  
GDOT Coordination In Progress – See Page 12/21 of this application package for initial GDOT comments.
5. [6580 Cleveland Highway | Use Subject to County Commission approval | on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | Proposed use: self-storage and boat & RV storage | \\*\\* Commission District 3 | Diane Schermerhorn, applicant.](#)  
See Comment above
6. [4020 & 3886 Cornelia Highway and 4761 Cagle Mill Road | Rezone | from Agricultural-Residential-III \(AR-III\) & Agricultural-Residential-IV \(AR-IV\) to Heavy Industrial \(I-II\) on a 134.14± acre tract located on the south side of Cornelia Highway approximately 679 feet from its intersection with Cagle Road | Zoned AR-III & AR-IV; Tax Parcel 15007 000129, 000270, & 000027A | Proposed use: heavy industrial | \\*\\* Commission District 3 | Ridgeline Land Planning, Inc, applicant.](#)  
GDOT Coordination In Progress – See GDOT Access Permit A-139-008556-1

7. [2581 Ramsey Circle | Rezone | from Agricultural-Residential-III \(AR-III\) to Planned Residential Development \(PRD\) on a 35.14± acre tract located on the north side of Ramsey Circle at its intersection with White Sulphur Road; Zoned AR-III; Tax Parcel 09113 000001 \(pt.\) | Proposed use: 305-unit multi-family complex | \\*\\* Commission District 3 | CMWB Company, LLC, applicant.](#)  
None
  
8. [0 & 0 Old Winder Highway | Rezone | from Planned Commercial Development \(PCD\) to Agricultural-Residential-IV \(AR-IV\) on a 13.38± acre tract located on the west side of Old Winder Highway approximately 771 feet from its intersection with Ridgemoor Drive | Zoned PCD; Tax Parcel 15039A000003 & 000029 \(pt.\) | Proposed use: agricultural uses | \\*\\* Commission District 1 | Ben Baker, Baker & Summy, PC, applicant.](#)  
 GDOT Coordination shown on page 12/14 of the application package. No coordination required at this time for zoning change, but coordination would be required if property will be developed. Note that SR 211 is tentatively scheduled to begin widening under GDOT PI 0007233 within the next 4-7 years.
  
9. [5741 Holiday Road | Rezone | from Highway-Business \(H-B\) to Planned Commercial Development \(PCD\) on a 2.12± acre tract located on the east side of Holiday road at its intersection with Green Road | Zoned H-B; Tax Parcel 07329 001005 | Proposed use: boat & RV storage | \\*\\* Commission District 2 | Torris J. Babbs, PE, applicant.](#)  
 GDOT Coordination required

\*The Planning Commission's decision will be the final action taken unless appealed to the Board of Commissioners. To do so, file an application with the Planning Department within five working days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing **Thursday, December 8, 2022** at 6:00 p.m. at the Hall County Government Center, 2<sup>nd</sup> Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

\*\*The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on **Thursday, December 8, 2022**. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2<sup>nd</sup> Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,  
 Ana Dominguez  
 Planning Commission Clerk  
 Hall County Government  
 2875 Browns Bridge Road, Gainesville, GA 30504  
[www.hallcounty.org](http://www.hallcounty.org) | 770-531-6810




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Georgia is a state of natural beauty. And it's a state that spends millions each year cleaning up litter that not only mars that beauty, but also affects road safety, the environment and the economy. Do your part – don't litter. How can you play an active role in protecting the splendor of the Peach State? Find out at <http://keepgaclean.com/>.



# Hall County Government

PUBLIC WORKS AND UTILITIES  
ENGINEERING DIVISION

## MEMORANDUM

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

SRIKANTH YAMALA  
Director

BILL NASH, P.E.  
Assistant Director

FRANKLIN P. MILLER, P.E.  
County Engineer

**To:** Randi Doveton, Director of Planning and Development  
**From:** Srikanth Yamala, Director of Public Works and Utilities  
**Date:** October 20, 2022  
**Subject:** November 7, 2022 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the November 7, 2022 meeting. Upon review, we provide the following comments.

1. [3461 Thompson Bridge Road | Rezone | from Residential-I \(R-I\) to Office and Institutional \(O-I\) on a 6.85± acre tract located on the west side of Thompson Bridge Road at its intersection with Tommy Aaron Drive | Zoned R-I; Tax Parcel 10114 000039A | Proposed use: office | \\*\\* Commission District 2 | Michael James Remodeling, applicant.](#)
  - a) **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 buffer and impervious setback from wretched vegetation, not centerline of creek.
  - b) **Traffic:** Driveway may need to be upgraded to accommodate two-way traffic.
  - c) **Utilities:** City of Gainesville Sewer.

### **NEW BUSINESS**

2. [3600 Maple Valley Drive | Variance | for a rear yard setback variance from 15 feet to 3 feet on a .02± acre tract located on the east side of Maple Valley Drive at its intersection with Friendship Road | Zoned R-I; Tax Parcel 15048H000001 \(pt.\) | Proposed Use: new sign monument | \\* Commission District 1 | Brunson & Company, LLC, applicant.](#)
  - a) **Engineering:** Improvements are shown within the private property of 3604 Maple Valley Drive, who is not the applicant on this appeal. Suggest obtaining permission from property owner defining maintenance requirements.
  - b) **Traffic:** Location appears to be on State right-of-way and may not be permitted. Applicant should verify with GDOT prior to consideration and provide correspondence indicating location approval, otherwise, the location will need to be modified.
  - c) **Utilities:** No comments.



# Hall County Government

PUBLIC WORKS AND UTILITIES  
ENGINEERING DIVISION

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

SRIKANTH YAMALA  
Director

BILL NASH, P.E.  
Assistant Director

FRANKLIN P. MILLER, P.E.  
County Engineer

3. [4319 Winder Highway | Use Subject to Planning Commission approval | on a .98± acre tract located on the east side of Winder Highway approximately 344 feet from its intersection with Strickland Road | Zoned H-B; Tax Parcel 15037B000037 | Proposed use: office & warehouse | \\* Commission District 1 | Genuine Mapping and Design, LLC, applicant.](#)
  - a) **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.
  - b) **Traffic:** GDOT permit will be required.
  - c) **Utilities:** City of Oakwood sewer district.
  
4. [6580 Cleveland Highway | Amend Conditions | of a Light-Industrial \(I-I\) on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | Proposed use: self-storage and boat & RV storage | \\*\\* Commission District 3 | Diane Schermerhorn, applicant.](#)
  - a) **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.
  - b) **Traffic:** GDOT permit required.
  - c) **Utilities:** Septic proposed, requires Environmental Health approval.
  
5. [6580 Cleveland Highway | Use Subject to County Commission approval | on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | Proposed use: self-storage and boat & RV storage | \\*\\* Commission District 3 | Diane Schermerhorn, applicant.](#)
  - a) **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.
  - b) **Traffic:** GDOT permit required.
  - c) **Utilities:** Septic system proposed, requires Environmental Health approval.
  
6. [4020 & 3886 Cornelia Highway and 4761 Cagle Mill Road | Rezone | from Agricultural-Residential-III \(AR-III\) & Agricultural-Residential-IV \(AR-IV\) to Heavy Industrial \(I-II\) on a 134.14± acre tract located on the south side of Cornelia Highway approximately 679 feet from its intersection with Cagle Road | Zoned AR-III & AR-IV; Tax Parcel 15007 000129, 000270, & 000027A | Proposed use: heavy industrial | \\*\\* Commission District 3 | Ridgeline Land Planning, Inc. applicant.](#)



# Hall County Government

PUBLIC WORKS AND UTILITIES  
ENGINEERING DIVISION

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

SRIKANTH YAMALA  
Director

BILL NASH, P.E.  
Assistant Director

FRANKLIN P. MILLER, P.E.  
County Engineer

- a) **Engineering:** Flood (not future Hall County studied)  
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.  
North Oconee Reservoir Watershed Protection.  
District doubles all stream buffers and impervious setbacks.  
Show stream buffers/setbacks from wretched vegetation not centerline of stream.
- b) **Traffic:** GDOT permit required. While access to Cagle Mill Road is not proposed on the concept, it should be noted that it would not be permitted.
- c) **Utilities:** Sewer on Cornelia Highway lift station to remain private. Developer to construct manhole on property to connect to existing manhole on HWY 365.

7. [2581 Ramsey Circle | Rezone | from Agricultural-Residential-III \(AR-III\) to Planned Residential Development \(PRD\) on a 35.14± acre tract located on the north side of Ramsey Circle at its intersection with White Sulphur Road; Zoned AR-III; Tax Parcel 09113 000001 \(pt.\) | Proposed use: 305-unit multi-family complex | \\*\\* Commission District 3 | CMWB Company, LLC, applicant.](#)

- a) **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.  
Stream buffers/impervious setbacks from wretched vegetation not centerline of stream.
- b) **Traffic:** White Sulphur Road is under the City of Gainesville's jurisdiction; access and any required improvements must be approved and permitted through the City. Access to Ramsey Circle is proposed to be a gated emergency access only and it should be noted that this is the only type of access to Ramsey Circle that would be considered.
- c) **Utilities:** Sewer available on White Sulphur. All lift stations to remain private.  
Sewer availability letter is required.

8. [0 & 0 Old Winder Highway | Rezone | from Planned Commercial Development \(PCD\) to Agricultural-Residential-IV \(AR-IV\) on a 13.38± acre tract located on the west side of Old Winder Highway approximately 771 feet from its intersection with Ridgemoor Drive | Zoned PCD; Tax Parcel 15039A000003 & 000029 \(pt.\) | Proposed use: agricultural uses | \\*\\* Commission District 1 | Ben Baker, Baker & Summy, PC, applicant.](#)



POST OFFICE DRAWER 1435  
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t: 770.531.6800 | f: 770.531.3945

SRIKANTH YAMALA  
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County Engineer

# Hall County Government

PUBLIC WORKS AND UTILITIES  
ENGINEERING DIVISION

- a) **Engineering:** Further subdivisions of these lots will result in the necessity of a stormwater management plan, if the total number of lots reaches more than 6.
  - b) **Traffic:** No comments.
  - c) **Utilities:** No sanitary sewer available.
9. [5741 Holiday Road | Rezone | from Highway-Business \(H-B\) to Planned Commercial Development \(PCD\) on a 2.12± acre tract located on the east side of Holiday road at its intersection with Green Road | Zoned H-B; Tax Parcel 07329 001005 | Proposed use: boat & RV storage | \\*\\* Commission District 2 | Torris J. Babbs, PE, applicant.](#)
- a) **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.
  - b) **Traffic:** Driveway will need to meet Hall County commercial standards.
  - c) **Utilities:** No comments.

## Anael Dominguez (Planning)

---

**From:** John Hornick (Fire Services)  
**Sent:** Thursday, October 20, 2022 2:34 PM  
**To:** Randi Doveton (Planning); Anael Dominguez (Planning)  
**Cc:** Michael Vieira (Fire Services); John Tucker (Fire Services); Jeff Suggs (Fire Services)  
**Subject:** Tentative Agenda 11/7 Fire Comments

10/20/22

Hall County Fire comments for Tentative Agenda **Monday, November 7, 2022** Hall County Planning Commission Meeting.

New Business

2. [3600 Maple Valley Drive | Variance | for a rear yard setback variance from 15 feet to 3 feet on a .02± acre tract located on the east side of Maple Valley Drive at its intersection with Friendship Road | Zoned R-I; Tax Parcel 15048H000001 \(pt.\) | Proposed Use: new sign monument | \\* Commission District 1 | Brunson & Company, LLC, applicant.](#)  
**Hall County Fire Marshal's Office has no comments regarding rear yard setback variance as proposed.**
3. [4319 Winder Highway | Use Subject to Planning Commission approval | on a .98± acre tract located on the east side of Winder Highway approximately 344 feet from its intersection with Strickland Road | Zoned H-B; Tax Parcel 15037B000037 | Proposed use: office & warehouse | \\* Commission District 1 | Genuine Mapping and Design, LLC, applicant.](#)  
**Hall County Fire Marshal's Office has no comments regarding office and warehouse as proposed.**
4. [6580 Cleveland Highway | Amend Conditions | of a Light-Industrial \(I-I\) on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | Proposed use: self-storage and boat & RV storage | \\*\\* Commission District 3 | Diane Schermerhorn, applicant.](#)
  - 1) **IFC Section 507, all storage buildings must be within the 400' hose lay distance requirements from a fire hydrant as the truck travels. Fire hydrant(s) may have to be installed along the fire access route to meet the hose lay distance requirements.**
  - 2) **IFC Section 903, 20,000 SF climate controlled storage building exceeds the 12,000 SF sprinkler threshold requirements and may be required to have a fire suppression system installed.**
  - 3) **IFC Section 506.1, access controlled gate will require a Knox key switch override device for fire department access into the gated development.**
  - 4) **Note: water will be supplied by Gainesville Water not Hall County.**
5. [6580 Cleveland Highway | Use Subject to County Commission approval | on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | Proposed use: self-storage and boat & RV storage | \\*\\* Commission District 3 | Diane Schermerhorn, applicant.](#)
  - 1) **Same requirements as above.**
6. [4020 & 3886 Cornelia Highway and 4761 Cagle Mill Road | Rezone | from Agricultural-Residential-III \(AR-III\) & Agricultural-Residential-IV \(AR-IV\) to Heavy Industrial \(I-II\) on a 134.14± acre tract located on the south side of Cornelia Highway approximately 679 feet from its intersection with Cagle Road | Zoned AR-III & AR-IV; Tax Parcel 15007 000129, 000270, & 000027A | Proposed use: heavy industrial | \\*\\* Commission District 3 | Ridgeline Land Planning, Inc, applicant.](#)
  - 1) **IFC Section D104.1, buildings exceeding three stories or 30 feet in height shall have not fewer than two means of fire apparatus access for each structure.**
  - 2) **IFC Section D104.2, buildings having a gross building area of more than 62,000 SF shall be provided with two separate and approved fire apparatus access roads.**

- 3) IFC Section D104.3, where two fire apparatus roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses.
  - 4) IFC Section D105.2, aerial apparatus access roads shall have a minimum unobstructed width of 26' exclusive of shoulders in the immediate vicinity of the building or portion thereof.
  - 5) IFC Section D103.4, dead end fire apparatus roads in excess of 150 feet shall be provided with width and turnaround provisions in accordance with table D103.4
  - 6) IFC Section 903.2, where required approved automatic sprinkler systems in new buildings shall be provided in the locations described in sections 903.2.1 through 903.2.12
  - 7) IFC Section 503, fire apparatus access roads shall be provided and maintained in accordance with sections 503.1.1 through 503.1.3
  - 8) **IFC Section 506.1, access controlled gate(s) will require a Knox key switch override device for fire department access.**
  - 9) **IFC Section 510, emergency responder radio coverage confirmation will apply to each building**
7. 2581 Ramsey Circle | Rezone | from Agricultural-Residential-III (AR-III) to Planned Residential Development (PRD) on a 35.14± acre tract located on the north side of Ramsey Circle at its intersection with White Sulphur Road; Zoned AR-III; Tax Parcel 09113 000001 (pt.) | Proposed use: 305-unit multi-family complex | \*\* Commission District 3 | CMWB Company, LLC, applicant.
- 1) **IFC Section 506.1, access controlled gate(s) will require a Knox key switch override device for fire department access.**
  - 2) IFC Section D105.2, aerial apparatus access roads shall have a minimum unobstructed width of 26' exclusive of shoulders in the immediate vicinity of the building or portion thereof.
  - 3) **NFPA 13R fire protection system will be required to be installed, tested and certified.**
  - 4) **IFC Section 912, fire department connections shall be installed on each building and located no greater than 50' from a fire hydrant. Fire department connections shall be located so that the fire apparatus and hose connected to the supply system ( fire hydrant ) will not obstruct access to the building for other fire apparatus.**
  - 5) **NFPA 72 fire alarm system shall be installed, tested and certified throughout all apartment buildings including clubhouse.**
  - 6) **IFC Section 510, emergency responder radio coverage confirmation will apply to each building.**
8. 0 & 0 Old Winder Highway | Rezone | from Planned Commercial Development (PCD) to Agricultural-Residential-IV (AR-IV) on a 13.38± acre tract located on the west side of Old Winder Highway approximately 771 feet from its intersection with Ridgemoor Drive | Zoned PCD; Tax Parcel 15039A000003 & 000029 (pt.) | Proposed use: agricultural uses | \*\* Commission District 1 | Ben Baker, Baker & Summy, PC, applicant.
- 1) **Hall County Fire Marshal's Office has no comments regarding zoning request as proposed.**
9. 5741 Holiday Road | Rezone | from Highway-Business (H-B) to Planned Commercial Development (PCD) on a 2.12± acre tract located on the east side of Holiday road at its intersection with Green Road | Zoned H-B; Tax Parcel 07329 001005 | Proposed use: boat & RV storage | \*\* Commission District 2 | Torris J. Babbs, PE, applicant.
- 1) **IFC Section 507, all storage buildings must be within the 400' hose lay distance requirements from a fire hydrant as the truck travels. Fire hydrant(s) may have to be installed along the fire access route to meet the hose lay distance requirements.**
  - 2) **IFC Section 506.1, access controlled gate will require a Knox key switch override device for fire department access into the gated development.**

Regards,



**John Hornick, NPQ Fire Inspector 1, Plans Review**  
**Lieutenant, Hall County Fire Rescue**  
**Hall County Government**  
Main: 770-531-6838 | Cell: 404-597-0083  
Website: [www.Hallcounty.org](http://www.Hallcounty.org)



# ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: **TORRIS J. BABBS**

REQUEST: **REZONE FROM HB TO PCP FOR**

**BOAT + RV STORAGE**

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION

Date: **11-07-2022**

Time: **05:15 PM**

AND

DATE: **10-08-2022**

TIME: **06:00 PM**

COUNTY COMMISSION

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

# ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: **TORRIS J. BABBS**

REQUEST: **REZONE FROM HB TO PCD FOR**

**BOAT & RV STORAGE**

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION

COUNTY COMMISSION

Date: 11-07-2022

Date: 12-08-2022

AND

Time: 05:15 PM

Time: 06:00 AM

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

**Print**

**Planning Commission Comments - November 7, 2022 - Submission #63199**

**Date Submitted: 11/6/2022**

Comments completed in the form below will be submitted into the record for the November 7, 2022 meeting of the Hall County Planning Commission.

**First Name\***

Bethany

**Last Name\***

Alberto

**Address1\***

5730 Holiday raod

**Address2**

**City\***

buford

**State\***

ga

**Zip\***

30518

**Zoning Item for Comment\***

10. 5741 Holiday Road, Torris J. Babbs, PE

Select from the list below which zoning item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

**Your Comments\***

I am concerned about this property becoming a RV/boat storage. The pollution and traffic from truck lot and car lot on same street has already become unbearable to us home owners on Green Road. Holiday road is almost a blind drive when you stop at the stop sign off of Green Road. I couldn't imagine RV and boat storage exiting on Holiday. Also, there is RV/boat storage already on Holiday that is never full. Do we really need another lot less than 500 feet away? I am also concerned about the pollution. Both the semi-truck lot and the car lot are not paved, making our neighborhood look lackluster. I just couldn't imagine there being a desire for another parking lot. If this does happen, I would love for it to be paved and traffic to come from Lanier Islands. Thank you.

Please write your comments in the box above.

**File Upload**

Choose File No file chosen

If you have files, such as photos, videos or text documents to include with your comments, upload them in the box above.

**Would you like follow-up communication?**

lake.lawns.buford@gmail.com

Please leave an email address and/or phone number if you would like a Hall County staff member to follow-up with you.

**Print**

**Planning Commission Comments - November 7, 2022 - Submission #63235**

**Date Submitted: 11/6/2022**

Comments completed in the form below will be submitted into the record for the November 7, 2022 meeting of the Hall County Planning Commission.

**First Name\***

Kelly

**Last Name\***

Jamieson

**Address1\***

5724 Green Road

**Address2**

**City\***

Buford

**State\***

GA

**Zip\***

30518

**Zoning Item for Comment\***

10. 5741 Holiday Road, Torris J. Babbs, PE

Select from the list below which zoning item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

**Your Comments\***

There is too much commercial activity already. We have 3 new residential homes going up on the opposite side. The truckers already cause traffic and loud inconveniences. Rezoning as commercial further distracts and pulls more away from our residential atmosphere and appeal.

Please write your comments in the box above.

**File Upload**

Choose File No file chosen

If you have files, such as photos, videos or text documents to include with your comments, upload them in the box above.

**Would you like follow-up communication?**

Kelly.Jamieson@inveristraining.com

Please leave an email address and/or phone number if you would like a Hall County staff member to follow-up with you.



## AGENDA ITEM

### Planning and Development

---

**REPORT TO:** Work Session (01/23/23)

**REPORT TO:** Voting Meeting (01/26/23)

**ITEM NO:** 666/2022

**SUBJECT:** **4020 & 3886 Cornelia Highway and 4761 Cagle Mill Road | Rezone** | from Agricultural-Residential-III (AR-III) & Agricultural-Residential-IV (AR-IV) to Heavy Industrial (I-II) on a 134.14± acre tract located on the south side of Cornelia Highway approximately 679 feet from its intersection with Cagle Road | Zoned AR-III & AR-IV; Tax Parcel 15007 000129, 000270, & 000027A | **Proposed use: heavy industrial** | Commission District 3 | **Ridgeline Land Planning, Inc, applicant.** NOTE: Tabled at the December 8, 2022 Voting Meeting until the January 26, 2023 Voting Meeting.

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#### Meetings:

**Work Session Date:** 01/23/23

**Voting Meeting Date:** 01/26/23

#### Executive Summary:

**Presenter:** RD

**Recommendation:**

Approval, with conditions: 1. The development shall occur substantially as depicted on the site plan dated 8-15-2022 and described in the project narrative. Due topographical, ecological, or geological constraints, the developer may be allowed to adjust lot lines and the quantity of lots as long as the total buildings square footage does not exceed 1,067,000 sq. ft. for the entire development. 2. The proposed development may contain flood zones. The site shall require a stormwater management report should the site plan indicate that the proposed development meets stormwater threshold for impervious surfaces. The proposed development is located in the North Oconee watershed overlay, which doubles all stream buffers and setbacks from rested vegetation not the centerline of the stream. 3. The subdivision shall follow the standard preliminary and final plat review process (16.40). 4. 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." 5. The GDOT permit shall be required prior to issuance of a land disturbance permit (LDP). 6. Tilt up concrete wall construction shall be allowed. 7. Architectural reef panels shall be allowed with the color being approved by the Director of Planning and Development. 8. All conditions of zoning shall be made part of any plats created for the property. 9. Items P & R in section 17.170.010 of the Hall County Code shall not be allowed.

**Purpose of Request:**

**History:**

4020 & 3886 Cornelia Highway and 4761 Cagle Mill Road | Rezone | from Agricultural-Residential-III (AR-III) & Agricultural-Residential-IV (AR-IV) to Heavy Industrial (I-II) on a 134.14± acre tract located on the south side of Cornelia Highway approximately 679 feet from its intersection with Cagle Road | Zoned AR-III & AR-IV; Tax Parcel 15007 000129, 000270, & 000027A | Proposed use: heavy industrial | Commission District 3 | Ridgeline Land Planning, Inc, applicant.

**Facts and Issues:**

**Options:**

**Funding Requested** \$ 0.00  
**Are funds within current budget?** No  
**Source of Funds**  
**Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?** No  
**Has it been reviewed by the County Attorney?** Yes  
**Is there a deadline for this item?**

**Approvals:**

<b>Submit</b>	<b>Approve</b>	<b>Budget</b>	<b>Finance</b>
JR	JR	JR	JR
<b>Attorney</b>	<b>Administration</b>		<b>Clerk</b>
JR	JR		JR

**Attachments:**

- Board Memo
- Recommendation Report
- Application
- Updated Narrative
- Original Narrative
- Updated Site Plan
- Original Site Plan
- Maps
- Deed
- Legal Description
- Environmental Health Comments
- GDOT Comments
- Public Works Comments
- Fire Comments
- Notice Sign Photos
- Updated Notice Sign Photos





# Hall County Government

PLANNING & DEVELOPMENT

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR  
**Randi Doveton**

**To:** Richard Higgins, Chairman  
Kathy Cooper, District 1  
Billy Powell, District 2  
Shelly Echols, District 3  
Jeff Stowe, District 4

**From:** Randi Doveton, Director

**Date:** November 16, 2022

**Subject:** **4020 & 3886 Cornelia Highway and 4761 Cagle Mill Road | Rezone** | from Agricultural-Residential-III (AR-III) & Agricultural-Residential-IV (AR-IV) to Heavy Industrial (I-II) on a 134.14± acre tract to allow heavy industrial | Ridgeline Land Planning, Inc, applicant.

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The request before you is the application of Ridgeline Land Planning to rezone approximately 134.14 acres for a heavy industrial subdivision. The development will consist of 11 lots ranging in size from 2.5 acres to 14 acres and will include the construction of a new public road that will intersect with Cornelia Highway. The development will be served by public water and sewer. The property is located in the Gateway Corridor Overlay District ([17.420](#)) and the North Oconee Water Supply Watershed District ([17.225](#)) which places greater emphasis on design standards, landscaping, and buffers. The property is located within Commission District 3.

At their November 7, 2022 meeting, the Hall County Planning Commission voted to recommend approval of the Rezoning request with nine (9) conditions **(5-0)**.

There were no written comments submitted in advance of the Planning Commission meeting and no one spoke during the public hearing.

There have been no changes to the request since the Planning Commission took action.

**Planning Commission Approval Conditions:**

1. The development shall occur substantially as depicted on the site plan dated 8-15-2022 and described in the project narrative. Due to topographical, ecological, or geological constraints, the developer may be allowed to adjust lot lines and the quantity of lots as long as the total buildings square footage does not exceed 1,067,000 sq. ft. for the entire development.

2. The proposed development may contain flood zones. The site shall require a stormwater management report should the site plan indicate that the proposed development meets stormwater threshold for impervious surfaces. The proposed development is located in the North Oconee watershed overlay, which doubles all stream buffers and setbacks from rested vegetation not the centerline of the stream.
3. The subdivision shall follow the standard preliminary and final plat review process (16.40).
4. 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.”
5. The GDOT permit shall be required prior to issuance of a land disturbance permit (LDP).
6. Tilt up concrete wall construction shall be allowed.
7. Architectural reef panels shall be allowed with the color being approved by the Director of Planning and Development.
8. All conditions of zoning shall be made part of any plats created for the property.
9. Items P & R in section 17.170.010 of the Hall County Code shall not be allowed.

Staff recommended denial, **based on the findings that the request does not meet criteria 1, 2, 13, 14, and 16, of [17.380.060](#) as the request proposes a use out of scale and intensity for the environmentally sensitive conditions on the site.**

## For your Consideration

### These items support approval

1. The requested zoning designation is consistent with the [2022 Comprehensive Plan, page 35](#).

### These items support denial

1. The subject property is located in the North Oconee Water Supply Watershed District ([17.225](#)) which results in environmentally sensitive conditions on site due to proximity to the North Oconee River. As such, the intensity of an 11-building /lot industrial use has the potential to adversely affect the environmental characteristics intended to be protected.
2. There are other sites in Hall County more appropriate for heavy industrial uses that are supported by the future land use map, zoning ordinance, and existing conditions on the site.
3. There is no indication that a mistake was made in the original zoning of the property.

**HALL COUNTY PLANNING COMMISSION  
RECOMMENDATION REPORT**

**Applicant** ..... Ridgeline Land Planning, Inc

**Request** ..... Rezone from Agricultural-Residential-III (AR-III) & Agricultural-Residential-IV (AR-IV) to Heavy Industrial (I-II)

**Proposed Use** ..... Heavy Industrial Park

**Size** ..... 131.14± acres

**Zoning** ..... Current Agricultural-Residential-III (AR-III) & Agricultural-Residential-IV (AR-IV)/North Oconee OD | Proposed Heavy Industrial (I-II)/ North Oconee OD

**Location** ..... **4020 & 3886 Cornelia Highway and 4761 Cagle Mill Road** | Tax Parcel 15007 000129, 000270, & 000027A

**Commission District** ..... Three

**Planning Commission Date** ..... November 7, 2022

**Staff Recommendation** ..... **Denial, based on the findings that the request does not meet criteria 1, 2, 13, 14, and 16, of [17.380.060](#) as the request proposes a use out of scale and intensity for the environmentally sensitive conditions on the site.**

**Planning Commission Recommendation**.....**Approval, with conditions**

**Vote: 5-0**

1. The development occur substantially as depicted on the site plan dated 8-15-2022 and described in the project narrative. Due topographical, ecological, or geological constraints, the developer may be allowed to adjust lot lines and the quantity of lots as long as the total buildings square footage does not exceed 1,067,000 sq. ft. for the entire development.
2. The proposed development may contain flood zones. The site shall require a stormwater management report should the site plan indicate that the proposed development meets stormwater threshold for impervious surfaces. The proposed development is located in the North Oconee

watershed overlay, which doubles all stream buffers and setbacks from rested vegetation not the centerline of the stream.

3. The subdivision shall follow the standard preliminary and final plat review process (16.40).
4. 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.”

5. The GDOT permit shall be required prior to issuance of a land disturbance permit (LDP).
6. Tilt up concrete wall construction shall be allowed.
7. Architectural reef panels shall be allowed with the color being approved by the Director of Planning and Development.
8. All conditions of zoning shall be made part of any plats created for the property.
9. Items P & R in section 17.170.010 of the Hall County Code is not allowed.

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**Public Forum:**

*There were no comments in support or opposition.*

**Summary Analysis**

The applicant is requesting to rezone 131.41 from Agricultural Residential III (AR-III, [17.110](#)) and Agricultural Residential IV (AR-IV, [17.120](#)) to Heavy Industrial (I-II, [17.170](#)) to allow for a heavy industrial development. According to the narrative, the applicant expects this to be a 5 to 10 year build out.

The narrative states that the proposed uses will be in conformance with those uses listed in Permitted Uses ([17.170.010](#)), with the exception of items P (Adult establishments) and R (Astrologers, clairvoyants, fortune tellers, palmists, phrenologists and related occupations), of the Official Code of Hall County. The applicant is proposing to delete uses P and R and anticipates that the majority of the uses will be office and warehousing.

The narrative continues to explain the proposed Industrial development will consist of 11 lots ranging in size from 2.5 to 14 acres. These lots will be accessed via a new public road connecting to Cornelia Highway (State Route 365). The front setback will be 50 feet, and the side and rear setbacks will be 30

feet, as required by Official Code of Hall County. A 50-foot buffer will be provided adjacent to residentially zoned property.

The proposed development will be served by Hall County Sewer and City of Gainesville Water. Signage conforming to the Hall County sign ordinance will be located at the entrance off Hwy 365 and at individual lot entrances within the development. Lighting within the development will be LED style and shielded to minimize light spillage onto adjacent properties.

No variance to the Official Code of Hall County were submitted as part of this request; however, the subject properties lie within the Gateway Corridors Overlay District (GCOD, [17.420](#)). Since the site plan submitted is a conceptual plan and no architectural elevations, proposed sign information, or landscape plan were submitted as part of this request, variances may be required for each lot prior to its development; **any such variances will require a public hearing.**

### **Zoning Analysis**

While the proposed use of an 11 lot industrial park is consistent with the Comprehensive Plan and Future Land Use Map which shows it to be within an employment corridor, the site is environmentally sensitive and part of the North Oconee Water Supply Watershed District ([17.225](#)), and as such, an industrial use is not the most suitable use of the property. The subject properties also lie within the Gateway Corridors Overlay District (GCOD, [17.420](#)) which imposes landscaping, signage, buffer, and architectural design and materials standards.

The proposed development is located in the North Oconee Water Supply Watershed District which places limitations on the intensity of development ([17.225.030](#)):

- The impervious surface area, including all public and private structures, utilities, or facilities, of the entire water supply watershed shall be limited to twenty-five (25) percent, or existing use, whichever is greater.
  
- The site plan indicates a total impervious area of 29.05 acres or 24.9%.
  - *For reference 3551 Kubota Way has approximately 188 acres with approximately 26.97 acres of impervious area. 25% of 188 acres is 47 acres.*
  
  - *5855 Whitehall Road has approximately 280 acres and 40.3 acres of impervious area. 25% of 280 acres is 110.3 acres.*



- *Both sites are within the North Oconee Water Supply Watershed District ([17.225](#)) but are under the maximum pervious area of 25%.*



**When considering a zoning amendment to the zoning maps, the following items must be considered:**

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property; **The proposed development is an 11-lot industrial park located on the south side of Cornelia Highway / SR 365. The subject property is adjacent to undeveloped large tracts of agricultural residential zoned property, both developed and undeveloped. While Gateway Industrial Centre is located across Cornelia Highway, it is a considerable distance away from other commercial property, approximately 2 miles from an activity corridor. Therefore, the proposed use is not suitable in view of the use and development of nearby property.**
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The subject property is located in the North Oconee Water Supply Watershed District ([17.225](#)) which results in environmentally sensitive conditions on site due to proximity to the North Oconee River. As such, the intensity of an 11-building /lot industrial use has the potential to adversely affect the environmental characteristics intended to be protected.**
3. Whether the property to be affected by the zoning proposal has reasonable economic use as currently zoned. **Without a market study, it is hard to determine if there is economic value as the property is currently zoned however there a number of permitted and conditional uses within the AR-III ([17.110](#)) and AR-IV districts ([17.120](#)).**
4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, or utilities; **A Development of Regional Impact (DRI) review was conducted by Georgia Mountains Regional Commission (GMRC). A notice of decision was issued to Hall County staff on October 7, 2022. The results of that review indicated that “the proposed action does not present any adverse inter-jurisdictional impacts, however the GMRC recommends that the County and applicant work with the GHMPO and GDOT to ensure optimal resolution of the intersections and access to allow existing traffic to safely turn left (southward) without disrupting highway traffic.”**
5. Whether the zoning proposal is in conformity with the policy and intent of the land use plan; **The requested zoning designation is consistent with the [2022 Comprehensive Plan, page 35](#) and the**

**Future Land Use map; however, the site is environmentally sensitive and part of the North Oconee Water Supply Watershed District (17.225), and as such, intense industrial use is not the most suitable use of the property.**

- 6. The extent to which property values are diminished by the existing zoning restrictions; It is likely that property values are lower as agriculturally-zoned parcels as opposed to industrially-zoned. That said, rezoning the subject property may adversely impact the values of adjacent properties. A market study is necessary to make a determination.**
- 7. The extent to which the destruction of the subject property's value under the existing zoning promotes the health, safety, morals or general welfare of the public; The subject property is located in the North Oconee Water Supply Watershed District (17.225) as a result of the environmentally sensitive conditions on site and proximity to the North Oconee River. As such, the intensity of an 11-building industrial use has the potential to adversely affect the environmental characteristics intended to be protected.**
- 8. The relative gain to the public as compared to the hardship imposed upon the individual property owner; There is likely to be public gain by protecting environmentally sensitive land and limiting the intensity of use on such property.**
- 9. The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the property; Staff is not aware of the length of time the property has been vacant.**
- 10. Whether there are other existing or changing conditions affecting the use or development of the property which give supporting grounds for either approval or disapproval of the zoning proposal; Staff is not aware of any changing conditions that impact the development of the property.**
- 11. Whether the change would create an isolated district unrelated to the surrounding districts; The proposed district would present an isolated zoning designation from; however, the Comprehensive Plan supports this use on the subject property.**
- 12. Whether the present zoning district boundaries are illogically drawn in relation to existing conditions in the area; The zoning district boundaries are not illogically drawn in relation to conditions in the area.**
- 13. Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood; The scope is out of proportion to the existing uses within the neighborhood and on adjacent parcels; however, it is located in an area designated as an employment corridor on the Future Land Use Map. There is significant interest in this area of Hall County due to the [Northeast Ga Inland Port](#). The site has challenges related to environmental sensitivity as part of the North Oconee Water Supply Watershed District (17.225).**
- 14. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; There are other sites in Hall County more appropriate for heavy industrial uses that are supported by the future land use map, zoning ordinance, and existing conditions on the site.**



1. Whether the need for rezoning could be handled instead by a variance request to the zoning board of adjustment; **The request could not be handled alternatively as a variance since the proposed use is neither permitted nor conditional in the AR-III district (17.110) or AR-IV district (17.120).**
  
15. Whether there would be an ecological or pollution impact resulting from major modifications to the land if the request is granted; **The subject property is located in the North Oconee Water Supply Watershed District (17.225) as a result of the environmentally sensitive conditions on site and proximity to the North Oconee River. As such, the intensity of an 11-building industrial use has the potential to adversely affect the environmental characteristics intended to be protected.**
  
16. Whether there is reasonable evidence based upon existing and anticipated land use that would indicate a mistake was made in the original zoning of the property; **There is no indication that a mistake was made in the original zoning of the property.**
  - **Heavy Industrial (I-II, 17.170):** the Heavy Industrial (I-I) zoning district allows a variety industrial uses, both permitted and subject to either Planning Commission or Board of Commissioners. The uses include any commercial use or industrial use which involves manufacturing, processing, or assembly operations or the storage and sale of heavy materials, products, or equipment, but not including uses which may cause injurious or obnoxious noise, vibrations, smoke, gas, fumes, odor, dust, fire hazard, or other objectionable conditions to nearby areas or those uses listed in [section 17.170.020](#).
  
  - [17.380.050](#). - **Submission requirements for a rezoning request**
  
- A. Any person or persons requesting a change in the official zoning map or use subject to approval of the county commission shall file an application with a plat or map of the property attached thereto, together with payment of such fees set forth in [chapter 17.30](#) to cover administrative and advertising costs, in the planning department office. Such person or persons or their authorized agent shall appear in person at the public hearing held to consider the district change. **Proposal meets the requirement. Applicant has paid the appropriate fees and understands that someone must be present at both the Hall County Planning Commission meeting and the voting meeting of the Hall County Board of Commissioners.**
  
- B. All applications for a change of zoning classification or use subject to approval of the county commission shall include:
  1. A narrative statement identifying the existing and proposed use of the property and addressing each of the criteria set forth in section 17.380.060.C of this section [chapter]. **Proposal does not meet the requirement, as the applicant has not addressed the review and approval criteria in Section 17.380.060.C. but did submit a narrative.**
  
  2. A site plan drawn to scale designating the area covered by the application and identifying existing and proposed buildings and uses, adjacent existing land uses, zoning on contiguous parcels, including those across an abutting public right-of-way, and any other significant site improvements proposed to accommodate the proposed use or buffer adjacent uses, etc., or a plat of the subject property where no specific land use is proposed. In cases where only a plat or map is provided and no land use is proposed, the planning commission and county commission shall evaluate the application based on the most intense possible land use permitted in the proposed district. **Proposal meets this requirement.**

3. For any application for a slow rate land treatment system (see [chapter 17.20](#)), the following additional requirements apply. **Proposal does not propose a slow rate land treatment system so this criteria is not applicable.**
4. For any application proposing the development of 100 or more residential dwelling units, a traffic impact study shall be submitted prior to consideration of the application by the planning commission. At the applicant's expense, the traffic impact study shall be prepared by a professional engineer in accordance with requirements established by the Hall County Engineering Department. The engineering department shall review the traffic impact study and forward any comments to the Hall County Planning Commission. **This is not applicable since the proposed use is not a residential development of 100 or more units; however, a traffic study was referenced in the DRI report.**

**Development Support and Constraints –Departmental /agency comments**

***Hall County Environmental Health***

In an email dated October 18, 2022, Emily McGahee stated “No comment. Public sewer.”

***Hall County Fire Rescue***

In an email dated October 20, 2022, Lieutenant John Hornick provided the following comments:

1. IFC Section D104.1, buildings exceeding three stories or 30 feet in height shall have not fewer than two means of fire apparatus access for each structure.
2. IFC Section D104.2, buildings having a gross building area of more than 62,000 SF shall be provided with two separate and approved fire apparatus access roads.
3. IFC Section D104.3, where two fire apparatus roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses.
4. IFC Section D105.2, aerial apparatus access roads shall have a minimum unobstructed width of 26’ exclusive of shoulders in the immediate vicinity of the building or portion thereof.
5. IFC Section D103.4, dead end fire apparatus roads in excess of 150 feet shall be provided with width and turnaround provisions in accordance with table D103.4
6. IFC Section 903.2, where required approved automatic sprinkler systems in new buildings shall be provided in the locations described in sections 903.2.1 through 903.2.12
7. IFC Section 503, fire apparatus access roads shall be provided and maintained in accordance with sections 503.1.1 through 503.1.3
8. IFC Section 506.1, access controlled gate(s) will require a Knox key switch override device for fire department access.
9. IFC Section 510, emergency responder radio coverage confirmation will apply to each building.

### ***Hall County Public Works and Utilities***

In a memorandum dated October 20, 2022, Public Works Director Srikanth Yamala stated the following:

#### **Engineering:**

Flood (not future Hall County studied)

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.

North Oconee Reservoir Watershed Protection. District doubles all stream buffers and impervious setbacks. Show stream buffers/setbacks from wretched vegetation not centerline of stream.

#### **Traffic:**

GDOT permit required. While access to Cagle Mill Road is not proposed on the concept, it should be noted that it would not be permitted.

#### **Utilities:**

Hall Sewer on Cornelia Highway lift station to remain private. Developer to construct manhole on property to connect to existing manhole on HWY 365.

### ***Hall County Tax Assessors***

No comments were provided in relation to this request.

### ***Gainesville Water Resources***

No comments were provided in relation to this request.

### ***Georgia Department of Transportation***

In an email dated October 20, 2022, Parker Niebauer, District 1 Traffic Operations Supervision, stated "GDOT Coordination In Progress – See GDOT Access Permit A-139-008556-1."

### ***Georgia Mountains Regional Commission***

In a memorandum dated October 7, 2022, Adam Hazell, AICP, Planning Director, stated: "Based on the comments received and staff analysis of this project, conducted in accordance with the Georgia Department of Community Affairs's Procedures for the Review of the Developments of Regional Impact, the GMRC finds that the proposed action does not present any adverse inter-jurisdictional impacts, however *the GMRC recommends that the County and applicant work with the GHMPO and GDOT to ensure optimal resolution of the intersections and access to allow existing traffic to safely turn left (southward) without disrupting highway traffic*. Please note that this finding is advisory only and assumes the project will proceed as presented to the GMRC and will comply with all applicable local, State and federal rules and regulations."

The GMRC staff analysis are included in the memo.

➤ **Excerpts from the minutes of the November 7, 2022 meeting**

**Applicant's Presentation:**

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

Holt Persinger, 196 Bailor Court, Winder, presented the request. The applicant stated that they have agreed with remove item P and R from the permitted uses. The applicant stated they have initiated work with GDOT. Mr. Bell questioned the percentage of impervious surfaced. The applicant stated it was 24.9%.

**Planning Commission Comments:**

Mr. Bell requested clarification on the site plan and narrative.

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

*Conditions:*

1. *The development occur substantially as depicted on the site plan dated 8-15-2022 and described in the project narrative. Due topographical, ecological, or geological constraints, the developer may be allowed to adjust lot lines and the quantity of lots as long as the total buildings square footage does not exceed 1,067,000 sq. ft. for the entire development.*
2. *The proposed development may contain flood zones. The site shall require a stormwater management report should the site plan indicate that the proposed development meets stormwater threshold for impervious surfaces. The proposed development is located in the North Oconee watershed overlay, which doubles all stream buffers and setbacks from rested vegetation not the centerline of the stream.*
3. *The subdivision shall follow the standard preliminary and final plat review process (16.40).*
4. *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."*
5. *The GDOT permit shall be required prior to issuance of a land disturbance permit (LDP).*
6. *Tilt up concrete wall construction shall be allowed.*
7. *Architectural reef panels shall be allowed with the color being approved by the Director of Planning and Development.*
8. *All conditions of zoning shall be made part of any plats created for the property.*
9. *Items P & R in section 17.170.010 of the Hall County Code is not allowed.*

PLANNING AND DEVELOPMENT DEPARTMENT  
 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504  
 MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503  
 t: 770-531-6809 | f: 770-531-3902



**ZONING APPLICATION**

**Applicant (Name & Mailing Address)**

Ridgeline Land Planning, Inc.

196 Belaire Court

Winder, GA 30680

Phone 678-618-2037

Email Address holt@ridgelineplanning.com

Proposed Use Heavy Industrial

**Property Owner (Name & Mailing Address)**

NCP Holdings, LLC / Larry S. Glover

8616 Decoy Lane

Lula, GA 30554

Phone 678-316-0822

Email Address \_\_\_\_\_

**Contact Person (Name & Mailing Address)**

Holt Persinger

196 Belaire Court

Winder, GA 30680

Phone 678-618-2037

Email Address holt@ridgelineplanning.com

Tax Parcel Number 15007 000129, 000270, & 000027A

Location Address 3886 & 4020 Cornelia hey and 4761 Cagle Mill Road

**Status of Applicant**

Owner

Option to Purchase

Area Resident

Other

**Requested Action**

Existing Zoning: AR-IV&AR-III

Rezone to: I-II

Fee:\$ \_\_\_\_\_

Receipt #: \_\_\_\_\_

Check #: \_\_\_\_\_

Acreage 116.52 ACRES

I hereby certify that the above information and all attached information are true and correct.

Sign  Date: 8/13/2022

**Applicant must complete all information above. Failure to complete this section will result in the refusal of the application. The Planning Department has 15 days to review all applications and will set the dates for each application. If the application is found insufficient, an agenda date will not be set until the required information is submitted. Please note that the Planning Commission and County Commission dates are tentative.**

**Application Withdrawal:** I hereby **withdraw** the application.

Sign \_\_\_\_\_ Date: \_\_\_\_\_

**Staff Use Only**

Application Date: \_\_\_\_\_

Taken by: \_\_\_\_\_

Tentative Planning Commission Date: \_\_\_\_\_

Tentative County Commission Date: \_\_\_\_\_

County Commission District: \_\_\_\_\_

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**AUTHORIZATION OF PROPERTY OWNERS**

*Note: If the applicant is the property owner, please disregard this form.*

Name of owner(s) NCP Holdings, LLC - Larry S. Glover  
Address 8616 Decoy Lane  
Lula, GA 30554  
Phone Number 678-316-0822

Name of applicant(s) Ridgeline Land Planning, Inc.  
Address 196 Belaire Court  
Winder, GA 30680  
Phone Number 678-618-2037

**I swear that I am the owner of the property which is the subject matter of the attached applications as shown in the records of Hall County, Georgia.**

**I authorize the person named above to act as applicant in the pursuit of a rezoning, permissive use, or variance of this property.**

Signature of Owner(s) NCP Holdings, LLC  
Larry S. Glover Manager/Member

Personally appeared before me  
Larry Glover

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Sharon Barrett  
Notary Public

8/12/2022  
Date



PLANNING AND DEVELOPMENT DEPARTMENT  
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504  
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503  
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### CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

This form must be completed by the applicant and property owner, or person representing the property owner, for all zoning actions.

OCGA § 36-67A-3[C] Disclosure of campaign contributions:

(b) When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant's application for the zoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:

- (3) The name and official position of the local government official to whom the campaign contribution was made; and
- (4) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

I hereby certify that I have read the above and that:

I have\*\*  I have not

within the two years immediately preceding this date, made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

**\*\*If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.**

Name of Official(s): \_\_\_\_\_

Office: \_\_\_\_\_

Dollar Amount: \_\_\_\_\_

Date of Contribution: \_\_\_\_\_

**Applicant's/Owner's Signature:** \_\_\_\_\_

Date: 8/13/2022

**Applicant's/Owner's Name (Printed):** Ridgeline Land Planning, Inc. - Holt Persinger

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\*\*If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.

Name of Official(s): \_\_\_\_\_ Office: \_\_\_\_\_

Dollar Amount: \_\_\_\_\_ Date of Contribution: \_\_\_\_\_

Applicant's/Owner's Signature: *Larry S. Glover* Date: 8-12-22

Applicant's/Owner's Name (Printed): Larry S. Glover





August 31, 2022  
Revised October 14, 2022

Hall County Planning and Development  
2875 Browns Bridge Road  
3<sup>rd</sup> Floor  
Gainesville, GA 30504

## LETTER OF INTENT

TAX PARCELS: 15007 000129, 15007 000270, and 15007 000027A

Ridgeline Land Planning, Inc. submits this letter of intent and rezoning application on behalf of the property owner for the tax parcels listed above. The subject property is approximately 116.5 acres situated on the south side of Cornelia Hwy (GA 365), and just south of Cagle Road. The Property is currently zoned AR-IV and AR-III and is in the Employment Corridor as set forth in the Comprehensive Plan for Hall County.

The Applicant is proposing to rezone the Property to Heavy Industrial (I-II) to allow for a development totaling 581,600 square feet accessed by public streets. The Applicant anticipates a 5 to 10 year build out. Proposed uses will be in conformance with the Permitted Uses in section 17.170.010 with the exception of items P (Adult establishments) and R (Astrologers, clairvoyants, fortune tellers, palmists, phrenologists and related occupations) of the Official Code of Hall County. The applicant is proposing to delete uses P and R. Most of the project is expected to be office and warehousing with the potential for 3 shifts with some users. The proposed uses are compatible with the growth along the GA 365 corridor and with the Comprehensive Plan.

The proposed Industrial development will consist of 11 lots accessed from a new ranging from 2.5 to 14 acres. A 50-foot setback will be provided along GA 365 and the 30-foot side and rear setbacks as required by Hall County code will be provided between lots. Signage conforming to

the Hall County sign ordinance will be located at the entrance off Hwy 365 and at individual lot entrances within the development. The project will also provide the required 50-foot buffer adjacent to residentially zoned property where practical and outside of any required stream buffers. The proposed development will be served by Hall County Sewer and City of Gainesville Water. Lighting within the development will be LED style and shielded to minimize light spillage onto adjacent properties.

In conclusion, the proposed development is consistent with existing development patterns within the surrounding area, it is compatible with the policies and intent of the Comprehensive Plan. The Applicant welcomes the opportunity to meet with staff of the Hall County Planning Development Department to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Application. The Applicant respectfully requests your approval of the Application.

#### Constitutional Objections

Facially and as applied to the Property, the specific portions of the Hall County Comprehensive Plan and zoning ordinance which restrict the Property to any zoning classification, conditions, uses, or to any development other than those proposed by the Applicant are unconstitutional because they would abolish or damage the Applicant's property rights without paying adequate, fair, and just compensation for such rights, in violation of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment to the United States Constitution.

Facially and as applied to the Property, the application of Hall County ordinances or Comprehensive Plan which restrict the Property to any zoning classification, conditions, uses, or to any development other than that proposed by the Applicant is unconstitutional, illegal, null, and void, constituting a taking and/or damaging of Applicant's Property by denying the Applicant all economically viable use of its land while not substantially advancing legitimate state interests in violation of the United States Constitution's Just Compensation Clause of the

Fifth Amendment and the Equal Protection and Due Process Clauses of the Fourteenth Amendment and the Constitution of the State of Georgia of 1983.

The denial of this application would be an arbitrary and capricious act by Hall County without any rational basis, thus constituting an abuse of discretion in violation of the Constitution of the State of Georgia of 1983 and Due Process Clauses of the Fourteenth Amendment to the United States Constitution.

A refusal by Hall County to approve this application for the Property would be unconstitutional and discriminate in an arbitrary, capricious, and unreasonable manner between the Applicant and owners of similarly situated property in violation of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution.

The applicant and stakeholders respectfully request approval of this application and welcome the opportunity to meet with Hall County Planning and Development staff, Planning Commission, and Board of Commissioners to discuss any questions or concerns regarding the application.

Respectfully,

A handwritten signature in black ink, appearing to read 'Holt Persinger', with a stylized flourish at the end.

Holt Persinger, RLA

Ridgeline Land Planning, Inc.



August 31, 2022

Hall County Planning and Development  
2875 Browns Bridge Road  
3<sup>rd</sup> Floor  
Gainesville, GA 30504

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The Applicant is proposing to rezone the Property to Heavy Industrial (I-II) to allow for a development totaling 1,006,700 square feet. The Applicant anticipates a 5 to 10 year build out. Proposed uses will be in conformance with the Permitted Uses in section 17.170.010 of the Official Code of Hall County. Most of the project is expected to be office and warehousing with the potential for 3 shifts with some users. The proposed uses are compatible with the growth along the GA 365 corridor and with the Comprehensive Plan.

The proposed Industrial development will consist of 11 lots ranging from 2.5 to 14 acres. A 50-foot setback will be provided along GA 365 and the 30-foot side and rear setbacks as required by Hall County code will be provided between lots. Signage conforming to the Hall County sign ordinance will be located at the entrance off Hwy 365 and at individual lot entrances within the development. The project will also provide the required 50-foot buffer adjacent to residentially zoned property where practical and outside of any required stream buffers. The proposed

development will be served by Hall County Sewer and City of Gainesville Water. Lighting within the development will be LED style and shielded to minimize light spillage onto adjacent properties.

In conclusion, the proposed development is consistent with existing development patterns within the surrounding area, it is compatible with the policies and intent of the Comprehensive Plan. The Applicant welcomes the opportunity to meet with staff of the Hall County Planning Development Department to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Application. The Applicant respectfully requests your approval of the Application.

#### Constitutional Objections

Facially and as applied to the Property, the specific portions of the Hall County Comprehensive Plan and zoning ordinance which restrict the Property to any zoning classification, conditions, uses, or to any development other than those proposed by the Applicant are unconstitutional because they would abolish or damage the Applicant's property rights without paying adequate, fair, and just compensation for such rights, in violation of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment to the United States Constitution.

Facially and as applied to the Property, the application of Hall County ordinances or Comprehensive Plan which restrict the Property to any zoning classification, conditions, uses, or to any development other than that proposed by the Applicant is unconstitutional, illegal, null, and void, constituting a taking and/or damaging of Applicant's Property by denying the Applicant all economically viable use of its land while not substantially advancing legitimate state interests in violation of the United States Constitution's Just Compensation Clause of the Fifth Amendment and the Equal Protection and Due Process Clauses of the Fourteenth Amendment and the Constitution of the State of Georgia of 1983.

The denial of this application would be an arbitrary and capricious act by Hall County without any rational basis, thus constituting an abuse of discretion in violation of the Constitution of the State of Georgia of 1983 and Due Process Clauses of the Fourteenth Amendment to the United States Constitution.

A refusal by Hall County to approve this application for the Property would be unconstitutional and discriminate in an arbitrary, capricious, and unreasonable manner between the Applicant and owners of similarly situated property in violation of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution.

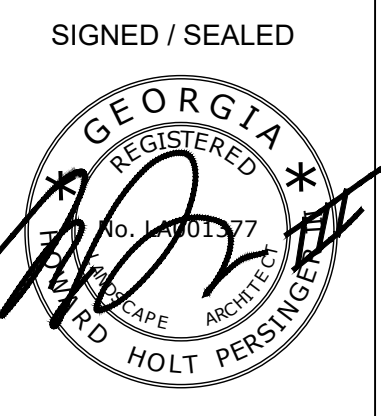
The applicant and stakeholders respectfully request approval of this application and welcome the opportunity to meet with Hall County Planning and Development staff, Planning Commission, and Board of Commissioners to discuss any questions or concerns regarding the application.

Respectfully,

A handwritten signature in black ink, appearing to read 'Holt Persinger', with a stylized flourish at the end.

Holt Persinger, RLA

Ridgeline Land Planning, Inc.



PREPARED FOR

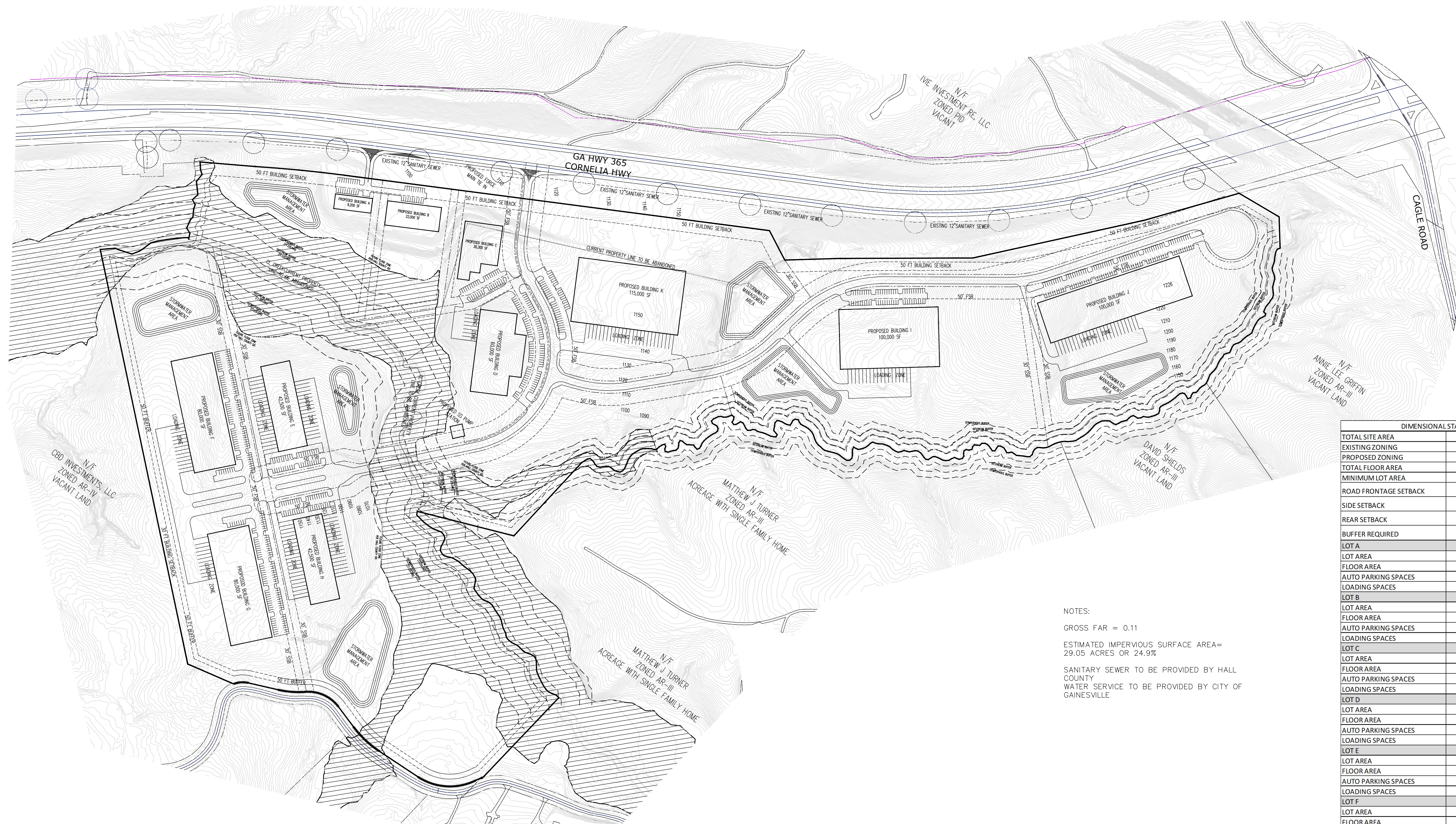
HWY 365  
15007 000129, 15007 000270, 15007 000027A  
HALL COUNTY, GEORGIA



ZONING CONCEPT SHEET TITLE

DATE	NO	REVISION
8/31/2022	1	ADDRESS COMMENTS B/23/2022
10/4/2022	2	REVISED PER IMPERVIOUS SURFACE REQUIREMENTS

DESIGNED BY: HHP SCALE: 1"=200'  
DRAWN BY: HHP  
CHECKED BY: HHP SHEET NO: 1  
DATE: 8/15/2021 JOB NO:



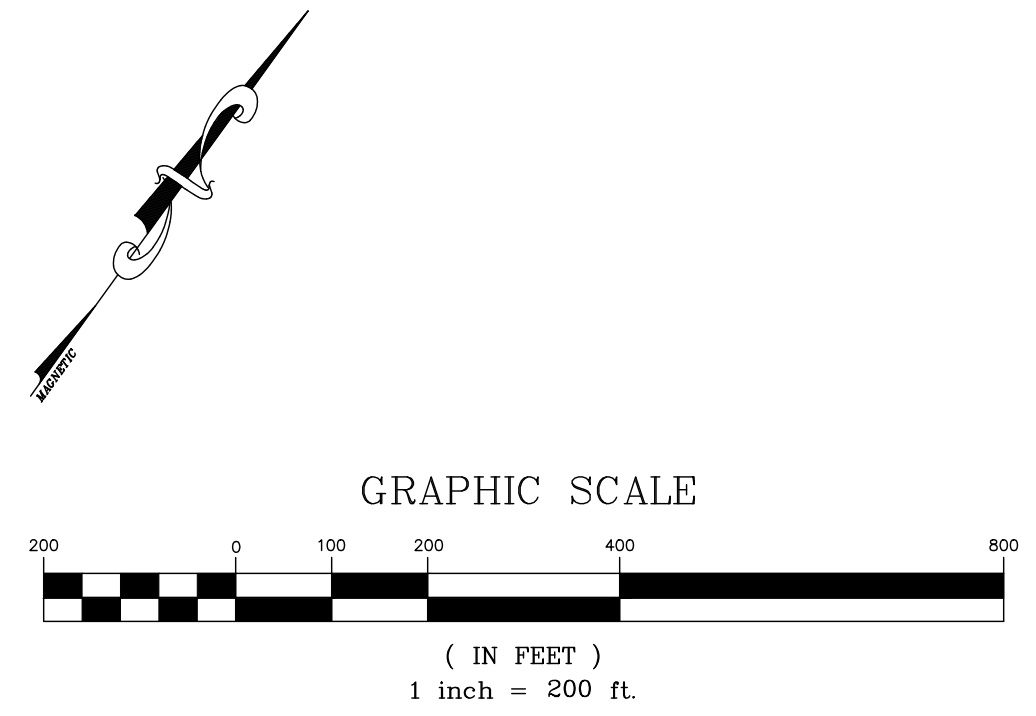
DIMENSIONAL STANDARDS	
TOTAL SITE AREA	116.52 ACRES
EXISTING ZONING	AR-IV & AR-III
PROPOSED ZONING	I-II HEAVY INDUSTRIAL
TOTAL FLOOR AREA	581,600
MINIMUM LOT AREA	15,000 SQFT / 0.344 ACRES
ROAD FRONTAGE SETBACK	50 FEET
SIDE SETBACK	30 FEET
REAR SETBACK	30 FEET
BUFFER REQUIRED	50 FEET
LOT A	
LOT AREA	7.6 ACRES
FLOOR AREA	9,200
AUTO PARKING SPACES	20
LOADING SPACES	NA
LOT B	
LOT AREA	
FLOOR AREA	22,000
AUTO PARKING SPACES	52
LOADING SPACES	NA
LOT C	
LOT AREA	2.54 ACRES
FLOOR AREA	30,300
AUTO PARKING SPACES	33
LOADING SPACES	NA
LOT D	
LOT AREA	7.43 ACRES
FLOOR AREA	60,000
AUTO PARKING SPACES	120
LOADING SPACES	7
LOT E	
LOT AREA	10.80 ACRES
FLOOR AREA	42,500
AUTO PARKING SPACES	40
LOADING SPACES	38
LOT F	
LOT AREA	10.57 ACRES
FLOOR AREA	80,000
AUTO PARKING SPACES	91
LOADING SPACES	25
LOT G	
LOT AREA	7.29 ACRES
FLOOR AREA	80,000
AUTO PARKING SPACES	91
LOADING SPACES	25
LOT H	
LOT AREA	20.52 ACRES
FLOOR AREA	42,500
AUTO PARKING SPACES	40
LOADING SPACES	38
LOT I	
LOT AREA	16.50 ACRES
FLOOR AREA	100
AUTO PARKING SPACES	120
LOADING SPACES	25
LOT J	
LOT AREA	12.85 ACRES
FLOOR AREA	100,000
AUTO PARKING SPACES	120
LOADING SPACES	25
LOT K	
LOT AREA	14.06 ACRES
FLOOR AREA	115,000
AUTO PARKING SPACES	72
LOADING SPACES	24

NOTES:  
GROSS FAR = 0.11  
ESTIMATED IMPERVIOUS SURFACE AREA= 29.05 ACRES OR 24.9%  
SANITARY SEWER TO BE PROVIDED BY HALL COUNTY  
WATER SERVICE TO BE PROVIDED BY CITY OF GAINESVILLE

-THE SUBJECT PROPERTY LIES WITHIN THE NORTH OCOONEE WATER SUPPLY WATERSHED  
-THE SUBJECT PROPERTY LIES WITHIN A FLOOD HAZARD ZONE PER FEMA MAPS 13139C0225F AND 13139C0225G



LOCATION MAP-NTS







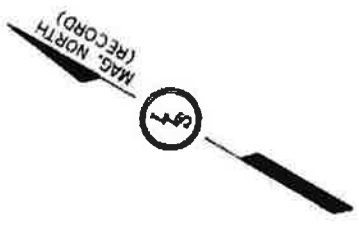
**LEGEND**

- ASP ASPHALT
- BL BARB WIRE FENCE
- BWF BUILDING WIRE FENCE
- CL CENTERLINE
- CLF CHAIN LINK FENCE
- CMF CONCRETE MONUMENT FOUND
- CMP CORRUGATED METAL PIPE
- CONC CONCRETE
- CTP CRIMPED TOP PIPE
- DI DROP INLET
- EP EDGE OF PAVEMENT
- FH FIRE HYDRANT
- GW GUY WIRE
- HWF HOG WIRE FENCE
- IPF IRON PIN FOUND
- IPS IRON PIN SET (1/2" REBAR)
- LL LAND LOT
- LLL LAND LOT LINE
- MH MAINHOLE
- N/F NOW OR FORMERLY
- OTF OPEN TOP PIPE
- PL PROPERTY LINE
- PP POWER POLE
- P/TP POWER & TELEPHONE POLE
- R/W REBAR
- RS RIGHT OF WAY
- R/W REBAR
- SP SERVICE POLE
- TB TELEPHONE BOX
- WM WATER METER
- WV WATER VALVE
- MR METAL ROD
- O/S OFFSET

**FLOOD NOTE:**  
 PORTIONS OF THIS PROPERTY ARE IN A FLOOD HAZARD AREA AS PER FLOOD INSURANCE RATE MAP OF HALL COUNTY, GEORGIA.  
 COMMUNITY PANEL NUMBER: 130466 0125 E & 0225 E  
 EFFECTIVE DATE: MARCH 21, 2000  
 REVISION DATE: NONE

**PLAT REFERENCES:**  
 1) GA. DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP PROJECTS F-013-(129) SHEETS 16 & 17 DATED SEPTEMBER 30, 1977.  
 2) SURVEY FOR HALL TLP&G LIMITED PARTNERSHIP PREPARED BY WATTS & BROWNING DATED OCTOBER 30, 1989.  
 3) EASEMENT SURVEY FOR GEORGIA KRAFT COMPANY PREPARED BY ROY TERRELL DATED AUGUST 1982.

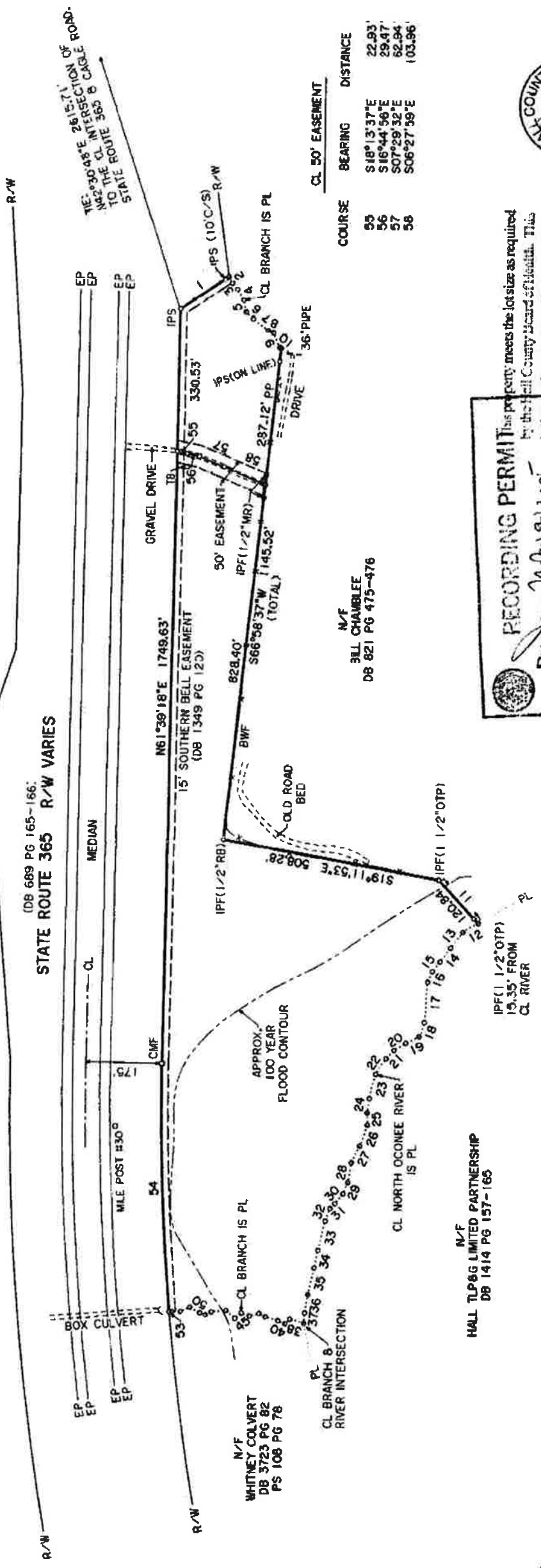
A TOPCON GTS-302 TOTAL STATION WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT.  
 THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED WAS A CLOSURE WITH A PRECISION OF ONE FOOT IN 23,282 FEET AND AN ANGULAR ERROR OF 00-00-04" USING THE COMPASS RULE METHOD.  
 THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 380,263 FEET.



COURSE	BEARING	DISTANCE	COURSE	BEARING	DISTANCE
1	S63°09'00"E	134.94'	29	S84°34'03"W	28.40'
2	S31°39'29"W	16.31'	30	N90°34'24"W	29.49'
3	S19°38'35"W	18.76'	31	N73°33'19"W	15.13'
4	S49°17'52"W	28.05'	32	S00°54'34"W	31.17'
5	S49°30'04"W	28.56'	33	S74°19'08"W	70.24'
6	S15°47'28"W	23.70'	34	S72°23'18"W	43.22'
7	S08°50'39"W	44.57'	35	S70°23'02"W	42.95'
8	S09°22'19"E	12.75'	36	S70°23'02"W	63.80'
9	S36°48'29"W	35.96'	37	S65°27'28"W	24.75'
10	S10°13'10"W	4.78'	38	N13°03'11"W	33.30'
11	S19°04'01"W	136.20'	39	N70°53'20"W	15.40'
12	N60°15'44"W	40.60'	40	N0°15'37"W	18.23'
13	N81°42'30"W	46.31'	41	N11°59'40"W	30.75'
14	N82°10'41"W	40.43'	42	N03°13'38"W	15.26'
15	N81°49'06"W	28.19'	43	N42°45'26"W	23.20'
16	S83°44'37"W	27.04'	44	N10°45'47"W	19.85'
17	S64°53'37"W	91.44'	45	N69°24'15"W	19.11'
18	S81°06'19"W	35.48'	46	N11°56'31"E	27.20'
19	N56°05'07"W	34.07'	47	N35°33'37"W	34.27'
20	N61°06'34"W	32.13'	48	N54°52'03"W	15.37'
21	N75°53'58"W	26.26'	49	N10°00'46"W	13.94'
22	N86°35'57"W	44.32'	50	N00°24'12"E	23.71'
23	S74°52'43"W	58.33'	51	N52°47'44"W	25.19'
24	S68°49'15"W	33.82'	52	N30°50'16"W	19.78'
25	S60°05'43"W	28.70'	53	N31°29'23"W	5.68'
26	S80°28'24"W	51.20'			
27	S86°45'28"W	42.50'			
28	S70°21'04"W	47.13'			

RAD.: 5954.56' TAN: 268.70'  
 LEN.: 578.89' DELTA: 5°57'02"

54 N59°40'47"E 576.63'



CL 50' EASEMENT

COURSE	BEARING	DISTANCE
55	S18°13'37"E	22.93'
56	S16°44'56"E	29.47'
57	S07°29'32"E	62.84'
58	S06°27'59"E	103.96'

**RECORDING PERMIT**  
 This property meets the lot size as required by the Hall County Board of Health. This permit has not been approved for an on site sewage management system. Suitable soils will be required prior to approval or issuance of an on site sewage system permit.

By: *Walter J. Hildner*  
 HALL COUNTY PLANNING COMMISSION



SURVEY FOR  
**REGGIE NELSON**  
 LOCATED IN  
 G.M.D. 1690  
 HALL COUNTY, GEORGIA  
 SCALE: 1" = 200'  
 GRAPHIC SCALE  
 AUGUST 16, 2003



**LONDON LAND SURVEYING**  
 167 EAST JARRARD STREET  
 CLEVELAND, GA. 30528  
 (706) 865-0749

**TOTAL AREA = 17.83 ACRES**

FIELD WORK COMPLETED:  
 AUGUST 16, 2003.



JOB# 05084

# BOUNDARY SURVEY FOR AEI PAINTING CONTRACTORS, LLC G.M.D. 1690 LULA DISTRICT HALL COUNTY, GEORGIA

**W&B**  
**WATTS & BROWNING ENGINEERS, INC.**  
CIVIL ENGINEERS & LAND SURVEYORS  
1150 BELLS FERRY ROAD  
MARIETTA, GEORGIA 30066-0030  
PHONE: 770-428-8800  
FAX: 770-428-8830  
LSP000020 - 7/27/2014

DATE SURVEYED:	7/21/14
DATE PLOTTED:	8/14/14
DRAWN BY:	WMB
CHECKED BY:	WMB
SCALE:	AS SHOWN
PROJECT NO.:	1150 B
SUBJECT:	BOUNDARY SURVEY
FILE NO.:	1150 B
DATE PLOTTED:	8/14/14
DATE PRINTED:	8/14/14
SCALE:	AS SHOWN
PROJECT NO.:	1150 B
SUBJECT:	BOUNDARY SURVEY
FILE NO.:	1150 B

### BOUNDARY CURVE CHART

STATION	ARC LENGTH	CHORD BEARING	CHORD DISTANCE
1150 B-1	41.20	N89°04'50"W	41.19
1150 B-2	41.19	N89°04'50"W	41.19
1150 B-3	41.19	N89°04'50"W	41.19
1150 B-4	41.19	N89°04'50"W	41.19
1150 B-5	41.19	N89°04'50"W	41.19
1150 B-6	41.19	N89°04'50"W	41.19
1150 B-7	41.19	N89°04'50"W	41.19
1150 B-8	41.19	N89°04'50"W	41.19
1150 B-9	41.19	N89°04'50"W	41.19
1150 B-10	41.19	N89°04'50"W	41.19
1150 B-11	41.19	N89°04'50"W	41.19
1150 B-12	41.19	N89°04'50"W	41.19
1150 B-13	41.19	N89°04'50"W	41.19
1150 B-14	41.19	N89°04'50"W	41.19
1150 B-15	41.19	N89°04'50"W	41.19
1150 B-16	41.19	N89°04'50"W	41.19
1150 B-17	41.19	N89°04'50"W	41.19
1150 B-18	41.19	N89°04'50"W	41.19
1150 B-19	41.19	N89°04'50"W	41.19
1150 B-20	41.19	N89°04'50"W	41.19
1150 B-21	41.19	N89°04'50"W	41.19
1150 B-22	41.19	N89°04'50"W	41.19
1150 B-23	41.19	N89°04'50"W	41.19
1150 B-24	41.19	N89°04'50"W	41.19
1150 B-25	41.19	N89°04'50"W	41.19
1150 B-26	41.19	N89°04'50"W	41.19
1150 B-27	41.19	N89°04'50"W	41.19
1150 B-28	41.19	N89°04'50"W	41.19
1150 B-29	41.19	N89°04'50"W	41.19
1150 B-30	41.19	N89°04'50"W	41.19
1150 B-31	41.19	N89°04'50"W	41.19
1150 B-32	41.19	N89°04'50"W	41.19
1150 B-33	41.19	N89°04'50"W	41.19
1150 B-34	41.19	N89°04'50"W	41.19
1150 B-35	41.19	N89°04'50"W	41.19
1150 B-36	41.19	N89°04'50"W	41.19
1150 B-37	41.19	N89°04'50"W	41.19
1150 B-38	41.19	N89°04'50"W	41.19
1150 B-39	41.19	N89°04'50"W	41.19
1150 B-40	41.19	N89°04'50"W	41.19
1150 B-41	41.19	N89°04'50"W	41.19
1150 B-42	41.19	N89°04'50"W	41.19
1150 B-43	41.19	N89°04'50"W	41.19
1150 B-44	41.19	N89°04'50"W	41.19
1150 B-45	41.19	N89°04'50"W	41.19
1150 B-46	41.19	N89°04'50"W	41.19
1150 B-47	41.19	N89°04'50"W	41.19
1150 B-48	41.19	N89°04'50"W	41.19
1150 B-49	41.19	N89°04'50"W	41.19
1150 B-50	41.19	N89°04'50"W	41.19
1150 B-51	41.19	N89°04'50"W	41.19
1150 B-52	41.19	N89°04'50"W	41.19
1150 B-53	41.19	N89°04'50"W	41.19
1150 B-54	41.19	N89°04'50"W	41.19
1150 B-55	41.19	N89°04'50"W	41.19
1150 B-56	41.19	N89°04'50"W	41.19
1150 B-57	41.19	N89°04'50"W	41.19
1150 B-58	41.19	N89°04'50"W	41.19
1150 B-59	41.19	N89°04'50"W	41.19
1150 B-60	41.19	N89°04'50"W	41.19
1150 B-61	41.19	N89°04'50"W	41.19
1150 B-62	41.19	N89°04'50"W	41.19
1150 B-63	41.19	N89°04'50"W	41.19
1150 B-64	41.19	N89°04'50"W	41.19
1150 B-65	41.19	N89°04'50"W	41.19
1150 B-66	41.19	N89°04'50"W	41.19
1150 B-67	41.19	N89°04'50"W	41.19
1150 B-68	41.19	N89°04'50"W	41.19
1150 B-69	41.19	N89°04'50"W	41.19
1150 B-70	41.19	N89°04'50"W	41.19
1150 B-71	41.19	N89°04'50"W	41.19
1150 B-72	41.19	N89°04'50"W	41.19
1150 B-73	41.19	N89°04'50"W	41.19
1150 B-74	41.19	N89°04'50"W	41.19
1150 B-75	41.19	N89°04'50"W	41.19
1150 B-76	41.19	N89°04'50"W	41.19
1150 B-77	41.19	N89°04'50"W	41.19
1150 B-78	41.19	N89°04'50"W	41.19
1150 B-79	41.19	N89°04'50"W	41.19
1150 B-80	41.19	N89°04'50"W	41.19
1150 B-81	41.19	N89°04'50"W	41.19
1150 B-82	41.19	N89°04'50"W	41.19
1150 B-83	41.19	N89°04'50"W	41.19
1150 B-84	41.19	N89°04'50"W	41.19
1150 B-85	41.19	N89°04'50"W	41.19
1150 B-86	41.19	N89°04'50"W	41.19
1150 B-87	41.19	N89°04'50"W	41.19
1150 B-88	41.19	N89°04'50"W	41.19
1150 B-89	41.19	N89°04'50"W	41.19
1150 B-90	41.19	N89°04'50"W	41.19
1150 B-91	41.19	N89°04'50"W	41.19
1150 B-92	41.19	N89°04'50"W	41.19
1150 B-93	41.19	N89°04'50"W	41.19
1150 B-94	41.19	N89°04'50"W	41.19
1150 B-95	41.19	N89°04'50"W	41.19
1150 B-96	41.19	N89°04'50"W	41.19
1150 B-97	41.19	N89°04'50"W	41.19
1150 B-98	41.19	N89°04'50"W	41.19
1150 B-99	41.19	N89°04'50"W	41.19
1150 B-100	41.19	N89°04'50"W	41.19

### BOUNDARY LINE CHART

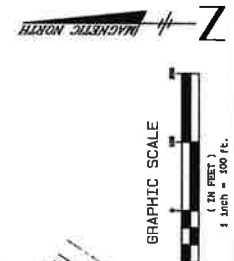
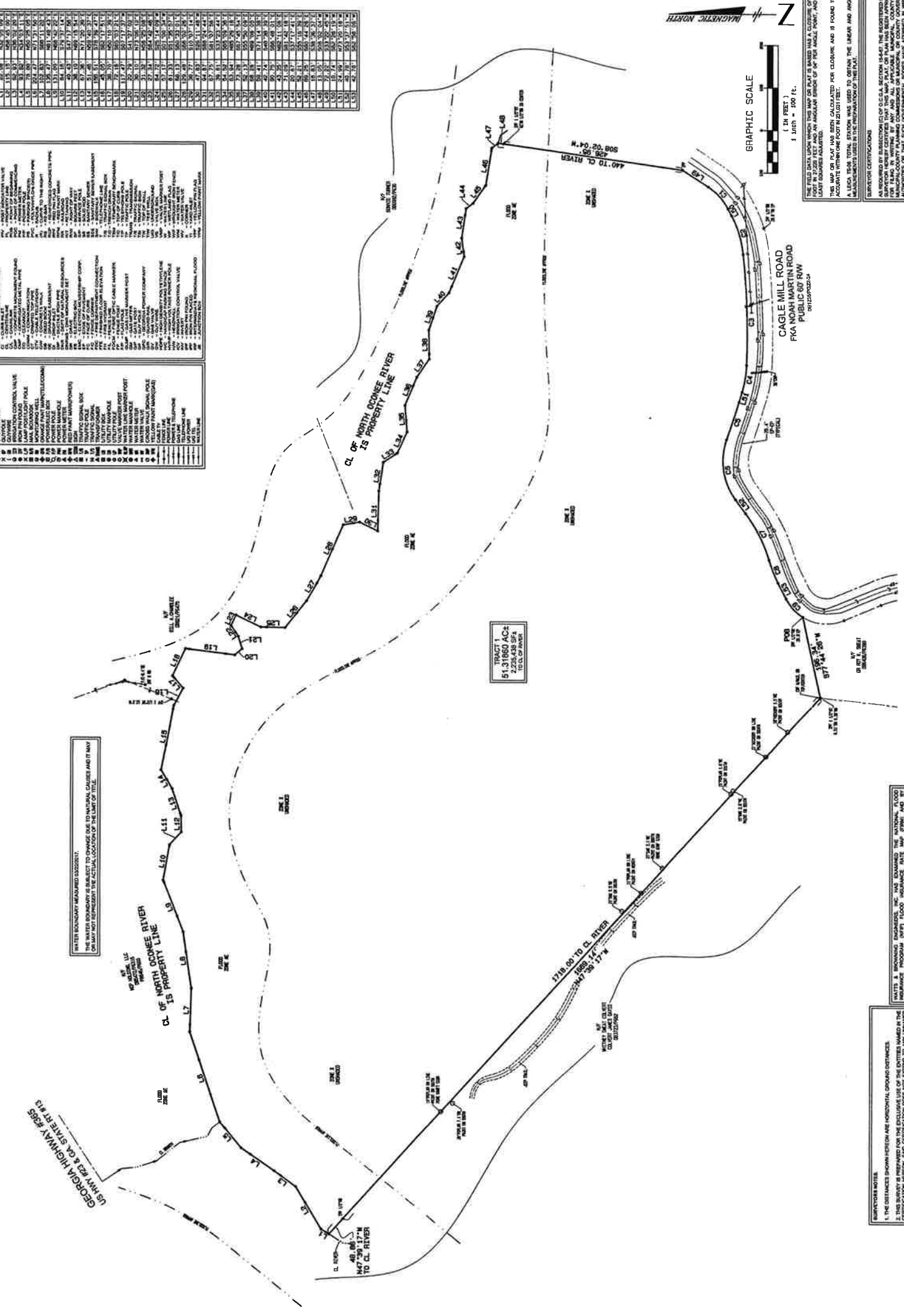
LINE NUMBER	BEARING	DISTANCE
L1	N44°39'17"W	48.06
L2	N87°04'50"W	41.19
L3	N89°04'50"W	41.19
L4	N89°04'50"W	41.19
L5	N89°04'50"W	41.19
L6	N89°04'50"W	41.19
L7	N89°04'50"W	41.19
L8	N89°04'50"W	41.19
L9	N89°04'50"W	41.19
L10	N89°04'50"W	41.19
L11	N89°04'50"W	41.19
L12	N89°04'50"W	41.19
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L14	N89°04'50"W	41.19
L15	N89°04'50"W	41.19
L16	N89°04'50"W	41.19
L17	N89°04'50"W	41.19
L18	N89°04'50"W	41.19
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L20	N89°04'50"W	41.19
L21	N89°04'50"W	41.19
L22	N89°04'50"W	41.19
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L30	N89°04'50"W	41.19
L31	N89°04'50"W	41.19
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L59	N89°04'50"W	41.19
L60	N89°04'50"W	41.19
L61	N89°04'50"W	41.19
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L64	N89°04'50"W	41.19
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L78	N89°04'50"W	41.19
L79	N89°04'50"W	41.19
L80	N89°04'50"W	41.19
L81	N89°04'50"W	41.19
L82	N89°04'50"W	41.19
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L84	N89°04'50"W	41.19
L85	N89°04'50"W	41.19
L86	N89°04'50"W	41.19
L87	N89°04'50"W	41.19
L88	N89°04'50"W	41.19
L89	N89°04'50"W	41.19
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L91	N89°04'50"W	41.19
L92	N89°04'50"W	41.19
L93	N89°04'50"W	41.19
L94	N89°04'50"W	41.19
L95	N89°04'50"W	41.19
L96	N89°04'50"W	41.19
L97	N89°04'50"W	41.19
L98	N89°04'50"W	41.19
L99	N89°04'50"W	41.19
L100	N89°04'50"W	41.19

### SYMBOL LEGEND

1	PROPERTY
2	ADJACENT PROPERTY
3	ADJACENT WATER
4	ADJACENT ROAD
5	ADJACENT RAILROAD
6	ADJACENT AIRWAY
7	ADJACENT EASEMENT
8	ADJACENT ENCUMBRANCE
9	ADJACENT INTEREST
10	ADJACENT LIABILITY
11	ADJACENT OTHER
12	ADJACENT UNKNOWN
13	ADJACENT UNLAWFUL
14	ADJACENT UNRECORDED
15	ADJACENT UNDEVELOPED
16	ADJACENT UNIMPROVED
17	ADJACENT UNINVESTED
18	ADJACENT UNINTENDED
19	ADJACENT UNDESIRABLE
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38	ADJACENT UNINVESTED
39	ADJACENT UNINTENDED
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41	ADJACENT UNLAWFUL
42	ADJACENT UNRECORDED
43	ADJACENT UNDEVELOPED
44	ADJACENT UNIMPROVED
45	ADJACENT UNINVESTED
46	ADJACENT UNINTENDED
47	ADJACENT UNDESIRABLE
48	ADJACENT UNLAWFUL
49	ADJACENT UNRECORDED
50	ADJACENT UNDEVELOPED

### LEGEND

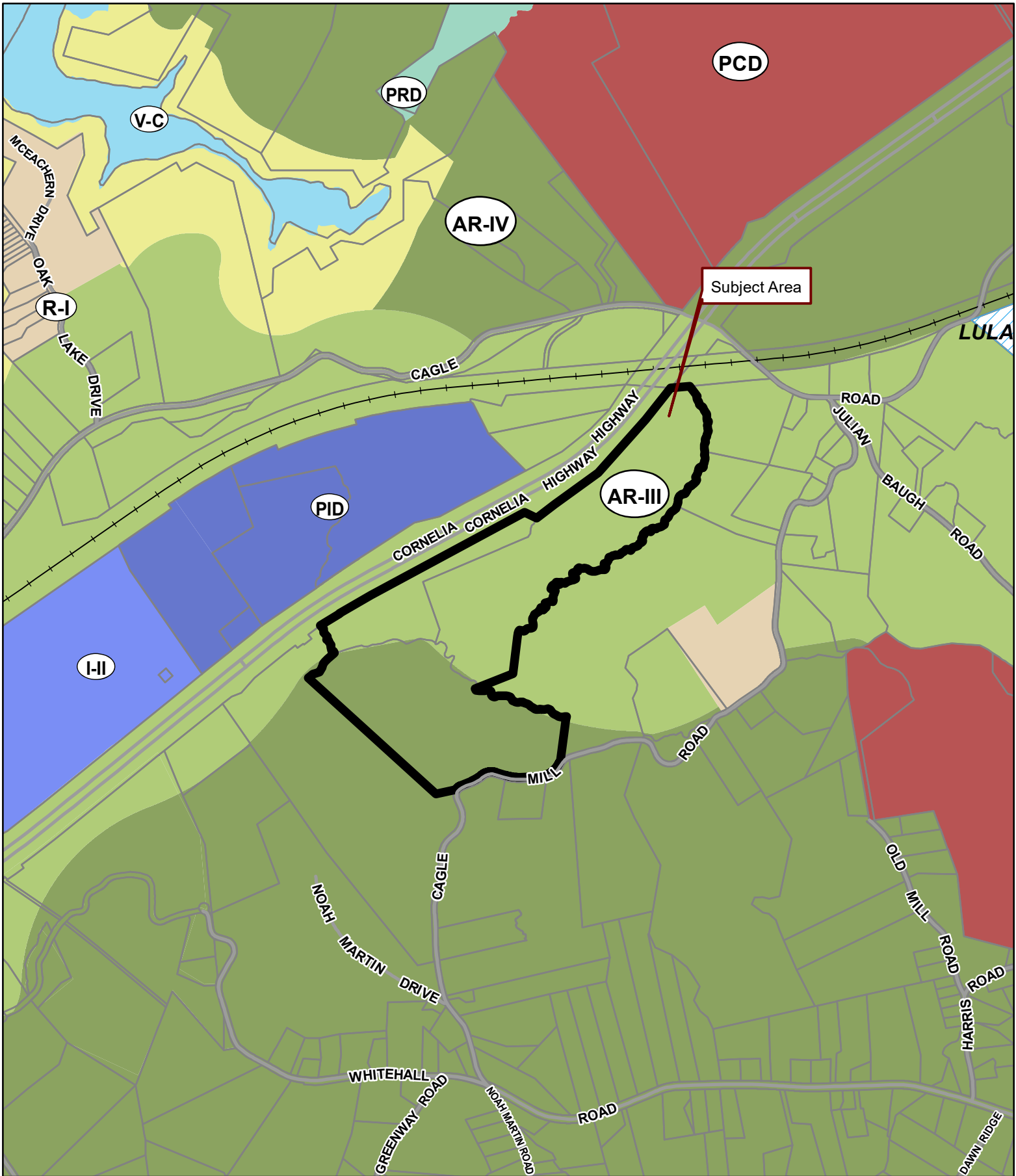
1	PROPERTY
2	ADJACENT PROPERTY
3	ADJACENT WATER
4	ADJACENT ROAD
5	ADJACENT RAILROAD
6	ADJACENT AIRWAY
7	ADJACENT EASEMENT
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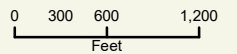
THE FIELD DATA UPON WHICH THIS MAP OR PLAN IS BASED HAVE BEEN TAKEN AS ACCURATE AS THE METHODS AND INSTRUMENTS USED AND AS GOOD AS THE SKILL AND EXPERIENCE OF THE SURVEYOR PERMITTED.

A LEICA TOTAL STATION WAS USED TO OBTAIN THE BEARING AND HORIZONTAL MEASUREMENTS USED IN THE PREPARATION OF THIS PLAN.

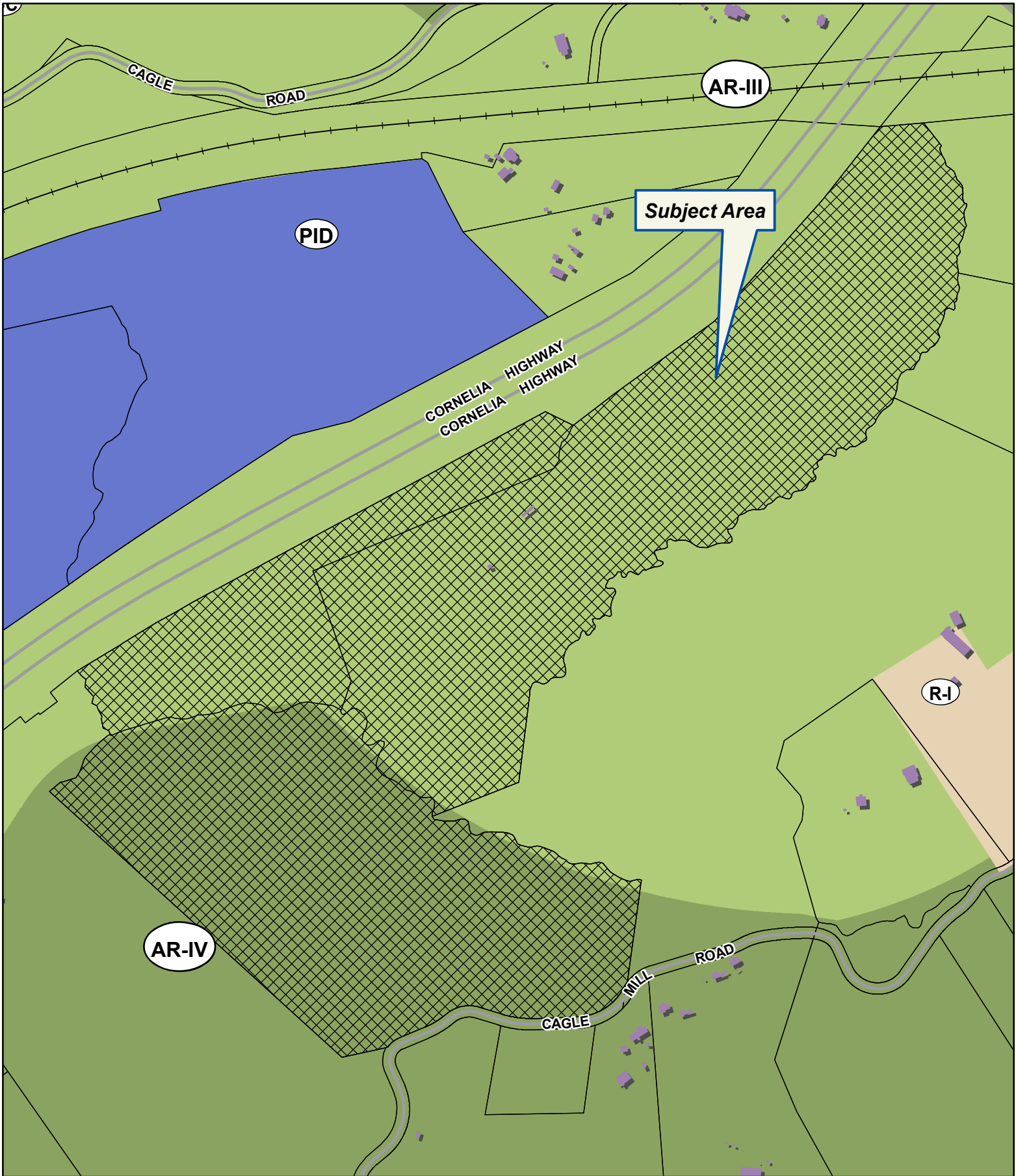
NO ADJ



**Applicant:** RIDGELINE LAND PLANNING, INC.  
**Tax Parcel #:** 15007 000129, 000270, & 000027A  
**Location:** 4020 & 3886 CORNELIA HIGHWAY, & 4761 CAGLE MILL ROAD,  
 LULA, GA 30554  
**Commission District 3**      **PC Mtg. Date:** 11/07/2022



- Zoning Boundary
  - ▭ City Limits
  - ▭ Subject Area
  - ▭ Structure
- N  
↑

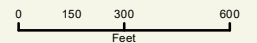


**Applicant:** RIDGELINE LAND PLANNING, INC.

**Tax Parcel #:** 15007 000129, 000270, & 000027A

**Location:** 4020 & 3886 CORNELIA HIGHWAY, & 4761 CAGLE MILL ROAD,  
LULA, GA 30554

**Commission District 3**      **PC Mtg. Date:** 11/07/2022



- Zoning Boundary
  - ▭ City Limits
  - ▨ Subject Area
  - ▭ Structure
- N  
↑



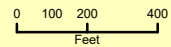
**Applicant:** RIDGELINE LAND PLANNING, INC.




**Tax Parcel #:** 15007 000129, 000270, & 000027A

**Location:** 4020 & 3886 CORNELIA HIGHWAY, & 4761 CAGLE MILL ROAD,  
LULA, GA 30554

**Commission District 3**

**PC Mtg. Date:** 11/07/2022



-  Zoning Boundary
-  City Limits
-  Subject Area



Return to: T. Treadwell Syfan  
P. O. Box 3280  
Gainesville, GA 30503

STATE OF GEORGIA

COUNTY OF HALL

eFiled and eRecorded  
DATE: 06/03/2022  
TIME: 2:56 PM  
DEED BOOK: 9139  
PAGE: 163 - 165  
FILING FEES: \$25.00  
TRANSFER TAX: \$1,470.20  
PARTICIPANT ID: 6334597300  
PT61: 069-2022-006070  
RECORDED BY: EAR  
CLERK: Charles Baker, C.S.C  
Hall County, GA

### EXECUTOR'S DEED

THIS INDENTURE is made as of 2nd day of June, 2022, between **TERESA C. ROBERTS**, as **Executor of the Estate of Janet C. Chamblee** (hereinafter referred to as the "Deceased"), late of Hall County, Georgia (hereinafter referred to as "Grantor") and **NCP HOLDINGS, LLC**, a Georgia limited liability company (hereinafter referred to as "Grantee") ("Grantor" and "Grantee" to include their respective heirs, successors, executors, administrators, legal representatives and assigns where the context requires or permits).

### WITNESSETH

GRANTOR, acting under and by virtue of the power and authority contained in the last will and testament of the Deceased, said will having been duly probated and recorded in the Court of Probate of Fulton County, Georgia, for and in consideration of the sum of TEN AND 00/100 DOLLARS (\$10.00) in hand paid at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto Grantee the following described property:

**The property described on Exhibit "A", attached hereto and incorporated herein by reference.**

TO HAVE AND TO HOLD the Land with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of Grantee forever, in as full and ample a manner as the same was held, possessed and enjoyed, or might have been held, possessed and enjoyed, by the Deceased.

000666

GEORGIA, HALL COUNTY, CLERK SUPERIOR COURT  
Filed in office, this 30 day of November  
20 09 at 3:30 Pm. Recorded in Deed  
Book 6636 Page(s) 666-667  
Charles Baker, Clerk By JN  
3:30 Pm

025617

HALL COUNTY, Georgia  
Real Estate Transfer Tax

Paid \$ 134.10

Date 11-30-09

Charles Baker  
Superior Court Clerk  
By JN

FT61 069-2009-007059

After recording, return to: File: ✓  
SMITH, GILLIAM, WILLIAMS, & MILES, P.A.  
301 Green Street, P. O. Box 1098  
Gainesville, Georgia 30503

WARRANTY DEED

THIS INDENTURE is made this 30th day of November, 2009, between  
REGINALD BRYANT NELSON, of the County of White, State of Georgia,  
(hereinafter referred to as "Grantor") and NCP HOLDINGS, LLC, A Georgia limited liability  
corporation, (hereinafter referred to as "Grantee"), ("Grantor" and "Grantee" to include their  
respective heirs, successors, executors, administrators, legal representatives and assigns where the  
context requires or permits.)

WITNESSETH

GRANTOR, in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and  
other valuable considerations, the receipt and sufficiency whereof are hereby acknowledged, has  
granted, bargained, sold, aliened, conveyed and confirmed, and does hereby grant, bargain, sell,  
alien, convey and confirm unto Grantee the following described property, to wit:

All of my undivided one third undivided interest in and to the property described on  
"Exhibit A" attached hereto for a full and complete description of subject property, said  
Exhibit being incorporated as a part hereof and being property located in Hall County,  
Georgia.

TO HAVE AND TO HOLD the Land, with all and singular the rights, members and  
appurtenances thereof, to the same being, belonging, or in any way appertaining, to the only proper  
use, benefit and behoof of Grantee forever in FEE SIMPLE.

AND GRANTOR WILL WARRANT and forever defend the right and title to the Land  
unto Grantee against the claims of all persons whomsoever.

EXECUTED under seal as of the date above.

Signed, sealed and delivered in  
the presence of:

GRANTOR:

[Signature]  
Unofficial Witness

[Signature] (SEAL)  
Reginald Bryant Nelson

[Signature]  
Notary Public  
Commission Expiration Date:

(NOTARIAL SEAL)

This 30th day of November, 2009

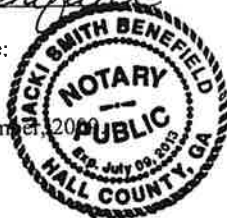


EXHIBIT "A"

ALL THAT TRACT OR PARCEL OF LAND lying and being in G. M. D. 1690 of Hall County, Georgia, containing 17.83 acres as shown on a Plat of Survey prepared for Reggie Nelson by Roger N. London, RLS, dated August 16, 2005, recorded in Plat Book R46, Page 60 of the Hall County, Georgia Deed Records, to which said plat is incorporated herein by reference for a more complete description of the above referenced property.

The Parcel is subject to the existing easements of record and the existing 30-foot driveway easement as shown on the above referenced plat.

RAV



Return to: T. Treadwell Syfan  
P. O. Box 3280  
Gainesville, GA 30503

STATE OF GEORGIA

COUNTY OF HALL

eFiled and eRecorded  
DATE: 06/03/2022  
TIME: 2:56 PM  
DEED BOOK: 9139  
PAGE: 163 - 165  
FILING FEES: \$25.00  
TRANSFER TAX: \$1,470.20  
PARTICIPANT ID: 6334597300  
PT61: 069-2022-005070  
RECORDED BY: EAR  
CLERK: Charles Baker, C.S.C  
Hall County, GA

### EXECUTOR'S DEED

THIS INDENTURE is made as of 2nd day of June, 2022, between **TERESA C. ROBERTS**, as **Executor of the Estate of Janet C. Chamblee** (hereinafter referred to as the "Deceased"), late of Hall County, Georgia (hereinafter referred to as "Grantor") and **NCP HOLDINGS, LLC**, a Georgia limited liability company (hereinafter referred to as "Grantee") ("Grantor" and "Grantee" to include their respective heirs, successors, executors, administrators, legal representatives and assigns where the context requires or permits).

### WITNESSETH

GRANTOR, acting under and by virtue of the power and authority contained in the last will and testament of the Deceased, said will having been duly probated and recorded in the Court of Probate of Fulton County, Georgia, for and in consideration of the sum of TEN AND 00/100 DOLLARS (\$10.00) in hand paid at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto Grantee the following described property:

**The property described on Exhibit "A", attached hereto and incorporated herein by reference.**

TO HAVE AND TO HOLD the Land with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of Grantee forever, in as full and ample a manner as the same was held, possessed and enjoyed, or might have been held, possessed and enjoyed, by the Deceased.

eFiled and eRecorded  
DATE: 03/10/2022  
TIME: 3:58 PM  
DEED BOOK: 9078  
PAGE: 503 - 508  
FILING FEES: \$25.00  
TRANSFER TAX: \$975.10  
INTANGIBLE TAX: \$0.00  
PARTICIPANT ID: 6334597300  
PT61: 069-2022-002062  
RECORDED BY: JP  
CLERK: Charles Baker, C.S.C  
Hall County, GA

Return to: T. Treadwell Syfan  
Stewart, Melvin & Frost, LLP  
P. O. Box 3280  
Gainesville, Georgia 30503

## LIMITED WARRANTY DEED

### GEORGIA, COUNTY OF HALL

**THIS INDENTURE**, made this 10th day of March, 2022, between **Skinner Family Farms LLC**, a Georgia limited liability company (hereinafter called "**GRANTOR**"), and **NCP Holdings, LLC**, a Georgia limited liability company (hereinafter called "**GRANTEE**").

**WITNESSETH:** That the said **GRANTOR**, for and in consideration of the sum of ONE DOLLAR (\$1.00) AND OTHER VALUABLE CONSIDERATION, in hand paid at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said **GRANTEE** the following described property, to-wit:

Property described on **Exhibit "A"** attached hereto and by reference made a part hereof.

**TO HAVE AND TO HOLD** the said tract or parcel of land with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said **GRANTEE**, forever, in **FEE SIMPLE**.

**AND THE SAID GRANTOR** will warrant and forever defend the right and title to the above described property, unto the said **GRANTEE** against the claims of all persons whomsoever claiming through or under Grantor.

**WHEREVER** there is a reference herein to the **GRANTOR** or the **GRANTEE**, the singular includes the plural and the masculine includes the feminine and the neuter, and said terms include and bind the heirs, executors, administrators, successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the said GRANTOR has hereunto set its hand and seal, the day and year above written.

Signed, sealed and delivered  
in presence of:

SKINNER FAMILY FARMS LLC

By: Bonnie Skinner (SEAL)  
Bonnie K. Skinner, Sole Manager

[Signature]  
Unofficial Witness

Lisa R. Graham  
Notary Public

My Commission Expires



DATE: 09/04/07 COUNTY: Hall PERMIT NO. 09-2007-030-139-143266  
STATE ROUTE: 365 MILE POST: 22.9

**MEMORANDUM TO PERMIT APPLICANTS**

The attached Permit Identification Sign is to be used in an effort to facilitate inspection procedures and to identify approved work locations on the highway right-of-way; however, the use of the sign does not relieve the applicant of the responsibility for maintaining a copy of the approved permit and plan on the job site.

You will note that all information required on this sign with the exception of the contractor's name has been inserted. If work specified by the permit is to be performed by anyone other than the applicant, please insert the name of the contractor or person performing the work in the blank space provided on the sign.

This sign is to be posted by the applicant or the contractor prior to the beginning of construction on a board and stake so as to be visible from the roadway.

When work required by the approved permit is complete, please notify the permit inspector listed below so he can inspect the work performed on highway right-of-way.

Should you have any questions in this matter, please contact our permit inspector.

**Mr. Rodney Gilreath**  
DEPARTMENT OF TRANSPORTATION  
2594 Gillsville Highway  
Gainesville, Georgia 30507  
Telephone: (770) 531-4069

# DEPARTMENT OF TRANSPORTATION STATE OF GEORGIA



DISTRICT NO. 1 APPROVAL DATE 09/04/2007  
PERMIT NO. 09-2007-030-139 Hall COUNTY  
PERMITTEE Reggie, Nelson  
CONTRACTOR \_\_\_\_\_  
STATE INSPECTOR Rodney Gilreath  
TELEPHONE 770-535-5759

- COMMERCIAL DRIVEWAY
- SPECIAL ENCROACHMENT
- OTHER \_\_\_\_\_

INSPECTOR'S LOG					
INITIAL	DATE	INITIAL	DATE	INITIAL	DATE

DISPLAY THIS WITHIN WORKING AREA SO AS TO BE VISIBLE FROM HIGHWAY

DOT 7412  
REV. 01/1987  
REV. 11/1993  
REV. 06/2000

DEPARTMENT OF TRANSPORTATION  
STATE OF GEORGIA  
ATLANTA, GEORGIA  
30334-1092

(FOR DOT USE ONLY)	
District No.	1
State Route No.	036500
Mile Point No.	22.9
County	Hall
Permit No.	09-2007-030-139

1432666

Distribution  
(AFTER APPROVAL)  
White - Applicant  
Yellow - General Office  
Blue - District Engineer  
Green - Field Inspector



APPLICATION AND PERMIT FOR (CHECK ONE)

- COMMERCIAL DRIVEWAY     NONCOMMERCIAL DRIVEWAY  
 CITY STREET INTERSECTION     COUNTY ROAD INTERSECTION

TO: GEORGIA DEPARTMENT OF TRANSPORTATION, ATLANTA, GEORGIA 30334-1002

Application is hereby made by Reggie Nelson Name of Applicant 706-878-9577 (Area Code) Phone No.  
2061 Tesnatee Gap Valley Rd. Post Office Address Cleveland GA 30528 City and State Zip Code

for permission to construct a Driveway and/ or Road Access on the Right-of-Way of STATE ROUTE NO. 036500  
U.S. within the City Limits of \_\_\_\_\_ and in Hall County.  
 in accordance with the ATTACHED PLANS, subject to the REQUIREMENTS of the Georgia Department of Transportation  
 and subject to any SPECIAL REQUIREMENTS set forth herein. This drive and/ or Road Access is proposed to serve a  
Commercial Development

Name and Type of Development \_\_\_\_\_  
 to be located on the property on the S side of the route beginning 1850 Feet,  
W of the center line, of Cagle Road and Fronting 1950  
 N. S. E. W. Nearest Street or Road Total Frontage Used  
 Feet further W along said Highway; and at mile point 22.9  
 N. S. E. W.

Permit requested this 16 day of August, 2007.

NOTE: By signing this application, I hereby certify that:  
 • The number and size of driveways shown below is the only access that will be requested for the property described above and may be modified or eliminated by DOT upon a change of use of this property.  
 • The DOT has the right to revoke this permit upon 30 days written notice.  
 • The DOT assumes no responsibility for maintaining the permitted construction beyond the back of curb or normal edge of pavement.  
 • CHECK ONE

The above applicant is owner in fee simple of the property described herein.  
 The above applicant has leased the property herein from the \_\_\_\_\_ and  
 owner, \_\_\_\_\_  
 said lease began on \_\_\_\_\_ and ends on \_\_\_\_\_  
 By Reggie Nelson Type or Print Name  
Reggie Nelson Sign in Ink on All Copies  
 Title owner  
 If Agent or Official for Applicant

FORM! TO BE COMPLETED BELOW THIS LINE BY GEORGIA DEPARTMENT OF TRANSPORTATION

Non-Limited Access - Approval by District Office     Limited Access - Approval by General Office  
 SPECIAL REQUIREMENTS: (by DOT only)

PERMIT GRANTED to make the above-described installation (2 rt. in / rt. out) in accordance  
 No. and Size of Driveways  
 with REQUIREMENTS of the Georgia Department  
 of Transportation; this 14th day of September, 2007.

This permit is to be strictly construed and no work other than that specifically  
 described above is hereby authorized. The work authorized herein must begin  
 within three months from the date of approval and must become completed on  
 a schedule satisfactory to the department and not to exceed twelve months  
 from the date the permit is approved.  
 DEPARTMENT OF TRANSPORTATION  
 STATE OF GEORGIA  
 By Russell R. McHenry sdk  
 District Engineer Title

No modifications or changes may be made to the text of this permit, unless agreed upon in writing by the  
 Department. A copy of the form for this permit is on file with the Department's Office of Traffic Operations,  
 General Office, and the language therein shall be deemed to control in the event of any dispute concerning  
 the specific provisions of this permit or any modifications to same.

THIS PERMIT IS APPROVED SUBJECT TO THE  
 REVISIONS AND ADDITIONS SHOWN IN RED  
 ON THE ATTACHED PLAN COPY AND SHALL  
 REMAIN DEPENDENT UPON COMPLIANCE WITH THESE

## EXHIBIT "A"

All of that tract or parcel of land lying and being in Lula District, GMD 1690 of Hall County, Georgia and being more particularly described as follows:

To reach the **POINT OF BEGINNING** commence at the intersection of the northerly r/w of Whitehall Road (60' r/w) and the westerly r/w of Cagle Mill Road (60' r/w) and proceed thence along the westerly r/w of Cagle Mill Road (60' r/w) the following courses and distances:

- 1) thence 151.55 feet along the arc of a curve to the Right, said curve having a radius of 507.59 feet and being subtended by a chord of North 22°06'35" West, 150.99 feet to a point;
- 2) thence North 13°33'23" West for a distance of 104.11 feet to a point;
- 3) thence 58.45 feet along the arc of a curve to the Left, said curve having a radius of 1470.00 feet and being subtended by a chord of North 14°41'44" West, 58.45 feet to a point;
- 4) thence North 15°50'05" West for a distance of 148.14 feet to a point; thence 119.61 feet along the arc of a curve to the Left, said curve having a radius of 320.68 feet and being subtended by a chord of North 26°31'11" West, 118.92 feet to a point;
- 5) thence North 37°12'18" West for a distance of 38.85 feet to a point; thence 49.79 feet along the arc of a curve to the Left, said curve having a radius of 970.00 feet and being subtended by a chord of North 38°40'32" West, 49.78 feet to a point;
- 6) thence North 40°08'46" West for a distance of 82.85 feet to a point;
- 7) thence 83.70 feet along the arc of a curve to the Right, said curve having a radius of 376.59 feet and being subtended by a chord of North 33°46'43" West, 83.53 feet to a point;
- 8) thence 92.24 feet along the arc of a curve to the Right, said curve having a radius of 376.59 feet and being subtended by a chord of North 20°23'39" West, 92.01 feet to a point;
- 9) thence North 13°22'37" West for a distance of 84.13 feet to a point;
- 10) thence 235.27 feet along the arc of a curve to the Right, said curve having a radius of 2030.00 feet and being subtended by a chord of North 10°03'24" West, 235.14 feet to a point;
- 11) thence North 06°44'12" West for a distance of 24.35 feet to a point;
- 12) thence 279.03 feet along the arc of a curve to the Right, said curve having a radius of 2399.42 feet and being subtended by a chord of North 03°24'18" West, 278.88 feet to a point;
- 13) thence 149.76 feet along the arc of a curve to the Left, said curve having a radius of 1936.85 feet and being subtended by a chord of North 02°17'19" West, 149.72 feet to a point;
- 14) thence North 04°30'13" West for a distance of 62.77 feet to a point;
- 15) thence 163.42 feet along the arc of a curve to the Right, said curve having a radius of 436.90 feet and being subtended by a chord of North 06°12'44" East, 162.47 feet to a point;
- 16) thence North 16°55'40" East for a distance of 89.71 feet to a point;
- 17) thence 141.56 feet along the arc of a curve to the Left, said curve having a radius of 556.36 feet and being subtended by a chord of North 09°38'20" East, 141.18 feet to a point;
- 18) thence North 02°21'00" East for a distance of 115.29 feet to a point;
- 19) thence 19.50 feet along the arc of a curve to the Right, said curve having a radius of 534.93 feet and being subtended by a chord of North 03°23'39" East, 19.50 feet to a point;
- 20) thence North 04°26'19" East for a distance of 81.00 feet to a point;

Page 1 of 4 pages

- 21) thence 114.10 feet along the arc of a curve to the Right, said curve having a radius of 237.75 feet and being subtended by a chord of North 18°11'12" East, 113.00 feet to a point;
- 22) thence 59.16 feet along the arc of a curve to the Right, said curve having a radius of 198.87 feet and being subtended by a chord of North 40°27'27" East, 58.94 feet to a point;
- 23) thence North 48°58'48" East for a distance of 97.01 feet to a point;
- 24) thence 39.52 feet along the arc of a curve to the Left, said curve having a radius of 132.57 feet and being subtended by a chord of North 40°26'21" East, 39.38 feet to a point;
- 25) thence 207.13 feet along the arc of a curve to the Left, said curve having a radius of 216.94 feet and being subtended by a chord of North 04°32'44" East, 199.35 feet to a point;
- 26) thence North 22°48'26" West for a distance of 94.77 feet to a point;
- 27) thence 101.24 feet along the arc of a curve to the Right, said curve having a radius of 106.98 feet and being subtended by a chord of North 04°18'10" East, 97.50 feet to the **POINT OF BEGINNING**.

From the **POINT OF BEGINNING** thus established depart the westerly r/w of Cagle Mill Road (60' r/w) and proceed thence South 77°44'26" West for a distance of 196.34 feet to a concrete monument found; Thence North 47°39'17" West for a distance of 1669.14 feet to an iron pin placed (1/2" re-bar); thence North 47°39'17" West for a distance of 48.86 feet to a point on the centerline of the North Oconee River; thence along the centerline of the North Oconee River the following courses and distances:

- 1) thence North 32°05'09" East for a distance of 22.08 feet to a point;
- 2) thence North 58°45'00" East for a distance of 115.15 feet to a point;
- 3) thence North 36°02'20" East for a distance of 62.93 feet to a point;
- 4) thence North 34°03'11" East for a distance of 93.82 feet to a point;
- 5) thence North 50°25'05" East for a distance of 78.88 feet to a point;
- 6) thence North 71°31'50" East for a distance of 224.47 feet to a point;
- 7) thence South 88°11'22" East for a distance of 102.83 feet to a point;
- 8) thence North 81°48'43" East for a distance of 135.47 feet to a point;
- 9) thence North 68°42'22" East for a distance of 131.09 feet to a point;
- 10) thence South 79°37'14" East for a distance of 84.16 feet to a point;
- 11) thence South 47°17'56" East for a distance of 40.43 feet to a point;
- 12) thence North 89°15'54" East for a distance of 38.19 feet to a point;
- 13) thence North 71°20'39" East for a distance of 67.36 feet to a point;
- 14) thence North 59°40'37" East for a distance of 51.46 feet to a point;
- 15) thence South 78°39'47" East for a distance of 155.51 feet to a point;
- 16) thence South 62°17'51" East for a distance of 45.05 feet to a point;
- 17) thence North 50°10'39" East for a distance of 38.70 feet to a point;
- 18) thence South 65°03'21" East for a distance of 72.16 feet to a point;
- 19) thence South 07°17'37" West for a distance of 117.47 feet to a point;
- 20) thence South 41°27'02" East for a distance of 22.79 feet to a point;
- 21) thence North 73°06'12" East for a distance of 30.10 feet to a point;
- 22) thence North 56°25'08" East for a distance of 31.32 feet to a point;
- 23) thence South 64°42'46" East for a distance of 27.34 feet to a point;
- 24) thence South 25°14'09" West for a distance of 64.72 feet to a point;
- 25) thence South 01°00'34" West for a distance of 57.17 feet to a point;
- 26) thence South 51°35'57" East for a distance of 81.33 feet to a point;
- 27) thence South 60°33'01" East for a distance of 68.13 feet to a point;
- 28) thence South 66°02'26" East for a distance of 129.48 feet to a point;
- 29) thence South 10°07'14" East for a distance of 38.77 feet to a point.



- 30) thence South 26°11'48" West for a distance of 47.83 feet to a point;
- 31) thence South 88°24'44" East for a distance of 94.67 feet to a point;
- 32) thence South 81°07'56" East for a distance of 67.75 feet to a point;
- 33) thence South 33°23'44" East for a distance of 39.81 feet to a point;
- 34) thence South 65°09'36" East for a distance of 54.52 feet to a point;
- 35) thence North 85°29'18" East for a distance of 63.94 feet to a point;
- 36) thence South 67°45'54" East for a distance of 73.28 feet to a point;
- 37) thence South 55°50'09" East for a distance of 52.13 feet to a point;
- 38) thence North 89°06'05" East for a distance of 68.26 feet to a point;
- 39) thence South 71°14'38" East for a distance of 59.41 feet to a point;
- 40) thence South 48°38'39" East for a distance of 42.74 feet to a point;
- 41) thence South 66°48'01" East for a distance of 90.75 feet to a point;
- 42) thence North 82°11'06" East for a distance of 43.35 feet to a point;
- 43) thence South 81°42'18" East for a distance of 71.09 feet to a point;
- 44) thence South 37°17'41" East for a distance of 20.67 feet to a point;
- 45) thence South 55°16'39" East for a distance of 52.21 feet to a point;
- 46) thence South 80°44'26" East for a distance of 89.25 feet to a point;
- 47) thence South 38°36'37" East for a distance of 18.83 feet to a point;

thence departing the centerline of the North Oconee River and proceeding South 08°02'04" West for a distance of 13.05 feet to an iron pin found (1/2" open topo pipe with a 1/2" re-bar in the center);

thence South 08°02'04" West for a distance of 426.95 feet to an iron pin placed (1/25" re-bar) on the northerly r/w of Cagle Mill Road (60' r/w); thence along the northerly r/w of Cagle Mill Road (60' r/w) the following courses and distances:

- 1) thence South 33°22'45" West for a distance of 72.22 feet to a point;
- 2) thence 70.61 feet along the arc of a curve to the Right, said curve having a radius of 139.05 feet and being subtended by a chord of South 47°55'32" West, 69.85 feet to a point;
- 3) thence South 62°28'19" West for a distance of 18.74 feet to a point;
- 4) thence 95.07 feet along the arc of a curve to the Right, said curve having a radius of 253.93 feet and being subtended by a chord of South 73°11'52" West, 94.52 feet to a point;
- 5) thence 260.22 feet along the arc of a curve to the Right, said curve having a radius of 1766.83 feet and being subtended by a chord of South 88°08'33" West, 259.99 feet to a point;
- 6) thence 65.25 feet along the arc of a curve to the Right, said curve having a radius of 261.42 feet and being subtended by a chord of North 80°29'18" West, 65.08 feet to a point;
- 7) thence North 73°20'18" West for a distance of 24.99 feet to a point;
- 8) thence 93.94 feet along the arc of a curve to the Right, said curve having a radius of 1951.14 feet and being subtended by a chord of North 71°57'33" West, 93.93 feet to a point;
- 9) thence 146.85 feet along the arc of a curve to the Left, said curve having a radius of 150.82 feet and being subtended by a chord of South 81°31'32" West, 141.12 feet to a point;
- 10) thence South 53°37'51" West for a distance of 40.78 feet to a point;
- 11) thence 122.86 feet along the arc of a curve to the Right, said curve having a radius of 369.03 feet and being subtended by a chord of South 63°10'08" West, 122.30 feet to a point;
- 12) thence 56.17 feet along the arc of a curve to the Left, said curve having a radius of 330.45 feet and being subtended by a chord of South 67°50'15" West, 56.10 feet to a point;

Page 3 of 4 pages

- 13) thence South  $62^{\circ}58'06''$  West for a distance of 42.78 feet to a point;
- 14) thence 58.92 feet along the arc of a curve to the Left, said curve having a radius of 106.98 feet and being subtended by a chord of South  $47^{\circ}11'25''$  West, 58.18 feet to the **POINT OF BEGINNING**.

Said tract or parcel containing 51.31860 acres, or 2,235,438 square feet.

Page 4 of 4 pages

EXHIBIT "A"

All that tract or

parcel of land, together with all improvements thereon, lying and being in the 9th Land District, GMD 1690, Hall County, Georgia, and being 65.345 Acres, as more fully shown and described according to a survey of the property of Billy Banks, prepared by Roy Terrill, Registered Surveyor, dated April, 1982, and being more fully described according to said Terrill Survey as follows:

BEGINNING at a right-of-way marker located on the Southeastly right-of-way of State Route #365, which right-of-way marker is located South 22 degrees 35 minutes West 1201.98 feet from the intersection of Land Lot Nos. 90, 91, 93 and 94; and running thence from said beginning point along the Southerly right-of-way of the Southern Railroad North 85 degrees 58 minutes East 192.71 feet to an iron pin set on said Southerly right-of-way of Southern Railroad; thence running along a fence South 25 degrees 56 minutes East 135.81 feet to a point located at a ditch and a springhead; thence running South 3 degrees 52 minutes West 33.87 feet to a point; thence South 11 degrees 22 minutes East 193.26 feet to a point; thence South 2 degrees 01 minutes West 131.08 feet to a point; thence South 9 degrees 43 minutes West 187.18 feet to a point; thence South 3 degrees 12 minutes East 67.93 feet to a point; thence South 8 degrees 48 minutes West 100.88 feet to a point; thence North 69 degrees 29 minutes West 26.58 feet to a point; thence South 72 degrees 00 minutes West 25.15 feet to a point; thence South 20 degrees 21 minutes West 95.38 feet to a point; thence South 11 degrees 23 minutes East 32.26 feet to a point; thence South 44 degrees 18 minutes West 269.81 feet to a point; thence South 6 degrees 55 minutes West 69.46 feet to a point; thence South 41 degrees 23 minutes West 181.99 feet to a point; thence South 19 degrees 35 minutes West 52.45 feet to a point; thence South 33 degrees 04 minutes West 48.62 feet to a point; thence South 55 degrees 02 minutes West 26.15 feet to a point; thence South 78 degrees 19 minutes West 54.66 feet to a point; thence South 20 degrees 47 minutes West 44.79 feet to a point; thence North 80 degrees 07 minutes West 44.93 feet to a point; thence South 54 degrees 42 minutes West 37.88 feet to a point; thence South 20 degrees 57 minutes West 34.75 feet to a point; thence South 8 degrees 50 minutes West 72.28 feet to a point; thence South 65 degrees 37 minutes West 06.95 feet to a point; thence South 48 degrees 16 minutes West 36.57 feet to a point; thence South 69 degrees 50 minutes West 93.08 feet to a point; thence South 24 degrees 26 minutes West 19.23 feet to a point; thence North 81 degrees 02 minutes West 61.84 feet to a point; thence South 60 degrees 01 minutes West 73.67 feet to a point; thence South 36 degrees 15 minutes West 63.53 feet to a point; thence South 1 degree 18 minutes West 61.37 feet to a point; thence South 87 degrees 27 minutes West 72.37 feet to a point; thence South 23 degrees 28 minutes West 20.04 feet to a point; thence North 86 degrees 30 minutes West 69.58 feet to a point; thence North 71 degrees 31 minutes West 112.88 feet to a point; thence South 41 degrees 52 minutes West 104.70 feet to a point; thence South 58 degrees 48 minutes East 46.64 feet to a point; thence South 71 degrees 18 minutes West 95.35 feet to a point; thence South 64 degrees 17 minutes West 321.8 feet to a point; thence North 85 degrees 07 minutes West 86.04 feet to a point; thence South 49 degrees 43 minutes West 70.83 feet to a point; thence South 47 degrees 03 minutes East 50.65 feet to a point; thence South 13 degrees 22 minutes West 116.40 feet to a point; thence South 66 degrees 04 minutes West 79.88 feet to a point; thence South 10 degrees 42 minutes West 74.18 feet to a point; thence North 38 degrees 39 minutes West 30.41 feet to a point; thence South 43 degrees 12 minutes West 114.10 feet to a point; thence South 40 degrees 40 minutes West 133.91 feet to a point; thence South 65 degrees 28 minutes West 83.87 feet to a point; thence North 78 degrees 46 minutes West 54.04 feet to a point; thence South 21 degrees 59 minutes West 61.91 feet to a point located at a 24 inch maple tree; thence South 8 degrees 22 minutes West 378.86 feet to an 8 foot hickory tree; thence South 69 degrees 50 minutes West 407 feet to a point located in the center line of the Oconee River, which is the property line; thence running in a Northwesterly direction along the center line of said Oconee River North 05 degrees 54 minutes East 74.47 feet to a point; thence North 77 degrees 57 minutes West 67.30 feet to a point; thence North 57 degrees 09 minutes West 191.11 feet to a point; thence North 9 degrees 49 minutes East 124.22 feet to a point; thence North 77 degrees 12 minutes West 76.38 feet to a point; thence North 9 degrees 46 minutes West 119.07 feet to a point; thence North 81 degrees 48 minutes West 109.78 feet to an iron pin found on the Southeastly right-of-way of an old abandoned County Road; thence North 20 degrees 21 minutes East 137.19 feet running along the Easterly right-of-way of said abandoned road to an iron pin found; thence running North 18 degrees 32 minutes West 508.82 feet to an iron pin found at a corner common to property owned by Georgia Kraft Company; thence running North 68 degrees 13 minutes East 1,147.66 feet along property of Georgia Kraft Company to an iron pin set; thence running North 22 degrees 12 minutes East 78.22 feet to a point; thence running North 28 degrees 04 minutes East 131.50 feet to a right-of-way marker located 285.80 feet from the center line of State Route 365; thence running along the Southeastly right-of-way of said State Route 365 North 53 degrees 39 minutes East 228.57 feet to a destroyed right-of-way marker located 250 feet from the center line of said State Route #365; thence North 55 degrees 11 minutes East 539.47 feet to a point 225 feet from the center line of State Route 365; thence running North 42 degrees 59 minutes East 714.19 feet to a right-of-way marker located 185 feet from the center line of State Route 365; thence running North 39 degrees 30 minutes East 440.01 feet to the original point of beginning.

Subject realty is the same piece of property acquired by E11 Jackson Cagle a/k/a E.J. CAGLE from William N. Banks by Warranty Deed dated December 6, 1983, and recorded in Hall County, Georgia Deed Book 820 at page 131-3.

## Anael Dominguez (Planning)

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**From:** Emily McGahee (Environmental Health)  
**Sent:** Tuesday, October 18, 2022 12:31 PM  
**To:** Anael Dominguez (Planning); Randi Doveton (Planning)  
**Cc:** Chad Harper (Environmental Health); Kelly Hairston (Environmental Health)  
**Subject:** HCPC Tentative Agenda 11.7.22

Please find Environmental Health comments below:

Item 1, 3461 Thompson Bridge Road, Michael James Remodeling: An existing system evaluation will be required. All proposed additions (including parking) must meet required setbacks from septic system.

Item 2, 3600 Maple Valley Drive, Brunson: Please be advised that Environmental Health will be unable to approve any sign easement/separation of property by plat as either would cause the parent parcel (3604 Maple Valley) to be a non-conforming lot in regards to non-restricted lot size as required by the Hall County Board of Health Lot Size Resolution.

Item 3, 4319 Winder Hwy, Genuine Mapping: No comment. Public sewer.

Items 4&5, 6580 Cleveland Hwy, Schermerhorn: Must meet all Environmental Health commercial septic system permitting requirements. 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, and septic system installation may be required after review of business plan.

Item 6, 4020/3886 Cornelia Hwy/4761 Cagle Mill Road, Ridgeline: No comment. Public sewer.

Item 7, 2581 Ramsey Circle, CMWB: No comment. Public sewer.

Item 8, 0 Old Winder Hwy, Baker: No comment.

Item 9, 5741 Holiday Road, Babbs: Must meet all Environmental Health commercial septic system permitting requirements. 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, and septic system installation/modification may be required after review of business plan.

Emily McGahee  
Hall County Environmental Health  
Hall County Government Center  
2875 Browns Bridge Road  
Mailing: PO Box 5901  
Gainesville, GA 30504  
(770) 531-3973  
(770) 531-6767 (fax)

<http://dph.georgia.gov/environmental-health> (State Website)  
<http://www.phdistrict2.org/HallCounty.htm> (District Website)  
<http://www.hallcounty.org/devserv/environmental.asp> (County Website & Forms)



## Anael Dominguez (Planning)

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**From:** Niebauer, Parker J <PNiebauer@dot.ga.gov>  
**Sent:** Thursday, October 20, 2022 9:45 AM  
**To:** Anael Dominguez (Planning); Randi Doveton (Planning)  
**Cc:** Chavers, Veronica E; Peevy, Jonathan  
**Subject:** RE: Tentative Planning Agenda for November 7, 2022

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please see GDOT comments in red below

Thank you,

**Parker Niebauer**

*DITO Traffic Operations Supervisor*



District 1 Division of Field Services

1475 Jesse Jewell Pkwy

Suite 100

Gainesville, GA, 30501

770.533.8275 office

770.519.3223 cell

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**From:** Anael Dominguez (Planning) <adominguez@hallcounty.org>  
**Sent:** Thursday, October 13, 2022 9:27 AM  
**To:** Becky Ruffner (Parks & Leisure) <bruffner@hallcounty.org>; Bill Nash (Public Works) <bnash@hallcounty.org>; Brandi Smith (Business License) <bsmith@hallcounty.org>; Bryan Cash (Fire Services) <bcash@hallcounty.org>; Chad Harper (Environmental Health) <charper@hallcounty.org>; Chris Braswell (Planning) <cbraswell@hallcounty.org>; Christopher Armstrong (Fire Services) <carmstrong@hallcounty.org>; Dan Barnes <Daniel.C.Barnes@usace.army.mil>; Ellis Still (Planning) <estill@hallcounty.org>; Emily McGahee (Environmental Health) <emcgahee@hallcounty.org>; Frank Miller (Engineering) <fmiller@hallcounty.org>; Dykes, Jason <jdykes@dot.ga.gov>; Jason Skarda (Engineering) <jskarda@hallcounty.org>; Jeremy Wills <jeremy.wills@gainesville.org>; John Hornick (Fire Services) <jhornick@hallcounty.org>; Peevy, Jonathan <jpeevy@dot.ga.gov>; Kelly Hairston (Environmental Health) <khairston@hallcounty.org>; Lamar Carver (Building Inspection) <lcarver@hallcounty.org>; Matt Cox <matt.cox@hallco.org>; Michael Vieira (Fire Services) <mvieira@hallcounty.org>; Mike Little (Parks and Leisure) <mlittle@hallcounty.org>; Nicole Griffin (Tax Assessors) <nicole.griffin@hallcounty.org>; nswafford <nswafford@gainesville.org>; Pam Cravero <Pam.Cravero@hallco.org>; Niebauer, Parker J <PNiebauer@dot.ga.gov>; Randi Doveton (Planning) <rdoveton@hallcounty.org>; rich <rich@flowerybranchga.org>; Scott Puckett <spuckett@hallcounty.org>; Srikanth Yamala (Public Works) <syamala@hallcounty.org>; Stephen Cain <troy.s.cain@usace.army.mil>; Steve Watson (Real Property) <rswatson@hallcounty.org>; Tammie Croy (Engineering) <tcroy@hallcounty.org>; Tracy Gilreath (Tax Assessors) <tgilreath@hallcounty.org>; Wanda Moreno (Engineering) <wmoreno@hallcounty.org>; Wanda Sutton (Engineering) <wsutton@hallcounty.org>; will schofield <will.schofield@hallco.org>  
**Subject:** Tentative Planning Agenda for November 7, 2022

Good morning –

Here is the Tentative Agenda and Maps for the **Monday, November 7, 2022** Hall County Planning Commission Meeting.

Please use the links to review the documents and respond with comments to Hall County Planning and Development. Failure to provide comments in a timely manner may result in the information not being included in the staff report.

**When submitting comments, please include the name of the applicant along with the address of the property with the corresponding comment.**

Comments are due by **Thursday, October 20<sup>th</sup>**. Email comments to Randi ([rdoveton@hallcounty.org](mailto:rdoveton@hallcounty.org)) and Ana ([adominguez@hallcounty.org](mailto:adominguez@hallcounty.org)).

## **CALL TO ORDER**

## **AGENDA REVIEW**

## **APPROVAL OF MINUTES – October 17, 2022**

## **OLD BUSINESS**

1. [3461 Thompson Bridge Road | Rezone | from Residential-I \(R-I\) to Office and Institutional \(O-I\) on a 6.85± acre tract located on the west side of Thompson Bridge Road at its intersection with Tommy Aaron Drive | Zoned R-I; Tax Parcel 10114 000039A | Proposed use: office | \\*\\* Commission District 2 | Michael James Remodeling, applicant.](#)

## **NEW BUSINESS**

2. [3600 Maple Valley Drive | Variance | for a rear yard setback variance from 15 feet to 3 feet on a .02± acre tract located on the east side of Maple Valley Drive at its intersection with Friendship Road | Zoned R-I; Tax Parcel 15048H000001 \(pt.\) | Proposed Use: new sign monument | \\* Commission District 1 | Brunson & Company, LLC, applicant.](#)  
GDOT Coordination Required. Sign appears to be off GDOT ROW but is showing minor earthwork ROW.
3. [4319 Winder Highway | Use Subject to Planning Commission approval | on a .98± acre tract located on the east side of Winder Highway approximately 344 feet from its intersection with Strickland Road | Zoned H-B; Tax Parcel 15037B000037 | Proposed use: office & warehouse | \\* Commission District 1 | Genuine Mapping and Design, LLC, applicant.](#)  
GDOT Coordination In Progress - See GDOT Access Permit A-139-008366-1 under review.
4. [6580 Cleveland Highway | Amend Conditions | of a Light-Industrial \(I-I\) on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | Proposed use: self-storage and boat & RV storage | \\*\\* Commission District 3 | Diane Schermerhorn, applicant.](#)  
GDOT Coordination In Progress – See Page 12/21 of this application package for initial GDOT comments.
5. [6580 Cleveland Highway | Use Subject to County Commission approval | on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | Proposed use: self-storage and boat & RV storage | \\*\\* Commission District 3 | Diane Schermerhorn, applicant.](#)  
See Comment above
6. [4020 & 3886 Cornelia Highway and 4761 Cagle Mill Road | Rezone | from Agricultural-Residential-III \(AR-III\) & Agricultural-Residential-IV \(AR-IV\) to Heavy Industrial \(I-II\) on a 134.14± acre tract located on the south side of Cornelia Highway approximately 679 feet from its intersection with Cagle Road | Zoned AR-III & AR-IV; Tax Parcel 15007 000129, 000270, & 000027A | Proposed use: heavy industrial | \\*\\* Commission District 3 | Ridgeline Land Planning, Inc, applicant.](#)  
GDOT Coordination In Progress – See GDOT Access Permit A-139-008556-1

7. [2581 Ramsey Circle | Rezone | from Agricultural-Residential-III \(AR-III\) to Planned Residential Development \(PRD\) on a 35.14± acre tract located on the north side of Ramsey Circle at its intersection with White Sulphur Road; Zoned AR-III; Tax Parcel 09113 000001 \(pt.\) | Proposed use: 305-unit multi-family complex | \\*\\* Commission District 3 | CMWB Company, LLC, applicant.](#)  
None
  
8. [0 & 0 Old Winder Highway | Rezone | from Planned Commercial Development \(PCD\) to Agricultural-Residential-IV \(AR-IV\) on a 13.38± acre tract located on the west side of Old Winder Highway approximately 771 feet from its intersection with Ridgemoor Drive | Zoned PCD; Tax Parcel 15039A000003 & 000029 \(pt.\) | Proposed use: agricultural uses | \\*\\* Commission District 1 | Ben Baker, Baker & Summy, PC, applicant.](#)  
 GDOT Coordination shown on page 12/14 of the application package. No coordination required at this time for zoning change, but coordination would be required if property will be developed. Note that SR 211 is tentatively scheduled to begin widening under GDOT PI 0007233 within the next 4-7 years.
  
9. [5741 Holiday Road | Rezone | from Highway-Business \(H-B\) to Planned Commercial Development \(PCD\) on a 2.12± acre tract located on the east side of Holiday road at its intersection with Green Road | Zoned H-B; Tax Parcel 07329 001005 | Proposed use: boat & RV storage | \\*\\* Commission District 2 | Torris J. Babbs, PE, applicant.](#)  
 GDOT Coordination required

\*The Planning Commission's decision will be the final action taken unless appealed to the Board of Commissioners. To do so, file an application with the Planning Department within five working days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing **Thursday, December 8, 2022** at 6:00 p.m. at the Hall County Government Center, 2<sup>nd</sup> Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

\*\*The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on **Thursday, December 8, 2022**. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2<sup>nd</sup> Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,  
 Ana Dominguez  
 Planning Commission Clerk  
 Hall County Government  
 2875 Browns Bridge Road, Gainesville, GA 30504  
[www.hallcounty.org](http://www.hallcounty.org) | 770-531-6810




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# Hall County Government

PUBLIC WORKS AND UTILITIES  
ENGINEERING DIVISION

## MEMORANDUM

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

SRIKANTH YAMALA  
Director

BILL NASH, P.E.  
Assistant Director

FRANKLIN P. MILLER, P.E.  
County Engineer

**To:** Randi Doveton, Director of Planning and Development  
**From:** Srikanth Yamala, Director of Public Works and Utilities  
**Date:** October 20, 2022  
**Subject:** November 7, 2022 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the November 7, 2022 meeting. Upon review, we provide the following comments.

1. [3461 Thompson Bridge Road | Rezone | from Residential-I \(R-I\) to Office and Institutional \(O-I\) on a 6.85± acre tract located on the west side of Thompson Bridge Road at its intersection with Tommy Aaron Drive | Zoned R-I; Tax Parcel 10114 000039A | Proposed use: office | \\*\\* Commission District 2 | Michael James Remodeling, applicant.](#)
  - a) **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 buffer and impervious setback from wretched vegetation, not centerline of creek.
  - b) **Traffic:** Driveway may need to be upgraded to accommodate two-way traffic.
  - c) **Utilities:** City of Gainesville Sewer.

### **NEW BUSINESS**

2. [3600 Maple Valley Drive | Variance | for a rear yard setback variance from 15 feet to 3 feet on a .02± acre tract located on the east side of Maple Valley Drive at its intersection with Friendship Road | Zoned R-I; Tax Parcel 15048H000001 \(pt.\) | Proposed Use: new sign monument | \\* Commission District 1 | Brunson & Company, LLC, applicant.](#)
  - a) **Engineering:** Improvements are shown within the private property of 3604 Maple Valley Drive, who is not the applicant on this appeal. Suggest obtaining permission from property owner defining maintenance requirements.
  - b) **Traffic:** Location appears to be on State right-of-way and may not be permitted. Applicant should verify with GDOT prior to consideration and provide correspondence indicating location approval, otherwise, the location will need to be modified.
  - c) **Utilities:** No comments.



POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

SRIKANTH YAMALA  
Director

BILL NASH, P.E.  
Assistant Director

FRANKLIN P. MILLER, P.E.  
County Engineer

# Hall County Government

PUBLIC WORKS AND UTILITIES  
ENGINEERING DIVISION

3. [4319 Winder Highway | Use Subject to Planning Commission approval | on a .98± acre tract located on the east side of Winder Highway approximately 344 feet from its intersection with Strickland Road | Zoned H-B; Tax Parcel 15037B000037 | Proposed use: office & warehouse | \\* Commission District 1 | Genuine Mapping and Design, LLC, applicant.](#)
  - a) **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.
  - b) **Traffic:** GDOT permit will be required.
  - c) **Utilities:** City of Oakwood sewer district.
  
4. [6580 Cleveland Highway | Amend Conditions | of a Light-Industrial \(I-I\) on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | Proposed use: self-storage and boat & RV storage | \\*\\* Commission District 3 | Diane Schermerhorn, applicant.](#)
  - a) **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.
  - b) **Traffic:** GDOT permit required.
  - c) **Utilities:** Septic proposed, requires Environmental Health approval.
  
5. [6580 Cleveland Highway | Use Subject to County Commission approval | on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | Proposed use: self-storage and boat & RV storage | \\*\\* Commission District 3 | Diane Schermerhorn, applicant.](#)
  - a) **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.
  - b) **Traffic:** GDOT permit required.
  - c) **Utilities:** Septic system proposed, requires Environmental Health approval.
  
6. [4020 & 3886 Cornelia Highway and 4761 Cagle Mill Road | Rezone | from Agricultural-Residential-III \(AR-III\) & Agricultural-Residential-IV \(AR-IV\) to Heavy Industrial \(I-II\) on a 134.14± acre tract located on the south side of Cornelia Highway approximately 679 feet from its intersection with Cagle Road | Zoned AR-III & AR-IV; Tax Parcel 15007 000129, 000270, & 000027A | Proposed use: heavy industrial | \\*\\* Commission District 3 | Ridgeline Land Planning, Inc. applicant.](#)



# Hall County Government

PUBLIC WORKS AND UTILITIES  
ENGINEERING DIVISION

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

SRIKANTH YAMALA  
Director

BILL NASH, P.E.  
Assistant Director

FRANKLIN P. MILLER, P.E.  
County Engineer

- a) **Engineering:** Flood (not future Hall County studied)  
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.  
North Oconee Reservoir Watershed Protection.  
District doubles all stream buffers and impervious setbacks.  
Show stream buffers/setbacks from wretched vegetation not centerline of stream.
- b) **Traffic:** GDOT permit required. While access to Cagle Mill Road is not proposed on the concept, it should be noted that it would not be permitted.
- c) **Utilities:** Sewer on Cornelia Highway lift station to remain private. Developer to construct manhole on property to connect to existing manhole on HWY 365.

7. [2581 Ramsey Circle | Rezone | from Agricultural-Residential-III \(AR-III\) to Planned Residential Development \(PRD\) on a 35.14± acre tract located on the north side of Ramsey Circle at its intersection with White Sulphur Road; Zoned AR-III; Tax Parcel 09113 000001 \(pt.\) | Proposed use: 305-unit multi-family complex | \\*\\* Commission District 3 | CMWB Company, LLC, applicant.](#)

- a) **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.  
Stream buffers/impervious setbacks from wretched vegetation not centerline of stream.
- b) **Traffic:** White Sulphur Road is under the City of Gainesville's jurisdiction; access and any required improvements must be approved and permitted through the City. Access to Ramsey Circle is proposed to be a gated emergency access only and it should be noted that this is the only type of access to Ramsey Circle that would be considered.
- c) **Utilities:** Sewer available on White Sulphur. All lift stations to remain private.  
Sewer availability letter is required.

8. [0 & 0 Old Winder Highway | Rezone | from Planned Commercial Development \(PCD\) to Agricultural-Residential-IV \(AR-IV\) on a 13.38± acre tract located on the west side of Old Winder Highway approximately 771 feet from its intersection with Ridgemoor Drive | Zoned PCD; Tax Parcel 15039A000003 & 000029 \(pt.\) | Proposed use: agricultural uses | \\*\\* Commission District 1 | Ben Baker, Baker & Summy, PC, applicant.](#)



POST OFFICE DRAWER 1435  
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County Engineer

# Hall County Government

PUBLIC WORKS AND UTILITIES  
ENGINEERING DIVISION

- a) **Engineering:** Further subdivisions of these lots will result in the necessity of a stormwater management plan, if the total number of lots reaches more than 6.
  - b) **Traffic:** No comments.
  - c) **Utilities:** No sanitary sewer available.
9. [5741 Holiday Road | Rezone | from Highway-Business \(H-B\) to Planned Commercial Development \(PCD\) on a 2.12± acre tract located on the east side of Holiday road at its intersection with Green Road | Zoned H-B; Tax Parcel 07329 001005 | Proposed use: boat & RV storage | \\*\\* Commission District 2 | Torris J. Babbs, PE, applicant.](#)
- a) **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.
  - b) **Traffic:** Driveway will need to meet Hall County commercial standards.
  - c) **Utilities:** No comments.

## Anael Dominguez (Planning)

---

**From:** John Hornick (Fire Services)  
**Sent:** Thursday, October 20, 2022 2:34 PM  
**To:** Randi Doveton (Planning); Anael Dominguez (Planning)  
**Cc:** Michael Vieira (Fire Services); John Tucker (Fire Services); Jeff Suggs (Fire Services)  
**Subject:** Tentative Agenda 11/7 Fire Comments

10/20/22

Hall County Fire comments for Tentative Agenda **Monday, November 7, 2022** Hall County Planning Commission Meeting.

New Business

2. [3600 Maple Valley Drive | Variance | for a rear yard setback variance from 15 feet to 3 feet on a .02± acre tract located on the east side of Maple Valley Drive at its intersection with Friendship Road | Zoned R-I; Tax Parcel 15048H000001 \(pt.\) | Proposed Use: new sign monument | \\* Commission District 1 | Brunson & Company, LLC, applicant.](#)  
**Hall County Fire Marshal's Office has no comments regarding rear yard setback variance as proposed.**
3. [4319 Winder Highway | Use Subject to Planning Commission approval | on a .98± acre tract located on the east side of Winder Highway approximately 344 feet from its intersection with Strickland Road | Zoned H-B; Tax Parcel 15037B000037 | Proposed use: office & warehouse | \\* Commission District 1 | Genuine Mapping and Design, LLC, applicant.](#)  
**Hall County Fire Marshal's Office has no comments regarding office and warehouse as proposed.**
4. [6580 Cleveland Highway | Amend Conditions | of a Light-Industrial \(I-I\) on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | Proposed use: self-storage and boat & RV storage | \\*\\* Commission District 3 | Diane Schermerhorn, applicant.](#)
  - 1) **IFC Section 507, all storage buildings must be within the 400' hose lay distance requirements from a fire hydrant as the truck travels. Fire hydrant(s) may have to be installed along the fire access route to meet the hose lay distance requirements.**
  - 2) **IFC Section 903, 20,000 SF climate controlled storage building exceeds the 12,000 SF sprinkler threshold requirements and may be required to have a fire suppression system installed.**
  - 3) **IFC Section 506.1, access controlled gate will require a Knox key switch override device for fire department access into the gated development.**
  - 4) **Note: water will be supplied by Gainesville Water not Hall County.**
5. [6580 Cleveland Highway | Use Subject to County Commission approval | on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | Proposed use: self-storage and boat & RV storage | \\*\\* Commission District 3 | Diane Schermerhorn, applicant.](#)
  - 1) **Same requirements as above.**
6. [4020 & 3886 Cornelia Highway and 4761 Cagle Mill Road | Rezone | from Agricultural-Residential-III \(AR-III\) & Agricultural-Residential-IV \(AR-IV\) to Heavy Industrial \(I-II\) on a 134.14± acre tract located on the south side of Cornelia Highway approximately 679 feet from its intersection with Cagle Road | Zoned AR-III & AR-IV; Tax Parcel 15007 000129, 000270, & 000027A | Proposed use: heavy industrial | \\*\\* Commission District 3 | Ridgeline Land Planning, Inc, applicant.](#)
  - 1) **IFC Section D104.1, buildings exceeding three stories or 30 feet in height shall have not fewer than two means of fire apparatus access for each structure.**
  - 2) **IFC Section D104.2, buildings having a gross building area of more than 62,000 SF shall be provided with two separate and approved fire apparatus access roads.**

- 3) IFC Section D104.3, where two fire apparatus roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses.
  - 4) IFC Section D105.2, aerial apparatus access roads shall have a minimum unobstructed width of 26' exclusive of shoulders in the immediate vicinity of the building or portion thereof.
  - 5) IFC Section D103.4, dead end fire apparatus roads in excess of 150 feet shall be provided with width and turnaround provisions in accordance with table D103.4
  - 6) IFC Section 903.2, where required approved automatic sprinkler systems in new buildings shall be provided in the locations described in sections 903.2.1 through 903.2.12
  - 7) IFC Section 503, fire apparatus access roads shall be provided and maintained in accordance with sections 503.1.1 through 503.1.3
  - 8) **IFC Section 506.1, access controlled gate(s) will require a Knox key switch override device for fire department access.**
  - 9) **IFC Section 510, emergency responder radio coverage confirmation will apply to each building**
7. 2581 Ramsey Circle | Rezone | from Agricultural-Residential-III (AR-III) to Planned Residential Development (PRD) on a 35.14± acre tract located on the north side of Ramsey Circle at its intersection with White Sulphur Road; Zoned AR-III; Tax Parcel 09113 000001 (pt.) | Proposed use: 305-unit multi-family complex | \*\* Commission District 3 | CMWB Company, LLC, applicant.
- 1) **IFC Section 506.1, access controlled gate(s) will require a Knox key switch override device for fire department access.**
  - 2) IFC Section D105.2, aerial apparatus access roads shall have a minimum unobstructed width of 26' exclusive of shoulders in the immediate vicinity of the building or portion thereof.
  - 3) **NFPA 13R fire protection system will be required to be installed, tested and certified.**
  - 4) **IFC Section 912, fire department connections shall be installed on each building and located no greater than 50' from a fire hydrant. Fire department connections shall be located so that the fire apparatus and hose connected to the supply system ( fire hydrant ) will not obstruct access to the building for other fire apparatus.**
  - 5) **NFPA 72 fire alarm system shall be installed, tested and certified throughout all apartment buildings including clubhouse.**
  - 6) **IFC Section 510, emergency responder radio coverage confirmation will apply to each building.**
8. 0 & 0 Old Winder Highway | Rezone | from Planned Commercial Development (PCD) to Agricultural-Residential-IV (AR-IV) on a 13.38± acre tract located on the west side of Old Winder Highway approximately 771 feet from its intersection with Ridgemoor Drive | Zoned PCD; Tax Parcel 15039A000003 & 000029 (pt.) | Proposed use: agricultural uses | \*\* Commission District 1 | Ben Baker, Baker & Summy, PC, applicant.
- 1) **Hall County Fire Marshal's Office has no comments regarding zoning request as proposed.**
9. 5741 Holiday Road | Rezone | from Highway-Business (H-B) to Planned Commercial Development (PCD) on a 2.12± acre tract located on the east side of Holiday road at its intersection with Green Road | Zoned H-B; Tax Parcel 07329 001005 | Proposed use: boat & RV storage | \*\* Commission District 2 | Torris J. Babbs, PE, applicant.
- 1) **IFC Section 507, all storage buildings must be within the 400' hose lay distance requirements from a fire hydrant as the truck travels. Fire hydrant(s) may have to be installed along the fire access route to meet the hose lay distance requirements.**
  - 2) **IFC Section 506.1, access controlled gate will require a Knox key switch override device for fire department access into the gated development.**

Regards,

**John Hornick, NPQ Fire Inspector 1, Plans Review**  
**Lieutenant, Hall County Fire Rescue**  
**Hall County Government**  
Main: 770-531-6838 | Cell: 404-597-0083  
Website: [www.Hallcounty.org](http://www.Hallcounty.org)



# ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: RIDGELINE LAND PLANNING

REQUEST: REZONE FROM AR-III & AR-IV TO HI FOR HEAVY INDUSTRIAL USES

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION	AND	COUNTY COMMISSION
Date: 11-01-2022		Date: 12-08-2022
Time: 05:15 PM		Time: 06:00 PM

HALL COUNTY DEVELOPMENT CENTER 277 BROWN RIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809



**ZONING NOTICE**  
AN APPLICANT HAS BEEN FILED WITH THE COUNTY IN OBEYANCE TO  
THE ZONING REGULATIONS OF THE COUNTY WITH THE PROPERTY  
ADDRESS: **RIDGELINE LAND PLANNING**  
PROPOSING TO **REZONE FROM AR-11 to AR-N 10 I-11**  
**FOR HEAVY INDUSTRIAL USES**  
FILED AND OPEN FOR PUBLIC COMMENT  
DATE: **12/15/2023** TIME: **12:00 PM**  
FOR MORE INFORMATION CALL: **314-288-2889**

# ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH BALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY.  
APPLICANT: RIDGELINE LAND PLANNING  
REQUEST: RE-ZONE FROM AR-III TO L-1 FOR HEAVY INDUSTRIAL USES.  
PLANNING DEPARTMENT: DATE: 05-15-2022 AND DATE: 08-08-2022  
TIME: 05:15 PM AND TIME: 04:00 PM  
FOR MORE INFORMATION CALL 770-531-4809

**ZONING NOTICE**  
MIDDLEBURY COLLEGE PLANNING  
DEPARTMENT  
100 W. BERRY ST. MIDDLEBURY, VT 05753  
PHONE: 802.243.2111  
FAX: 802.243.2112  
WWW.MIDDLEBURYCOLLEGE.VT.US



**ZONING NOTICE**

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: RIDGELINE LAND PLANNING

REQUEST: REZONE FROM AR-III & AR-IV TO H-1 FOR HEAVY INDUSTRIAL USES

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION	AND	COUNTY COMMISSION
Date: 12-07-2022		Date: 12-08-2022
Time: 05:15 PM		Time: 06:00 PM

HALL COUNTY GOVERNMENT CENTER, 205 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

**ZONING NOTICE**  
PROPERTY LOCATED WITHIN RURAL UNINCORPORATED  
TOWNSHIP OF THE COUNTY OF  
SHELBY, MISSISSIPPI  
IS CURRENTLY ZONED R-1 (RESIDENTIAL)  
AND IS BEING OFFERED FOR SALE TO THE PUBLIC  
FOR ONLY INDUSTRIAL USES  
BY THE SELLER, JAMES P. HARRIS, JR.  
AND SUE ANN HARRIS, JR.  
FOR MORE INFORMATION, CONTACT:  
JAMES P. HARRIS, JR. AT 662-875-1111  
OR SUE ANN HARRIS, JR. AT 662-875-1111

**ZONING NOTICE**  
AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO  
THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY  
APPLICANT: NIGHTLINE LAND PLANNING, INC  
REQUEST: REZONE FROM AR-III + AR-IV TO I-11  
FOR HEAVY INDUSTRIAL  
PUBLIC HEARINGS WILL BE HELD ON:  
DATE: \_\_\_\_\_ DATE: 11/28/2023  
TIME: \_\_\_\_\_ TIME: 6:00 P.M.  
HALL COUNTY GOVERNMENT CENTER, 200 EAST WASHINGTON STREET, WASHINGTON, GA 30690  
FOR MORE INFORMATION CALL: (770) 531-4809

**ZONING NOTICE**  
AN APPLICATION HAS BEEN FILED WITH BALL COUNTY IN REGARD TO  
THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY.  
APPLICANT: RIDGELINE LAND PLANNING, INC.  
PROPERTY: REZONE FROM AR-III + AR-IV TO I-II  
FOR HEAVY INDUSTRIAL  
PLANNING COMMISSION PUBLIC HEARING WILL BE HELD ON:  
Date: \_\_\_\_\_ Date: 1-23-2023  
Time: \_\_\_\_\_ Time: 4:00 P.M.  
BALL COUNTY GOVERNMENT CENTER, 470 BROADWAY, WHEELER, OHIO 45684-0001, OH, USA  
FOR MORE INFORMATION CALL: (773) 531-4805

**ZONING NOTICE**  
AN APPLICATION HAS BEEN FILED WITH HART COUNTY IN RELATION TO  
THE ZONING DISTRICTS IN THIS AREA TO THE PROPERTY  
SUBJECT  
CINDY LEE LAND PLANNING, INC.  
REQUEST  
REZONE FROM AGRICULTURE TO LIGHT  
INDUSTRIAL  
DATE: 10/15/2024  
TIME: 1:00 P.M.  
FOR MORE INFORMATION CONTACT THE PLANNING DEPARTMENT AT 708-282-2924



# ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: RIDGELINE LAND PLANNING, INC

REQUEST: REZONE FROM AR-III + AR-IV TO I-II FOR HEAVY INDUSTRIAL

PLANNING COMMISSION PUBLIC HEARINGS WILL BE HELD ON:

Date: \_\_\_\_\_

Time: \_\_\_\_\_

COUNTY COMMISSION

Date: 1-26-2003

Time: 6:00 P.M.

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

**ZONING NOTICE**  
AN APPLICATION HAS BEEN FILED FOR A ZONING CHANGE IN REGARD TO  
THE ZONING OF THIS PROPERTY AS THEY APPLY TO THIS PROPERTY.  
APPLICANT: RIDGELINE LAND PLANNING, INC  
TO BE ZONED: REZONE FROM AR-III 4 AR-IV TO I-1  
FOR HEAVY INDUSTRIAL  
DATE: 1-26-2023  
TIME: 4:00 PM  
FOR YOUR INFORMATION CALL 770-211-1111

# ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: RIDGELINE LAND PLANNING, INC

REQUEST: REZONE FROM AR-III + AR-IV TO I-11 FOR HEAVY INDUSTRIAL

PUBLIC HEARINGS WILL BE HELD ON:  
PLANNING COMMISSION      COUNTY COMMISSION  
Date: \_\_\_\_\_      Date: 1-26-2023  
Time: \_\_\_\_\_      Time: 6:00 P.M.

HALL COUNTY GOVERNMENT CENTER, 1875 BROWNS BRIDGE ROAD, GAINESVILLE, GA  
FOR MORE INFORMATION CALL: (770) 531-6809



## AGENDA ITEM

### Planning and Development

---

**REPORT TO:** Work Session (01/23/23)

**REPORT TO:** Voting Meeting (01/26/23)

**ITEM NO:** 4/2023

**SUBJECT:** **3625 McEver Road, 3634 & 3640 Pleasant Hill Road | Rezone** | from Agricultural-Residential-III (AR-III) to Planned Commercial Development (PCD) on a 11.36± acre tract located on the east side of McEver Road approximately 626 feet from its intersection with Whitting Road | Zoned AR-III; Tax Parcel 08032 000006, 000021A, & 000080 | **Proposed use: self-storage facility** | Commission District 4 | **3625 McEver Road, LLC, applicant.**

---

#### Meetings:

**Work Session Date:** 01/23/23

**Voting Meeting Date:** 01/26/23

#### Executive Summary:

**Presenter:** RD

**Recommendation:**

Approval, with conditions:

1. The development shall occur as depicted on the site plan presented. Minor changes can be approved by the Planning Director provided there is no increase in the square footage of storage area or number of buildings, there are no reductions in buffers, no changes in the structural design and materials, and the changes do not create the need for a variance in Hall County development standards unless approved.
2. The applicant shall be required to meet all applicable local, state, and/or federal regulations required as part of the land development process, including all GCOD standards ([17.420.050](#)). No variances from the Hall County standards are granted as part of this request, unless specifically approved and added as conditions to follow.
3. The applicant shall receive approval from the Georgia Department of Transportation (GDOT) for a commercial driveway.
4. A Landscape Plan shall be approved by the Planning Director prior to issuance of the Land Disturbance Permit (LDP).
5. Applicant shall submit architectural elevations of all four sides of all structures for approval by the Planning Director with the following variances:
  - a. The north, west, and south walls of office building shall meet Gateway Corridor Standards.
  - b. The north and west portions of the 3 two-story buildings shall meet Gateway Corridor Standards, the east and south of the 3 two-story buildings shall have metal sidings with the color to be approved by the Planning Director.
  - c. There shall be standing seam metal roof panels with the color to be approved by the Planning Director.
6. Signage shall require a separate permit and must meet the Gateway Corridors Overlay District (GCOD) standards found in [Section 17.420.060](#); No variances from the Hall County standards are granted as part of this request, unless specifically approved and added as conditions.
7. The buffers shall be protected in perpetuity by a deed that follows the property. The removal or modification of this condition shall require action by the Board of Commissioners (BOC).
8. All conditions of zoning shall be made part of any plats or construction plans created for the property.
9. A 200 foot undisturbed buffer shall be parallel to Pleasant Hill Road.
10. Office hours of operation shall be from 9 am - 6 pm, Monday – Saturday and there shall be no tenant access onto the property from 12 am – 5 am, Monday – Sunday.
11. All fencing requirements by Gateway Corridor shall be met.
12. There shall be no ingress and egress along Pleasant Hill Road.

**Purpose of Request:**

**3625 McEver Road, 3634 & 3640 Pleasant Hill Road | Rezone** | from Agricultural-Residential-III (AR-III) to Planned Commercial Development (PCD) on a 11.36± acre tract located on the east side of McEver Road approximately 626 feet from its intersection with Whitting Road | Zoned AR-III; Tax Parcel 08032 000006, 000021A, & 000080 | **Proposed use: self-storage facility** | Commission District 4 | **3625 McEver Road, LLC, applicant.**

**History:**

**Facts and Issues:**

**Options:**

**Funding Requested**

\$ 0.00

**Are funds within current budget?**

No

**Source of Funds**

**Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?**

No

**Has it been reviewed by the County Attorney?**

Yes

**Is there a deadline for this item?**

**Approvals:**

<b>Submit</b>	<b>Approve</b>	<b>Budget</b>	<b>Finance</b>
AD	RD	EW	WG
<b>Attorney</b>	<b>Administration</b>	<b>Clerk</b>	
WLI	CR	JR	

---

**Attachments:**

Board Memo  
Recommendation Report RZ  
Recommendation Report VAR  
Application  
Narrative  
Site Plan  
Maps  
Renderings  
Deed  
Legal Description  
Environmental Health Comments  
GDOT Comments  
Public Works Comments  
Fire Comments  
Notice Sign Photos



# Hall County Government

PLANNING & DEVELOPMENT

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR  
Randi Doveton

**To:** Richard Higgins, Chairman  
Kathy Cooper, District 1  
Billy Powell, District 2  
Gregg Poole, District 3  
Jeff Stowe, District 4

**From:** Randi Doveton, Director

**Date:** December 29, 2022

**Subject:** **3625 McEver Road, 3634 & 3640 Pleasant Hill Road | Rezone |** from Agricultural-Residential-III (AR-III) to Planned Commercial Development (PCD) on an 11.36± acre tract | Proposed use: self-storage facility | 3625 McEver Road, LLC, applicant.

---

The request before you is the application of 3625 McEver Road, LLC to allow self-storage. **It should be noted that a simultaneous variance request accompanies this request but has a separate report. The Planning Commission heard and voted on the variance and use with one motion, so there is only one memo.** This item is located within Commission District 4.

At their December 19, 2022 meeting, the Hall County Planning Commission voted to recommend approval with twelve (12) conditions **(4-1, Pilcher opposed)**.

There were no written comments submitted in advance of the Planning Commission meeting and **four (4) individuals spoke in opposition** during the public hearing.

There have been no changes to the request since the Planning Commission took action.

**Planning Commission Approval Conditions:**

1. The development shall occur as depicted on the site plan presented. Minor changes can be approved by the Planning Director provided there is no increase in the square footage of storage area or number of buildings, there are no reductions in buffers, no changes in the structural design and materials, and the changes do not create the need for a variance in Hall County development standards unless approved.
2. The applicant shall be required to meet all applicable local, state, and/or federal regulations required as part of the land development process, including all GCOD standards ([17.420.050](#)). No variances from the Hall

County standards are granted as part of this request, unless specifically approved and added as conditions to follow.

3. The applicant shall receive approval from the Georgia Department of Transportation (GDOT) for a commercial driveway.
4. A Landscape Plan shall be approved by the Planning Director prior to issuance of the Land Disturbance Permit (LDP).
5. Applicant shall submit architectural elevations of all four sides of all structures for approval by the Planning Director with the following variances:
  - a. The north, west, and south walls of office building shall meet Gateway Corridor Standards.
  - b. The north and west portions of the 3 two-story buildings shall meet Gateway Corridor Standards, the east and south of the 3 two-story buildings shall have metal sidings with the color to be approved by the Planning Director.
  - c. There shall be standing seam metal roof panels with the color to be approved by the Planning Director.
6. Signage shall require a separate permit and must meet the Gateway Corridors Overlay District (GCOD) standards found in Section [17.420.060](#); No variances from the Hall County standards are granted as part of this request, unless specifically approved and added as conditions.
7. The buffers shall be protected in perpetuity by a deed that follows the property. The removal or modification of this condition shall require action by the Board of Commissioners (BOC).
8. All conditions of zoning shall be made part of any plats or construction plans created for the property.
9. A 200 foot undisturbed buffer shall be parallel to Pleasant Hill Road.
10. Office hours of operation shall be from 9 am - 6 pm, Monday – Saturday and there shall be no tenant access onto the property from 12 am – 5 am, Monday – Sunday.
11. All fencing requirements by Gateway Corridor shall be met.
12. There shall be no ingress and egress along Pleasant Hill Road.



**HALL COUNTY PLANNING COMMISSION  
RECOMMENDATION REPORT**

**Applicant** ..... 3625 McEver Road, LLC

**Request** ..... Rezone from Agricultural Residential III (AR-III, [17.110](#)) to Planned Commercial Development (PCD, [17.180.080](#))

**Proposed Use** ..... Self-storage facility

**Size** ..... 11.36± acres

**Zoning** ..... Current Agricultural Residential III (AR-III, [17.110](#)), Gateway Corridors Overlay District (GCOD, [17.420](#)) | Proposed Planned Commercial Development (PCD, [17.180.080](#)), Gateway Corridors Overlay District (GCOD, [17.420](#))

**Location** ..... **3625 McEver Road, 3634 & 3640 Pleasant Hill Road** | Tax Parcels 08032 000006, 000021A, & 000080

**Commission District** ..... Four

**Planning Commission Date** ..... December 19, 2022

**Staff Recommendation** ..... **Approval with conditions based on the findings that this request meets the criteria outlined in [17.380.060](#).**

**Planning Commission Recommendation**.....Approval with conditions  
**Vote: 4-1 (Pilcher opposed)**

**Planning Commission Rezoning Conditions:**

1. The development shall occur as depicted on the site plan presented. Minor changes can be approved by the Planning Director provided there is no increase in the square footage of storage area or number of buildings, there are no reductions in buffers, no changes in the structural design and materials, and the changes do not create the need for a variance in Hall County development standards unless approved.
2. The applicant shall be required to meet all applicable local, state, and/or federal regulations required as part of the land development process, including all GCOD standards ([17.420.050](#)). **No variances from the Hall County standards are granted as part of this request, unless specifically approved and added as conditions to follow.**
3. The applicant shall receive approval from the Georgia Department of Transportation (GDOT) for a commercial driveway.
4. A Landscape Plan shall be approved by the Planning Director prior to issuance of the Land Disturbance Permit (LDP).

5. Applicant shall submit architectural elevations of all four sides of all structures for approval by the Planning Director with the following variances:
  - a. The north, west, and south walls of office building shall meet Gateway Corridor Standards.
  - b. The north and west portions of the 3 two-story buildings shall meet Gateway Corridor Standards, the east and south of the 3 two-story buildings shall have metal sidings with the color to be approved by the Planning Director.
  - c. There shall be standing seam metal roof panels with the color to be approved by the Planning Director.
6. Signage shall require a separate permit and must meet the Gateway Corridors Overlay District (GCOD) standards found in [Section 17.420.060](#); **No variances from the Hall County standards are granted as part of this request, unless specifically approved and added as conditions.**
7. The buffers shall be protected in perpetuity by a deed that follows the property. The removal or modification of this condition shall require action by the Board of Commissioners (BOC).
8. All conditions of zoning shall be made part of any plats or construction plans created for the property.
9. A 200 foot undisturbed buffer shall be parallel to Pleasant Hill Road.
10. Office hours of operation shall be from 9 am - 6 pm, Monday – Saturday and there shall be no tenant access onto the property from 12 am – 5 am, Monday – Sunday.
11. All fencing requirements by Gateway Corridor shall be met.
12. There shall be no ingress and egress along Pleasant Hill Road.

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**As a rezoning request to PCD, Planned Commercial Development, you are also considering the proposed use, since there are no inherent uses within this classification. The rezoning and conditional use are included in this report but a separate staff report has been prepared for the variances necessary, if the use is approved as presented. The proposed use is also a conditional use subject to Board of Commissioners because it is in the Gateway Corridors Overlay District.**

**Public Forum:**

**Bill Oberholtzer, 3709 Whiting Road, Gainesville,** spoke in opposition. Concerns were zoning, size of retention pond, buffers, and site plan.

**Mary Anna Jackson, 3632 Pleasant Hill Road, Gainesville,** spoke in opposition. Concerns were future expansion, devaluing neighboring property, vegetation, and topography.

**Gerald Kowalle, 3633 Pleasant Hill Road, Gainesville,** spoke in opposition. Concerns were zoning.

**Mauricio & Ellie Santos, 3654 Pleasant Hill Road, Gainesville,** spoke in opposition. Concerns were expansion, disruption, and devaluing property.

**Summary Analysis**

The applicant is requesting to rezone 11.36± acres from Agricultural Residential III (AR-III, [17.110](#)) to Planned Commercial Development (PCD, [17.180.080](#)) for the purpose of developing a self-storage facility. The proposed development will contain a total of 72,000 square feet of storage space, which will be evenly

divided between three (3) two (2) storied buildings, each being 24,000 square feet in area. A 2,400 square foot office building is proposed with associated parking adjacent to the proposed access onto McEver Road. The storage area is located through a gated access point. The buildings will be constructed in such a manner that they will appear to be one-story from the south. The storage facility will have both climate controlled and non-climate controlled storage spaces. The hours of operation will be Monday – Saturday, 9:00am – 6:00pm for the office, with 24 hour access to the storage facility.

The narrative continues to describe that for the purpose of the rezoning application, all Gateway Corridors Overlay District (GCOD, [17.420](#)) standards, including buffer and landscaping requirements, shall apply to the development. The site plans shows a 50 foot buffer along the southern property line where it is adjacent to residentially zoned parcels. Per the narrative, the buffer shall consist of a mixture of existing vegetation, supplemented by evergreen shrubs and trees where necessary. ***The narrative notes that trees planted or retained in the buffer areas shall count towards the overall tree density unit requirements.***

The applicant's narrative states that the buildings will be constructed out of ***steel and will have corrugated sheet metal walls.*** The walls facing McEver Road will be full brick or a brick/stone combination. Per the non-residential property development standard ([17.420.050.H.2](#)) of the Gateway Corridors Overlay District (GCOD, [17.420](#)), the use of a common palette of building materials should be maintained for all four sides of principal buildings to create a consistent and traditional architectural identity. Building materials used for all four sides of new or reconstructed buildings are restricted to the following: brick, stone, split-face block/concrete masonry unit (CMU) is restricted to 50 percent of the surface area of each side of a principal building, stucco is restricted to 50 percent of the surface area of each side of a building, or glass and glass block. Exposed concrete block, painted concrete block, metal, tilt/up and pre-cast concrete are prohibited materials for any exterior wall.

Within the Gateway Corridors Overlay District (GCOD, [17.420](#)), self-storage facilities require conditional use approval from the Board of Commissioners, which is being heard concurrent to this request.

No variances were explicitly requested as part of the application, but **staff has identified the need for several variances** from the non-residential property development standard ([17.420.050](#)) of the Gateway Corridors Overlay District (GCOD, [17.420](#)) during the review of this request. A separate variance report is provided related to these standards.

- The narrative states that the buildings will be constructed out of steel and will have corrugated sheet metal walls. The walls facing McEver Road will be full brick or a brick/stone combination. This is inconsistent with non-residential property development standards ([17.420.050.H.2](#)) of the Gateway Corridors Overlay District (GCOD, [17.420](#)), which requires the use of a common palette of building materials should be maintained for all four sides of principal buildings.
- The submitted plans indicate that the sign will be internally illuminated, which is inconsistent with non-residential property development standard ([17.420.050.F.4.a](#)) of the Gateway Corridors Overlay District (GCOD, [17.420](#)) that prohibits internally illuminated signs.

**Based on the future land-use plan, staff finds the *requested zoning designation is inconsistent* with the future land use map designation of Lake Area Residential within the Hall County [Comprehensive Plan](#). **Despite being inconsistent with the future land use map, there is an established commercial corridor along this portion of McEver Road. The adjacent parcel to the north is also zoned Planned Commercial****

**Development (PCD, [17.180.080](#)), and developed with a mini-golf course. To the south are parcels within the City of Oakwood jurisdiction, which are zoned [Highway Business District, C-2](#).**

### Zoning Analysis

The proposed self-storage facility is inconsistent with the [Comprehensive Plan](#) as the future land use designation is Lake Area Residential. The parcel is not part of the Lake Supportive Corridor, though the neighboring properties are commercially zoned and developed.

When considering a zoning amendment to the zoning maps, the following items must be considered:

Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property; **There is an established commercial corridor along this portion of McEver Road. The adjacent parcel to the north is also zoned Planned Commercial Development (PCD, [17.180.080](#)), and developed with a mini-golf course. To the south are parcels within the City of Oakwood jurisdiction, which are zoned [Highway Business District, C-2](#).**

Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The zoning proposal should not have an adverse effect on the existing use or usability of adjacent or nearby property. Self-storage facilities traditionally are a low impact use, with those who rent a storage space visiting infrequently.**

Whether the property to be affected by the zoning proposal has reasonable economic use as currently zoned. **The property is currently undeveloped and zoned Agricultural Residential III (AR-III, [17.110](#)). The property has reasonable economic use as currently zoned.**

Whether the zoning proposal is in conformity with the policy and intent of the land use plan; **The proposed zoning of Planned Commercial Development (PCD, [17.180.080](#)) for a self-storage facility is inconsistent with the [Comprehensive Plan](#). The future land use designation is Lake Area Residential which includes low-density residential development and neighborhoods. The parcel is not part of a Lake Supportive Corridor, though the neighboring properties are commercially zoned and developed.**

The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the property; **The appears to have been vacant as far back as GIS aerial imagery goes, 1999.**

Whether the change would create an isolated district unrelated to the surrounding districts; **No, the change would not create an isolated zoning district. The adjacent parcel to the north is also zoned Planned Commercial Development (PCD, [17.180.080](#)), and developed with a mini-golf course. To the south are parcels within the City of Oakwood jurisdiction, which are zoned [Highway Business District, C-2](#)**

Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood; **The request does not appear to be out of scale with the needs of the County as a whole, as there is a need for additional storage facilities in the County.**

Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **There are other properties within the County that support the proposed self-storage facility without rezoning.**

- A Planned Commercial Development (PCD, [17.180.080](#)) shall provide for the maximum attainable commercial usage of property while employing the best aspects of prior site planning and development controls to insure: protection of surrounding residential uses; safe access by motorists; minimum traffic congestion; and a development which is consistent with long-range plans of the county.
- Applications for Planned Commercial Developments (PCD, [17.180.080](#)) shall include the following required plans:

The proposed exterior lighting shall be shown.

**Although not shown, the submitted narrative states that security lighting in the form of wall packs with outer shields to direct light downwards are intended to be used for the development.**

All proposed signs, advertising or identification graphics shall be indicated, showing their number, size, height and location.

**The submitted narrative meets this standard. The narrative describes one sign constructed at the McEver Road entrance to the property, which will be a monument style sign and meet Hall County Zoning Regulations (Title 17) standards. It should be noted that the submitted plans indicate that the sign will be internally illuminated, which is inconsistent with non-residential property development standard ([17.420.050.F.4.a](#)) of the Gateway Corridors Overlay District (GCOD, [17.420](#)) that prohibits internally illuminated signs.**

The type and number of uses proposed for the commercial development shall be indicated.

**The submitted narrative describes the proposed use as a 72,000 square foot self-storage facility, comprised of 3 buildings plus an office.**

The development controls for the district shall be stated (lot coverage, setbacks, building heights, lot sizes, etc.). If standards are not specifically proposed, then the applicable standards in the suburban shopping district (S-S) shall apply.

**The submitted site plan shows the setbacks for the Agricultural Residential III (AR-III, [17.110](#)) district – 40 feet from property line or 65 feet from centerline of road, whichever is greater, front; 15 feet, side. It should be noted that McEver Road is classified as an arterial road per the regulations and Hall County GIS maps; per setback requirements from arterial streets ([17.240.040](#)), no structure may be placed less than 100 feet from the center line of an arterial street (as defined in [section 17.20](#)). **The proposal meets this requirement.****

- The property falls within the **Gateway Corridors Overlay District, ([17.420](#))** which provides supplemental design standards for non-residential property development. The proposal will be subject to the standards found within [17.420.050](#) (non-residential property development standards) which relate to building materials, landscaping, and buffer requirements. Variances in the design standards found in [17.420.050.H.2.c](#) and [17.420.050.H.3](#). are required.
- **The applicant has met the submission requirements for a rezoning request ([17.380.050](#)).**

#### **Development Support and Constraints – Departmental /agency comments**

##### **Hall County Environmental Health**

An email dated December 2, 2022 from 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, and septic system installation may be required after review of business plan.”

### **Hall County Fire Rescue**

In an email dated December 2, 2022, Lieutenant John Hornick, NPQ Fire Inspector 1, Plans Review, states:

- 1) IFC Section 507.5.1 where a building(s) is constructed and is more than 400’ from a fire hydrant on an approved fire access route fire hydrant(s) shall be installed. Fire hydrant(s) may have to be installed inside the development to meet fire code requirements.
- 2) IFC Section 506.1 access controlled gate will require a Knox key switch override device for fire department access into gated development.
- 3) IFC Section 510 emergency responder radio coverage confirmation will apply to each of the 24,000 SF buildings.

### **Hall County Public Works and Utilities**

In a memo dated December 1, 2022, from Srikanth Yamala, Director of Public Works and Utilities, the following comments were provided:

#### **Engineering:**

This 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 buffer and impervious setback from wrested vegetation, not the centerline of creek.

#### **Traffic:**

Access must be approved/permitted by GDOT.

#### **Utilities:**

No Hall County Sanitary Sewer in the area.

### **Georgia Department of Transportation**

Per an email dated November 23, 2022, Parker Niebauer, District 1 Traffic Operations Supervisor confirmed that GDOT coordination will be required.

### **➤ Excerpts from the minutes of the December 19, 2022 Meeting**

#### **Applicant’s Presentation:**

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

**Tyler Smith, 340 Jesse Jewell Parkway, Gainesville**, presented the request. The applicant discussed the topography of the property. The applicant pointed out that the neighboring properties were zoned for commercial business. The applicant presented their two variance requests: 1. the sides of the buildings viewable from McEver Road will comply with exterior building requirements of the Gateway Corridor Overlay Districts. Allow a variance so that sides not viewable from McEver may be constructed of other materials, provide they match the color scheme with powder coated finish; 2. Allow metal roof panels, provided they are architectural standing seam with colors and façade.

**Charlie Hipple, 4763 Falling Brooke Drive, Flowery Branch**, presented the request.

**Public Forum:**

**Bill Oberholtzer, 3709 Whiting Road, Gainesville,** spoke in opposition. Concerns were zoning, size of retention pond, buffers, and site plan.

**Mary Anna Jackson, 3632 Pleasant Hill Road, Gainesville,** spoke in opposition. Concerns were future expansion, devaluing neighboring property, vegetation, and topography.

**Gerald Kowalle, 3633 Pleasant Hill Road, Gainesville,** spoke in opposition. Concerns were zoning.

**Mauricio & Ellie Santos, 3654 Pleasant Hill Road, Gainesville,** spoke in opposition. Concerns were expansion, disruption, and devaluing property.

**Planning Commission Comments:**

Mr. Braswell wanted to make it clear that there would be no access to the proposed facility from Pleasant Hill Road. Mr. Varner questioned the buffer measurements between the property and Pleasant Hill Road. Mr. Hipple stated 400 feet of existing vegetation. Ms. Pilcher questioned if the three buildings were it for the property. Mr. Smith stated it was for this request and if they were able to expand they would want to come back in front of the county. Mr. Braswell questioned hours of operation. Mr. Hipple stated that staff would be onsite Monday – Friday, 9 am – 6 pm with 24 hour access seven days a week. Mr. Braswell suggested splitting the property’s zoning to avoid encroaching into the neighboring residence. Mr. Hunt suggested using buffers. Mr. Hipple suggested a 100 foot buffer towards Pleasant Hill Road. Mr. Hipple pointed out that they are not planning to have white metal buildings as seen in the renderings. Mr. Braswell stated that the building would not have access between 12 am – 5 am.

**Motion: A motion to approve, with conditions was made by Mr. Hunt and seconded by Mr. Bell. Vote: 4-1 (Pilcher opposed)**

*Conditions:*

1. *The development shall occur as depicted on the site plan presented. Minor changes can be approved by the Planning Director provided there is no increase in the square footage of storage area or number of buildings, there are no reductions in buffers, no changes in the structural design and materials, and the changes do not create the need for a variance in Hall County development standards unless approved.*
2. *The applicant shall be required to meet all applicable local, state, and/or federal regulations required as part of the land development process, including all GCOD standards ([17.420.050](#)). **No variances from the Hall County standards are granted as part of this request, unless specifically approved and added as conditions to follow.***
3. *The applicant shall receive approval from the Georgia Department of Transportation (GDOT) for a commercial driveway.*
4. *A Landscape Plan shall be approved by the Planning Director prior to issuance of the Land Disturbance Permit (LDP).*
5. *Applicant shall submit architectural elevations of all four sides of all structures for approval by the Planning Director with the following variances:*
  - a. *The north, west, and south walls of office building shall meet Gateway Corridor Standards.*
  - b. *The north and west portions of the 3 two-story buildings shall meet Gateway Corridor Standards, the east and south of the 3 two-story buildings shall have metal sidings with the color to be approved by the Planning Director.*

- c. There shall be standing seam metal roof panels with the color to be approved by the Planning Director.*
- 6. Signage shall require a separate permit and must meet the Gateway Corridors Overlay District (GCOD) standards found in [Section 17.420.060](#); **No variances from the Hall County standards are granted as part of this request, unless specifically approved and added as conditions.***
- 7. The buffers shall be protected in perpetuity by a deed that follows the property. The removal or modification of this condition shall require action by the Board of Commissioners (BOC).*
- 8. All conditions of zoning shall be made part of any plats or construction plans created for the property.*
- 9. A 200 foot undisturbed buffer shall be parallel to Pleasant Hill Road.*
- 10. Office hours of operation shall be from 9 am - 6 pm, Monday – Saturday and there shall be no tenant access onto the property from 12 am – 5 am, Monday – Sunday.*
- 11. All fencing requirements by Gateway Corridor shall be met.*
- 12. There shall be no ingress and egress along Pleasant Hill Road.*



**HALL COUNTY PLANNING COMMISSION  
RECOMMENDATION REPORT**

**Applicant** ..... 3625 McEver Road, LLC

**Request** ..... Variances from the non-residential property development standard ([17.420.050](#)) of the Gateway Corridors Overlay District (GCOD, [17.420](#))

**Proposed Use** ..... Self-storage facility with steel walls, metal roofs, and internally illuminated signage

**Size** ..... 11.36± acres

**Zoning** ..... Current Agricultural Residential III (AR-III, [17.110](#)), Gateway Corridors Overlay District (GCOD, [17.420](#)) | Proposed Planned Commercial Development (PCD, [17.180.080](#)), Gateway Corridors Overlay District (GCOD, [17.420](#))

**Location** ..... **3625 McEver Road, 3634 & 3640 Pleasant Hill Road** | Tax Parcels 08032 000006, 000021A, & 000080

**Commission District** ..... Four

**Planning Commission Date** ..... December 19, 2022

**Staff Recommendation** ..... **Denial as the requested variance requests do not meet the requirements of [2.60.030.K](#).**

**Planning Commission Recommendation**.....Approval with conditions  
**Vote: 4-1 (Pilcher opposed)**

**Planning Commission Rezoning Conditions:**

1. The development shall occur as depicted on the site plan presented. Minor changes can be approved by the Planning Director provided there is no increase in the square footage of storage area or number of buildings, there are no reductions in buffers, no changes in the structural design and materials, and the changes do not create the need for a variance in Hall County development standards unless approved.
2. The applicant shall be required to meet all applicable local, state, and/or federal regulations required as part of the land development process, including all GCOD standards ([17.420.050](#)). **No variances from the Hall County standards are granted as part of this request, unless specifically approved and added as conditions to follow.**
3. The applicant shall receive approval from the Georgia Department of Transportation (GDOT) for a commercial driveway.

4. A Landscape Plan shall be approved by the Planning Director prior to issuance of the Land Disturbance Permit (LDP).
5. Applicant shall submit architectural elevations of all four sides of all structures for approval by the Planning Director with the following variances:
  - a. The north, west, and south walls of office building shall meet Gateway Corridor Standards.
  - b. The north and west portions of the 3 two-story buildings shall meet Gateway Corridor Standards, the east and south of the 3 two-story buildings shall have metal sidings with the color to be approved by the Planning Director.
  - c. There shall be standing seam metal roof panels with the color to be approved by the Planning Director.
6. Signage shall require a separate permit and must meet the Gateway Corridors Overlay District (GCOD) standards found in [Section 17.420.060](#); **No variances from the Hall County standards are granted as part of this request, unless specifically approved and added as conditions.**
7. The buffers shall be protected in perpetuity by a deed that follows the property. The removal or modification of this condition shall require action by the Board of Commissioners (BOC).
8. All conditions of zoning shall be made part of any plats or construction plans created for the property.
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12. There shall be no ingress and egress along Pleasant Hill Road.

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**Public Forum:**

**Bill Oberholtzer, 3709 Whiting Road, Gainesville,** spoke in opposition. Concerns were zoning, size of retention pond, buffers, and site plan.

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**Mauricio & Ellie Santos, 3654 Pleasant Hill Road, Gainesville,** spoke in opposition. Concerns were expansion, disruption, and devaluing property.

**Summary Analysis**

**This report is an accompaniment to the rezoning and conditional use report/application. It is related to the necessary variances identified by staff while reviewing and analyzing the rezoning and proposed use. This report is only addressing the variances necessary to approve the rezoning and use as presented. All other information about the rezoning and use are found in the rezoning and use report.**

- The narrative states that the buildings will be constructed out of steel and will have corrugated sheet metal walls. The walls facing McEver Road will be full brick or a brick/stone combination. This is inconsistent with non-residential property development standards ([17.420.050.H.2.c](#)) of the

Gateway Corridors Overlay District (GCOD, [17.420](#)), which requires the use of a common palette of building materials should be maintained for all four sides of principal buildings. The plans submitted indicate that the structures will have metal roofing ([17.420.050.H.3](#)).

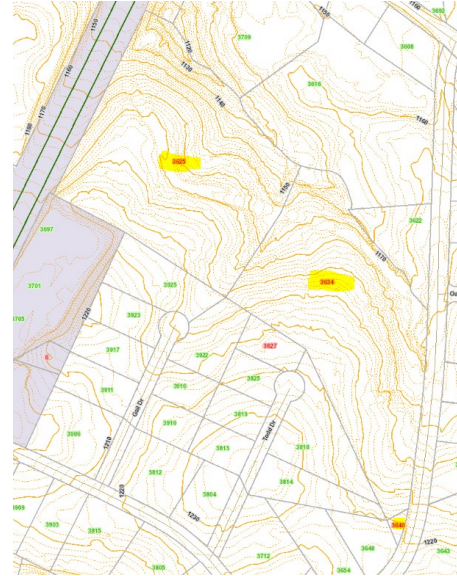
- **Variance to allow corrugated metal walls within GCOD.**
- **Variance to allow metal roofing within GCOD.**
- The submitted plans indicate that the sign will be internally illuminated, which is inconsistent with non-residential property development standard ([17.420.050.F.4.a](#)) of the Gateway Corridors Overlay District (GCOD, [17.420](#)) that prohibits internally illuminated signs.
  - **Variance to allow internally illuminated signs in GCOD.**

### Zoning Analysis

The Planning Commission is hereby authorized to grant variances from the strict application of this Resolution upon proof by a preponderance of the evidence that [2.60.030.J](#) provided the request meets the criteria set forth in [2.60.030.K](#).

1. There are extraordinary and exceptional conditions pertaining to the particular lot in question because of its size, shape or topography (the hardship must relate to the physical character of the lot and not to a personal or economic hardship); **Based on the topography and lot configuration, the proposed metal sides should have minimal visibility from McEver Rd or the adjacent properties ([Google Street View](#)).**
2. The application of the requirements of this [Title 17](#) to this particular piece of property would create an unusual hardship; **imposing the requirements of GCOD on all four walls of all buildings would be more costly and all sides are not visible from the right-of-way or adjacent properties. The intent of the regulations is to create an aesthetically pleasing development along the primary corridors within Hall County and to mitigate the visual impact of commercial developments from those rights-of-way and adjacent properties.**

3. Such conditions are peculiar to the particular piece of property involved and are not common to other properties in the neighborhood; and **The topography is rather challenging on this property as compared to the adjacent properties.**
4. Such conditions are not the result of any actions of the property owner; and **Although not presented in the narrative, the property has some topographical challenges and is situated in such a way that the proposed metal facades should be minimally visible, if at all, from the adjacent properties or the rights-of-way.**
5. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of [Title 17](#); provided, however, that no variance may be granted for a use of land or building or structure that is prohibited by [Title 17](#) or for a conditional use which has been denied by the county planning commission. **If granted, would be in line with variances granted for similar uses within the corridor with similar situations of topography and adjacent uses, although it would be inconsistent with the Hall County Gateway Corridor Overlay District standards ([17.420.050.F.4.a](#)).**



**Development Support and Constraints – Departmental /agency comments**

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An email dated December 2, 2022 from 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, and septic system installation may be required after review of business plan.”

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PLANNING AND DEVELOPMENT DEPARTMENT  
 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504  
 MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503  
 t: 770-531-6809 | f: 770-531-3902



### ZONING APPLICATION

**Applicant (Name & Mailing Address)**

3625 McEver Road, LLC  
4763 Falling Brook Dr.  
Flowery Branch, GA 30542  
 Phone 678-859-3482  
 Email Address chipple@cardinalatlanta.com  
 Proposed Use Self storage facility

**Property Owner (Name & Mailing Address)**

3625 McEver Road, LLC, Charles Hipple, Jr., Manager  
4763 Falling Brook Dr.  
Flowery Branch, GA 30542  
 Phone 678-859-3482  
 Email Address chipple@cardinalatlanta.com

**Contact Person (Name & Mailing Address)**

M. Tyler Smith - Smith, Gilliam, Williams & Miles, P.A.  
P.O. Box 1098  
Gainesville, GA 30503-1098  
 Phone 770-536-3381  
 Email Address tsmith@sgwmfirm.com  
 Tax Parcel Number 08032 000006; 08032 000021A; 08032 000080  
 Location Address 3625 McEver Road, Oakwood, GA 30566, 3634 and 3640 Pleasant Hill Road, Gainesville, GA 30504

**Status of Applicant**

- Owner
- Option to Purchase
- Area Resident
- Other

**Requested Action**

Existing Zoning: AR-III  
 Rezone to: PCD  
 Fee: \$ 750.06  
 Receipt #: 859059  
 Check #: 021607

Acreage 11.36 acres

I hereby certify that the above information and all attached information are true and correct.

Sign [Signature] Date: 10/31/22  
 Charles Hipple, Jr., Manager

**Applicant must complete all information above. Failure to complete this section will result in the refusal of the application. The Planning Department has 15 days to review all applications and will set the dates for each application. If the application is found insufficient, an agenda date will not be set until the required information is submitted. Please note that the Planning Commission and County Commission dates are tentative.**

**Application Withdrawal:** I hereby **withdraw** the application.

Sign \_\_\_\_\_ Date: \_\_\_\_\_

**Staff Use Only**

Application Date: 10/31/22 Taken by: S. Gannon  
 Tentative Planning Commission Date: 12/19/22 Tentative County Commission Date: 1/26/23  
 County Commission District: \_\_\_\_\_

PLANNING AND DEVELOPMENT DEPARTMENT  
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504  
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503  
t: 770-531-6809 | f: 770-531-3902



### CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

This form must be completed by the applicant and property owner, or person representing the property owner, for all zoning actions.

OCGA § 36-67A-3[C] Disclosure of campaign contributions:

- (b) When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant's application for the zoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:
  - (3) The name and official position of the local government official to whom the campaign contribution was made; and
  - (4) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- (b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

I hereby certify that I have read the above and that:

I have\*\*  I have not

within the two years immediately preceding this date, made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

**\*\*If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.**

Name of Official(s): \_\_\_\_\_

Office: \_\_\_\_\_

Dollar Amount: \_\_\_\_\_

Date of Contribution: \_\_\_\_\_

Applicant's/Owner's Signature:

Date: 10/31/22

Applicant's/Owner's Name (Printed): 3625 McEver Road, LLC, Charles Hipple Jr., Manager



**Rezoning Narrative Report**

**McEver Road  
Self Storage PCD**

Developer: 3625 McEver Road, LLC

10.28.22

# **McEver Road Self-Storage PCD**

## *Conditions of Zoning -*

### **Purpose**

This report explores the possibility of rezoning an 11.27-acre tract off McEver Road in Hall County. The tract is currently vacant and zoned AR-III. The applicant wishes to rezone the property to PCD for the purposes of a self-storage facility. Build out of the project is expected to be over a period of one to two years. The McEver Road Self-Storage development will adhere to all Hall County ordinances.

This plan is conceptual in nature, and certain modifications may be necessary on the design of the preliminary plat and construction documents for the project. Modifications may include specific building and parking lot alignments, amenity locations, and other improvements to adjust for field conditions. Land uses shown herein will not change.

Land use consists of 3 – 2 story 24,000 sq. ft. buildings (12,000 sq. ft. per floor) and 1 – single story 2,400 sq. ft. that includes an on-site office area. The total building square footage in the 1<sup>st</sup> phase will be 74,400 sq. ft and will consist of both climate-controlled and non-climate-controlled units. The three 2 story buildings will be built into the hill and will appear to be one story buildings from the south-side. The office will be served by on-site septic system.

### **Site Characteristics**

The site is 11.27 acres, wooded and currently vacant. Dense underbrush grows along the northeast property line, along with some smaller scrub trees. Topographically, the site drops an average of 50' from the southwest to the northeast.

Soils information taken from the S.C.S. Soils Map for Hall County indicates the site consists of predominately Madison Sandy Clay Loam (MID2) soils with 10% to 15% slopes. These soils are rated somewhat limited for building

and engineering purposes by the online soil database for Barrow, Hall and Jackson Counties.

During an on-site investigation, no apparent rock or wetland areas were visible. There does appear to be state waters associated with the property, in the form of a perennial, spring-fed branch that runs along the northeast property line. A 50' undisturbed buffer as measured from the top of the bank will be left and maintained as per State and County regulations.

Water is provided by the City of Gainesville, and there are fire hydrants present within the McEver Road frontage. The property will be serviced by an on-site septic system.

## **Cultural Requirements for PCD Zoning**

The subject acreage is in Hall County, Georgia, and is currently zoned AR-III (as confirmed by Hall County Planning Department). The owner proposes to change the current zoning to PCD for the purpose of a Self-Storage facility.

Public access to the development will be from McEver Road (State Route 53) in the form of a "right turn in, right turn out" driveway meeting all GDOT requirements.

According to ordinance 17.420.050, a self-storage warehouse is allowed in the GCOD only if such use is permitted in the underlying zoning district and the board of commissioners grants a conditional use pursuant to the procedures of the Hall County Zoning Ordinance. The buffer along the residential area is 50' with the nearest driveway at 55.8'. The development will comply with 17.420.050 C.3 with a staggered double row of evergreen trees and 2 staggered rows of evergreen shrubs where the property abuts the residential area.

17.420.050 D.2 requires a 10' wide landscape strip, continuous along McEver Road. The landscape strip will be planted with shade trees (6' tall, 2" caliper, dbh) at time of planting and not less than 35' tall at maturity, planted not less than 40' on center, with shrubbery forming an intermittent hedge not less than 3' in height designed to provide an adequate screen.

## **Proposed Land Use**

The subject property is situated within a pocket of AR-III zoned properties, with one small tract fronting Pleasant Hill Road zoned R-1. To the southwest along the McEver Road frontage is a commercial tract, zoned C-2. To the northeast along the McEver Road frontage is a tract zoned PCD.

The proposed rezoning to PCD will be for the purpose of developing self-storage units.

## **McEver Road Corridor Overlay District Requirements**

The development will observe all the Hall Gateway Corridor District requirements as per 17.420.050 in the Hall County ordinance. This includes vegetative buffers, setbacks, lighting and signage.

## **Lake Area Residential**

The property lies within the Lake Area Residential district. Due to the topography of the subject property, McEver Road frontage and surrounding commercial development, residential use is not practical for this property.

## **Architecture**

The buildings will be constructed out of steel and will have corrugated sheet metal walls with the walls facing McEver Road being full brick or a brick/stone combination. The 3 large buildings will be built into the hillside and will be 21'6" in height on the lower side and 11'6"H on the upper side.

## **Parking**

On-site parking will be available and will consist of approximately 12-15 spaces.

## **Landscaping**

For the purpose of this rezoning application, all Hall Gateway Corridor District Ordinances, Buffer Ordinances, and Landscape Ordinances shall apply to the development.

Buffers shall consist of a mix of existing vegetation supplemented by evergreen shrubs and trees where necessary to achieve a screen affect as per Hall County ordinances. Existing vegetation may be used as part of the buffer only if it meets the screening requirements of the Hall County ordinance pertaining to buffers. Existing vegetation may need to be enhanced with new plantings to meet the applicable buffer ordinance conditions.

Trees planted or retained in buffer areas (whether disturbed or undisturbed) shall count towards overall tree density unit requirements. Tree fencing and protection requirements shall be put into place and maintained as per the County's Tree Ordinance.

## **Infrastructure Improvements**

Water will be provided by the City of Gainesville. An on-site septic system will serve the office restroom and breakroom

All utilities, including but not limited to water, sewer, power, gas, cable, and telephone, will be underground and meet all applicable standards, and will be installed per regulatory standards in common trenches or conduit after curbing is installed but before driveway or sidewalk construction. No open cuts shall be allowed in curb or roadbed. All open trenches shall be covered at the end of each workday.

Grading & Erosion Control: Construction of the project will abide by the Georgia Manual of Erosion and Sediment Control, latest edition. All necessary Best Management Practices will be used. The project will be developed in accordance with all local, state, and federal regulations, with erosion and sediment control designed specifically for the clearing and grubbing phase, the grading phase, and the stabilization phase.

BMP's and storm water management facilities will be in place and operating as construction proceeds and inspected and maintained as per all applicable ordinances.

All applicable local, state and Federal erosion and sediment control and stormwater management regulations shall be adhered to.

Low Impact Development practices, such as infiltration swales and bio-retention areas, may be used where practical. These practices serve dual purposes - storm water management and aesthetic appeal.

Where Low Impact Development practices are not enough to mitigate storm water impacts, conventional detention ponds meeting all Hall County standards will be used within the project.

## **Lighting**

Security lighting will be in the form of wall packs with outer shields to direct light downward and not toward neighboring properties

## **Signage**

One sign will be constructed at the McEver Road entrance to the property and will meet all current Hall County signage standards. The sign will be lighted.

Development Entrance off McEver Road: a monument sign with accompanying walls and/or fences shall front the main entrance to the project off McEver Road. All signage, hardscape materials and planting will be subject to review and approval by Hall County planning staff.

The sign area itself will not include any accompanying walls or fencing, except for that portion of a wall that might include the sign facing materials.

Temporary signs for marketing purposes are limited to a maximum of 64 sq. ft. and 8' or less in height may be used within the development proper or fronting the right-of-way of McEver Road. Temporary signs shall be limited to two (2) and will be removed after 80% project build out.

Signs will be governed by Hall County's Sign Ordinance and requirements of the Hall Gateway Corridor District.

### **Hours of Operation**

Hours of operation will be Monday through Saturday 9am – 6pm with 24-hour access

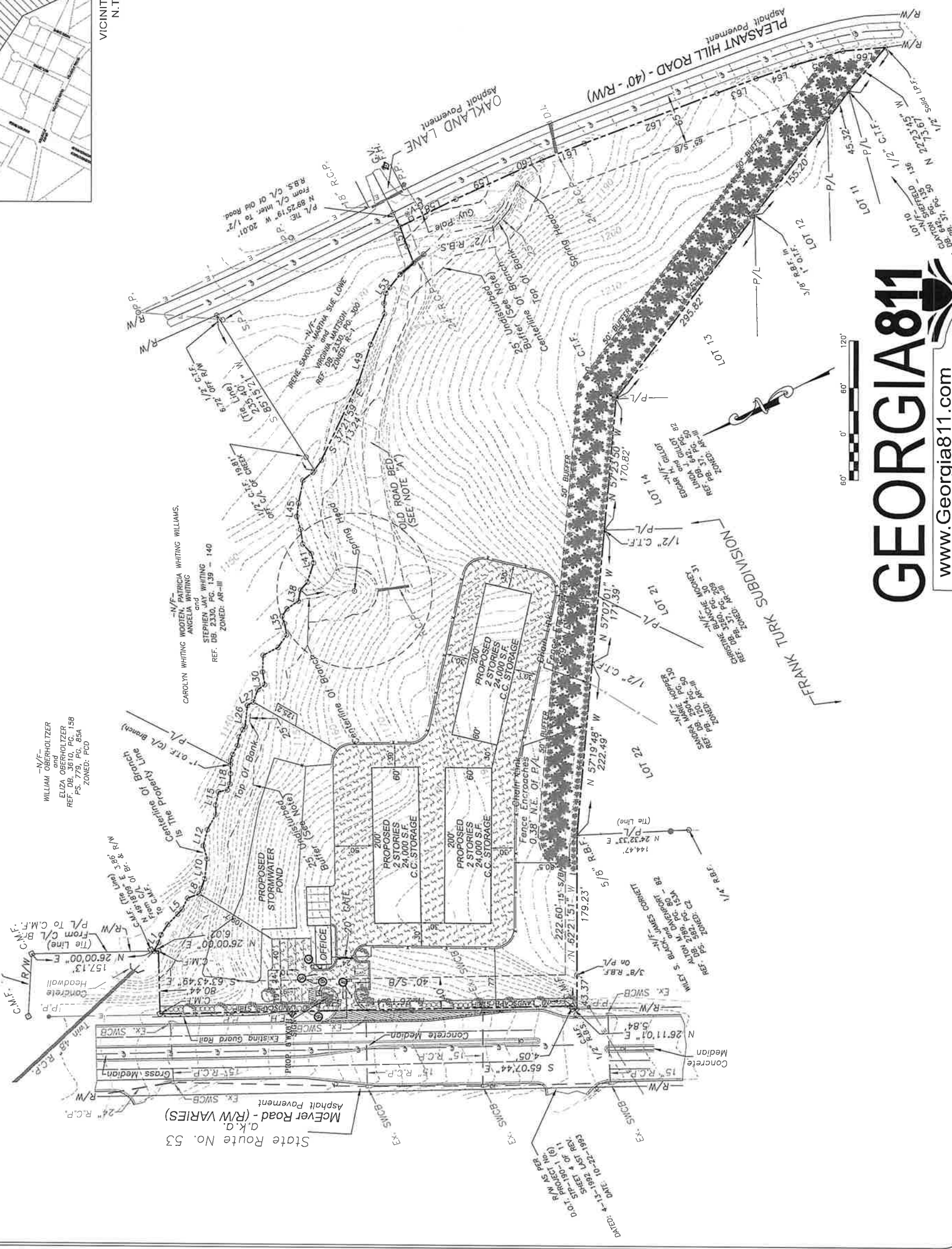
## 3625 McEver Road, LLC

### VARIANCE REQUESTS

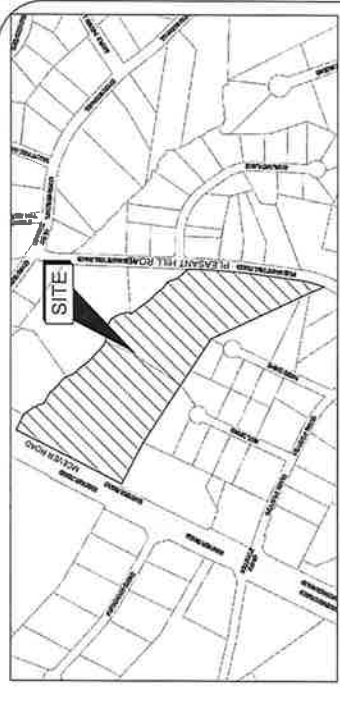
1. The sides of the buildings viewable from McEver Road will comply with the exterior building material requirements of the Gateway Corridor Overlay Districts. Allow a variance so that the sides not viewable from McEver Road may be constructed of other materials, provided they match the color scheme with powder coated finish.
  
2. Allow metal roof panels, provided they are architectural standing seam with colors and façade.



TOTAL SITE AREA = 11.28 ACRES
TOTAL DISTURBED AREA = X ACRES
THERE ARE STATE WATERS ON OR WITHIN 200' OF THIS SITE.
THERE ARE NO NWI WETLAND ON SITE.



VICINITY MAP  
N.T.S.



**A.C.C.E.**  
ALCOBY CONSULTING ENGINEERING  
AND ASSOCIATES, L.L.C.  
P.O. BOX 110111, R.E.  
Owens Crossroads 30054  
Forsyth County, GA 30054  
Phone: 770.770.4002  
tipacal@icloud.com

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**CONCEPTUAL  
PLAN**

**PROPOSED  
MCEVER  
CLIMATE CONTROL  
STORAGE**

08032 000021A,  
08032 000006,  
PARCEL: 08032 000080

LANDLOT/DISTRICT: N/A

3625 MCEVER RD.  
HALL COUNTY, GA

DATE: 10/20/2022  
SCALE: 1"=60'

**OWNER/PERMITTEE**

3625 MCEVER WAY LLC,  
4763 FALLING BROOK DRIVE,  
FLOWERY BRANCH, GA 30542

24 HOUR - EMERGENCY CONTACT  
CHARLEY HIPPLE  
678-859-3482  
chipp@cardinalalliantia.com

REVISIONS	
NO.	DESCRIPTION

Job No. 22-055  
C-1

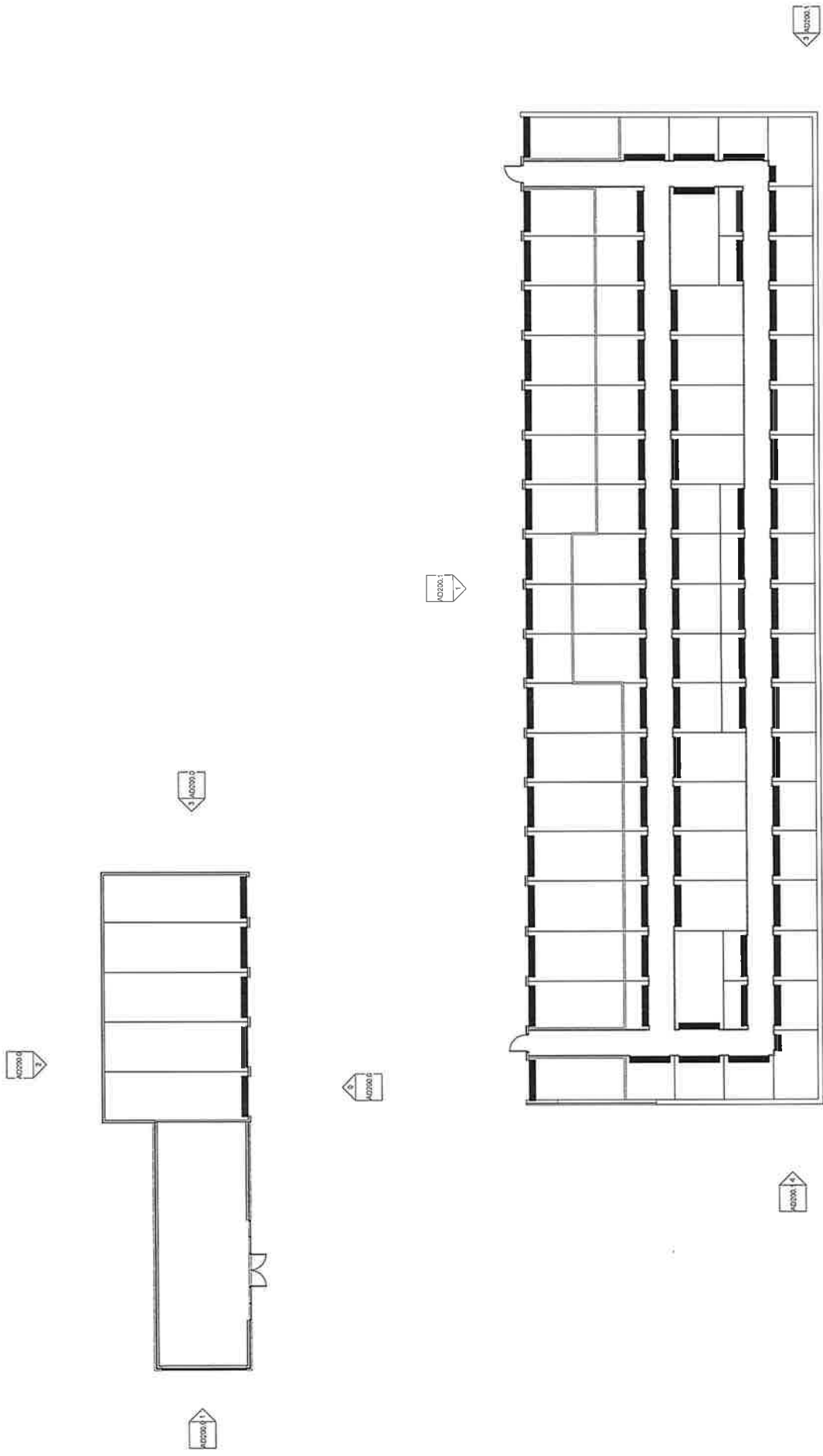
**GEORGIA811**  
www.Georgia811.com

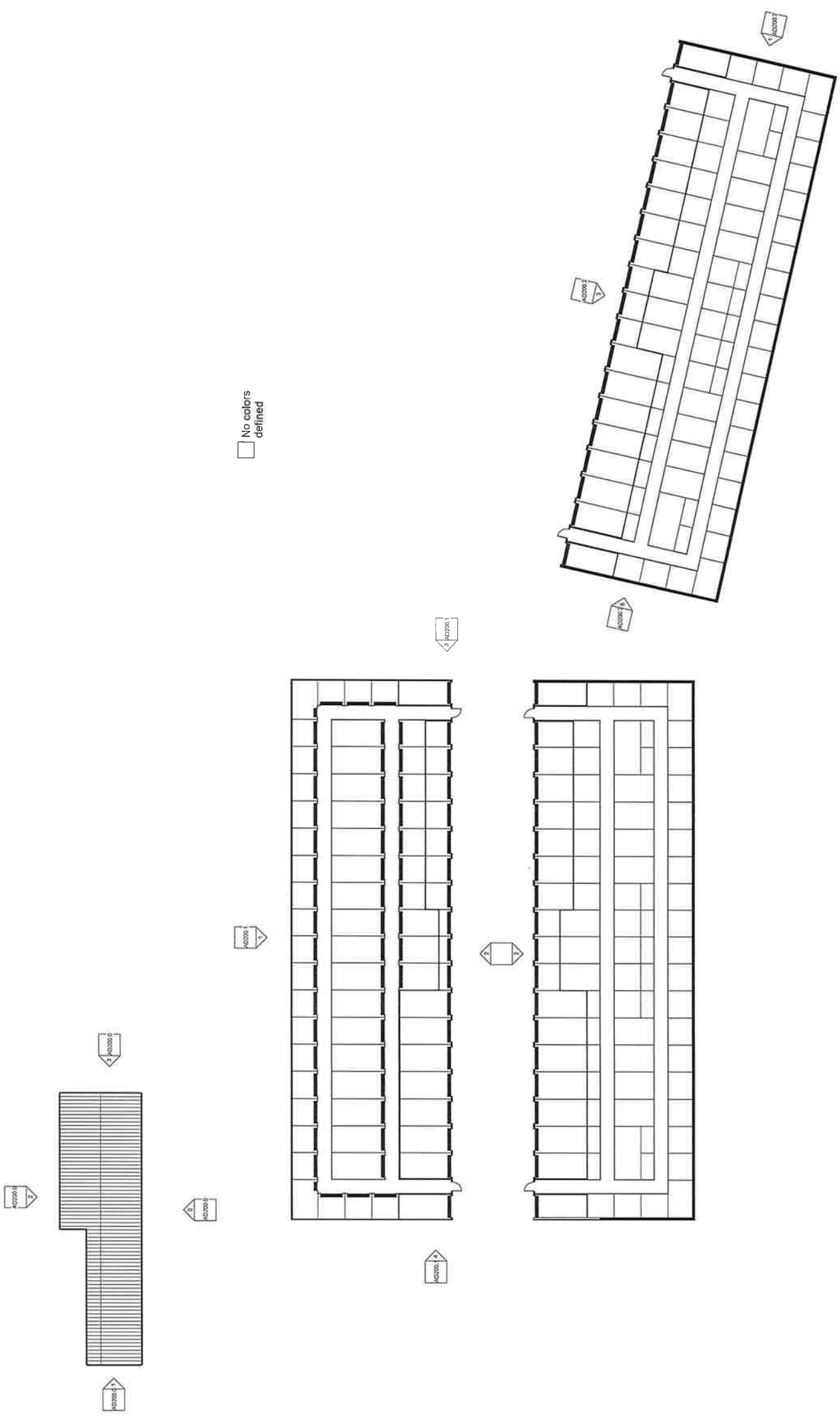


Not for Permit or Construction  
Owner Review Submission

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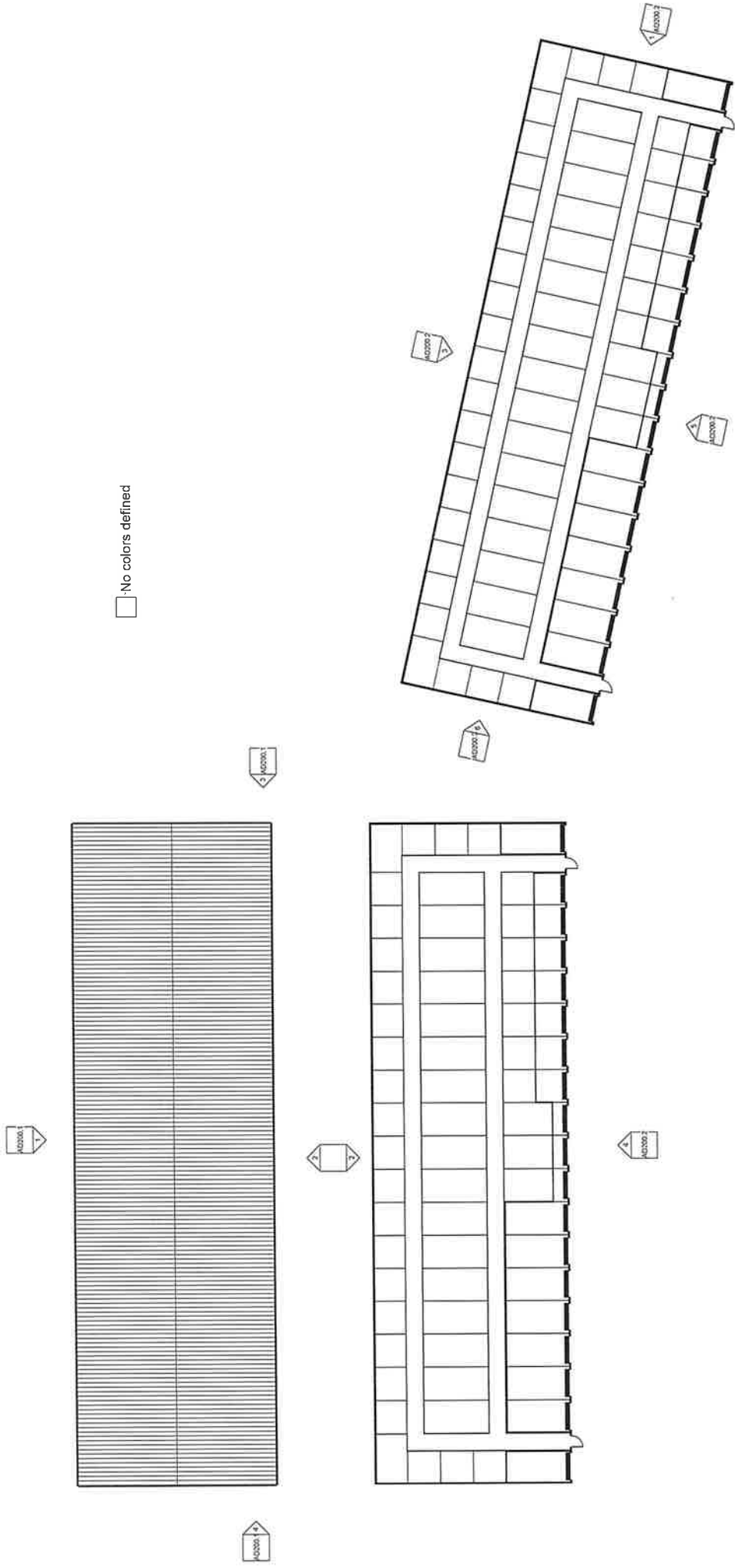
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 State: North Carolina  
 3625 Market Rd  
 High Point, NC 27285

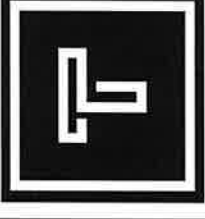






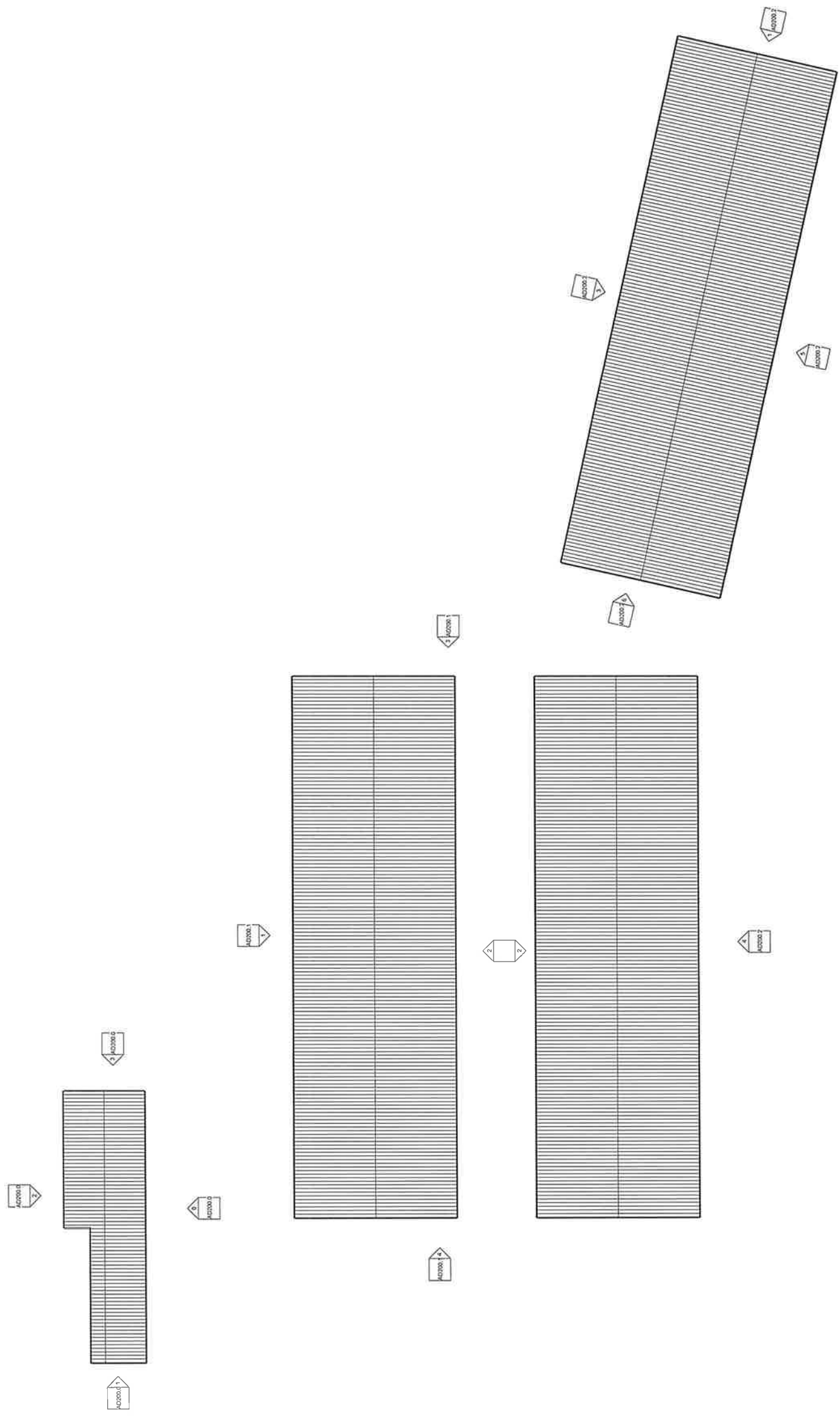
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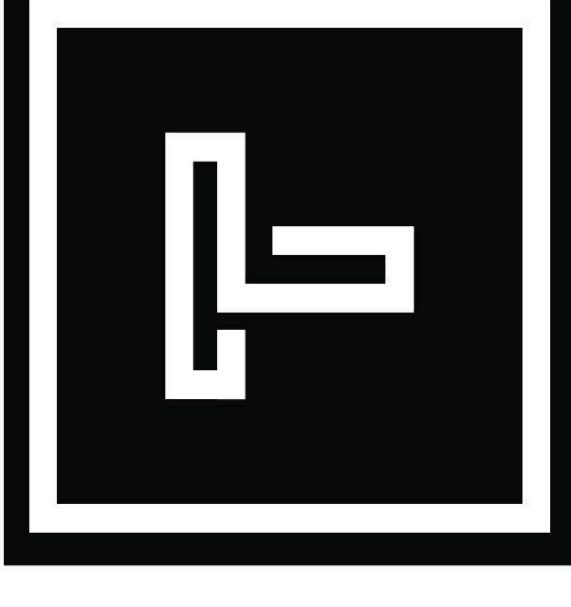




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**Checklist**  
2025 NCEC Re-  
fill County, CA  
Commission Number  
1000000000  
1000000000  
1000000000

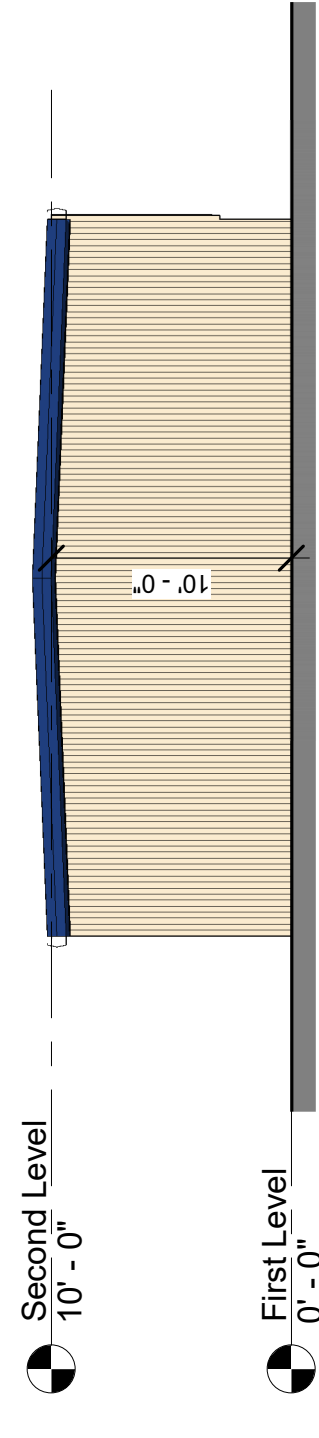




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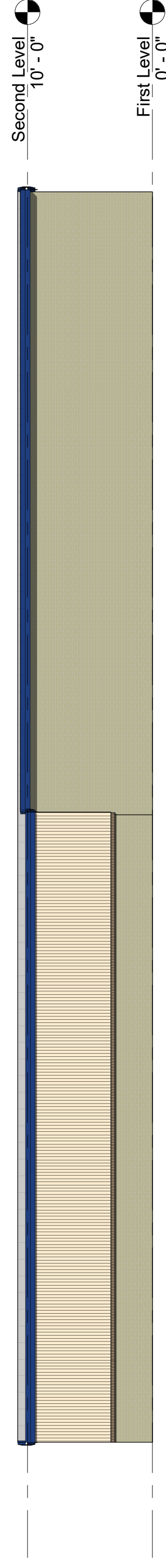
Commission:  
Chase Hopper  
3022 MCF Rd  
Hall County, GA

Commission Number:  
Issue Date:  
10/26/2022x  
Revisions:



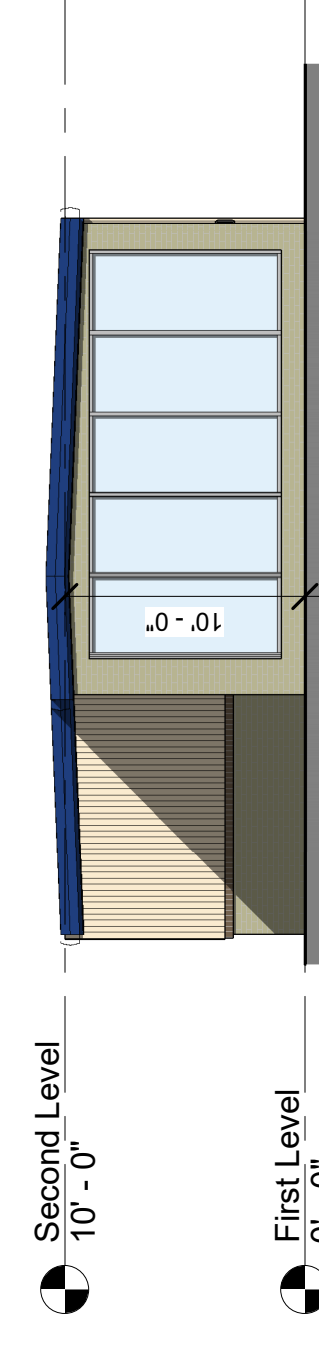
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1/8" = 1'-0"



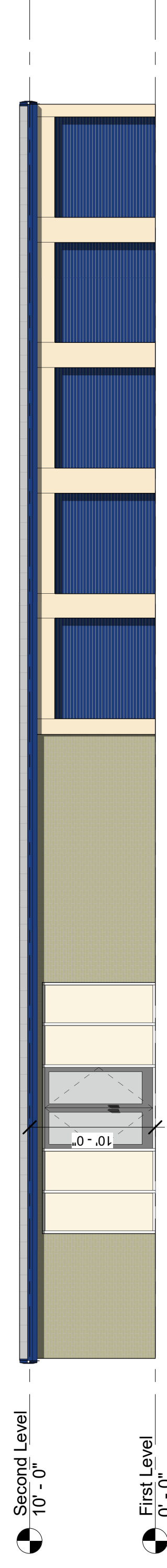
AD200.0.2 - NORTH ELEVATION-OFFICE

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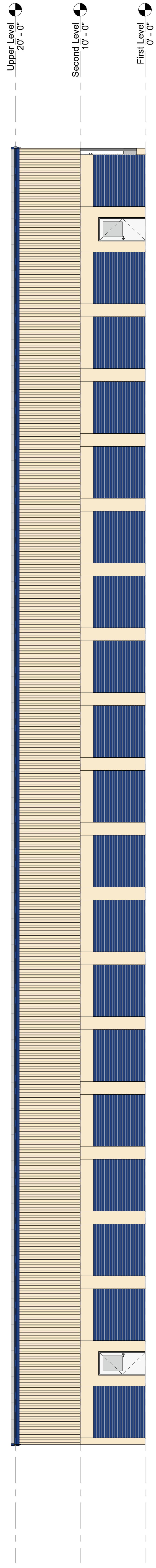
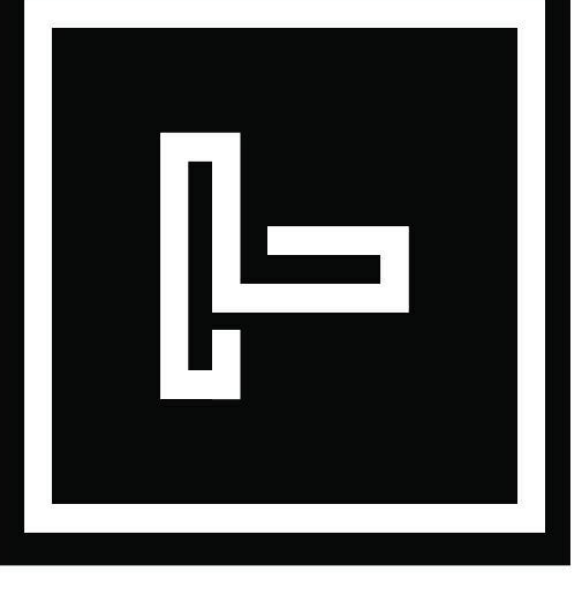
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1/8" = 1'-0"



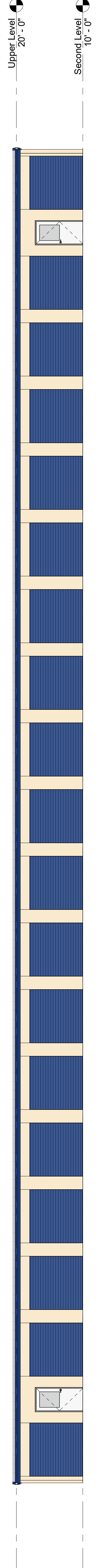
AD200.0.0 - SOUTH ELEVATION-OFFICE

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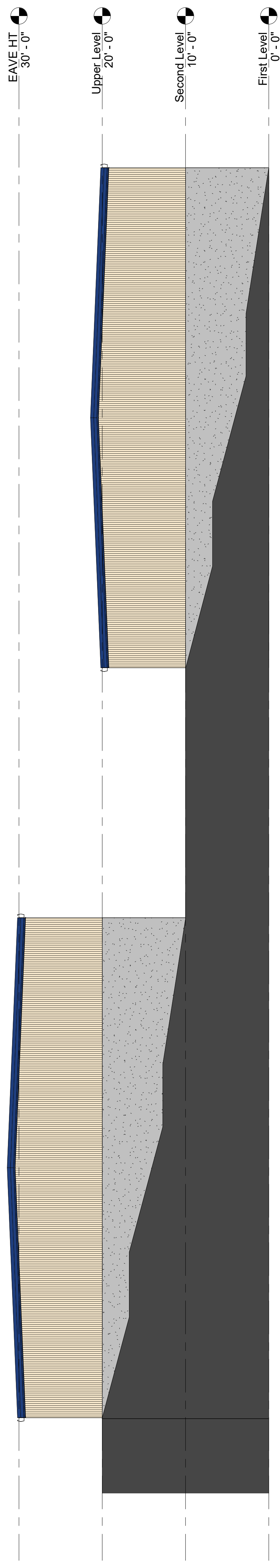
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1/8" = 1'-0"



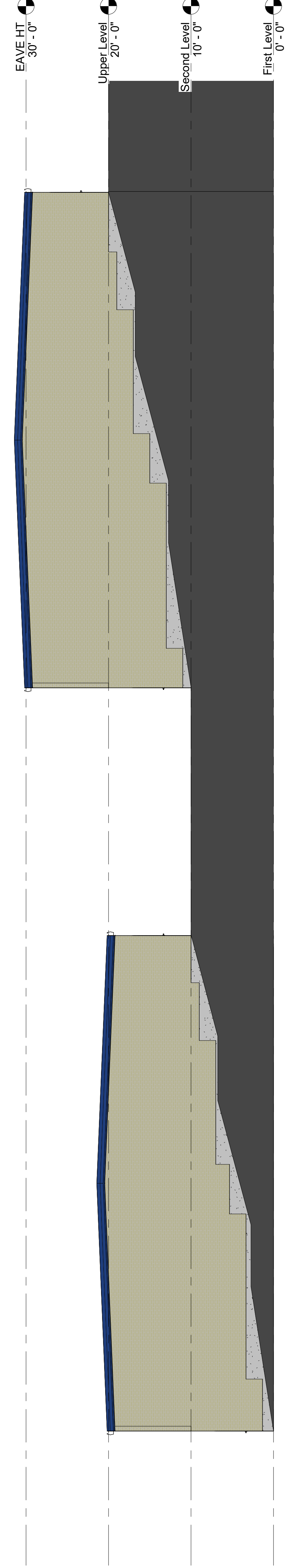
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1/8" = 1'-0"



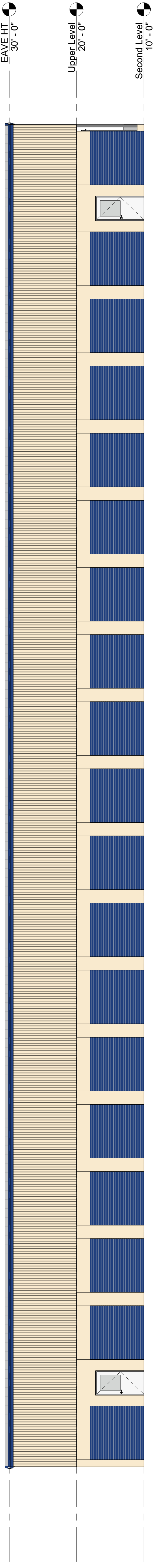
AD200.1.3 - EAST ELEVATION BLDG 1&2

1/8" = 1'-0"



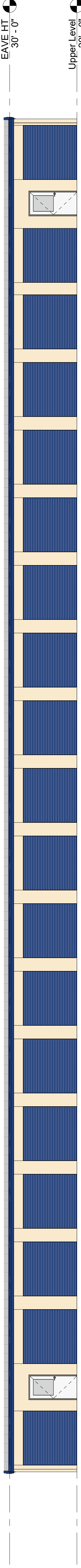
AD200.1.4 - WEST ELEVATION-BLDG 1&2

1/8" = 1'-0"



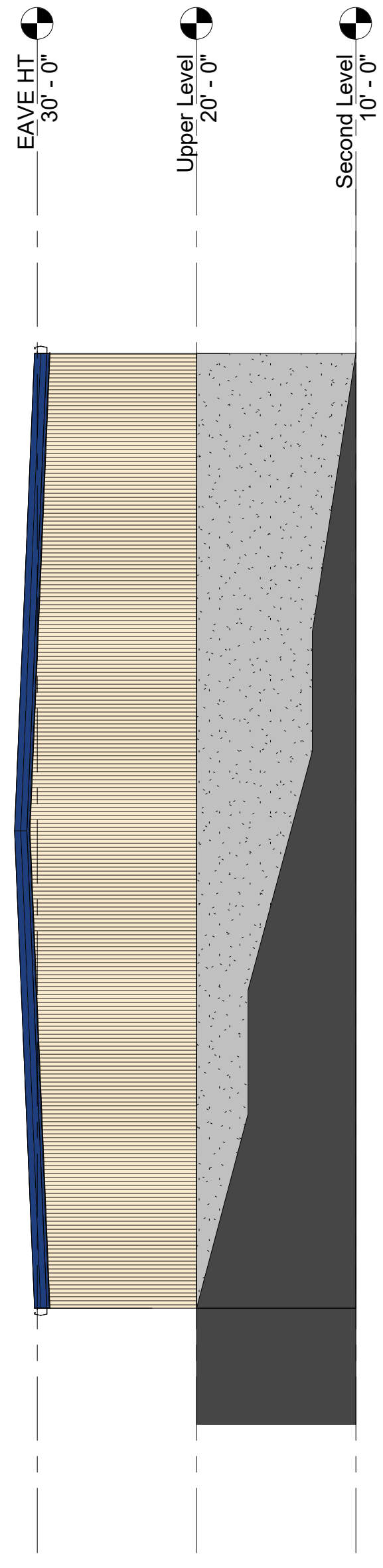
AD200.2.2 - NORTH ELEVATION-BLDG 2

1/8" = 1'-0"



AD200.2.4 - SOUTH ELEVATION-BLDG 2

1/8" = 1'-0"

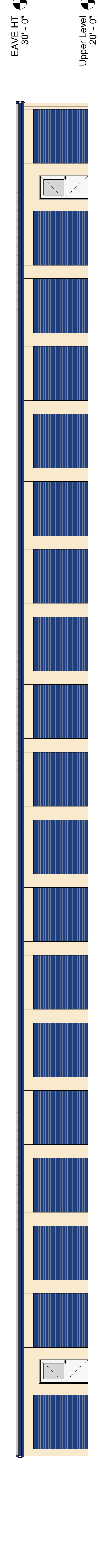


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1/8" = 1'-0"

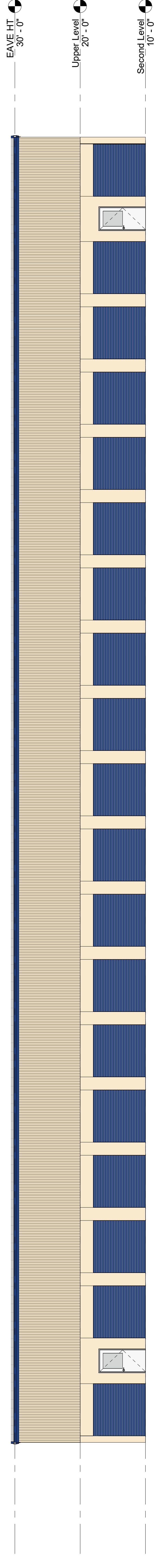
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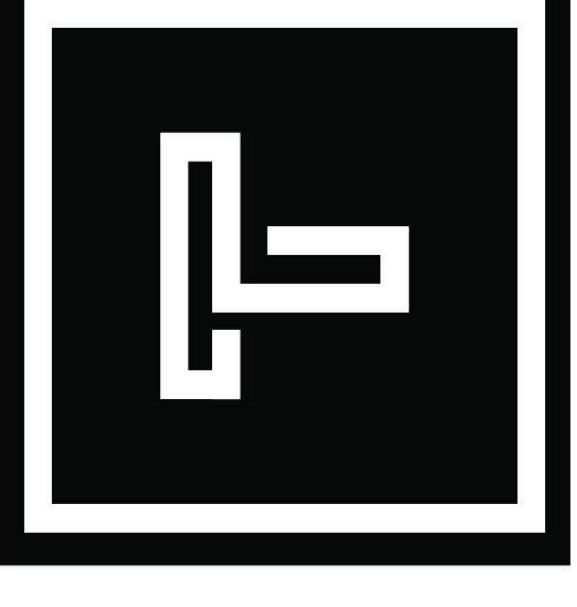
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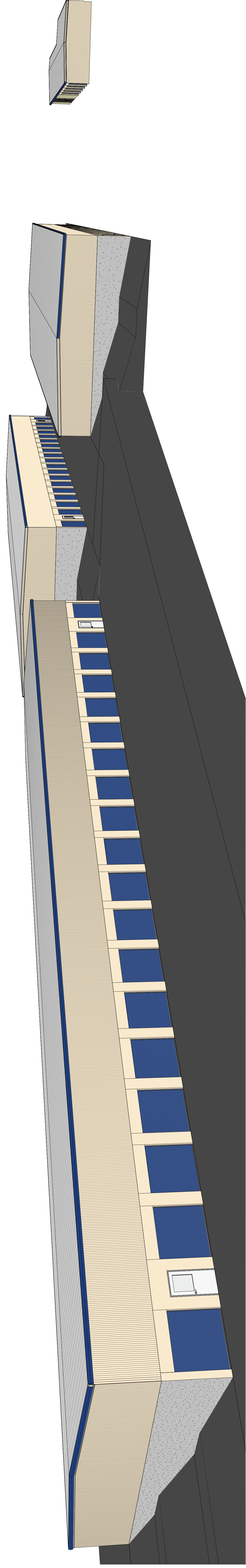
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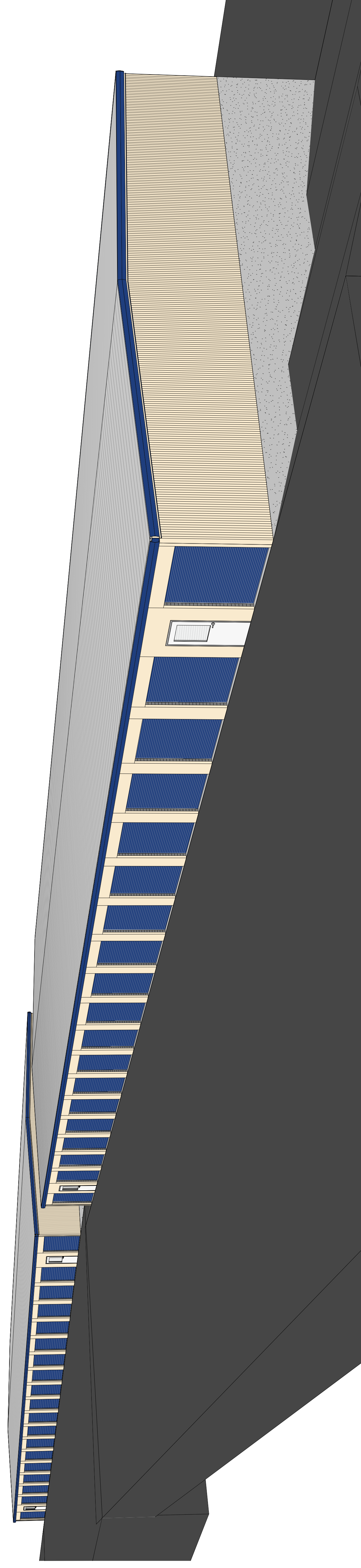








AD201.1.1 - REAR LEFT



AD201.1.2 - REAR RIGHT

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Commission: Chase Hopper  
 3022 MCF Rd  
 Hall County, GA

Commission Number:  
 Issue Date: 10/26/2022  
 Revisions:



**NOTES:**

THIS PROPERTY IS NOT LOCATED WITHIN A FLOOD HAZARD AREA AS PER FIRM FLOOD INSURANCE RATE MAP OF HALL COUNTY, GA. COMMUNITY PANEL NO. 130466 0169 E EFFECTIVE DATE: MARCH 21, 2000.

EQUIPMENT USED FOR MEASUREMENT: TOPCON G.T.S. 303.

IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED, & HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.

**AREA: 11.27 ACRES**

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 54,330 FEET AND AN ANGULAR ERROR OF 00'00"03" PER ANGLE POINT, AND WAS ADJUSTED USING LEAST SQUARES RULE. PARTY: C.P./C.B.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 110,793 FEET.

THIS SURVEY WAS NOT PREPARED FROM THE AID OF A TITLE SEARCH AND IS SUBJECT TO ANY RESTRICTIONS OR EASEMENTS THAT MIGHT BE RECORDED.

THIS PLAT OR SURVEY IS FOR THE EXCLUSIVE USE OF THE PARTY OR PARTIES LISTED UNDER THE CAPTION "SURVEY FOR". ANY THIRD PARTY USE TO BE AT THEIR OWN RISK.

R/W AS PER D.O.T. PROJECT No. STP-190-1 (6) SHEET 4 OF 11 DATED: 4-13-1992 LAST REV. DATE: 10-22-1993

**NOTE "A":**

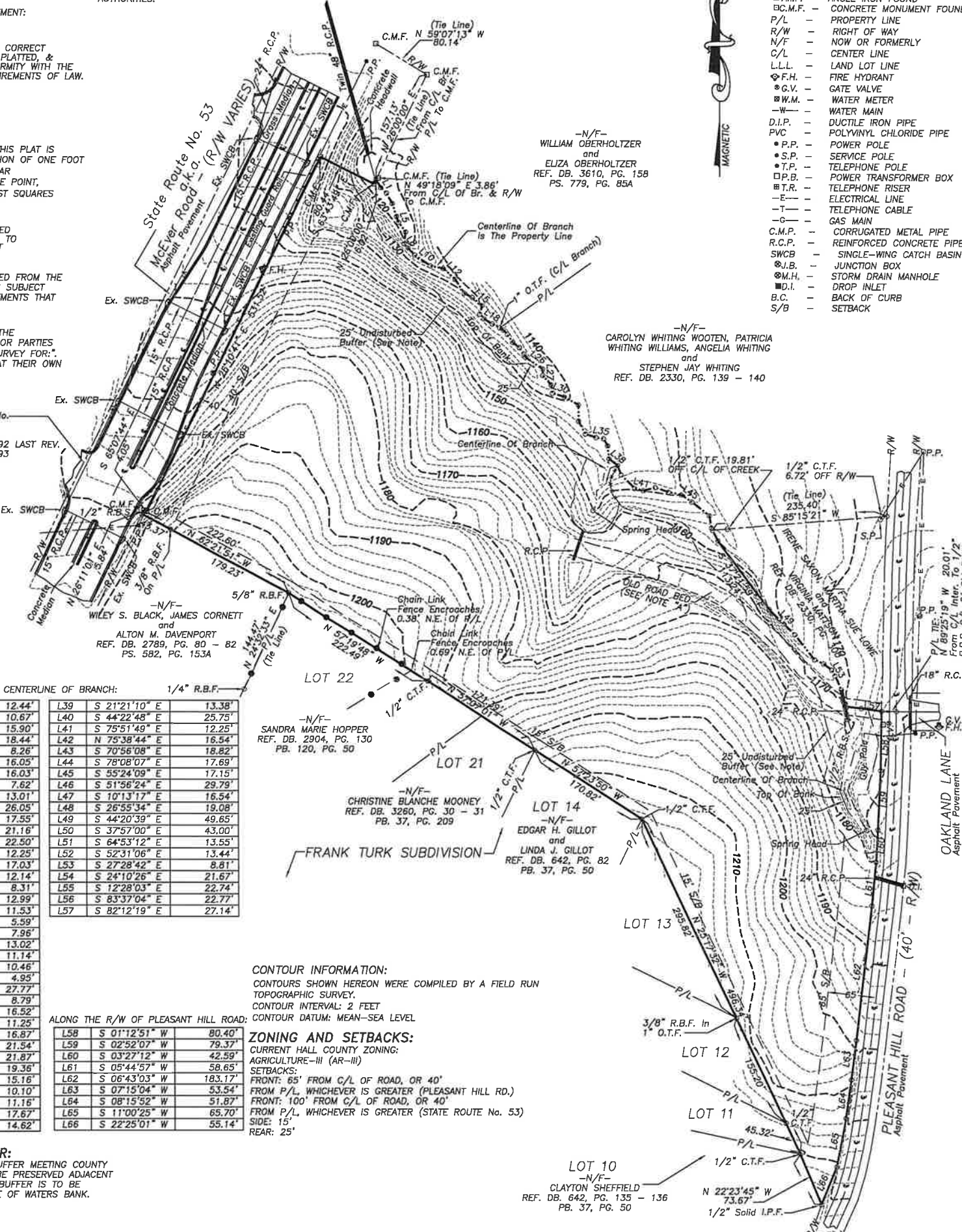
IT IS RECOMMENDED BY THE UNDERSIGNED THAT THE OLD ROAD SHOWN HEREON, (WHICH CONTINUES TO STATE ROUTE No. 53) BE PROPERLY ABANDONED THRU THE ROAD ABANDONMENT PROCEDURES SET FORTH BY HALL COUNTY GOVERNING AUTHORITIES.

**SURVEY REFERENCES:**

1 - DEED BOOK 479, PAGES 168 - 169  
2 - DEED BOOK 503, PAGES 511 - 512

**LEGEND:**

- I.P.F. - IRON PIN FOUND
- C.T.F. - CRIMPED TOP PIN FOUND
- R.B.F. - REBAR PIN FOUND
- R.B.S. - REBAR PIN SET
- O.T.F. - OPEN TOP FOUND
- △ A.I.F. - ANGLE IRON FOUND
- C.M.F. - CONCRETE MONUMENT FOUND
- P/L - PROPERTY LINE
- R/W - RIGHT OF WAY
- N/F - NOW OR FORMERLY
- C/L - CENTER LINE
- L.L.L. - LAND LOT LINE
- F.H. - FIRE HYDRANT
- G.V. - GATE VALVE
- W.M. - WATER METER
- W- - WATER MAIN
- D.I.P. - DUCTILE IRON PIPE
- PVC - POLYVINYL CHLORIDE PIPE
- P.P. - POWER POLE
- S.P. - SERVICE POLE
- T.P. - TELEPHONE POLE
- P.B. - POWER TRANSFORMER BOX
- T.R. - TELEPHONE RISER
- E- - ELECTRICAL LINE
- T- - TELEPHONE CABLE
- G- - GAS MAIN
- C.M.P. - CORRUGATED METAL PIPE
- R.C.P. - REINFORCED CONCRETE PIPE
- SWCB - SINGLE-WING CATCH BASIN
- J.B. - JUNCTION BOX
- S.D.M. - STORM DRAIN MANHOLE
- D.I. - DROP INLET
- B.C. - BACK OF CURB
- S/B - SETBACK



**ALONG THE CENTERLINE OF BRANCH:**

L1	S 32°08'39" E	12.44'	L39	S 21°21'10" E	13.38'
L2	S 45°41'47" E	10.67'	L40	S 44°22'48" E	25.75'
L3	S 29°21'54" E	15.90'	L41	S 75°51'49" E	12.25'
L4	S 18°18'32" E	18.44'	L42	N 75°38'44" E	16.54'
L5	S 18°57'27" E	8.26'	L43	S 70°56'08" E	18.82'
L6	S 36°01'26" E	16.05'	L44	S 78°08'07" E	17.69'
L7	S 06°23'24" W	16.03'	L45	S 55°24'09" E	17.15'
L8	S 41°55'45" E	7.62'	L46	S 51°56'24" E	29.79'
L9	S 43°05'20" E	13.01'	L47	S 10°13'17" E	16.54'
L10	S 55°30'56" E	26.05'	L48	S 26°55'34" E	19.08'
L11	S 78°37'00" E	17.55'	L49	S 44°20'39" E	49.65'
L12	S 47°58'37" E	21.16'	L50	S 37°57'00" E	43.00'
L13	S 33°30'45" E	22.50'	L51	S 64°53'12" E	13.55'
L14	S 63°00'18" E	12.25'	L52	S 52°31'06" E	13.44'
L15	S 50°33'29" E	17.03'	L53	S 27°28'42" E	8.81'
L16	S 14°24'28" W	12.14'	L54	S 24°10'26" E	21.67'
L17	S 41°49'27" E	8.31'	L55	S 12°28'03" E	22.74'
L18	S 58°34'35" E	12.99'	L56	S 63°37'04" E	22.77'
L19	S 63°00'03" E	11.53'	L57	S 82°12'19" E	27.14'
L20	S 60°23'04" E	5.99'			
L21	S 42°47'01" E	7.96'			
L22	S 33°24'33" E	13.02'			
L23	S 52°19'34" E	11.14'			
L24	S 35°33'46" E	10.46'			
L25	S 24°22'30" E	4.95'			
L26	S 56°17'09" E	27.77'			
L27	S 01°52'15" E	8.79'			
L28	S 42°06'06" E	16.52'			
L29	S 09°49'36" E	11.25'			
L30	S 72°00'08" E	16.87'			
L31	S 60°35'59" E	21.54'			
L32	S 00°31'14" E	21.87'			
L33	S 28°30'51" E	19.36'			
L34	S 71°21'52" E	15.16'			
L35	S 81°36'42" E	10.10'			
L36	S 29°17'09" E	11.16'			
L37	S 06°14'45" E	17.67'			
L38	S 51°03'07" E	14.62'			

**ALONG THE R/W OF PLEASANT HILL ROAD:**

L58	S 01°12'51" W	80.40'
L59	S 02°52'07" W	79.37'
L60	S 03°27'12" W	42.59'
L61	S 05°44'57" W	58.65'
L62	S 06°43'03" W	183.17'
L63	S 07°15'04" W	53.54'
L64	S 08°15'52" W	51.87'
L65	S 11°00'25" W	65.70'
L66	S 22°25'01" W	55.14'

**CONTOUR INFORMATION:**

CONTOURS SHOWN HEREON WERE COMPILED BY A FIELD RUN TOPOGRAPHIC SURVEY. CONTOUR INTERVAL: 2 FEET CONTOUR DATUM: MEAN-SEA LEVEL

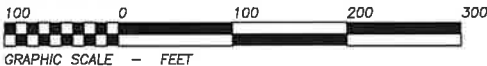
**ZONING AND SETBACKS:**

CURRENT HALL COUNTY ZONING: AGRICULTURE-III (AR-III)  
SETBACKS:  
FRONT: 65' FROM C/L OF ROAD, OR 40'  
FROM P/L, WHICHEVER IS GREATER (PLEASANT HILL RD.)  
FRONT: 100' FROM C/L OF ROAD, OR 40'  
FROM P/L, WHICHEVER IS GREATER (STATE ROUTE No. 53)  
SIDE: 15'  
REAR: 25'

**STATE WATERS BUFFER:**  
AN UNDISTURBED VEGETATIVE BUFFER MEETING COUNTY AND STATE REGULATIONS WILL BE PRESERVED ADJACENT TO ALL STREAMS AND LAKES. BUFFER IS TO BE MEASURED FROM THE TOP EDGE OF WATERS BANK.

**TOPOGRAPHICAL SURVEY FOR:**  
**SADDLE CREEK DEVELOPMENT, LLC**

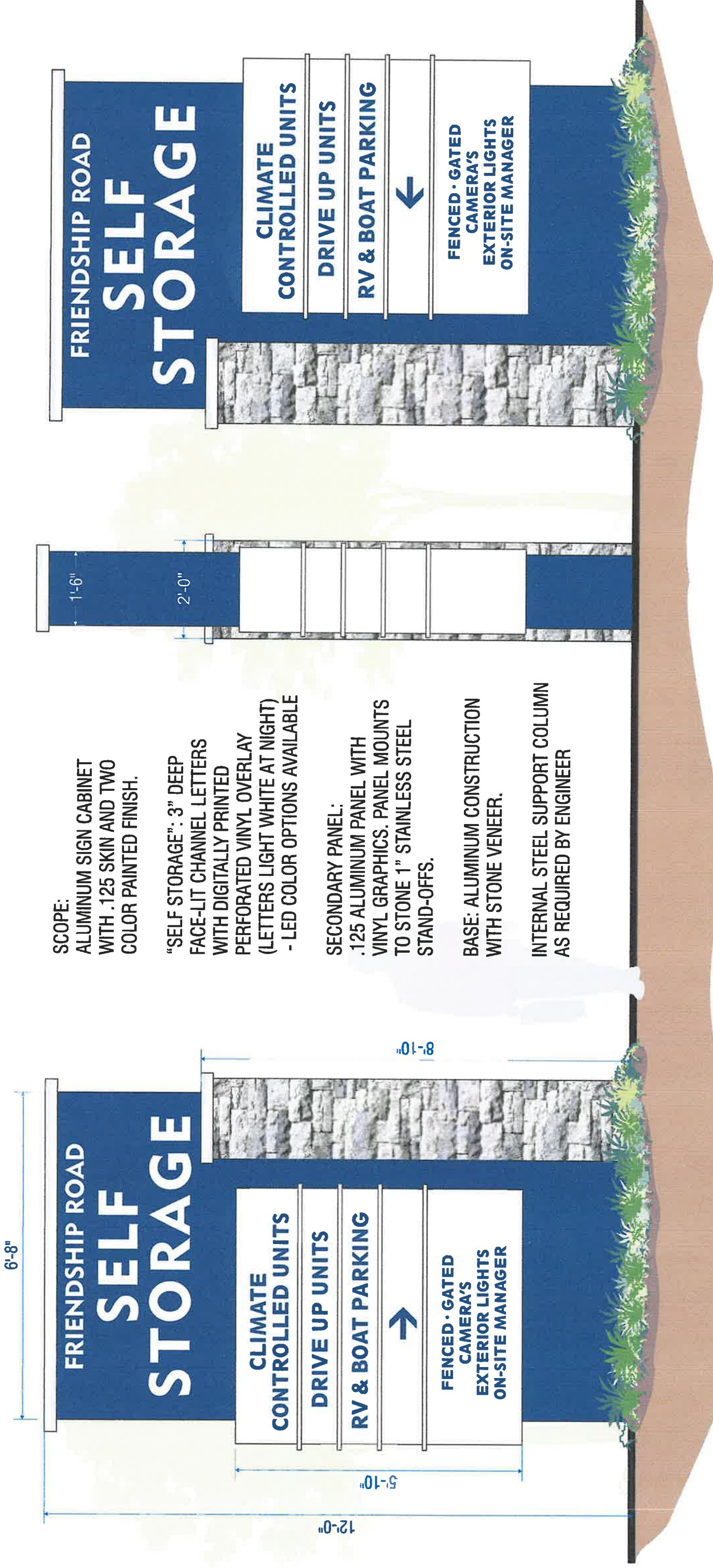
LOCATED IN:  
LAND LOT 32, 8th LAND DISTRICT  
HALL COUNTY, GEORGIA  
SCALE: 1" = 100'  
SURVEY DATE: 01 - 09 - 2004  
PLAT DATE: 09 - 10 - 2004  
REVISED: 09 - 05 - 2006: SHOWN FIELD RUN TOPO



GRAPHIC SCALE - FEET



**Patton - Boyer, Inc.**  
LAND SURVEYORS & CIVIL ENGINEERS  
909 ATLANTA HIGHWAY  
GAINESVILLE, GEORGIA 30501  
1 (877) 807 - 2481  
PHONE (770) 532 - 6492  
FAX (770) 532 - 1995  
P.M. C.M.P. J.N.: 06-091



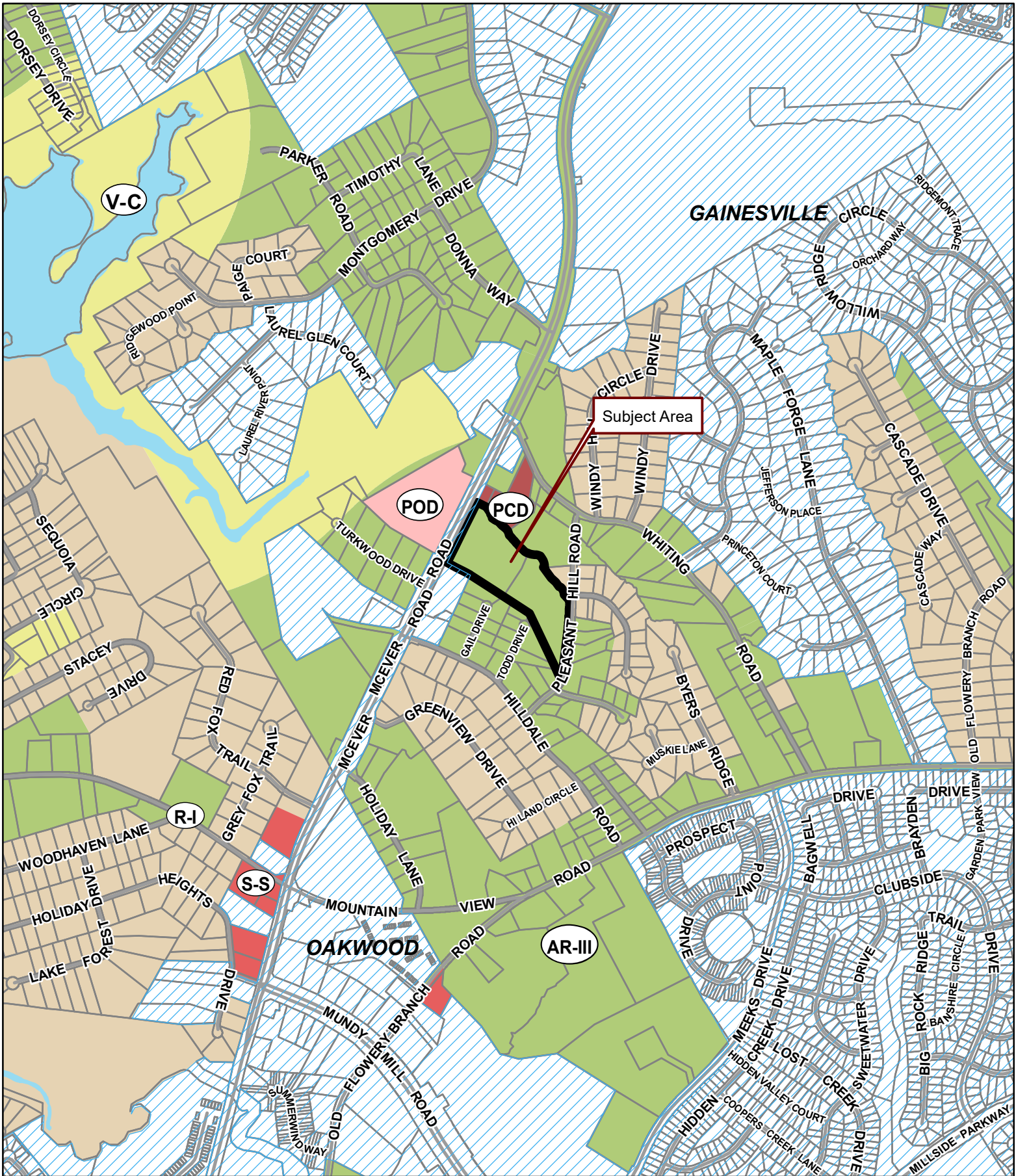
**SCOPE:**  
 ALUMINUM SIGN CABINET WITH .125 SKIN AND TWO COLOR PAINTED FINISH.

**"SELF STORAGE":** 3" DEEP FACE-LIT CHANNEL LETTERS WITH DIGITALLY PRINTED PERFORATED VINYL OVERLAY (LETTERS LIGHT WHITE AT NIGHT) - LED COLOR OPTIONS AVAILABLE

**SECONDARY PANEL:**  
 .125 ALUMINUM PANEL WITH VINYL GRAPHICS. PANEL MOUNTS TO STONE 1" STAINLESS STEEL STAND-OFFS.

**BASE:** ALUMINUM CONSTRUCTION WITH STONE VENEER.

**INTERNAL STEEL SUPPORT COLUMN AS REQUIRED BY ENGINEER**



**Applicant:** 3625 MCEVER ROAD, LLC

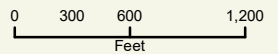
**Tax Parcel #:** 08032 000006, 000021A, & 000080

**Location:** 3625 MCEVER ROAD, OAKWOOD, GA 30566

AND 3634 & 3640 PLEASANT HILL ROAD, GAINESVILLE, GA 30504

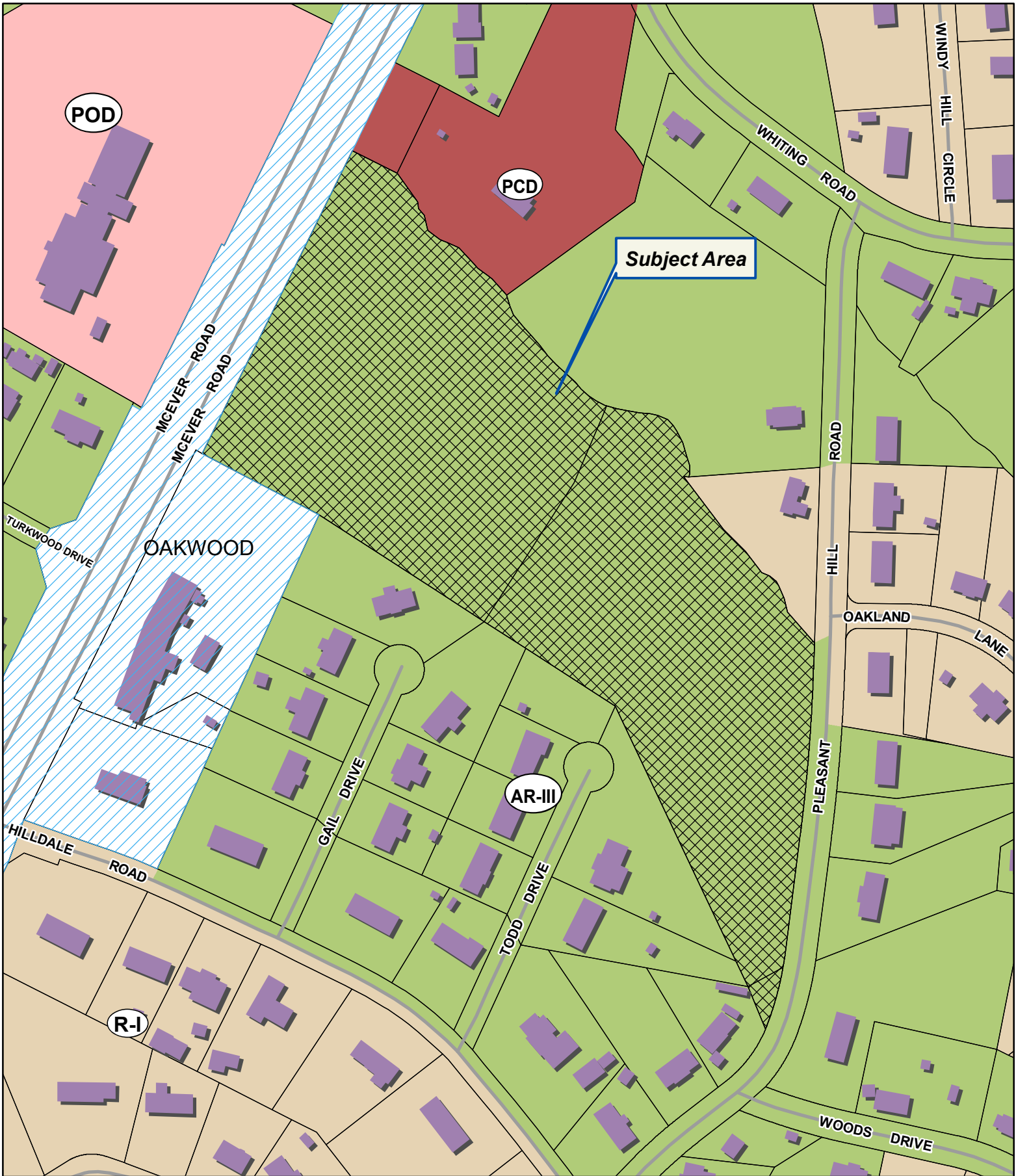
**Commission District 4**

**PC Mtg. Date:** 12/19/2022



- Zoning Boundary
- ▭ City Limits
- ◻ Subject Area
- ◻ Structure





**Applicant:** 3625 MCEVER ROAD, LLC

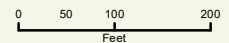
**Tax Parcel #:** 08032 000006, 000021A, & 000080

**Location:** 3625 MCEVER ROAD, OAKWOOD, GA 30566

AND 3634 & 3640 PLEASANT HILL ROAD, GAINESVILLE, GA 30504

**Commission District 4**

**PC Mtg. Date:** 12/19/2022

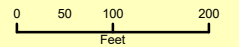





- Zoning Boundary
- ▭ City Limits
- ▨ Subject Area
- Structure





**Applicant:** 3625 MCEVER ROAD, LLC  
**Tax Parcel #:** 08032 000006, 000021A, & 000080  
**Location:** 3625 MCEVER ROAD, OAKWOOD, GA 30566  
 AND 3634 & 3640 PLEASANT HILL ROAD, GAINESVILLE, GA 30504  
**Commission District 4**      **PC Mtg. Date:** 12/19/2022



-  Zoning Boundary
-  City Limits
-  Subject Area







**SAFE SECURE**  
SELF STORAGE

**SAFE SECURE**  
SELF STORAGE









SAFE  
SECURE  
SELF STORAGE





SAFE SECURE  
SELF STORAGE

EK 792776115

FILED  
HALL CO., GA.

17 JUN 21 PM 12:58

CHARLES BAKER, CLERK  
SUPERIOR COURT

LK

HALL COUNTY, Georgia  
Real Estate Transfer Tax

Paid \$ 220<sup>00</sup>

Date 6-21-17

Charles Baker  
Superior Court Clerk  
By LK

PT61 069- 2017-004525

After Recording Return To:

MAHAFFEY PICKENS TUCKER, LLP  
1550 North Brown Road, Suite 125  
Lawrenceville, Georgia 30043  
File # 1001-3217 (KOF/brp)



**LIMITED WARRANTY DEED**

STATE OF GEORGIA

COUNTY OF GWINNETT

THIS INDENTURE, Made the 15<sup>th</sup> day of June, in the year of our Lord two thousand and seventeen, between

THE BRAND BANKING COMPANY, a Georgia banking corporation

of the County of Gwinnett, and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and

3625 MCEVER ROAD, LLC, a Georgia limited liability company

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATIONS (\$10.00) in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 32 of the 8<sup>th</sup> District, Hall County, Georgia, and being more particularly described on Exhibit "A" attached hereto and made a part hereof.

Said property is conveyed subject to those permitted title exceptions set forth on Exhibit "B" attached hereto and made a part hereof by this reference.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of Grantor and all others claiming by, through or under Grantor.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

Signed, sealed and delivered  
in the presence of:

GRANTOR  
THE BRAND BANKING COMPANY

*[Handwritten signature]*

Unofficial Witness

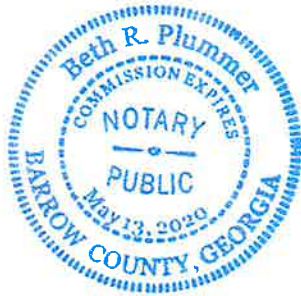
By: *[Handwritten signature]*

B. Scott Longshore, Sr. Vice President

*[Handwritten signature]*

Notary Public

[BANK SEAL]





**EXHIBIT "A"****Legal Description**

All that tract or parcel of land lying and being in Land Lot 32, 8<sup>th</sup> Land District, Hall County, Georgia, consisting of 10.73 acres, more or less, as more particularly shown on that Survey for Saddle Creek Development, LLC, dated January 9, 2004, prepared by Chris M. Patton, RLS No. 2647, and being more particularly described according to said survey as follows:

To find the true point of beginning, locate the intersection of the centerline of Pleasant Hill Road (40 foot right of way) and Oakland Lane, thence proceed North 89 degrees 25 minutes 19 seconds West 20.01 feet to a ½ inch rebar set in on the Westerly right of way of Pleasant Hill Road, the same being the true point of beginning.

From the TRUE POINT OF BEGINNING proceed in a Southerly direction along the Westerly right of way of Pleasant Hill Road the following courses and distances: South 01 degrees 12 minutes 51 seconds West 80.40 feet to a point; South 02 degrees 52 minutes 07 seconds West 79.37 feet to a point; South 03 degrees 27 minutes 12 seconds West 42.59 feet to a point; South 05 degrees 44 minutes 57 seconds West 58.65 feet to a point; South 06 degrees 43 minutes 03 seconds West 183.17 to a point; South 07 degrees 15 minutes 14 seconds West 53.54 feet to a point; South 08 degrees 15 minutes 52 seconds West 51.87 feet to a point; South 11 degrees 00 minutes 25 seconds West 65.70 feet to a point; South 22 degrees 25 minutes 01 seconds West 55.14 feet to ½ inch solid iron pin found on the Westerly right of way of Pleasant Hill Road; thence leaving said right of way and proceeding North 22 degrees 23 minutes 45 seconds West 73.67 feet to a ½ inch crimp top found; thence proceeding North 25 degrees 17 minutes 32 seconds West 496.34 feet to a ½ inch crimp top found; thence proceeding North 57 degrees 23 minutes 50 seconds West 170.82 feet to a ½ inch crimp top found; thence proceeding North 57 degrees 14 minutes 14 seconds West 393.88 feet to a 5/8 inch rebar found; thence proceeding North 62 degrees 21 minutes 51 seconds West 222.60 feet to a ½ inch rebar set along the Easterly right of way of State Rt. No. 53 (a/k/a McEver Road) (right of way varies); thence along said right of way North 26 degrees 11 minutes 01 seconds East 5.84 feet to a concrete monument found; thence proceeding South 65 degrees 07 minutes 44 seconds East 4.05 feet to a concrete monument found; thence proceeding along the Easterly right of way of said State Rt. No. 53 North 26 degrees 10 minutes 41 seconds East 531.52 feet to a concrete monument found along said right of way; thence leaving said right of way and proceeding South 63 degrees 43 minutes 49 seconds East 80.44 feet to a concrete monument found; thence proceeding North 26 degrees 00 minutes 00 seconds East 6.02 feet to a point in the centerline of a branch; thence continuing along the centerline of said branch the following courses and distances: South 32 degrees 08 minutes 39 seconds East 12.44 feet to a point; South 45 degrees 41 minutes 47 seconds East 10.67 feet to a point; South 29 degrees 21 minutes 54 seconds East 15.90 feet to a point; South 18 degrees 18 minutes 32 seconds East 18.44 feet to a point; South 18 degrees 57 minutes 27 seconds East 8.26 feet to a point; South 36 degrees 01 minutes 26 seconds East 16.05 feet to a point; South 06 degrees 23 minutes 24 seconds West 16.03 feet to a point; South 41 degrees 55 minutes 45 seconds East 7.62 feet to a point; South 43 degrees 05 minutes 20 seconds East 13.01 feet to a point; South 55 degrees 30 minutes 56 seconds East 26.05 feet to a point; South 78 degrees 37 minutes 00 seconds East 17.55 feet to a point; South 47 degrees 58 minutes 37 seconds East 21.16 feet to a point; South 33 degrees 30 minutes 45 seconds East 22.50 feet to a

point; South 63 degrees 00 minutes 18 seconds East 12.25 feet to a point; South 50 degrees 33 minutes 29 seconds East 17.03 feet to a point; South 14 degrees 24 minutes 28 seconds West 12.14 feet to a point; South 41 degrees 49 minutes 27 seconds East 8.31 feet to a point; South 58 degrees 34 minutes 35 seconds East 12.99 feet to a point; South 63 degrees 00 minutes 03 seconds East 11.53 feet to a point; South 60 degrees 23 minutes 04 seconds East 5.59 feet to a point; South 42 degrees 47 minutes 01 seconds East 7.96 feet to a point; South 33 degrees 24 minutes 33 seconds East 13.02 feet to a point; South 52 degrees 19 minutes 34 seconds East 11.14 feet to a point; South 35 degrees 33 minutes 46 seconds East 10.46 feet to a point; South 24 degrees 22 minutes 30 seconds East 4.95 feet to a point; South 56 degrees 17 minutes 09 seconds East 27.77 feet to a point; South 01 degrees 52 minutes 15 seconds East 8.79 feet to a point; South 42 degrees 06 minutes 06 seconds East 16.52 feet to a point; South 09 degrees 49 minutes 36 seconds East 11.25 feet to a point; South 72 degrees 00 minutes 08 seconds East 16.87 feet to a point; South 60 degrees 35 minutes 59 seconds East 21.54 feet to a point; South 00 degrees 31 minutes 14 seconds East 21.87 feet to a point; South 28 degrees 30 minutes 51 seconds East 19.36 feet to a point; South 71 degrees 21 minutes 52 seconds East 15.16 feet to a point; South 81 degrees 36 minutes 42 seconds East 10.10 feet to a point; South 29 degrees 17 minutes 09 seconds East 11.16 feet to a point; South 06 degrees 14 minutes 45 seconds East 17.67 feet to a point; South 51 degrees 03 minutes 07 seconds East 14.62 feet to a point; thence leaving the centerline of said branch and proceeding South 18 degrees 00 minutes 59 seconds West 121.84 feet to a ½ inch rebar set in the centerline of an old road; thence proceeding along the centerline of said old road the following courses and distances: South 73 degrees 23 minutes 13 seconds East 2.18 feet to a nail found; thence South 76 degrees 31 minutes 10 seconds East 35.04 feet to a point; South 74 degrees 10 minutes 18 seconds East 40.72 feet to a point; South 72 degrees 29 minutes 43 seconds East 40.46 feet to a point; South 69 degrees 22 minutes 50 seconds East 39.30 feet to a point; South 64 degrees 18 minutes 52 seconds East 29.07 feet to a point; South 54 degrees 56 minutes 51 seconds East 27.62 feet to a point; South 48 degrees 33 minutes 59 seconds East 40.41 feet to a point; South 46 degrees 05 minutes 10 seconds East 51.58 feet to a point; South 40 degrees 48 minutes 14 seconds East 40.75 feet to a point; South 46 degrees 42 minutes 41 seconds East 41.86 feet to a point; South 58 degrees 37 minutes 55 seconds East 22.63 feet to a point; South 83 degrees 37 minutes 04 seconds East 22.77 feet to a point; South 82 degrees 12 minutes 19 seconds East 27.14 feet to a ½ inch rebar set on the Westerly right of way of Pleasant Hill Road, the same being the true point of beginning.

**EXHIBIT "B"**

**Permitted Title Exceptions**

1. All general and special taxes and assessments for the year 2017 and subsequent years, liens not yet due and payable and any additional taxes, interest and/or penalties which may be assessed for prior tax years by virtue of adjustment, re-appraisal, re-assessment, appeal or other amendment to the tax records of the city or county in which the subject property is located.
2. Department of Transportation Easement date July 22, 1993, recorded in Deed Book 2000, Page 94, Hall County Records.
3. Easement from Mrs. Annie Whiting, et al. to Atlanta Gas Light Company, dated October 31, 1966 and recorded at Deed Book 339, Page 91, aforesaid records.
4. Easement to Hall County dated January 31, 1967, recorded in Deed Book 343, Page 134, aforesaid records.
5. Matters shown on that survey for Saddle Creek Development, LLC dated September 10, 2004 prepared by Chris M. Patton, RLS No. 2647, to include without limitation the following: (a) Chain link fence encroachments along southwestern boundary; (b) Rights of others in and to use of old road, centerline of which forms a portion of northern boundary of subject property; (c) Rights of others in and to free flow of waters in the branch forming portion of northern boundary of subject property, free from diminution and pollution; (d) 40 foot setback line from western boundary; (e) 25 foot undisturbed vegetated buffer measured from the top edge of the waters bank along said branch; (f) 15 foot setbacks along southwestern and southern boundaries; (g) 65 foot setback along eastern boundary measured from centerline of Pleasant Hill Road; (h) 24 inch reinforced concrete pipe intersecting northern boundary where centerline of old road forms boundary; (i) guypole; (j) power poles, fire hydrant, reinforced concrete pipe, and existing single wing catch basins.

## Anael Dominguez (Planning)

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**From:** Emily McGahee (Environmental Health)  
**Sent:** Friday, December 2, 2022 4:07 PM  
**To:** Anael Dominguez (Planning); Randi Doveton (Planning)  
**Cc:** Kelly Hairston (Environmental Health); Chad Harper (Environmental Health)  
**Subject:** HCPC Tentative Agenda 12.19.22

Please find Environmental Health comments below:

Item 1, 2621 Commander Drive, Brumbalow: Level 3 soil evaluation required prior to application for septic expansion permit, septic replacement permit, or existing system evaluation to use existing system for new construction. Level 3 soil evaluation should be performed for entire property. Environmental Health requirements discussed with applicant on 11.18.22.

Item 2, 4562 Wahoo Drive, Thompson: Any proposed additions must meet all residential permitting requirements. A site visit will be required for Environmental Health to determine location of existing septic system in regards to any proposed additions as no septic records are on file for the property. Due to limited area available on the lot, no additional bedrooms can be permitted with any proposed construction.

Item 3, 6016 Lanier Islands Pkwy, Fisher: Must meet all Environmental Health commercial septic system permitting requirements if plumbing proposed for any part of the property. A detailed business plan must be submitted to Hall County Environmental Health for review. Please be advised that proposed buildings shown in attached site plan appear to be over existing, unapproved septic system drainline, which is plastic chamber.

Item 4, 3625 McEver Road, 3625 McEver Road, LLC: 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, and septic system installation may be required after review of business plan.

Emily McGahee  
Hall County Environmental Health  
Hall County Government Center  
2875 Browns Bridge Road  
Mailing: PO Box 5901  
Gainesville, GA 30504  
(770) 531-3973  
(770) 531-6767 (fax)

<http://dph.georgia.gov/environmental-health> (State Website)  
<http://www.phdistrict2.org/HallCounty.htm> (District Website)  
<http://www.hallcounty.org/devserv/environmental.asp> (County Website & Forms)

## Anael Dominguez (Planning)

---

**From:** Peevy, Jonathan <jpeevy@dot.ga.gov>  
**Sent:** Wednesday, November 23, 2022 11:51 AM  
**To:** Anael Dominguez (Planning)  
**Cc:** Niebauer, Parker J  
**Subject:** RE: Tentative Planning Agenda for December 19, 2022

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

The following will require GDOT coordination:

- 6016 Lanier Islands Parkway
- 3625 McEver Road

### Jonathan Peevy, P.E.

*Assistant District Traffic Engineer*



District 1 Traffic Operations  
1475 Jesse Jewell Pkwy  
Suite 100  
Gainesville, GA, 30501  
770.533.8276 office

---

**From:** Anael Dominguez (Planning) <adominguez@hallcounty.org>  
**Sent:** Wednesday, November 23, 2022 11:26 AM  
**To:** Becky Ruffner (Parks & Leisure) <bruffner@hallcounty.org>; Bill Nash (Public Works) <bnash@hallcounty.org>; Bill Schmid <weschmid@rochester-assoc.com>; Brandi Smith (Business License) <bsmith@hallcounty.org>; Bryan Cash (Fire Services) <bcash@hallcounty.org>; Chad Harper (Environmental Health) <charper@hallcounty.org>; Chris Braswell (Planning) <cbraswell@hallcounty.org>; Christopher Armstrong (Fire Services) <carmstrong@hallcounty.org>; Dan Barnes <Daniel.C.Barnes@usace.army.mi>; Ellis Still (Planning) <estill@hallcounty.org>; Emily McGahee (Environmental Health) <emcgahee@hallcounty.org>; Frank Miller (Engineering) <fmiller@hallcounty.org>; Dykes, Jason <jdykes@dot.ga.gov>; Jason Skarda (Engineering) <jskarda@hallcounty.org>; Jeremy Wills <jeremy.wills@gainesville.org>; John Hornick (Fire Services) <jhornick@hallcounty.org>; Peevy, Jonathan <jpeevy@dot.ga.gov>; Kelly Hairston (Environmental Health) <khairston@hallcounty.org>; Matt Cox <matt.cox@hallco.org>; Michael Vieira (Fire Services) <mvieira@hallcounty.org>; Nicole Griffin (Tax Assessors) <nicole.griffin@hallcounty.org>; nswafford (nswafford@gainesvillega.org) <nswafford@gainesvillega.org>; Pam Cravero <Pam.Cravero@hallco.org>; Niebauer, Parker J <PNiebauer@dot.ga.gov>; Randi Doveton (Planning) <rdoveton@hallcounty.org>; rich <rich@flowerybranchga.org>; Scott Puckett <spuckett@hallcounty.org>; Srikanth Yamala (Public Works) <syamala@hallcounty.org>; Stephen Cain <troy.s.cain@usace.army.mil>; Steve Watson (Real Property) <rswatson@hallcounty.org>; Tammie Croy (Engineering) <tcroy@hallcounty.org>; Tracy Gilreath (Tax Assessors) <tgilreath@hallcounty.org>; Wanda Moreno (Engineering) <wmoreno@hallcounty.org>; Wanda Sutton (Engineering) <wsutton@hallcounty.org>; will schofield <will.schofield@hallco.org>  
**Subject:** Tentative Planning Agenda for December 19, 2022

Good afternoon –

Here is the Tentative Agenda and Maps for the **Monday, December 19<sup>th</sup>, 2022** Hall County Planning Commission Meeting.

Please use the links to review the documents and respond with comments to Hall County Planning and Development. Failure to provide comments in a timely manner may result in the information not being included in the staff report.

**When submitting comments, please include the name of the applicant along with the address of the property with the corresponding comment.**

Comments are due by **Thursday, December 1<sup>st</sup>**. Email comments to Randi ([rdoveton@hallcounty.org](mailto:rdoveton@hallcounty.org)) and Ana ([adominguez@hallcounty.org](mailto:adominguez@hallcounty.org)).

## **CALL TO ORDER**

## **AGENDA REVIEW**

## **APPROVAL OF MINUTES – December 5, 2022**

## **NEW BUSINESS**

1. [2621 Commander Drive | Variance | for a right side yard setback variance from 15 feet to 9 feet and a left side yard setback variance from 15 feet to 9 feet on a .41± acre tract located on the south side of Commander Drive approximately 230 feet from its intersection with Lee Land Road | Zoned AR-III; Tax Parcel 15030 002029 | Proposed use: mobile home | \\* Commission District 4 | Bobby Brumbelow, applicant.](#)
2. [4562 Wahoo Drive | Variance | for a rear yard setback variance from 10 feet to 0 feet on a .48± acre tract located at the terminus of Wahoo Drive | Zoned V-C; Tax Parcel 11037 000001 | Proposed use: existing home | \\* Commission District 3 | Kim & Steve Thompson, applicant.](#)
3. [6016 Lanier Islands Parkway | Amend Conditions | of a Highway-Business \(H-B\) on a 9.65± acre tract located on the west side of Lanier Islands Parkway approximately 492 feet from its intersection with Beards Road | Zoned H-B; Tax Parcel 07330 001004 | Proposed use: boat & RV storage | \\*\\* Commission District 2 | Jan Fisher, applicant.](#)
4. [3625 McEver Road, 3634 & 3640 Pleasant Hill Road | Rezone | from Agricultural-Residential-III \(AR-III\) to Planned Commercial Development \(PCD\) on a 11.36± acre tract located on the east side of McEver Road approximately 626 feet from its intersection with Whittling Road | Zoned AR-III; Tax Parcel 08032 000006, 000021A, & 000080 | Proposed use: self-storage facility | \\*\\* Commission District 4 | 3625 McEver Road, LLC, applicant.](#)

\*The Planning Commission's decision will be the final action taken unless appealed to the Board of Commissioners. To do so, file an application with the Planning Department within five working days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing **Thursday, January 26, 2023** at 6:00 p.m. at the Hall County Government Center, 2<sup>nd</sup> Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

\*\*The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on **Thursday, January 26, 2023**. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2<sup>nd</sup> Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,  
Ana Dominguez  
Planning Commission Clerk  
Hall County Government  
2875 Browns Bridge Road, Gainesville, GA 30504  
[www.hallcounty.org](http://www.hallcounty.org) | 770-531-6810



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Georgia is a state of natural beauty. And it's a state that spends millions each year cleaning up litter that not only mars that beauty, but also affects road safety, the environment and the economy. Do your part – don't litter. How can you play an active role in protecting the splendor of the Peach State? Find out at <http://keepgaclean.com/>.



POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

SRIKANTH YAMALA  
Director

BILL NASH, P.E.  
Assistant Director

FRANKLIN P. MILLER, P.E.  
County Engineer

# Hall County Government

PUBLIC WORKS AND UTILITIES  
ENGINEERING DIVISION

## MEMORANDUM

**To:** Randi Doveton, Director of Planning and Development  
**From:** Srikanth Yamala, Director of Public Works and Utilities  
**Date:** December 1, 2022  
**Subject:** December 19, 2022 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the December 19, 2022 meeting. Upon review, we provide the following comments.

### NEW BUSINESS

1. [2621 Commander Drive | Variance | for a right side yard setback variance from 15 feet to 9 feet and a left side yard setback variance from 15 feet to 9 feet on a .41± acre tract located on the south side of Commander Drive approximately 230 feet from its intersection with Lee Land Road | Zoned AR-III; Tax Parcel 15030 002029 | Proposed use: mobile home | \\* Commission District 4 | Bobby Brumbelow, applicant.](#)
  - a) **Engineering:** No Comment
  - b) **Traffic:** No Comment
  - c) **Utilities:** No Comment
  
2. [4562 Wahoo Drive | Variance | for a rear yard setback variance from 10 feet to 0 feet on a .48± acre tract located at the terminus of Wahoo Drive | Zoned V-C; Tax Parcel 11037 000001 | Proposed use: existing home | \\* Commission District 3 | Kim & Steve Thompson, applicant.](#)
  - a) **Engineering:** No Comment
  - b) **Traffic:** No Comment
  - c) **Utilities:** No Comment
  
3. [6016 Lanier Islands Parkway | Amend Conditions | of a Highway-Business \(H-B\) on a 9.65± acre tract located on the west side of Lanier Islands Parkway approximately 492 feet from its intersection with Beards Road | Zoned H-B; Tax Parcel 07330 001004 | Proposed use: boat & RV storage | \\*\\* Commission District 2 | Jan Fisher, applicant.](#)
  - a) **Engineering:** This 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.
  - b) **Traffic:** No comment.
  - c) **Utilities:** No Hall County Sanitary Sewer in the area.





# Hall County Government

PUBLIC WORKS AND UTILITIES  
ENGINEERING DIVISION

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**Director**

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**Assistant Director**

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4. [3625 McEver Road, 3634 & 3640 Pleasant Hill Road | Rezone | from Agricultural-Residential-III \(AR-III\) to Planned Commercial Development \(PCD\) on a 11.36± acre tract located on the east side of McEver Road approximately 626 feet from its intersection with Whittling Road | Zoned AR-III; Tax Parcel 08032 000006, 000021A, & 000080 | Proposed use: self-storage facility | \\*\\* Commission District 4 | 3625 McEver Road, LLC, applicant.](#)

- a) **Engineering:** This 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 buffer and impervious setback from wretched vegetation, not the centerline of creek.
- b) **Traffic:** Access must be approved/permitted by GDOT.
- c) **Utilities:** No Hall County Sanitary Sewer in the area.

## Anael Dominguez (Planning)

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**From:** John Hornick (Fire Services)  
**Sent:** Friday, December 2, 2022 3:37 PM  
**To:** Anael Dominguez (Planning); Randi Doveton (Planning)  
**Subject:** Fire Comments Planning Agenda

**Monday, December 19<sup>th</sup>, 2022** Hall County Planning Commission Meeting.

- 4 [3625 McEver Road, 3634 & 3640 Pleasant Hill Road | Rezone | from Agricultural-Residential-III \(AR-III\) to Planned Commercial Development \(PCD\) on a 11.36± acre tract located on the east side of McEver Road approximately 626 feet from its intersection with Whitting Road | Zoned AR-III; Tax Parcel 08032 000006, 000021A, & 000080 | Proposed use: self-storage facility | \\*\\* Commission District 4 | 3625 McEver Road, LLC, applicant.](#)
- 1) IFC Section 507.5.1 where a building(s) is constructed and is more than 400' from a fire hydrant on an approved fire access route fire hydrant(s) shall be installed. Fire hydrant(s) may have to be installed inside the development to meet fire code requirements.
  - 2) IFC Section 506.1 access controlled gate will require a Knox key switch override device for fire department access into gated development.
  - 3) IFC Section 510 emergency responder radio coverage confirmation will apply to each of the 24,000 SF buildings.

Regards,

**John Hornick, NPQ Fire Inspector 1, Plans Review**  
Lieutenant, Hall County Fire Rescue  
Hall County Government  
Main: 770-531-6838 | Cell: 404-597-0083  
Website: [www.Hallcounty.org](http://www.Hallcounty.org)



# ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: **3625 MCEVER ROAD, LLC**

REQUEST: **REZONE FROM AR-III TO PCD FOR SELF-STORAGE FACILITY**

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION

Date: **DEC. 19, 2022**

Time: **5:15 PM**

AND

COUNTY COMMISSION

Date: **JAN. 26, 2023**

Time: **6:00 PM**

HALL COUNTY GOVERNMENT CENTER, 28 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

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Date: JAN. 26, 2023

Time: 6:00 PM

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809



## AGENDA ITEM

### Public Works and Utilities

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**REPORT TO:** Work Session (01/23/23)

**REPORT TO:** Voting Meeting (01/26/23)

**ITEM NO:** 743/2022

**SUBJECT:** Approval and authorization for the Chairman to execute an agreement between the Georgia Department of Transportation (GDOT) and Hall County concerning the lighting for three (3) roundabouts as part of the future State Route 60 widening and construction project from State Route 136 to Yellow Creek Road. Commission Districts 2 & 3.

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#### Meetings:

**Work Session Date:** 01/23/23

**Voting Meeting Date:** 01/26/23

#### Executive Summary:

**Presenter:** SY

**Recommendation:**

Approve

#### Purpose of Request:

Approval and authorization for the Chairman to execute an agreement between GDOT and Hall County concerning the lighting for three (3) Roundabouts as part of the future State Route 60 widening and construction project, from State Route 136 to Yellow Creek Road, in Murrayville.

#### History:

This was previously done in 2015 for the roundabout at State Route 347 (Lanier Islands Parkway) at New Bethany Road/Big Creek Road intersection.

#### Facts and Issues:

#### Options:

The Georgia Department of Transportation is currently developing plans to widen and reconstruct State Route 60 (Thompson Bridge Road from just north of the intersection of SR 136 (Price Road) to Yellow Creek Road in northern Hall County. Roundabouts are proposed for three intersections within this project:

1. Thompson Bridge Road at Elrod Road.
2. Thompson Bridge Road at Hubert Stephens Road.
3. Thompson Bridge Road at Old Dahlonega Highway / Kanaday Road.

Project construction is currently programmed for 2030, and as part of plan development, GDOT is requesting Hall County to approve the roundabout lighting agreement for the three intersections. The agreement stipulates that after project completion and acceptance, Hall County will provide for the repair, maintenance, and energy required for the operation of the lighting at the three intersections. There is currently no projected completion date, but Hall County would need to budget for the monthly utility costs at that time.

**Funding Requested** \$ 0.00  
**Are funds within current budget?** No  
**Source of Funds**  
**Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?** Yes  
**Has it been reviewed by the County Attorney?** Yes  
**Is there a deadline for this item?**

**Approvals:**

<b>Submit</b>	<b>Approve</b>	<b>Budget</b>	<b>Finance</b>
WS	BN	EW	WG
<b>Attorney</b>	<b>Administration</b>		<b>Clerk</b>
WLI	CR		JR

**Attachments:**

Agreement

**AGREEMENT**  
**BETWEEN**  
**GEORGIA DEPARTMENT OF TRANSPORTATION**  
**AND**  
**HALL COUNTY**

This Agreement is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_, by and between the GEORGIA DEPARTMENT OF TRANSPORTATION, an agency of the State of Georgia, hereinafter called the **DEPARTMENT**, and HALL COUNTY, GEORGIA acting by and through its Board of Commissioners, hereinafter called the **COUNTY**.

WHEREAS, the COUNTY has represented to the DEPARTMENT a desire to obtain roundabout lighting as part of the **SR 60 FM SR 136 TO CR 158/YELLOW CREEK RD IN MURRAYVILLE** project, said lighting to be installed under P.I. No. 132610-, Hall County;

WHEREAS, the COUNTY has represented to the DEPARTMENT a desire to participate in:  
1) Providing the Energy and 2) the Operation and Maintenance of said lighting system at the aforesaid location, and the DEPARTMENT has relied upon such representation; and



WHEREAS, the DEPARTMENT has indicated a willingness to fund the materials and installation for the said lighting system at the aforesaid location, with funds of the DEPARTMENT, funds apportioned to the DEPARTMENT by the Federal Highway Administration under Title 23, United States Code, Section 104, or a combination of funds from any of the above sources.

NOW, THEREFORE, in consideration of the mutual promises made and of the benefits to flow from one to the other, the DEPARTMENT and the COUNTY hereby agree each with the other as follows:

1. The DEPARTMENT or its assigns shall cause the installation of all materials and equipment necessary for roundabout lighting as part of the **SR 60 FM SR 136 TO CR 158/YELLOW CREEK RD IN MURRAYVILLE** project, said lighting to be installed under P.I. No. 132610-, Hall County as shown on Attachment "A" attached hereto and made a part hereof.

2. Upon completion of installation of said lighting system, and acceptance by the DEPARTMENT, the COUNTY shall assume full responsibility for the operation, the repair and the maintenance of the entire lighting system, including but not limited to repairs of any damages, replacement of lamps, ballasts, luminaires, lighting structures, associated equipment, conduit, wiring and service equipment, and the requirements of the Georgia Utility Facility Protection Act. The COUNTY further agrees to provide and pay for all the energy required for the operation of said lighting system.

3. The DEPARTMENT shall retain ownership of all materials and various components of the entire lighting system. The COUNTY, in its operation and maintenance of the lighting system, shall not in any way alter the type or location of any of the various components which make up the entire lighting system without prior written approval from the DEPARTMENT.

4. This Agreement is considered as continuing for a period of fifty (50) years from the date of execution of this Agreement. The DEPARTMENT reserves the right to terminate this Agreement, at any time for just cause, upon thirty (30) days written notice to the COUNTY.

5. It is understood by the COUNTY that the DEPARTMENT has relied upon the COUNTY'S representation of providing for the energy, maintenance, and operation of the lighting represented by this Agreement; therefore, if the COUNTY elects to de-energize or fails to properly maintain or to repair the lighting system during the term of this Agreement, the COUNTY shall reimburse the DEPARTMENT the materials cost for the lighting system. If the COUNTY elects to de-energize or fails to properly maintain any individual unit within the lighting system, the COUNTY shall reimburse the DEPARTMENT for the material cost for the individual unit which will include all costs for the pole, luminaires, foundations, and associated wiring. The DEPARTMENT will provide the COUNTY with a statement of material costs upon completion of the installation.

The covenants herein contained shall, except as otherwise provided accrue to the benefit of and be binding upon the successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement the day and year first above written.

RECOMMENDED:

HALL COUNTY

BY: \_\_\_\_\_  
Chairman, Board of Commissioners

(SEAL)

GA DEPARTMENT OF TRANSPORTATION

\_\_\_\_\_  
WITNESS

BY \_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Notary Public

(SEAL)

This Agreement approved by the Board of Commissioners at a meeting held at

\_\_\_\_\_

this \_\_\_\_\_ day of \_\_\_\_\_,

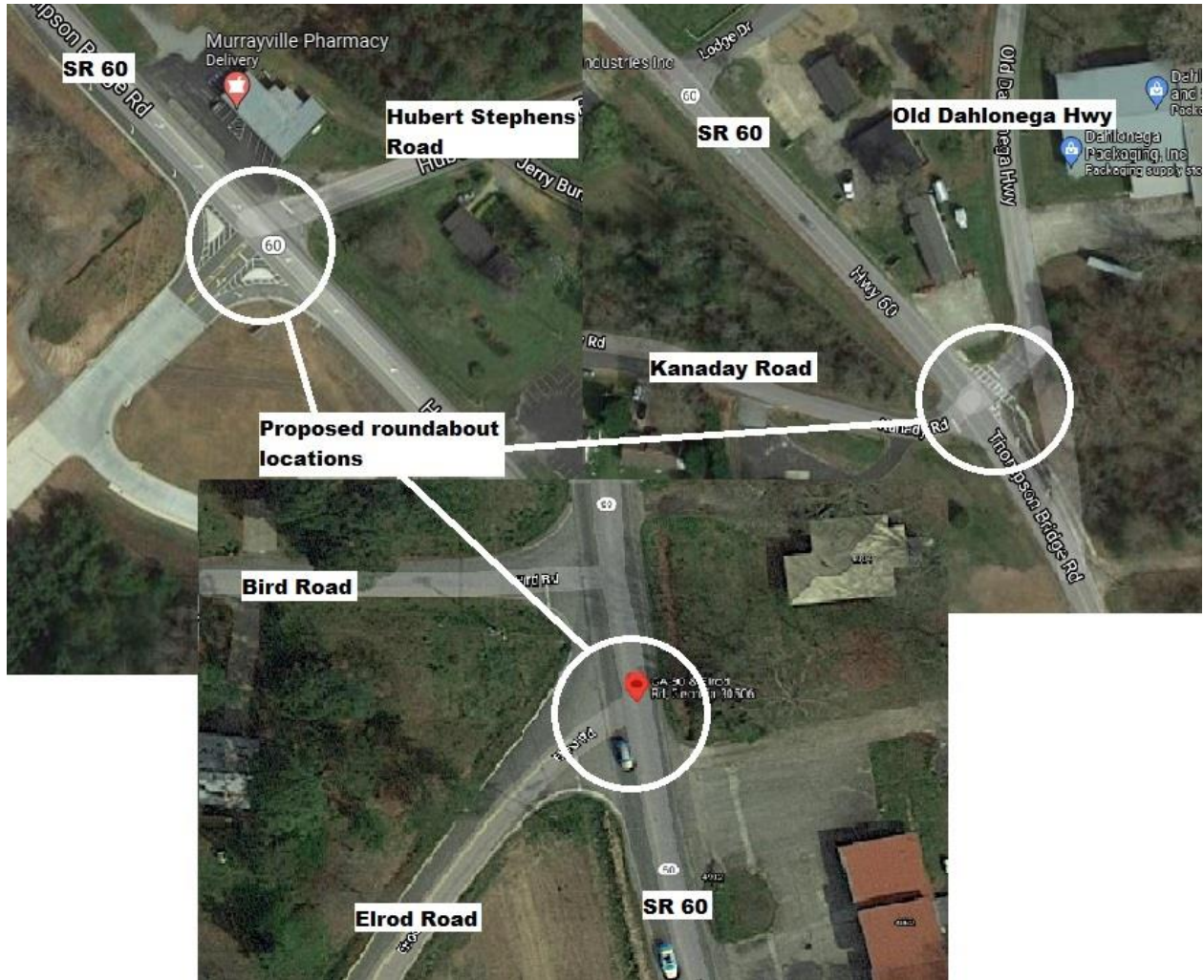
20\_\_.

ATTEST:

\_\_\_\_\_  
Treasurer

\_\_\_\_\_  
Commission Clerk

# Attachment "A"



## Project Location Map

**SR 60 FM SR 136 TO CR 158/YELLOW CREEK RD IN  
MURRAYVILLE  
Hall County  
P.I. No. 132610-**