HALL COUNTY BOARD OF COMMISSIONERS
WORK SESSION AGENDA

Hall County Government Center 2nd Floor
2875 Browns Bridge Road
Gainesville, GA 30504
Streamed Live on Hall County Government's Website - www.hallcounty.org
Monday, November 06, 2023 - 03:00 PM

Call to Order

Appointments for Consideration

1 Appointment to the Board of Health to serve a term from January 1, 2024 to December 31, 2028. Commission Districts 1, 2, 3 & 4.

2 Appointment to the Board of Health to serve a term from January 1, 2024 to December 31, 2028. Commission Districts 1, 2, 3 & 4.

3 Appointment to the Chestatee Chattahoochee RC&D Council to serve a term from January 1, 2024 to December 31, 2024. Commission Districts 1, 2, 3 & 4.

4 Appointment to the Chestatee Chattahoochee RC&D Council to serve a term from January 1, 2024 to December 31, 2024. Commission Districts 1, 2, 3 & 4.

5 Appointment to the Gainesville Hall Development Authority to serve a term from January 1, 2024 to December 31, 2024. Commission Districts 1, 2, 3 & 4.

6 Appointment to the Parks & Leisure Services Board to serve a term from January 1, 2024 to December 31, 2024. Commission Districts 1, 2, 3 & 4.

7 Appointment to the Board of Tax Assessors to serve a term from January 1, 2024 to December 31, 2027. Commission District 1.

8 Appointment to the Board of Tax Assessors to serve a term from January 1, 2024 to December 31, 2027. Commission District 3.

County Attorney

9 Approval and authorization for the Chairman to execute an Extension of the Letter of Intent between Hall County and Glade Farm, LLC originally executed on January 15, 2010, and any all additional documents necessary to effectuate the transaction, subject to review and approval by County Attorney.

Emergency Management

10 Approve the contract for Everbridge Mass Notification Alert System for Emergency Management to Everbridge, Inc. of Pasadena, CA, in the amount of $64,914.71.

Environmental Health

11 Approve the proposed Environmental Health Fee Schedule, effective January 1, 2024.

Planning and Development

12 **3902 & 0 Belmont Highway | Rezone |** from Agricultural Residential IV (AR-IV) to Planned Industrial Development (PID) on 15.75± acres located on the southeastern side of Belmont Highway, approximately 1,780 feet north of its intersection with Mountain Creek Road | Zoned AR-IV (GCOD), Tax Parcels: 15013 000017B and 000074 (pt.) **| Proposed Use: truck parking and office |** Commission District 3 **| Gus E. Simpson, applicant.**

13 **6777 and 6804 Spout Springs Road | Rezone |** from Agricultural Residential III (AR-III) and Planned Residential Development (PRD) to Planned Residential Development (PRD) on a combined 22.88± acres located on the west side of Spout Springs Road, approximately 100 feet from its intersection with Lancaster Crossing | Zoned AR-III & PRD; Tax Parcels 15042 000018 and 000140 (pt.) **| Proposed Use: 95-unit townhome development |** Commission District 1 **| Walker Anderson Homes, applicant.**

14 **6804 Spout Springs Road | Amend Conditions |** of a Planned Residential Development (PRD) on a 20.37± acre parcel located on the west side of Spout Springs Road, at its intersection with Lancaster Crossing | Zoned PRD; Tax Parcels 15042 000018 **| Proposed Use: 95-unit townhome development |** Commission District 1 **| Walker Anderson Homes, applicant.**

15 **8730 Forrester Road | Use Subject to County Commission Approval |** on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: expansion of commercial kennel |** Commission District 3 **| Steven & Holly Crumley, applicants.**

16 **8730 Forrester Road | Variance |** from 17.240.060 to reduce the setback for commercial kennels from 200 feet to 44 feet | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: commercial kennel structures |** Commission District 3 **| Steven & Holly Crumley, applicants.**

17 **8730 Forrester Road | Variance |** from 17.240.060 to reduce the setback for commercial kennels from 200 feet to 48 feet | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: commercial kennel structures |** Commission District 3 **| Steven & Holly Crumley, applicants.**

18 **3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Rezone |** from Agricultural Residential III (AR-III) and Planned Commercial Development (PCD) to Light Industrial (I-I) on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD (GCOD), Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 **| Proposed Use: boat/RV storage and an office/warehouse |** Commission District 3 | **Dutton Properties, applicant.**

19 **3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Use Subject to County Commission Approval |** 17.420.050. outdoor storage | on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD (GCOD), Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 **| Proposed Use: outdoor storage within Gateway Corridors Overlay District |** Commission District 3 **| Dutton Properties, applicant.**

20 **3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Variance |** 17.420.050.C.2 to reduce the required transitional buffer in Gateway Corridors Overlay District | on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD (GCOD), Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 **| Proposed Use: boat/RV storage and office/warehouse |** Commission District 3 **| Dutton Properties, applicant.**

21 **812 Atlanta Highway | Appeal a Planning Commission Decision for a Variance |** from 17.240.010 to reduce the front yard setback from 55 feet from centerline to 14 feet from centerline of road on a 0.25± acre parcel located on the west side of Atlanta Highway at its intersection with Conner Street | Zoned H-B, Tax Parcels 00127 002001 **| Proposed Use: residential addition |** Commission District 4 **| Robert Murillo, applicant.**

22 Public Hearing to amend section 17.410 entitled "Standards for Telecommunication Antennas and Towers" and section 17.412 entitled "Standards for Small Wireless Facilities Placed in the County Right-of-Way" within Title 17 of the Official Code of Ordinances of Hall County, Georgia; to repeal conflicting ordinances and resolutions; and for other purposes.

Public Works and Utilities

23 Approve the collection of a $95,002.00 Guaranty Performance/Maintenance Agreement for the Streets, Stormwater Management Facilities, and sidewalks in Stephens Point Subdivision Phase II. Commission District 2.

Sheriff's Office

24 Approve the award of IFB #026-44 Sheriff's Office Training Center Metal Storage Building for the Sheriff's Office to KBP Construction Plus, LLC, of Winder, GA, in the amount of $103,932.65.

25 Approve the award of IFB #025-44 Furnish and Install Security Fencing for the Hall County Courthouse Parking Deck for the Sheriff's Office to Blue Ridge Fence, Inc. of Lula, GA, in the amount of $63,639.00.

County Administrator

26 Approve the 2024 Board of Commissioners Meeting Schedule.

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.

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AGENDA ITEM

Appointments for Consideration

REPORT TO: **Work Session (11/06/23)**

REPORT TO: **Voting Meeting (11/09/23)**

ITEM NO: 556/2023

SUBJECT: Appointment to the Board of Health to serve a term from January 1, 2024 to December 31, 2028. Commission Districts 1, 2, 3 & 4.

Meetings:

Work Session Date: 11/06/23 **Voting Meeting Date:** 11/09/23

Executive Summary:

Presenter: B

Recommendation:
n/a

Purpose of Request:
Appointment to the Board of Health to serve a term from January 1, 2024 to December 31, 2028. Commission Districts 1, 2, 3 & 4.

History:
The current appointment is Dr. Antonio Rios.

Facts and Issues:
Dr. Antonio Rios is willing and eligible to serve another term.

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:

AGENDA ITEM

Appointments for Consideration

REPORT TO: **Work Session (11/06/23)**

REPORT TO: **Voting Meeting (11/09/23)**

ITEM NO: 557/2023

SUBJECT: Appointment to the Board of Health to serve a term from January 1, 2024 to December 31, 2028. Commission Districts 1, 2, 3 & 4.

Meetings:

Work Session Date: 11/06/23 **Voting Meeting Date:** 11/09/23

Executive Summary:

Presenter: B

Recommendation:
n/a

Purpose of Request:
Appointment to the Board of Health to serve a term from January 1, 2024 to December 31, 2028. Commission Districts 1, 2, 3 & 4.

History:
Rev. Don Harrison is the current appointment.

Facts and Issues:
Rev. Don Harrison is willing and eligible to serve another term.

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:

AGENDA ITEM

Appointments for Consideration

REPORT TO: **Work Session (11/06/23)**

REPORT TO: **Voting Meeting (11/09/23)**

ITEM NO: 558/2023

SUBJECT: Appointment to the Chestatee Chattahoochee RC&D Council to serve a term from January 1, 2024 to December 31, 2024. Commission Districts 1, 2, 3 & 4.

Meetings:

Work Session Date: 11/06/23 **Voting Meeting Date:** 11/09/23

Executive Summary:

Presenter: B

Recommendation:
n/a

Purpose of Request:
Appointment to the Chestatee Chattahoochee RC&D Council to serve a term from January 1, 2024 to December 31, 2024. Commission Districts 1, 2, 3 & 4.

History:
Srikanth Yamala is the current appointment.

Facts and Issues:
Srikanth Yamala is willing and eligible to serve another term.

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:

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AGENDA ITEM

Appointments for Consideration

REPORT TO: **Work Session (11/06/23)**

REPORT TO: **Voting Meeting (11/09/23)**

ITEM NO: 559/2023

SUBJECT: Appointment to the Chestatee Chattahoochee RC&D Council to serve a term from January 1, 2024 to December 31, 2024. Commission Districts 1, 2, 3 & 4.

Meetings:

Work Session Date: 11/06/23 **Voting Meeting Date:** 11/09/23

Executive Summary:

Presenter: B

Recommendation:
n/a

Purpose of Request:
Appointment to the Chestatee Chattahoochee RC&D Council to serve a term from January 1, 2024 to December 31, 2024. Commission Districts 1, 2, 3 & 4.

History:
Commissioner Gregg Poole is the current appointment.

Facts and Issues:
Commissioner Gregg Poole is willing and eligible to serve another term.

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:

AGENDA ITEM

Appointments for Consideration

REPORT TO: **Work Session (11/06/23)**

REPORT TO: **Voting Meeting (11/09/23)**

ITEM NO: 560/2023

SUBJECT: Appointment to the Gainesville Hall Development Authority to serve a term from January 1, 2024 to December 31, 2024. Commission Districts 1, 2, 3 & 4.

Meetings:

Work Session Date: 11/06/23 **Voting Meeting Date:** 11/09/23

Executive Summary:

Presenter: B

Recommendation:
n/a

Purpose of Request:
Appointment to the Gainesville Hall Development Authority to serve a term from January 1, 2024 to December 31, 2024. Commission Districts 1, 2, 3 & 4.

History:
Commissioner Billy Powell is the current appointment.

Facts and Issues:
Commissioner Billy Powell is willing and eligible to serve another term.

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:

AGENDA ITEM

Appointments for Consideration

REPORT TO: **Work Session (11/06/23)**

REPORT TO: **Voting Meeting (11/09/23)**

ITEM NO: 561/2023

SUBJECT: Appointment to the Parks & Leisure Services Board to serve a term from January 1, 2024 to December 31, 2024. Commission Districts 1, 2, 3 & 4.

Meetings:

Work Session Date: 11/06/23 **Voting Meeting Date:** 11/09/23

Executive Summary:

Presenter: B

Recommendation:
n/a

Purpose of Request:
Appointment to the Parks & Leisure Services Board to serve a term from January 1, 2024 to December 31, 2024. Commission Districts 1, 2, 3 & 4.

History:
Commissioner Jeff Stowe is the current appointment.

Facts and Issues:
Commissioner Stowe is willing and eligible to serve another term.

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:

AGENDA ITEM

Appointments for Consideration

REPORT TO: **Work Session (11/06/23)**

REPORT TO: **Voting Meeting (11/09/23)**

ITEM NO: 562/2023

SUBJECT: Appointment to the Board of Tax Assessors to serve a term from January 1, 2024 to December 31, 2027. Commission District 1.

Meetings:

Work Session Date: 11/06/23 **Voting Meeting Date:** 11/09/23

Executive Summary:

Presenter: B

Recommendation:
n/a

Purpose of Request:
Appointment to the Board of Tax Assessors to serve a term from January 1, 2024 to December 31, 2027. Commission District 1.

History:
Jennifer Pettitt is the current appointment.

Facts and Issues:
Jennifer Pettitt is willing and eligible to serve another term.

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:

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AGENDA ITEM

Appointments for Consideration

REPORT TO: **Work Session (11/06/23)**

REPORT TO: **Voting Meeting (11/09/23)**

ITEM NO: 563/2023

SUBJECT: Appointment to the Board of Tax Assessors to serve a term from January 1, 2024 to December 31, 2027. Commission District 3.

Meetings:

Work Session Date: 11/06/23 **Voting Meeting Date:** 11/09/23

Executive Summary:

Presenter: B

Recommendation:
n/a

Purpose of Request:
Appointment to the Board of Tax Assessors to serve a term from January 1, 2024 to December 31, 2027. Commission District 3.

History:
Jim Henderson is the current appointment.

Facts and Issues:
Jim Henderson is willing and eligible to serve another term.

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:

AGENDA ITEM

County Attorney

REPORT TO: **Work Session (11/06/23)**

REPORT TO: **Voting Meeting (11/09/23)**

ITEM NO: 572/2023

SUBJECT: Approval and authorization for the Chairman to execute an Extension of the Letter of Intent between Hall County and Glade Farm, LLC originally executed on January 15, 2010, and any all additional documents necessary to effectuate the transaction, subject to review and approval by County Attorney.

Meetings:

Work Session Date: 11/06/23 **Voting Meeting Date:** 11/09/23

Executive Summary:

Presenter: WL

Recommendation:
Approval

Purpose of Request:
This request continues the Letter of Intent memorializing the parties' plan for use of the Glade Farm property.

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.?	Yes
Has it been reviewed by the County Attorney?	Yes
Is there a deadline for this item?	

Approvals:

Submit	Budget	Finance	Attorney
JR	TS	TS	WLI
Administration		Clerk	

Administration	Clerk
CR	JR

Attachments:

Letter of Intent

CONFIRMATION AND THIRTEENTH EXTENSION OF LETTER OF
INTENT OF JANUARY 15, 2010 AS AMENDED AND EXTENDED HERETOFORE

WHEREAS, Hall County, by and through the Chairman of the Hall County Board of Commissioners, and Glade Farm, LLC, under the authority of its attorney-in-fact, Carl R. Nichols, executed a Letter of Intent dated January 15, 2010, and styled as "Glades Reservoir Lease Management Agreement Amendment" (the Letter of Intent"); and

WHEREAS, The Letter of Intent was further amended by that certain Letter Agreement between Hall County and Glade Farm, LLC dated September 10, 2010 (the "First Amendment"); and

WHEREAS, Hall County, Glade Farm, LLC, Gainesville and Hall County Development Authority entered into that certain Letter Agreement styled "Agreement to Adopt and Amend the Letter of Intent dated January 15, 2010 as Amended on September 21, 2010, for the purpose of, among other things, extending the date as to finalization of all items set forth in the Letter of Intent to January 31, 2012, and reaffirming the Letter of Intent as amended (the "Second Amendment"); and

WHEREAS, the Letter of Intent was further amended by that certain Extension Agreement between Hall County and Glade Farms, LLC, dated January 26, 2012 (the "Third Amendment") whereby the deadline was extended to the date of July 31, 2013; and

WHEREAS, the Extension Agreement between Hall County and Glade Farm, LLC dated January 26, 2012 ("Third Amendment") was adopted by the Gainesville and Hall County Development Authority on the 3rd day of April; and

WHEREAS, the parties hereto, thereafter, extended the deadline ("Fourth Amendment) for all items set forth in the Letter of Intent to July 31, 2015; and

WHEREAS, the parties hereto entered into a "Confirmation and Fifth Extension of the Letter of Intent of January 15, 2010" which extended the deadline until December 31, 2016; and

WHEREAS, the parties hereto entered into a "Confirmation and Sixth Extension of the Letter of Intent of January 15, 2010" which extended the deadline until December 31, 2017; and

WHEREAS, the parties hereto entered into a " Confirmation and Seventh Extension of the Letter of Intent of January 15, 2010" which extended the deadline until December 31, 2018; and

WHEREAS, the parties hereto entered into a "Confirmation and Eighth Extension of the Letter of Intent of January 15, 2010" which extended the deadline until December 31, 2019; and

WHEREAS, the parties hereto entered into a "Confirmation and Ninth Extension of the Letter of Intent of January 15, 2010" which extended the deadline until December 31, 2020; and

WHEREAS, the parties hereto entered into a "Confirmation and Tenth Extension of the Letter of Intent of January 15, 2010" which extended the deadline until December 31, 2021; and

WHEREAS, the parties hereto entered into a "Confirmation and Eleventh Extension of the Letter of Intent of January 15, 2010" which extended the deadline until December 31, 2022; and

WHEREAS, the parties hereto entered into a "Confirmation and Twelveth Extension of the Letter of Intent of January 15, 2021" which extended the deadline until December 31, 2023; and

WHEREAS, on May 28, 2015, the parties' ongoing negotiations have continued with satisfactory progress during the interim period awaiting the approval of the 404 permit; and

WHEREAS, on or about April 15, 2016, Hall County, Georgia requested that the 404 Permit Application under the Clean Water Act be temporarily withdrawn without prejudice for the resumption of consideration to allow the supplementation of the application; and

WHEREAS, the parties hereto believe that this extension will be sufficient to allow for further negotiation and development of information needed to address those items contained in the Letter of Intent as well as to provide sufficient time for the renewal of the Application with additional and supplemental information supporting the Application and approval of the 404 Permit;

NOW, THEREFORE, the undersigned parties hereby agree as follows:

1. The deadline is hereby extended to the date of December 31, 2024.
2. Except as otherwise amended heretofore, the Letter of Intent and the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, and Twelfth Amendments are hereby ratified and confirmed by the parties hereto.

Executed this _____ day of _____, 2023.

HALL COUNTY, GEORGIA

By: _____
Chairman, Board of Commissioners

GLADE FARM, LCC

By: _____

As its: _____

GAINESVILLE AND HALL COUNTY DEVELOPMENT AUTHORITY

By: _____

As its: _____

AGENDA ITEM

Emergency Management

REPORT TO: **Work Session (11/06/23)**

REPORT TO: **Voting Meeting (11/09/23)**

ITEM NO: 625/2023

SUBJECT: Approve the contract for Everbridge Mass Notification Alert System for Emergency Management to Everbridge, Inc. of Pasadena, CA, in the amount of $64,914.71.

Meetings:

Work Session Date: 11/06/23

Voting Meeting Date: 11/09/23

Executive Summary:

Presenter: ZB

Recommendation:
Approve.

Purpose of Request:

Approve the contract for Everbridge Mass Notification Alert System for Emergency Management to Everbridge, Inc. of Pasadena, CA, in the amount of $64,914.71.

History:
Everbridge, LLC provides this product licensure as a contract via GSA Contract No.GS-35F-0692P.

Everbridge has been a vendor in good standing with Hall County since 2012.

Facts and Issues:
This notification system is on GSA (Federal Government Contract) and Hall County is allowed to use the contract. This system is used for mass notification of County citizens and employees in the event of inclement weather or other major events that may negatively impact the community.

The GSA Contract No. GS-35F-0692P is valid until 07/18/2024.

Options:

Funding Requested	$ 64,914.71
Are funds within current budget?	Yes
Source of Funds	Emergency Services Fund
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:

Submit	Approve	Purchasing	Budget
ZB	ZB	AP	TS
Finance	**Attorney**	**Administration**	**Clerk**
WG	WLI	CR	JR

Attachments:
Financial Supplement
FY 24 Everbridge Renewal Quote
Contract
Renewal Summary (with yearly costs)

HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT

AGENDA ITEM 625/2023

Funds Requested: $ 64,914.71

Request Budgeted: Yes

Proposed Source of Funding:

Emergency Services Fund

Budget Transfer Requested:

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2024	271-EMERGENCY SERVICES FUND	3920-EMA	522202-COMPUTER REPAIRS & MAINTENANCE	$32,457.35
2025	271-EMERGENCY SERVICES FUND	3920-EMA	522202-COMPUTER REPAIRS & MAINTENANCE	$32,457.36

Budget Transfer Items:

Additional Information/Comments:

This renewal is a December to December renewal. So it will cross two fiscal years.

Contact for Questions: ZB

Phone: 470-201-0795

everbridge
155 North Lake Avenue, Suite 900
Pasadena, CA 91101 USA
Phone: +1-818-230-9700
Fax: +1-818-230-9505
everbridge.com

Prepared for:
Zach Brackett
Hall County Emergency Management
PO Box 907730
Gainesville GA 30501
United States
Ph: 000-000-0000
Fax:
Email: zbrackett@hallcounty.org

Quotation

Quote #: Q-143726
Date: 9/27/2023
Expires On: 12/13/2023
Confidential

Salesperson: Dwight Paul
Phone:
Email: dwight.paul@everbridge.com

Contract Summary Information:	
Contract Period:	12 Months
Contract Start Date:	12/14/2023
Contract End Date:	12/13/2024

QTY	Product Code	Description	GSA Classification	Price
453,250	101-00-11-1060-000	Smart Weather Alerting (includes 1 location in base weather subscription) - SW & CB MN Corp 15	GSA Product	USD 103.00
1	101-01-11-1001-000	Everbridge Additional Organization	GSA Product	USD 103.00
453,250	101-11-11-0254-000	Mass Notification Base - TEST 5	GSA Product	USD 64,492.40
453,250	101-99-11-0214-000	Nixle Engage	Open Market	USD 103.00
453,250	101-01-11-1027-000	Everbridge Community Engagement	GSA Product	USD 113.31

Pricing Summary:

Year One Fees:	USD 64,914.71
One-time Implementation and Setup Fees:	USD 0.00
Professional Services:	USD 0.00
Total Year One Fees Due:	**USD 64,914.71**

Messaging Credits Summary:

	Initial Credits Allowance	Additional Credits Purchased	Total Credits
Year 1	8,500,000	0	8,500,000

Terms & Conditions

1. Additional rates apply for all international calls.
2. Quote subject to terms & conditions of GSA Contract No. GS-35F-0692P and the GSA Approved End User License Agreement ("EULA"), the latter of which is attached hereto and incorporated by reference.
3. Subject to sales taxes where applicable.
4. The supplemental notes below, if any, supplied in this Quote are for informational purposes and not intended to be legally binding or override GSA Contract No. GS-35F-0692P, or the EULA.

Please, Sign, Date and Return:

Signature: **Date:**

Name (Print): **Title:**

Please, Sign, Date and Return:

Signature: **Date:**

Name (Print): **Title:**

Everbridge, Inc.
55 North lake Avenue, Suite 900
Pasedena,CA 91101
(818) 230-9700
THANK YOU FOR YOUR BUSINESS!

Everbridge, Inc.
GSA Approved End User License Agreement

This End User License Agreement (**"Agreement"**) is entered into by and between Everbridge, Inc. (**"Everbridge"**) and an Ordering Activity, an entity entitled to order under GSA Schedule contracts as defined in GSA Order ADM 4800.2H, as may be revised from time to time (**"Customer"**), effective on the date of signature by an authorized signatory on the Quote or other ordering document (**"Effective Date"**). Everbridge and Customer are each hereinafter sometimes referred to as a **"Party"** and collectively, the **"Parties."**

1. SERVICE.

1.1 Orders. Everbridge shall provide Customer access to its proprietary interactive communication solutions (the "**Solutions**") subject to the terms and conditions set forth in this Agreement and the description of services and pricing provided in the applicable quote (the "Quote"). If applicable, Everbridge shall provide the training and professional services set forth in the Quote. Collectively, the Solutions and professional services are referred to as the "**Services**". Everbridge shall provide Customer with login and password information for each User (as defined below) and will configure the Solution to contact the maximum number of Contacts (as defined below) or Users, as applicable depending on the Solutions ordered. Unless otherwise provided in the applicable Quote or documentation, Services are purchased as annual subscriptions.

1.2 Users; Contacts. "**Users**" are individuals who are authorized by Client from time to time to use the Solutions for the purposes of sending notifications, configuring templates, reporting or managing data, serving as system administrators, or performing similar functions, and who have been supplied user identifications and passwords by Client. Users may include employees and contractors of Customer or an Included Department. "**Included Department**" means any enterprise department, office, agency, or other entity that receives a majority of its funding from the same general or enterprise fund, as applicable, as the Customer. "**Contacts**" are individuals who Customer contacts through the Solutions and/or who provides their personal contact information to Everbridge, including through an opt-in portal. If applicable to the particular Solution, the number of Users and/or Contacts that may be authorized by Customer is set forth on the Quote.

2. PAYMENT TERMS. Customer shall pay the fees set forth in the Quote (**"Pricing"**). All pricing must be consistent with the Schedule Price List. If Customer exceeds the usage levels specified in the Quote, then Everbridge may invoice Customer for any overages at rates consistent with the Schedule Price list. .Professional Services must be used within 12 months from date of purchase.

3. RESPONSIBILITIES.

3.1 Users. Customer shall undergo the initial setup and training as set forth in the Implementation – Standard inclusion sheet provided with the Quote. The Implementation sheet provides a detailed list of the services included as part of the implementation purchased and the corresponding timelines. Customer shall be responsible for: (i) ensuring that Users maintain the confidentiality of all User login and password information; (ii) ensuring that Users use the Services in accordance with all applicable laws and regulations, including those relating to use of personal information; (iii) any breach of the terms of this Agreement by any User; and (iv) all communications by Users using the Solutions. Customer shall promptly notify Everbridge if it becomes aware of any User action or omission that would constitute a breach or violation of this Agreement.

3.2 Customer Data. "**Customer Data"** is all electronic data transmitted to Everbridge in connection with the use of the Solutions, including data submitted by Contacts. Customer Data provided by Customer shall be true, accurate, current and complete, and shall be in a form and format specified by Everbridge. Customer shall have sole responsibility for the accuracy, quality, integrity, legality, reliability, and appropriateness of all Customer Data. Customer represents that it has the right to authorize and hereby does authorize Everbridge and its "Service Providers" to collect, store and process Customer Data subject to the terms of this Agreement. "**Service Providers"** shall mean communications carriers, data centers, collocation and hosting services providers, and content and data management providers that Everbridge uses in providing the Solutions. Customer shall maintain a copy of all Customer Contact data that it provides to Everbridge. Customer acknowledges that the Solutions are a passive conduit for the transmission of Customer Data and Everbridge shall have no liability for any errors or omissions or for any defamatory, libelous, offensive or otherwise objectionable or unlawful content in any Customer Data, or for any losses, damages, claims, suits or other actions arising out of or in connection with any Customer Data sent, accessed, posted or otherwise transmitted via the Solutions.

4. TERM. This Agreement will commence on the Effective Date and will continue in full force and effect until all executed Quotes have terminated.

5. TERMINATION; SUSPENSION.

5.1 Termination by Either Party. [Intentionally Deleted]

5.2 Termination by Everbridge. [Intentionally Deleted]

5.3 Suspension. Everbridge may suspend, with or without notice, the Solution or any portion for (i) emergency network repairs, threats to, or actual breach of network security; or (ii) any legal, regulatory, or governmental prohibition affecting the Solution. In the event of a suspension, Everbridge shall use its best efforts to notify Customer through its Customer Portal and/or via email prior to such suspension and shall reactivate any affected portion of the Solution as soon as possible.

6. PROPRIETARY RIGHTS.

6.1 Grant of License. Everbridge hereby grants to Customer, during the term of this Agreement, a non-exclusive, non-transferable, non-sublicensable right to use the Solutions subject to the terms and conditions of this Agreement. Upon termination of this Agreement for any reason, the foregoing license shall terminate automatically and Customer shall discontinue all further use of the Solutions.

6.2 Restrictions. Customer shall use the Solutions solely for its internal business purposes and shall not make the Solutions available to, or use the Solutions for the benefit of, any third party except as expressly contemplated by this Agreement.

Customer shall not: (i) copy, modify, reverse engineer, de-compile, disassemble or otherwise attempt to discover or replicate the computer source code and object code provided or used by Everbridge in connection with delivery of the Solutions (the **"Software"**) or create derivative works based on the Software, the Solutions or any portion thereof; (ii) merge any of the foregoing with any third party software or services; (iii) use any Everbridge Confidential Information to create a product that competes with the Software; (iv) remove, obscure or alter any proprietary notices or labels on the Software or any portion of the Solutions; (v) create internet "links" to or from the Solutions, or "frame" or "mirror" any content forming part of the Solutions, other than on Customer's own intranets for its own internal business purposes; (vi) use, post, transmit or introduce any device, software or routine (including viruses, worms or other harmful code) which interferes or attempts to interfere with the operation of the Solutions; (vii) use the Solutions in violation of any applicable law or regulation; or (viii) access the Solutions for purposes of monitoring Solutions availability, performance or functionality, or for any other benchmarking or competitive purposes.

6.3 Reservation of Rights. Other than as expressly set forth in this Agreement, Everbridge grants to Customer no license or other rights in or to the Solutions, the Software or any other proprietary technology, material or information made available to Customer through the Solutions or otherwise in connection with this Agreement (collectively, the **"**Everbridge **Technology"**), and all such rights are hereby expressly reserved. Everbridge (or its licensors where applicable) owns all rights, title and interest in and to the Solutions, the Software and any Everbridge Technology, and all patent, copyright, trade secret and other intellectual property rights (**"IP Rights"**) therein, as well as (i) all feedback and other information (except for the Customer Data) provided to Everbridge by Users, Customer and Contacts, and (ii) all transactional, performance, derivative data and metadata generated in connection with the Solutions.

7. CONFIDENTIAL INFORMATION.

7.1 Definition; Protection. As used herein,. **"Confidential Information"** means all information of a Party (**"Disclosing Party"**) disclosed to the other Party (**"Receiving Party"**), whether orally, electronically, in writing, or by inspection of tangible objects (including, without limitation, documents or prototypes), that is designated as confidential or that reasonably should be understood to be confidential given the nature of the information and the circumstances of disclosure. Confidential Information includes without limitation, any personally identifiable Customer Data, all Everbridge Technology, and either Party's business and marketing plans, technology and technical information, product designs, reports and business processes. Confidential Information shall not include any information that: (i) is or becomes generally known to the public without breach of any obligation owed to the Disclosing Party; (ii) was known to the Receiving Party prior to its disclosure by the Disclosing Party without breach of any obligation owed to the Disclosing Party; (iii) was independently developed by the Receiving Party without breach of any obligation owed to the Disclosing Party; or (iv) is received from a third party without breach of any obligation owed to the Disclosing Party. The Receiving Party shall not disclose or use any Confidential Information of the Disclosing Party for any purpose other than performance or enforcement of this Agreement without the Disclosing Party's prior written consent, unless (but only to the extent) otherwise required by a governmental authority. The Receiving Party shall not disclose any Confidential Information of the Disclosing Party except: (i) to the personnel of the Receiving Party or its parent, subsidiary or affiliate organizations having a need to know; or (ii) to the personnel of the Receiving Party's consultants and service providers having a need to know, and only then if such consultants and service providers are bound by confidentiality and non-disclosure commitments substantially similar to those contained herein. Each Party agrees to protect the Confidential Information of the other Party with the same level of care that it uses to protect its own confidential information, but in no event less than a reasonable level of care.

8. WARRANTIES; DISCLAIMER.

8.1 Everbridge Warranty. Everbridge shall use commercially reasonable efforts to provide the Services herein contemplated. To the extent professional services are provided, Everbridge shall perform them in a professional manner consistent with industry standards.

8.2 Disclaimer. NEITHER EVERBRIDGE NOR ITS LICENSORS WARRANT THAT THE SOLUTION WILL OPERATE ERROR FREE OR WITHOUT INTERRUPTION. WITHOUT LIMITING THE FOREGOING, IN NO EVENT SHALL EVERBRIDGE HAVE ANY LIABILITY TO CUSTOMER, USERS, CONTACTS OR ANY THIRD PARTY FOR PERSONAL INJURY (INCLUDING DEATH) OR PROPERTY DAMAGE ARISING FROM FAILURE OF THE SOLUTION TO DELIVER AN ELECTRONIC COMMUNICATION, HOWEVER CAUSED AND UNDER ANY THEORY OF LIABILITY, EVEN IF EVERBRIDGE HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGE. THIS AGREEMENT DOES NOT LIMIT OR DISCLAIM ANY OF THE WARRANTIES SPECIFIED IN THE GSA SCHEDULE 70 CONTRACT UNDER FAR 52.212-4(O). IN THE EVENT OF A BREACH OF WARRANTY, THE U.S. GOVERNMENT RESERVES ALL RIGHTS AND REMEDIES UNDER THE CONTRACT, THE FEDERAL ACQUISITION REGULATIONS, AND THE CONTRACT DISPUTES ACT, 41 U.S.C. 7101-7109.

8.3 Customer Representations and Warranties. Customer represents and warrants that during use of the Solutions, Customer shall (i) clearly and conspicuously notify Contacts of the way in which their personal information shall be used, and (ii) have primary safety and emergency response procedures including, without limitation, notifying 911 or equivalent fire, police, emergency medical and public health officials (collectively, **"First Responders"**). Customer acknowledges and agrees that Everbridge is not a First Responder, and that the Solutions does not serve as a substitute for Customer's own emergency response plan, which in the event of an actual or potential imminent threat to person or property, shall include contacting a First Responder prior to using the Solutions. Customer represents and warrants that all notifications sent through the Solutions shall be sent by authorized Users, and that the collection, storage and processing of Customer Data, and the use of the Solutions, as provided in this Agreement, will at all times comply with (x) Customer's own policies regarding privacy and protection of personal information; and (y) all applicable laws and regulations, including those related to processing, storage, use, disclosure, security, protection and handling of Customer Data.

9. INDEMNIFICATION.

9.1 By Customer. [Intentionally Deleted]

9.2 By Everbridge. Everbridge shall indemnify and hold Customer harmless from and against any Claim against Customer, but only to the extent it is based on a Claim that the Solution directly infringes an issued patent or other IP Right in a

country in which the Solution is provided to Customer. In the event Everbridge believes any Everbridge Technology is, or is likely to be the subject of an infringement claim, Everbridge shall have the option, at its own expense, to: (i) to procure for Customer the right to continue using the Solution; (ii) replace same with a non-infringing service; (iii) modify such Solution so that it becomes non-infringing; or (iv) refund any fees paid to Everbridge and terminate this Agreement without further liability. Everbridge shall have no liability for any Claim arising out of (w) Customer Data or other Customer supplied content, (x) use of the Solution in combination with other products, equipment, software or data not supplied by Everbridge, (y) any use, reproduction, or distribution of any release of the Solution other than the most current release made available to Customer, or (z) any modification of the Solution by any person other than Everbridge.

9.3 Indemnification Process. Customer shall (a) promptly give notice of the Claim to Everbridge once the Claim is known; (b) cooperate with Everbridge's efforts to defend and settle the Claim; and (c) provide Everbridge with all available information and reasonable assistance in connection with the defense of the Claim.

10. LIMITATION OF LIABILITY. Except for breaches of Section 6, neither Party shall have any liability to the other Party for any loss of use, interruption of business, lost profits, costs of substitute services, or for any other indirect, special, incidental, punitive, or consequential damages, however caused, under any theory of liability, and whether or not the Party has been advised of the possibility of such damage. Notwithstanding anything in this Agreement to the contrary, in no event shall Everbridge's aggregate liability, regardless of whether any action or claim is based on warranty, contract, tort, indemnification or otherwise, exceed amounts actually paid by Customer to Everbridge hereunder during the 12 month period prior to the event giving rise to such liability. Customer understands and agrees that these liability limits reflect the allocation of risk between the Parties and are essential elements of the basis of the bargain, the absence of which would require substantially different economic terms. This clause shall not impair the U.S. Government's right to recover for fraud or crimes arising out of or related to this Agreement under any federal fraud statute. Furthermore, this clause shall not impair nor prejudice the U.S. Government's right to express remedies provided in the schedule contract (i.e. Price Reductions, Patent Indemnification, Liability for Injury or Damage, Price Adjustment, Failure to Provide Accurate Information).

11. MISCELLANEOUS.

11.1 Non-Solicitation. As additional protection for Everbridge's proprietary information, for so long as this Agreement remains in effect, and for one year thereafter, Customer agrees that it shall not, directly or indirectly, solicit, hire or attempt to solicit any employees of Everbridge; provided, that a general solicitation to the public for employment is not prohibited under this section.

11.2 Force Majeure; Limitations. See GSA Schedule 70 contract and individual ordering document.

11.3 Waiver; Severability. The failure of either Party hereto to enforce at any time any of the provisions or terms of this Agreement shall in no way be considered to be a waiver of such provisions. If any provision of this Agreement is found by any court or other authority of competent jurisdiction to be invalid, illegal or unenforceable, that provision shall, to the extent required, be deemed deleted and the remaining provisions shall continue in full force and effect.

11.4 Assignment. Neither this Agreement nor any rights granted hereunder may be sold, leased, assigned (including an assignment by operation of law), or otherwise transferred, in whole or in part, by Customer, and any such attempted assignment shall be void and of no effect without the advance written consent of Everbridge, which shall not be unreasonably withheld.

11.5 Governing Law. This Agreement shall be governed and construed in accordance with the federal laws of the United States of America.

11.6 Notices. Either party may give notice at any time by any of the following: letter delivered by (i) nationally recognized overnight delivery service; (ii) first class postage prepaid mail; or (iii) certified or registered mail, (certified and first class mail deemed given following 2 business days after mailing) to the other party at the address set forth below. Either Party may change its address by giving notice as provided herein. Invoices shall be sent to the Customer's contact and address following Customer's signature below.

11.7 No Third-Party Beneficiaries. There are no third-party beneficiaries to this Agreement.

11.8 Entire Agreement. [Intentionally Deleted]

11.9 Marketing. Everbridge shall obtain Customer's express written consent in order to reference Customer's name and logo as an Everbridge customer in Everbridge publications, its website, and other marketing materials.

11.10 Survival. Sections 2, 3.2, 5.2, 6, 7, 9-11 and the applicable provisions of Exhibit A shall survive the expiration or earlier termination of this Agreement.

11.11 Counterparts. This Agreement may be executed in one or more counterparts, all of which together shall constitute one original document. A facsimile transmission or copy of the original shall be as effective and enforceable as the original.

11.12 Export Compliant. Neither Party shall export, directly or indirectly, any technical data acquired from the other pursuant to this Agreement or any product utilizing any such data to any country for which the U.S. Government or any agency thereof at the time of export requires an export license or other governmental approval without first obtaining such license or approval.

11.13 Equal Employment Opportunity. Everbridge, Inc. is a government contractor and is subject to the requirements of Executive Order 11246, the Rehabilitation Assistance Act and VEVRAA. Pursuant to these requirements, the Equal Opportunity Clauses found at 41 Code of Federal Regulations sections 60-1.4(a) (1-7), sections 60-250.4(a-m), sections 60-300.5 (1-11) and sections 60-741.5 (a) (1-6) are incorporated herein by reference as though set forth at length, and made an express part of this Agreement.

EXHIBIT A
Additional Business Terms

The following additional business terms are incorporated by reference into the Agreement as applicable based on the particular products and services described in *the* Customer's *Quote.*

If Client Is Ordering Nixle® Branded Products or Community Engagement:

1. Client grants to Everbridge a non-exclusive, royalty free, worldwide and perpetual right and license (including sublicense) to (a) use, copy, display, disseminate, publish, translate, reformat and create derivative works from communications Client sends through the Solutions for public facing communications to citizens, other public groups and public facing websites, including social media (e.g., Google®, Facebook®) (collectively, "**Public Communications**"), (b) use and display Client's trademarks, service marks and logos, solely as part of the Public Communications to Contacts who have opted in to receive those Communications, and on other websites where Everbridge displays your Public Communications, as applicable, and (c) place a widget on Client's website in order to drive Contact opt-in registrations.

If Client Is Ordering Everbridge Branded Products:

1. **Data Feeds.** Notwithstanding anything to the contrary in this Agreement, to the extent that Customer has purchased or accesses Data Feeds, the sole and exclusive remedy for any failure, defect, or inability to access such Data Feed shall be to terminate the Data Feed with no further payments due. No refunds shall be granted with respect to such Data Feed. In addition, such feeds are provided solely on an "AS IS" and "AS AVAILABLE" basis and Everbridge disclaims any and all liability of any kind or nature resulting from any inaccuracies or failures with respect to such Data Feeds. **"Data Feed"** means data content licensed or provided by third parties to Everbridge and supplied to Customer in connection with the Solution (e.g., real time weather system information and warnings, 911 data, third party maps, and situational intelligence).

2. **Incident Management/IT Alerting.** For Customers purchasing the Incident Management or IT Alerting Solution, unless designated as unlimited: (a) Customers may only designate the number of Users set forth on the Quote, and such individuals shall only have the access rights pursuant to such designation and role; (b) Incident Administrators shall have the ability to build incident templates, report on incidents, and launch incident notifications; (c) Incident Operators shall only have the ability to launch or manage incidents; (d) IT Alerting Users shall have the ability to build, launch or manage incidents as well as participate in an on-call schedule to receive IT outage notifications, and (e) Customer shall be provided the number of incident templates purchased pursuant to the Quote. **"Incident Administrator"** means an individual who is authorized by Client as an organizational administrator for the Incident Management or IT Alerting Solution. **"Incident Operator"** means an individual who is authorized by Client as an operator of the Incident Management or IT Alerting Solution.

EXHIBIT B
IPAWS- CMAS/WEA Addendum

This addendum is incorporated by reference into the Agreement as applicable based on the purchase of IPAWS-CMAS/WEA services on the Quote.

1 IPAWS Authorization: Client represents and warrants to Everbridge that any employee, agents, or representatives of Client who access IPAWS-OPEN using Client's credentials provided by FEMA (each, an "IPAWS User"), are authorized by FEMA to use IPAWS-OPEN, have completed all required training, and Client has executed an IPAWS Memorandum of Agreement ("MOA") with FEMA. Client shall contact Everbridge immediately upon any change in Client or any IPAWS User's right to access IPAWS-OPEN. Client shall only access IPAWS-OPEN using its designated credentials and FEMA issued digital certificate ("Digital Certificate"). Client acknowledges and agrees that Everbridge shall not have access to its credentials and that Client assumes full responsibility for maintaining the confidentiality of any credentials issued to it.

1. Credentials: Client shall load and maintain within its Everbridge account Organization, its Digital Certificate, COG ID, and Common Name. Client authorizes and requests Everbridge to use the foregoing stored information to connect Client to IPAWS-OPEN.

2. Messaging: Client acknowledges and agrees that: (i) upon submission of messages to IPAWS-OPEN, Everbridge shall have no further liability for the distribution of such message, and that the distribution through IPAWS-OPEN, including, but not limited to, delivery through the Emergency Alert System or the Commercial Mobile Alert System, is in no way guaranteed or controlled by Everbridge; (ii) Everbridge shall not be liable as a result of any failure to receive messages distributed through IPAWS-OPEN; (iii) IPAWS may include additional features not supported through the Everbridge system, and Everbridge shall not be required to provide such additional features to Client; and (iv) Client shall be solely responsible and liable for the content of any and all messages sent through IPAWS-OPEN utilizing its access codes.

3. Term: Client acknowledges and agrees that access to IPAWS-OPEN shall be available once Client has provided Everbridge with the Digital Certificate and any other reasonably requested information to verify access to the system. Upon termination of the Agreement access to IPAWS-OPEN shall immediately terminate.

MULTIPLE AWARD SCHEDULE

Code F – Information Technology

F04. IT Software Subcategory

General Services Administration
Federal Supply Service
Authorized Federal Supply Schedule Price List

Special Item Numbers (SINs):

Special Item No. 511210: Software Licenses

Special Item No. OLM: Order Level Materials

Everbridge, Inc.

25 Corporate Drive, Suite 400
Burlington, MA 01803-4245
Phone: (818) 230-9700
Fax: (818) 484-2299
Email: GSASales@everbridge.com
www.everbridge.com

Contact for Contract Administration
Elliot J Mark
Phone: 781-859-4094
Email: elliot.mark@everbridge.com

Business Size: Large Business

Contract Number: #GS-35F-0692P

Period Covered by Contract: July 19, 2004 to July 18, 2024

Current through Mod # PO-0066 – Effective on March 24, 2021

On-line access to contract ordering information, terms and conditions, up-to-date pricing, and the option to create an electronic delivery are available through GSA Advantage!®, a menu-driven database system. The INTERNET address to GSA Advantage! ® is: GSAAdvantage.gov.

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CUSTOMER INFORMATION

1a.Table of awarded special item numbers with appropriate cross-reference to item descriptions and awarded prices:

SIN 511210 Software License: Includes both term and perpetual software licenses and maintenance.

SIN OLM Order Level Materials: OLMs are supplies and/or services acquired in direct support of an individual task or delivery order placed against a Schedule contract or BPA. OLM pricing is not established at the Schedule contract or BPA level, but at the order level. Since OLMs are identified and acquired at the order level, the ordering contracting officer (OCO) is responsible for making a fair and reasonable price determination for all OLMs. OLMs are procured under a special ordering procedure that simplifies the process for acquiring supplies and services necessary to support individual task or delivery orders placed against a Schedule contract or BPA. Using this new procedure, ancillary supplies and services not known at the time of the Schedule award may be included and priced at the order level.

1b.Identification of the lowest priced model number and lowest unit price for that model for each special item number awarded in the contract.

GSA Prices with IFF begin on Page 11.

1c.If the Contractor is proposing hourly rates, a description of all corresponding commercial job titles, experience, functional responsibility and education for those types of employees or subcontractors who will perform services shall be provided.

2.Maximum order: **$500,000 for SIN 511210 and $250,000 for SIN OLM**

3.Minimum order: **$100**

4.Geographic coverage: **Domestic Delivery**

5.Point of production: **USA**

6.Discount from list prices or statement of net price: **The rates contained in this pricelist are net (inclusive of the GSA discount).**

7.Quantity discounts: **None.**

8.Prompt payment terms: **0% Net 30 Days.**
Information for Ordering Offices: Prompt payment terms cannot be negotiated out of the contractual agreement in exchange for other concessions.

9a.Notification that Government purchase cards are accepted at or below the micro-purchase threshold: **Credit cards are accepted at or below the micro-purchase threshold.**

9b.Notification whether Government purchase cards are accepted or not accepted above the micro-purchase threshold: **Credit cards are NOT accepted above the micro-purchase threshold.**

10.Foreign items: **None**

11a.Time of delivery: **30 Days ARO**

11b.Expedited Delivery: **Contact contractor regarding expedited delivery.**

11c.Overnight and 2-day delivery: **Contact contractor regarding overnight delivery.**

11d.Urgent Requirements: **Contact contractor regarding urgent requirements.**

12.F.O.B. Point: **Destination**

13a.Ordering address:

Everbridge, Inc.
25 Corporate Drive, Suite 400
Burlington, MA 01803-4245

13b.Ordering procedures: **For ordering procedures for supplies and services and information on Blanket Purchase Agreements (BPA's), please see Federal Acquisition Regulation (FAR) 8.405-3.**

14.Payment address:

Everbridge, Inc.
155 North Lake Ave.
Suite 900
Pasadena, CA 91101

15.Warranty provision: **The contractor's standard commercial warranty applies to all products sold via this contract.**

16.Export packing charges: **Not Applicable**

17.Terms and conditions of Government purchase card acceptance: **Credit cards are NOT accepted above the micro-purchase threshold with no additional conditions.**

18.Terms and conditions of rental, maintenance, and repair: **None**

19.Terms and conditions of installation: **If the ordering activity requires customized installation, this service is available for purchase.**

20.Terms and conditions of repair parts indicating date of parts price lists and any discounts from list prices: **Not Applicable**

20a.Terms and conditions for any other services: **None**

21.List of service and distribution points:

Everbridge, Inc.
25 Corporate Drive, Suite 400
Burlington, MA 01803-4245

22.List of participating dealers: **BroadBlast, 159 Delaware Avenue, Suite #102, Delmar, NY 12054, Phone: 877-363-9673, Fax: 877-322-3866, Email: info@broadblastonline.com**

23.Preventive maintenance: **Not Applicable**

24a.Special attributes such as environmental attributes (e.g. recycled content, energy efficiency, and/or reduced pollutants): **Not Applicable**

25.Data Universal Number System (DUNS) number: **130455830**

26.Notification regarding registration in System for Award Management (SAM) database: **Everbridge is registered in SAM and the registration is current. Our CAGE Code is 3PCD2.**

TERMS AND CONDITIONS APPLICABLE TO SOFTWARE LICENSES
(SPECIAL ITEM NUMBER 511210)

1. INSPECTION/ACCEPTANCE

The Contractor shall only tender for acceptance those items that conform to the requirements of this contract. The ordering activity reserves the right to inspect or test any software that has been tendered for acceptance. The ordering activity may require repair or replacement of nonconforming software at no increase in contract price. The ordering activity must exercise its postacceptance rights (1) within a reasonable time after the defect was discovered or should have been discovered; and (2) before any substantial change occurs in the condition of the software, unless the change is due to the defect in the software.

2. ENTERPRISE USER LICENSE AGREEMENTS REQUIREMENTS (EULA)

The Contractor shall provide the Enterprise User License Agreement that has been approved by GSA, if requested.

3. GUARANTEE/WARRANTY

a. Unless specified otherwise in this contract, the Contractor's standard commercial guarantee/warranty will apply to this contract.

b. The Contractor warrants and implies that the items delivered hereunder are merchantable and fit for use for the particular purpose described in this contract. If no implied warranties are given, an express warranty of at least 60 days must be given in accordance with FAR 12.404(b)(2)

c. Limitation of Liability. Except as otherwise provided by an express or implied warranty, the Contractor will not be liable to the ordering activity for consequential damages resulting from any defect or deficiencies in accepted items.

4. TECHNICAL SERVICES

The Contractor, without additional charge to the ordering activity, shall provide a hot line technical support number (**866-436-4911)** for the purpose of providing user assistance and guidance in the implementation of the software. The technical support number is available **from 8 AM to 5 PM (PST)**.

5. SOFTWARE MAINTENANCE

a. Software maintenance as it is defined:

1. Software Maintenance as a Product

Software maintenance as a product includes the publishing of bug/defect fixes via patches and updates/upgrades in function and technology to maintain the operability and usability of the software product. It may also include other no charge support that are included in the purchase price of the product in the commercial marketplace. No charge support includes items such as user blogs, discussion forums, on-line help libraries and FAQs (Frequently Asked Questions), hosted chat rooms, and limited telephone, email and/or web-based general technical support for user's self diagnostics.

Software maintenance as a product does NOT include the creation, design, implementation, integration, etc. of a software package. These examples are considered software maintenance as a service.

Software Maintenance as a product is billed at the time of purchase.

6. PERIODS OF TERM LICENSES

a. The Contractor shall honor orders for periods for the duration of the contract period or a lessor period of time.

b. Term licenses and maintenance may be discontinued by the ordering activity on thirty (30) calendar days written notice to the Contractor.

c. Annual Funding. When annually appropriated funds are cited on an order for term licenses and/or maintenance, the period of the term licenses and/or maintenance shall automatically expire on September 30 of the contract period, or at the end of the contract period, whichever occurs first. Renewal of the term licenses and/or maintenance orders citing the new appropriation shall be required, if the term licenses and/or maintenance is to be continued during any remainder of the contract period.

d. Cross-Year Funding Within Contract Period. Where an ordering activity's specific appropriation authority provides for funds in excess of a 12 month (fiscal year) period, the ordering activity may place an order under this schedule contract for a period up to the expiration of the contract period, notwithstanding the intervening fiscal years.

e. Ordering activities should notify the Contractor in writing thirty (30) calendar days prior to the expiration of an order, if the term licenses and/or maintenance are to be terminated at that time. Orders for the continuation of term licenses and/or maintenance will be required if the term licenses and/or maintenance are to be continued during the subsequent period.

7. UTILIZATION LIMITATIONS

a. Software acquisition is limited to commercial computer software defined in FAR Part 2.101.

b. When acquired by the ordering activity, commercial computer software and related documentation so legend shall be subject to the following:

(1) Title to and ownership of the software and documentation shall remain with the Contractor, unless otherwise specified.

(2) Software licenses are by site and by ordering activity. An ordering activity is defined as a cabinet level or independent ordering activity. The software may be used by any subdivision of the ordering activity (service, bureau, division, command, etc.) that has access to the site the software is placed at, even if the subdivision did not participate in the acquisition of the software. Further, the software may be used on a sharing basis where multiple agencies have joint projects that can be satisfied by the use of the software placed at one ordering activity's site. This would allow other agencies access to one ordering activity's database. For ordering activity public domain databases, user agencies and third parties may use the computer program to enter, retrieve, analyze and present data. The user ordering activity will take appropriate action by instruction, agreement, or otherwise, to protect the Contractor's proprietary property with any third parties that are permitted access to the computer programs and documentation in connection with the user ordering activity's permitted use of the computer programs and documentation. For purposes of this section, all such permitted third parties shall be deemed agents of the user ordering activity.

(3) Except as is provided in paragraph 8.b(2) above, the ordering activity shall not provide or otherwise make available the software or documentation, or any portion thereof, in any form, to any third party without the prior written approval of the Contractor. Third parties do not include prime Contractors, subcontractors and agents of the ordering activity who have the ordering activity's permission to use the licensed software and documentation at the facility, and who have agreed to use the licensed software and documentation only in accordance with these restrictions. This provision does not limit the right of the ordering activity to use software, documentation, or information therein, which the ordering activity may already have or obtains without restrictions.

(4) The ordering activity shall have the right to use the computer software and documentation with the computer for which it is acquired at any other facility to which that computer may be transferred, or in cases of Disaster Recovery, the ordering activity has the right to transfer the software to another site if the ordering activity site for which it is acquired is deemed to be unsafe for ordering activity personnel; to use the computer software

and documentation with a backup computer when the primary computer is inoperative; to copy computer programs for safekeeping (archives) or backup purposes; to transfer a copy of the software to another site for purposes of benchmarking new hardware and/or software; and to modify the software and documentation or combine it with other software, provided that the unmodified portions shall remain subject to these restrictions.

(5) "Commercial Computer Software" may be marked with the Contractor's standard commercial restricted rights legend, but the schedule contract and schedule pricelist, including this clause, "Utilization Limitations" are the only governing terms and conditions, and shall take precedence and supersede any different or additional terms and conditions included in the standard commercial legend.

8. SOFTWARE CONVERSIONS

Full monetary credit will be allowed to the ordering activity when conversion from one version of the software to another is made as the result of a change in operating system or from one computer system to another. Under a perpetual license, the purchase price of the new software shall be reduced by the amount that was paid to purchase the earlier version. Under a term license, conversion credits which accrued while the earlier version was under a term license shall carry forward and remain available as conversion credits which may be applied towards the perpetual license price of the new version.

9. DESCRIPTIONS AND EQUIPMENT COMPATIBILITY

The Contractor shall include, in the schedule pricelist, a complete description of each software product and a list of equipment on which the software can be used. Also, included shall be a brief, introductory explanation of the modules and documentation which are offered.

10. RIGHT-TO-COPY PRICING

The Contractor shall insert the discounted pricing for right-to-copy licenses: Not Applicable.

Product Offerings

Everbridge, Inc. is a global software company that provides enterprise software applications that automate and accelerate an organization's operational response to critical events in order to Keep People Safe and Businesses Running™. During public safety threats such as active shooter situations, terrorist attacks or severe weather conditions, as well as critical business events including IT outages, cyber-attacks or other incidents such as product recalls or supply-chain interruptions, over 5,200 global customers rely on the company's Critical Event Management platform to quickly and reliably aggregate and assess threat data, locate people at risk and responders able to assist, automate the execution of pre-defined communications processes through the secure delivery to over 100 different communication devices, and track progress on executing response plans. The company's platform sent over 3.5 billion messages in 2019, and offers the ability to reach over 550 million people in more than 200 countries and territories. The company's critical communications and enterprise safety applications include Mass Notification, Incident Management, Safety Connection™, IT Alerting, Visual Command Center®, Public Warning, Crisis Management, Community Engagement®, and Secure Messaging, and are easy-to-use and deploy, secure, highly scalable and reliable.

Everbridge software automates the key steps for responding to a critical event. It aggregates threat data from third party and internal sources so customers can assess risk, and locates people in areas of threat and those needed to respond. It then enables customers to execute pre-defined processes based on the type of threat for who should be contacted and how, what message to send, and who to escalate to if a responder is not available. Our platform then sends out notifications and instructions via text, voice, email—over 100 modalities—in 15 languages as needed, organizes conference bridges for people to collaborate, and analyzes return messages. Automating these steps enables them to be completed quickly, highly reliably and at scale at a time when minutes often matter.

Mass Notification Base for Employees

Everbridge Mass Notification Base for Employees allows users to send notifications to individuals or groups using lists, locations, and visual intelligence. Everbridge Mass Notification is supported by state-of-the-art security protocols, an elastic infrastructure, advanced mobility, interactive reporting and analytics, adaptive people and resource mapping to mirror your organization, and true enterprise class data management capabilities to provide a wide array of data management options.

Key Capabilities Include:

- Send Domestic and International Alerts and Testing Messages
- Unlimited Email and Mobile App Push Notifications
- Global Messaging Credits equal to 10% of the aggregate license fee paid (Each voice call is charged ten Global Messaging Credits per recipient and each SMS message is charged five Global Messaging Credits per recipient)
- Three (3) Organization with unlimited nested static and dynamic groups
- Integrated GIS/Map-based, rule-based, group-based, or individual contact selection Ability to send standard, polling, or on-the-fly 'One-Touch' Conference Call messages
- Publish notifications directly to Websites and services that support API access via HTTPS using 'Web Posting'
- Publish notifications directly to the Smartphones of employees via Everbridge Mobile Application (fka ContactBridge)
- Access to IPAWS for authorized agencies
- Map-based drawing and selection tools and imported shape files (e.g. Google Maps, Bing Maps, ESRI)
- Organization specific customizable caller ID, greetings, and broadcast settings SMPP based SMS text messaging
- One-screen broadcast creation workflow to speed message creation and reduce human error
- Everbridge Network to access situational intelligence & notifications shared by other public and private groups
- Automatic address geo-coding for contacts
- 5 Live Operator Message Initiations per year
- Interactive Dashboard for Organizational Activity Summary Unlimited Mass Notification Templates
- Self-service Single Contact Record Adjustments, Contact Import via CSV Upload and via Contact API
- Basic Audio Bulletin Board
- 4 Everbridge basic conference bridge codes

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE per Unit	GSA PRICE w/ IFF (Minimum Purchase Amount)
511210	Everbridge	101-11-11-0240-000	Mass Notification Base for Employees (Minimum dollar value per single order is no less than $4282.12 or 154 contacts, whichever is greater. Everbridge will provide per contact discount pricing on a	$27.98	$4,282.12

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE per Unit	GSA PRICE w/ IFF (Minimum Purchase Amount)
			pro-rata basis beyond the minimum purchase value/minimum contacts.)		

Mass Notification Base for Residents

Everbridge Mass Notification Base for Residents allows users to send notifications to individuals or groups using lists, locations, and visual intelligence. Everbridge Mass Notification is supported by state-of-the-art security protocols, an elastic infrastructure, advanced mobility, interactive reporting and analytics, adaptive people and resource mapping to mirror your organization, and true enterprise class data management capabilities to provide a wide array of data management options.

Key Capabilities Include:

- Send Domestic and International Alerts and Testing Messages
- Unlimited Email and Mobile App Push Notifications
- Global Messaging Credits equal to 25% of the aggregate license fee paid (Each voice call is charged ten Global Messaging Credits per recipient and each SMS message is charged five Global Messaging Credits per recipient)
- Three (3) Organization with unlimited nested static and dynamic groups
- Integrated GIS/Map-based, rule-based, group-based, or individual contact selection Ability to send standard, polling, or on-the-fly 'One-Touch' Conference Call messages
- Publish notifications directly to the Smartphones of residents and employees via Everbridge Mobile Application (fka ContactBridge)
- Access to IPAWS for authorized agencies
- Map-based drawing and selection tools and imported shape files (e.g. Google Maps, Bing Maps, ESRI)
- Organization specific customizable caller ID, greetings, and broadcast settings SMPP based SMS text messaging
- Auto translate, Boil water and Weather alert message guides
- 25 Mass Notification for Corporate Employee Contacts

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE per Unit	GSA PRICE w/ IFF (Minimum Purchase Amount)
511210	Everbridge	101-11-11-0254-000	Mass Notification Base for Residents (Minimum dollar value per single order is no less than $4282.12 or 17242 contacts, whichever is greater. Everbridge will provide per contact discount pricing on a pro-rata basis beyond the minimum purchase value/minimum contacts.)	$0.25	$4,282.12

Mass Notification Base for Higher Education

Everbridge Mass Notification Base for Higher Education allows users to send notifications to individuals or groups using lists, locations, and visual intelligence. Everbridge Mass Notification is supported by state-of-the-art security protocols, an elastic infrastructure, advanced mobility, interactive reporting and analytics, adaptive people and resource mapping to mirror your organization, and true enterprise class data management capabilities to provide a wide array of data management options. Below is a list of key system inclusions with your new Everbridge Mass Notification system.

Key Capabilities Include:

- Send Domestic and International Alerts and Testing Messages
- Unlimited Email and Mobile App Push Notifications
- Global Messaging Credits equal to 25% of the aggregate license fee paid (Each voice call is charged ten Global Messaging Credits per recipient and each SMS message is charged five Global Messaging Credits per recipient)
- Three (3) Organization with unlimited nested static and dynamic groups
- Integrated GIS/Map-based, rule-based, group-based, or individual contact selection Ability to send standard, polling, or on-the-fly 'One-Touch' Conference Call messages
- Custom branded community opt-in portal with custom fields and opt-in subscriptions Flexible role-based access controls to manage user permissions
- Access to Real-Time Dashboard, Notifications Library, Everbridge Universe, and Custom Reporting
- Everbridge Network to access situational intelligence & notifications shared by other public and private groups
- Publish notifications directly Facebook and Twitter
- Publish notifications directly to Websites and services that support API access via HTTPS using 'Web Posting'
- Publish notifications directly to the Smartphones of residents and employees via Everbridge Mobile app (fka ContactBridge)
- Map-based drawing and selection tools and imported shape files (e.g. Google Maps, Bing Maps, ESRI)
- Organization specific customizable caller ID, greetings, and broadcast settings SMPP based SMS text messaging

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE per Unit	GSA PRICE w/ IFF (Minimum Purchase Amount)
511210	Everbridge	101-11-11-0250-000	Mass Notification Base for Higher Education (Minimum dollar value per single order is no less than $4282.12 or 3334 contacts, whichever is greater. Everbridge will provide per contact discount pricing on a pro-rata basis beyond the minimum purchase value/minimum contacts.)	$1.28	$4,282.12

Mass Notification Base for Transportation

Everbridge Mass Notification for Transportation allows users to send notifications to individuals or groups using lists, locations, and visual intelligence. Everbridge Mass Notification is supported by state-of-the-art security protocols, an elastic infrastructure, advanced mobility, interactive reporting and analytics, adaptive people and resource mapping to mirror your organization, and true enterprise class data management capabilities to provide a wide array of data management options. Below is a list of key system inclusions with your new Everbridge Mass Notification system.

Key Capabilities

- Send Domestic and International Alerts and Testing Messages
- Unlimited Email and Mobile App Push Notifications
- Global Messaging Credits equal to 10% of the aggregate license fee paid (Each voice call is charged ten Global Messaging Credits per recipient and each SMS message is charged five Global Messaging Credits per recipient)
- Unlimited Administrators for web-based portal to initiate messages, reporting, and administration
- Unlimited Administrators for ManageBridge Application (iOS, Android) and Mobile Optimized Notification Site (for Blackberry, etc.)
- Three (3) Organization with unlimited nested static and dynamic groups
- Access to Everbridge Elastic Infrastructure for message delivery
- Custom branded community opt-in portal with custom fields and opt-in subscriptions Flexible role-based access controls to manage user permissions
- Access to Real-Time Dashboard, Notifications Library, Everbridge Universe, and Custom Reporting
- Integrated GIS/Map-based, rule-based, group-based, or individual contact selection Ability to send standard, polling, or on-the-fly 'One-Touch' Conference Call messages
- Everbridge Network to access situational intelligence & notifications shared by other public and private groups
- Publish notifications directly to Websites and services that support API access via HTTPS using 'Web Posting'
- Map-based drawing and selection tools and imported shape files (e.g. Google Maps, Bing Maps, ESRI)
- Organization specific customizable caller ID, greetings, and broadcast settings SMPP based SMS text messaging
- Multi-language Text to Speech Engine and Custom Voice Recording
- Real-time reporting for improved situational awareness and easier after action analysis
- Interactive Dashboard for Organizational Activity Summary Unlimited Mass Notification Templates
- Basic Audio Bulletin Board

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE per Unit	GSA PRICE w/ IFF (Minimum Purchase Amount)
511210	Everbridge	101-11-11-0258-000	Mass Notification Base for Transportation (Minimum dollar value per single order is no less than $4282.12 or 181 contacts, whichever is greater. Everbridge will provide per contact discount pricing on a pro-rata	$23.78	$4,282.12

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE per Unit	GSA PRICE w/ IFF (Minimum Purchase Amount)
			basis beyond the minimum purchase value/minimum contacts.)		

Everbridge Mass Notification Base for Healthcare - 101-01-11-0261-000

Everbridge Mass Notification allows users to send notifications to individuals or groups using lists, locations, and visual intelligence. Everbridge Mass Notification is supported by state-of-the-art security protocols, elastic infrastructure, advanced mobility, interactive reporting and analytics, adaptive people and resource mapping to mirror your organization, and true enterprise class data management capabilities to provide a wide array of data management options.

Key Capabilities Include:

- Send Domestic and International Alerts and Testing Messages
- Unlimited Email and Mobile App Push Notifications
- Global Messaging Credits equal to 10% of the aggregate license fee paid (Each voice call is charged ten Global Messaging Credits per recipient and each SMS message is charged five Global Messaging Credits per recipient)
- Two (2) Organization with unlimited nested static and dynamic groups
- One (1) Contact Data Location
- Access to Everbridge Elastic Infrastructure for message delivery
- Notification escalation to automatically send a notification to the next person or group if there is no confirmation Integrated GIS/Map-based, rule-based, group-based, or individual contact selection
- Ability to send standard, polling, or on-the-fly 'One-Touch' Conference Call messages
- One-screen broadcast creation workflow to speed message creation and reduce human error
- Everbridge Network to access situational intelligence & notifications shared by other public and private groups
- Publish notifications directly to Websites and services that support API access via HTTPS using 'Web Posting'
- Contact filtering based on custom criteria
- Map-based drawing and selection tools and imported shape files (e.g. Google Maps, Bing Maps, ESRI)
- Automatic address geo-coding for contacts
- Organization specific customizable caller ID, greetings, and broadcast settings Multi-language Text to Speech
- Engine and Custom Voice Recording
- Real-time reporting for improved situational awareness and easier after-action analysis
- Unlimited Notification Templates
- Self-service Single Contact Record Adjustments, Contact Import via CSV Upload and via Contact API or via Secure FTP
- Audio Bulletin Board
- 5 Live Operator Message Initiations per year
- 4 Everbridge Basic Conference Bridge Codes
- Globally Local Calling for faster communications using local/regional message initiation
- Dynamic Caller ID to customize caller id's with local number per country or broadcast
- International Long and Short Codes for SMS delivery
- User interface localization in multiple languages

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE per Unit	GSA PRICE w/ IFF (Minimum Purchase Amount)
511210	Everbridge	101-01-11-0261-000	Mass Notification Base for Healthcare (Minimum dollar value per single order is no less than $4,282.12 or 118 contacts, whichever is greater. Everbridge will provide per contact discount pricing on a pro-rata basis beyond the minimum purchase value/minimum contacts.)	$ 36.37	$ 4,282.12

Everbridge Mass Notification Standard for Employees - 101-11-11-0241-000

Everbridge Mass Notification Standard allows users to send notifications to individuals or groups using lists, locations, and visual intelligence. Everbridge Mass Notification is supported by state-of-the-art security protocols, an elastic infrastructure, advanced mobility, interactive reporting and analytics, adaptive people and resource mapping to mirror your organization, and true enterprise class data management capabilities to provide a wide array of data management options.

Key Capabilities Include:

- Send Domestic and International Alerts and Testing Messages
- Unlimited Email and Mobile App Push Notifications
- Global Messaging Credits equal to 10% of the aggregate license fee paid (Each voice call is charged ten Global Messaging Credits per recipient and each SMS message is charged five Global Messaging Credits per recipient)
- Three (3) Organization with unlimited nested static and dynamic groups
- Integrated GIS/Map-based, rule-based, group-based, or individual contact selection Ability to send standard, polling, or on-the-fly 'One-Touch' Conference Call messages
- Publish notifications directly to Websites and services that support API access via HTTPS using 'Web Posting'
- Publish notifications directly to the Smartphones of employees via Everbridge Mobile Application (fka ContactBridge)
- Access to IPAWS for authorized agencies
- Map-based drawing and selection tools and imported shape files (e.g. Google Maps, Bing Maps, ESRI)
- Organization specific customizable caller ID, greetings, and broadcast settings
- One-screen broadcast creation workflow to speed message creation and reduce human error
- Everbridge Network to access situational intelligence & notifications shared by other public and private groups
- Automatic address geo-coding for contacts
- 5 Live Operator Message Initiations per year
- Interactive Dashboard for Organizational Activity Summary Unlimited Mass Notification Templates
- Self-service Single Contact Record Adjustments, Contact Import via CSV Upload and via Contact API
- Basic Audio Bulletin Board
- Four (4) Everbridge basic conference bridge codes

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE per Unit	GSA PRICE w/ IFF (Minimum Purchase Amount)
511210	Everbridge	101-11-11-0241-000	Mass Notification Standard for Employees (Minimum dollar value per single order is no less than $6,423.17 or 127 contacts, whichever is greater. Everbridge will provide per contact discount pricing on a pro-rata basis beyond the minimum purchase value/minimum contacts.)	$ 50.64	$ 6,423.17

Everbridge Mass Notification Pro for Employees - 101-11-11-0242-000

Everbridge Mass Notification Pro allows users to send notifications to individuals or groups using lists, locations, and visual intelligence. Everbridge Mass Notification is supported by state-of-the-art security protocols, elastic infrastructure, advanced mobility, interactive reporting and analytics, adaptive people and resource mapping to mirror your organization, and true enterprise class data management capabilities to provide a wide array of data management options.

Key Capabilities Include:

- Send Domestic and International Alerts and Testing Messages
- Unlimited Email and Mobile App Push Notifications
- Global Messaging Credits equal to 10% of the aggregate license fee paid (Each voice call is charged ten Global Messaging Credits per recipient and each SMS message is charged five Global Messaging Credits per recipient)
- Three (3) Organization with unlimited nested static and dynamic groups
- One (1) Contact Data Location
- Custom branded opt-in portal with custom fields and opt-in subscriptions
- Flexible role-based access controls to manage user permissions
- Access to Real-Time Dashboard, Notifications Library, Everbridge Universe, and Custom Reporting
- Access to Incident Management to automate incident communication workflows
- Access to Incident Chat for responders to coordinate and collaborate
- Access to SmartConference audio conference bridging
- Access to Single Sign On to simplify user management
- Access to Secure Collaboration mobile functionality for chat and texting with one colleague or a group from mobile phones and desktops
- Access to Visitor and Customer Engagement with five Keywords to allow people to opt-in to a
- database using keywords
- Access to Email Ingestion or EB Open Broadcast API to distribute up to 100 annual multi-modal notifications
- Notification escalation to automatically send a notification to the next person or group if there is no confirmation Integrated
- GIS/Map-based, rule-based, group-based, or individual contact selection
- Ability to send standard, polling, or on-the-fly ‘One-Touch’ Conference Call messages
- One-screen broadcast creation workflow to speed message creation and reduce human error
- Everbridge Network to access situational intelligence & notifications shared by other public and private groups
- Publish notifications directly to Websites and services that support API access via HTTPS using ‘Web Posting’
- Publish notifications directly to the Smartphones of residents and employees via the Everbridge Mobile app
- Contact filtering based on custom criteria
- Map-based drawing and selection tools and imported shape files (e.g. Google Maps, Bing Maps, ESRI)
- Automatic address geo-coding for contacts
- Organization specific customizable caller ID, greetings, and broadcast settings
- Multi-language Text to Speech Engine and Custom Voice Recording
- Real-time reporting for improved situational awareness and easier after-action analysis
- Unlimited Mass Notification Templates
- Self-service Single Contact Record Adjustments, Contact Import via CSV Upload and via Contact API or via Secure FTP
- Audio Bulletin Board
- Five (5) Live Operator Message Initiations per year
- Four (4) Everbridge Basic Conference Bridge Codes
- Globally Local Calling for faster communications using local/regional message initiation
- Dynamic Caller ID to customize caller id’s with local number per country or broadcast
- International Long and Short Codes for SMS delivery

- Active shooter, Shelter in place, Building evacuation, Severe weather & Facility problem message guides and unlimited Incident Communications templates

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE per Unit	GSA PRICE w/ IFF (Minimum Purchase Amount)
511210	Everbridge	101-11-11-0242-000	Mass Notification Pro for Employees (Minimum dollar value per single order is no less than $8,564.23 or 157 contacts, whichever is greater. Everbridge will provide per contact discount pricing on a pro-rata basis beyond the minimum purchase value/minimum contacts.)	$ 54.55	$ 8,564.23

Everbridge Mass Notification Pro for Higher Education - 101-11-11-0251-000

Everbridge Mass Notification Pro allows users to send notifications to individuals or groups using lists, locations, and visual intelligence. Everbridge Mass Notification is supported by state-of-the-art security protocols, elastic infrastructure, advanced mobility, interactive reporting and analytics, adaptive people and resource mapping to mirror your organization, and true enterprise class data management capabilities to provide a wide array of data management options.

Key Capabilities Include:

- Send Domestic and International Alerts and Testing Messages
- Unlimited Email and Mobile App Push Notifications
- Global Messaging Credits equal to 25% of the aggregate license fee paid (Each voice call is charged ten Global Messaging Credits per recipient and each SMS message is charged five Global Messaging Credits per recipient)
- Unlimited Administrators for web-based portal to initiate messages, reporting, and administration
- Unlimited Administrators for ManageBridge Application (iOS, Android) and Mobile Optimized Notification Site
- Three (3) Organization with unlimited nested static and dynamic groups
- One (1) Contact Data Location
- 4 Everbridge basic conference bridge codes
- Custom branded community opt-in portal with custom fields and opt-in subscriptions
- Flexible role-based access controls to manage user permissions
- Access to Real-Time Dashboard, Notifications Library, Everbridge Universe, and Custom Reporting
- Access to Community Engagement with five Keywords to allow people to opt-in to a database by keyword
- Access to Secure Collaboration mobile functionality for chat and texting with one colleague or a group from mobile phones and desktops
- Integrated GIS/Map-based, rule-based, group-based, or individual contact selection
- Ability to send standard, polling, or on the-fly 'One-Touch' Conference Call messages
- One-screen broadcast creation workflow to speed message creation and reduce human error
- Everbridge Network to access situational intelligence & notifications shared by other public and private groups
- Publish notifications directly Facebook and Twitter and Websites and services that support API access via HTTPS using 'Web Posting'
- Publish notifications directly to the Smartphones of residents and employees via Everbridge Mobile app
- Custom logo display in Everbridge Mobile Application
- Contact filtering based on custom criteria
- Map-based drawing and selection tools and imported shape files (e.g. Google Maps, Bing Maps, ESRI)
- Automatic address geo-coding for contacts
- Organization specific customizable caller ID, greetings, and broadcast settings
- Multi-language Text to Speech Engine and Custom Voice Recording
- Real-time reporting for improved situational awareness and easier after action analysis
- Five (5) Live Operator Message Initiations per year
- Interactive Dashboard for Organizational Activity Summary
- Unlimited Notification Templates
- Self-service Single Contact Record Adjustments, Contact Import via CSV Upload and via Contact AP Bulk Contact
- Management Automation via Secure FTP
- Audio Bulletin Board
- Single Sign on to simplify user management
- Active Shooter, Shelter in Place, Evacuation Order and Crisis Response Team (CMT) Bridge Activation message guides

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE per Unit	GSA PRICE w/ IFF (Minimum Purchase Amount)
511210	Everbridge	101-11-11-0251-000	Mass Notification Pro for Higher Education (Minimum dollar value per single order is no less than $8,564.23 or 5435 contacts, whichever is greater. Everbridge will provide per contact discount pricing on a pro-rata basis beyond the minimum purchase value/minimum contacts.)	$ 1.58	$ 8,564.23

Everbridge Mass Notification Pro for Residents - 101-11-11-0255-000

Everbridge Mass Notification Pro allows users to send notifications to individuals or groups using lists, locations, and visual intelligence. Everbridge Mass Notification is supported by state-of-the-art security protocols, elastic infrastructure, advanced mobility, interactive reporting and analytics, adaptive people and resource mapping to mirror your organization, and true enterprise class data management capabilities to provide a wide array of data management options.

Key Capabilities Include:

- Send Domestic and International Alerts and Testing Messages
- Unlimited Email notifications, IPAWS alerts, and Mobile App Push Notifications
- Global Messaging Credits equal to 25% of the aggregate license fee paid (Each voice call is charged ten Global Messaging Credits per recipient and each SMS message is charged five Global Messaging Credits per recipient)
- Three (3) Organization with unlimited nested static and dynamic groups
- One (1) Contact Data Location
- Custom branded opt-in portal with custom fields and opt-in subscriptions
- Flexible role-based access controls to manage user permissions
- Access to Real-Time Dashboard, Notifications Library, Everbridge Universe, and Custom Reporting
- Access to Community Engagement to communicate via Text, Email, and/or Voice Messages and provide an easy way for residents to Text Opt-In (text zip-code or a keyword to 888-777)
- Access to automated severe weather alerting from the National Weather Service via SMARTWeather for 1 (ONE) area no greater than a single County
- Access to Incident Management to automate incident communication workflows,
- Access to Incident Chat for responders to coordinate and collaborate
- Access to 1 (ONE) dedicated toll-free number via Premium Audio Bulletin Board
- Access to Auto-Translate, Missing Person and 20+ Pre-built Message Guides,
- Five (5) Live Operator Message Initiations per year
- Integrated GIS/Map-based, rule-based, group-based, or individual contact selection
- Ability to send standard, polling, or on-the-fly ‘One-Touch’ Conference Call messages
- One-screen broadcast creation workflow to speed message creation and reduce human error
- Everbridge Network to access situational intelligence & notifications shared by other public and private groups
- Publish notifications directly on Facebook, Twitter, Websites, and services that support API access via HTTPS using ‘Web Posting’
- Publish notifications directly to the Smartphones of residents and employees via Everbridge Mobile Application
- Custom logo display in Everbridge Mobile Application
- Publish approved notifications directly to Google Public Alerts website
- Access to IPAWS for authorized agencies – Only available to US public safety agencies
- Contact filtering based on custom criteria and automatic address geo-coding for contacts
- Map-based drawing and selection tools and imported shape files (e.g. Google Maps, Bing Maps, ESRI)
- Organization specific customizable caller ID, greetings, and broadcast settings
- Multi-language Text to Speech Engine and Custom Voice Recording
- Real-time reporting for improved situational awareness and easier after-action analysis
- Interactive Dashboard for Organizational Activity Summary Unlimited Notification Templates
- Self-service Single Contact Record Adjustments, Contact Import via CSV Upload and via Contact API
- Bulk Contact Management Automation via Secure FTP
- Everbridge basic conference bridge codes

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE per Unit	GSA PRICE w/ IFF (Minimum Purchase Amount)
511210	Everbridge	101-11-11-0255-000	Mass Notification Pro for Residents (Minimum dollar value per single order is no less than $8,564.23 or 26316 contacts, whichever is greater. Everbridge will provide per contact discount pricing on a pro-rata basis beyond the minimum purchase value/minimum contacts.)	$ 0.33	$ 8,564.23

Everbridge Mass Notification Pro for Transportation - 101-11-11-0259-000

Everbridge Mass Notification Pro allows users to send notifications to individuals or groups using lists, locations, and visual intelligence. Everbridge Mass Notification is supported by state-of-the-art security protocols, elastic infrastructure, advanced mobility, interactive reporting and analytics, adaptive people and resource mapping to mirror your organization, and true enterprise class data management capabilities to provide a wide array of data management options.

Key Capabilities Include:

- Send Domestic and International Alerts and Testing Messages
- Unlimited Email and Mobile App Push Notifications
- Global Messaging Credits equal to 10% of the aggregate license fee paid (Each voice call is charged ten Global Messaging Credits per recipient and each SMS message is charged five Global Messaging Credits per recipient)
- Three (3) Organization with unlimited nested static and dynamic groups
- Access to Everbridge Elastic Infrastructure for message delivery
- Custom branded community opt-in portal with custom fields and opt-in subscriptions
- Flexible role-based access controls to manage user permissions
- Access to Real-Time Dashboard, Notifications Library, Everbridge Universe, and Custom Reporting
- Access to 1 (ONE) dedicated toll-free number via Premium Audio Bulletin Board
- Access to Incident Management to automate incident communication workflows
- Access to SmartConference audio conference bridging
- Access to Single Sign On
- Integrated GIS/Map-based, rule-based, group-based, or individual contact selection
- Ability to send standard, polling, or on-the-fly 'One-Touch' Conference Call messages
- One-screen broadcast creation workflow to speed message creation and reduce human error
- Everbridge Network to access situational intelligence & notifications shared by other public and private groups
- Publish notifications directly to the Smartphones of residents and employees via Everbridge Mobile Application (fka ContactBridge)
- Contact filtering based on custom criteria and automatic address geo-coding for contacts
- Map-based drawing and selection tools and imported shape files (e.g. Google Maps, Bing Maps, ESRI)
- Organization specific customizable caller ID, greetings, and broadcast settings
- Multi-language Text to Speech Engine and Custom Voice Recording
- Real-time reporting for improved situational awareness and easier after-action analysis
- Five (5) Live Operator Message Initiations per year
- Interactive Dashboard for Organizational Activity Summary Unlimited Notification Templates
- Self-service Single Contact Record Adjustments, Contact Import via CSV Upload and via Contact API
- Bulk Contact Management Automation via Secure FTP

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE per Unit	GSA PRICE w/ IFF (Minimum Purchase Amount)
511210	Everbridge	101-11-11-0259-000	Mass Notification Pro for Transportation (Minimum dollar value per single order is no less than $8,564.23 or 273 contacts, whichever is greater. Everbridge will provide per contact discount pricing on a pro-rata basis beyond the minimum purchase value/minimum contacts.)	$ 31.39	$ 8,564.23

Community Engagement*

The Community Engagement solution supports easy opt-in capabilities for both public and private events. Gathering opt-ins, whether the general public or internal stakeholders, can be very difficult. With mobile keywords, large groups of people can easily opt-in to a database by texting a keyword. Additionally, the Visitor Engagement solution allows you enable event-focused web pages to increase the visibility and safety of your event.

Key Capabilities:

- Unlimited E-mail Messages
- Unlimited Facebook & Twitter Postings
- Global Messaging Credits equal to 25% of the aggregate license fee paid (Each voice call is charged ten Global Messaging Credits per recipient and each SMS message is charged five Global Messaging Credits per recipient)
- Unlimited Administrators for web-based portal to initiate messages, reporting, and administration
- Unlimited number of keyword Opt-In recipients
- Access to 5 event keywords
- Access to Public and Private Event Web Pages which are integrated with your Member Portal and can include registration widgets and social sharing options so visitors can share your notifications to their social networks.
- Publish event-based notifications via e-mail and SMS
- Publish event-based notifications directly to Facebook and Twitter
- Publish event-based notifications directly to Event Web Pages
- Automatic opt-in expirations
- Zip Code opt-in functionality for residents
- Google Public Alerts integration
- SMPP based SMS text messaging
- Messaging templates to speed up communications
- SMS, Email, Delivery Reporting.

Requires the purchase of a Mass Notification Base product.

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE per Unit	GSA PRICE w/ IFF (Minimum Purchase Amount)
511210	Everbridge	101-01-11-1027-000	Community Engagement.	21.41%*	$2,141.06*

***Pricing for the Community Engagement solution is based on 21.41% of the Annual Mass Notification Subscription Contract Value (exclusive of one-time and services costs) or $2,141.06, whichever is greater.**

Additional Community Engagement/Visitor Engagement Keywords for Employees - 100-09-11-1039-000

Provides additional keywords for use with Community Engagement or Visitor Engagement functionality within Everbridge Mass Notification Pro. Require the purchase of one of the following: Mass Notification Pro, Safety Connection Pro, Critical Event Management for Safety and Continuity, Critical Event Management for Mobility, Critical Event Management 360.

Additional Community Engagement/Visitor Engagement Keywords for State and Local Government, Higher Education and Transportation - 100-09-11-1038-000

Provides additional keywords for use with Community Engagement or Visitor Engagement functionality within Everbridge Mass Notification Pro. Require the purchase of one of the following: Mass Notification Pro, Safety Connection Pro, Critical Event Management for Safety and Continuity, Critical Event Management for Mobility, Critical Event Management 360.

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE w/ IFF
511210	Everbridge	100-09-11-1039-000	Additional CE/VE Keywords for Employees	$ 856.42
511210	Everbridge	100-09-11-1038-000	Additional CE/VE Keywords for State and Local Government, Higher Education and Transportation	$ 171.28

Incident Management – Incident Communications*

Delays and errors in operational communications happen every day increasing recovery times, impacting revenue and increasing risk. Everbridge Incident Communications automates your notification procedures by allowing users to select pre-defined messages and processes to use for a specified incident and then determining the correct list of stakeholders and responders.

Key Capabilities

- 1 (one) Incident Management Organization Unlimited
- Incident Administrator and User seats
- Unlimited Incident Templates
- Incident Templates supporting different messages & delivery settings based on notification phase (New, Update, Close)
- Global Messaging Credits equal to 10% of the aggregate license fee paid (Each voice call is charged ten Global Messaging Credits per recipient and each SMS message is charged five Global Messaging Credits per recipient)
- Multi-step workflow that prompts users to add required incident details
- Incident communication logging for all broadcast and confirmations
- Incident journal to capture additional details not included in incident communications
- Reporting of all incident communications details and responses in a PDF format
- Custom reports analyze incident communications effectiveness
- Communication broadcasts and confirmations include audit trails and timestamps
- Search across incidents using status, user, type and date
- Real-time incident dashboard for operators showing all open incident.

Requires the purchase of a Mass Notification Base product.

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE per Unit	GSA PRICE w/ IFF (Minimum Purchase Amount)
511210	Everbridge	101-01-11-0206-000	Incident Management - Incident Communications	25.69%*	$2,141.06*

***Pricing for the Incident Management-Incident Communications solution is based on 25.69% of the Annual Mass Notification Subscription Contract Value (exclusive of one-time and services costs) or $2,141.06, whichever is greater.**

SmartWeather*

Keep your employees, residents and other key stakeholders informed and safe with automatic broadcasts to all affected recipients in an impact area. Actively manage weather events and quickly put location-based warnings in the right hands, in real-time. With SMART Weather you can automatically broadcast customized messages based on the type and severity of the event. Everbridge's SMART Weather leverages Weather Decision Technologies meteorological resources to enhance and optimize over 150 severe weather alerts including lightning, tornados, thunderstorms, hail, ice, snow, extreme temperatures, high winds, flash floods and flooding.

Key Capabilities

- Accurate weather warnings with specific start times and timely closing of alerts.
- Precise meteorologist drawn polygons and geographical zones to identify weather impacted locations.
- Select contacts in affected areas using a map that identifies weather impacted locations.
- Customized message content based on weather type, severity, location and audience.
- Infrared displays allow for even more precise location-specific weather alerts so notifications get to the right people with speed and accuracy.
- New weather layers provide near real time weather monitoring, making it easier to alert key stakeholders.

Requires the purchase of a Mass Notification Base product.

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE per Unit	GSA PRICE w/ IFF (Minimum Purchase Amount)
511210	Everbridge	101-00-11-1060-000	SMART Weather Alerting (includes 1 location in base weather subscription)	12.85%*	$1,284.63*

***Pricing for the SmartWeather solution is based on 12.85% of the Annual Mass Notification Subscription Contract Value (exclusive of one-time and services costs) or $1,284.63, whichever is greater.**

Everbridge SmartWeather Options

SMART Weather – Nationwide Coverage – 101-00-11-1065-000

- Automated weather alerts for customers who have transient populations across multiple states

SMART Weather – Statewide Coverage – 101-00-11-1064-000

- Automated weather alerts for State customers who want to setup for the entire state

Additional SMART Weather Location(s) – 101-00-11-1063-000

- Each specific weather threshold is built for a specific office / facility Location

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE w/ IFF
511210	Everbridge	101-00-11-1065-000	SMART Weather - Nationwide Coverage	$ 2,141.06
511210	Everbridge	101-00-11-1064-000	SMART Weather - Statewide Coverage	$ 2,141.06
511210	Everbridge	101-00-11-1063-000	Additional SMARTWeather Location(s)	$ 856.42

Set-up Fee

- Up to 10 total hours of a dedicated Implementation Specialist during a Standard Implementation
- Self Service Administrative Set-up, Configuration and Default Preferences
- Initial Member Data Upload and Test Broadcast Support
- Unlimited Access to Everbridge University classes
- 24x7 Customer Support (phone, web, email)
- Global Support/Operations Centers for Redundant Live Support

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE per Unit	GSA PRICE w/ IFF (Minimum Purchase Amount)
511210	Everbridge	SETUPFEES	Setup Fee	6.85%*	$342.57*

***The Setup Fee is equal to 6.85% of the Annual Subscription Contract Value (exclusive of one-time and services costs) with a minimum purchase value of $342.57.**

ITA Alerting Standard Resolver License

Major IT failures and outages (critical application down, Cyber attack, deployment issue, datacenter outage, etc.) quickly impact users and customers of the IT services as the quality of service deteriorates. Everbridge IT Alerting helps IT Departments, Incident Managers, DevOps, reduce the time to reach the right on-call IT personnel and keep stakeholders as well as impacted customers informed. Reducing MTTR will minimize the impact on the business.

Everbridge IT Alerting Standard provides:

- Send Global Notifications and Testing Messages
- Unlimited Email and Mobile App Push Notifications
- Global Messaging Credits equal to 20% of the aggregate license fee paid (Each voice call is charged ten Global Messaging Credits per recipient and each SMS message is charged five Global Messaging Credits per recipient)
- Communication templates with conditional workflow for human error-free notifications
- Automatic notifications to the right on-call person
- Automatic escalation to the next person until someone acknowledges
- Multi communication channels (email, phone, SMS, pager, and mobile push notifications…)
- Collaboration tools including a 1-click smart conferencing (360 minutes per resolver license per year)
- Integration with IT Service Management (Helpdesk) and IT Operations Management (monitoring) tools.
- Communication updates to your IT team, the business stakeholders and the impacted customers while IT is resolving the problem.

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE per Unit	GSA PRICE w/ IFF (Minimum Purchase Amount)
511210	Everbridge	100-05-11-0201-000	IT Alerting Standard Resolver License (Minimum dollar value per single order is no less than 66 contacts. Everbridge will provide per contact discount pricing on a pro-rata basis beyond the minimum purchase value/minimum contacts.)	$328.87	$21,705.19

Everbridge IT Alerting Base - 100-05-11-0206-000

IT Alerting provides an Enterprise closed-loop incident response automation solution backed up by multiple patented technologies. The platform integrates and automates communications, collaboration, and orchestration processes for ServiceOps, IT Security Ops, DevOps, and Disaster recovery Ops for faster recovery and delivery. IT Alerting capabilities include group and calendar management, on-call scheduling, automated escalation, pinless conference bridges, and reporting. The solution is offered as a cloud service based on the secure, highly available, resilient, and globally scalable Everbridge CEM platform.

Key Capabilities Include:

- Unlimited email notifications
- Unlimited Everbridge mobile app push notifications
- Unlimited usage of Secure Collaboration mobile app encrypted communications
- Annual allocation of 2,500,000 Global Messaging Credits (Each voice call is charged ten Global Messaging Credits per recipient and each SMS message is charged five Global Messaging Credits per recipient)
- 1 (one) IT Alerting Management Account (2 orgs)
- Up to 70 named Resolver licenses
- Up to 100 Recipient licenses
- Conference Bridge dedicated numbers the IT Alerting account (traditional (4) and smart conference numbers (4))
- Incident Communication including Scenario Manager
- Open APIs (email ingestion, APIs)
- Ipaas
- One (1) ITSM End-point integration
- Everbridge Mobile application
- Everbridge ManageBridge
- On-call Scheduling
- ITA Interactive Dashboards
- Everbridge Single Sign-on
- Unlimited IT Incident Templates
- Multimodal delivery to Phones, Email, SMS & Push Notifications
- IT Incident templates with different messages & delivery settings based on each notification phase or time of day
- Notification escalation to automatically send a notification to the next person or group if there is no confirmation
- Dynamic contact path preferences based on time of day or individual preferences
- Ability to send standard, polling, or on-the-fly ‘one-touch’ conference call notifications Self-service Integration platform
- Everbridge Open Broadcast API to send messages automatically from IT management and internal systems
- Email Ingestion
- Incident communication logging for all broadcast and confirmations
- Incident journal to capture additional details not included in incident communications
- Communication broadcasts and confirmations include audit trails and timestamps
- Search across incidents using status, user, type and date
- Real-time incident dashboard for operators showing all open incidents
- On-Call Scheduling
- Smart Routing
- Smart Orchestration
- Smart Analytics
- Scenario manager to send different messages to different audiences Everbridge mobile application
- Standard reports as well as flexible custom reporting capability Interactive ITA Dashboards

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE w/ IFF
511210	Everbridge	100-05-11-0206-000	IT Alerting Base	$ 29,974.81

Everbridge IT Alerting Recipients - 101-05-11-1252-000

Critical IT events can have significant impact on companies' operations and on the business users. This can lead to user frustration and higher-than-usual inbound call volumes into the company's IT support centers. The IT Alerting Recipient license is designed to offer 1-way notifications to all impacted business users (or recipients) who are not expected to actively work on the incident resolution. The notifications are sent from the Everbridge Incident module, a component of Everbridge of IT Alerting in the form of emails, mobile push notification, SMS or Voice.

IT Alerting Recipient licenses are only available to accounts who have purchased IT Alerting Base with the following ratio 20 Resolvers/80Recipients.

Everbridge IT Alerting Scheduling - 100-04-11-1025-000

IT Alerting Scheduling helps track who is on-call on each team, and alerts the right people based on the type of incident, time of day, skill set required and location.

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE per Unit	GSA PRICE w/ IFF (Minimum Purchase Amount)
511210	Everbridge	101-05-11-1252-000	IT Alerting Recipients (Per recipient)	$ 50.64	$ 50.64
511210	Everbridge	100-04-11-1025-000	IT Alerting Scheduling (Minimum dollar value per single order is no less than $1500 or 25 contacts, whichever is greater.)	$ 51.39	$ 1,284.63

Additional Organization

One (1) additional Organization

SIN	Manufacturer	MFR PART NO	PRODUCT NAME and DESCRIPTION	GSA PRICE w/ IFF
511210	Everbridge	101-01-11-1001-000	Additional Organization - One (1) Additional Organization in an Account	$428.21

Usage

SIN	Manufacturer	MFR PART NO	PRODUCT NAME and DESCRIPTION	GSA PRICE w/ IFF
511210	Everbridge	101-01-33-0711	5,000 US Minutes	$214.11
511210	Everbridge	101-01-11-0712	7,500 US SMS Messaging Minutes	$214.11
511210	Everbridge	101-01-33-0505	2,500 Global Minutes	$214.11

500,000 Global Message Credits - 101-01-33-0712-000

Customers will have access to an annual allowance of Messaging Credits that can be used for notifications. The specific number of Messaging Credits are included on the product Quote and are applied per notification according to the table below. Unused Messaging Credits (including any additional purchased credits) expire at the end of the annual contract period under the applicable Quote and are not refundable. If the customer exceeds the annual allowance of Messaging Credits allocated to the account or previously purchased, then the customer shall pay for such overages and charges back to the date they were incurred.

Messaging Credits shall be calculated and consumed as follows:

Message Modality	Email	Push Notification	Pager	Voice	SMS Text	Conference Voice	TTY	FAX
Unit of Measure	per email sent	per mobile app notification	per pager message sent	per minute of the voice call	per SMS message	per minute of the voice call	per TTY message	per page sent
REGION 1: NORTH AMERICA	free	free	free	10	5	10	100	100
REGION 2: EUROPE	free	free	free	40	30	40	100	100
REGION 3: SOUTH AMERICA	free	free	free	190	40	190	100	100
REGION 4: AFRICA	free	free	free	400	50	400	100	100
REGION 5: ASIA	free	free	free	70	30	70	100	100
REGION 6: OCEANIA	free	free	free	100	40	100	100	100
REGION 7: MIDDLE EAST	free	free	free	170	30	170	100	100

A single notification consists of:

• SMS Text:

- For messages that contain only GSM characters, each 153 characters or portion thereof.
- For messages that contain any non-GSM characters, each 67 characters or portion thereof.
- GSM characters include only characters in the GSM 7-bit default alphabet.

• Voice or Conference Voice: One minute or portion of a minute of the voice message, calculated on a cumulative basis per month, per destination country.

• TTY: Per TTY call.

• Fax: Per page transmitted.

For example:

- SMS Notification (containing 100 GSM characters) sent to 100 contacts in the United States would consume 500 Messaging Credits (100 contacts * 1 Notification/contact * 5 Messaging Credits per US SMS message).
- Voice Notification (Each message = 30 seconds) sent to 500 contacts in France would consume 10,000 Messaging Credits (500 contacts * 30 seconds = 250 minutes of calls * 40 Messaging Credits per European Voice Call).
- SMS Notification (containing 200 GSM characters) sent to 250 contacts in India and 2000 contacts in the United States would consume 35,000 Messaging Credits (250 contacts * 2 Notifications/contact * 30 Messaging Credits per Asian SMS message = 15,000 Messaging Credits) + (2000 contacts * 2 Notifications/contact * 5 Messaging Credits per US SMS message = 20,000 Messaging Credits)

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE w/ IFF
511210	Everbridge	101-01-33-0712-000	500,000 Global Message Credits	$ 856.42

Everbridge Critical Alerting for Public Safety Employees - 101-00-04-0273-000, 101-00-04-0274-000, and 101-00-04-0275-000

For State, Municipal and Local Agencies who are looking to create multi-modal alerting from mission critical systems like WebEOC, Computer Assisted Dispatch or other internal systems, Everbridge's Critical Alerting for Public Safety Employees solution is designed to improve first responder and emergency management response times by leveraging the existing contacts in your Everbridge platform to deliver mission critical multi-modal alerts to key personnel. Users can automate the notification processes for traditionally email only alerting systems using e-mail ingestion to configure deliver multi-modal alerts to the correct list of stakeholders and responders.

Key Features:

- Unlimited E-mail Distribution
- Unlimited Push Notification via Everbridge App
- Voice and SMS messaging minutes limited to 7500 per year*
- Access to Email Ingestion for configuration of alerts
- Publish alerts via E-mail Publish alerts directly to the Smartphones of employees via ContactBridge
- Publish alerts via SMS Texting and Voice Calls
- Automatic escalation of a notification to the next person or group if there is no confirmation
- Email Ingestion to take 3rd party e-mail content and launch multi-modal alerts
- Design rules based on content in the from, subject or body fields of the e-mail to can trigger specific templates and groups
- 8 total hours of remote access to a consultant to help with initial configuration and testing
- Creation of up to 4 templates
- Creation of up to 2 email ingestion integration points (Any complex expressions or configurations that require additional support would be supported within the 8 hours of Professional Services).

*Usage above 7500 messaging minutes per year can be purchased.

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE w/ IFF
511210	Everbridge	101-00-04-0273-000	Everbridge Critical Alerting for Public Safety Employees (1000 or fewer employees)	$7,279.60
511210	Everbridge	101-00-04-0274-000	Everbridge Critical Alerting for Public Safety Employees (Between 1001 and 2500 Employees)	$8,992.44
511210	Everbridge	101-00-04-0275-000	Everbridge Critical Alerting for Public Safety Employees (2501 or more Employees)	$11,561.71

Everbridge Open APIs and E-mail Ingestion - 101-01-11-1015-000, 101-01-11-1016-000, 101-01-11-1017-000, 101-01-11-1025-000, 101-01-11-1028-000, and 101-01-11-1029-000

Everbridge Open is a set of REST based APIs that can be used to integrate contact information or trigger notifications remotely based on thresholds being reached in an internal system. For example, you could integrate your internal Human Resources (HR) system with the Everbridge system. When the HR team updates employee records, the contact information is automatically added, updated, or deleted in the Everbridge system.
Email Ingestion lets users trigger notifications simply by sending an email to Everbridge. This is also an easy way, with no coding required, to create integrations with IT Monitoring and Service Management tools, CRM systems, and CAD systems.

Everbridge Open APIs and E-mail Ingestion are designed to support integration with internal systems to support mass communication uses. Any non-standard use of the Everbridge Open API or E-mail Ingestion for broadcast purposes, such as high volume one-to-one communications, are not covered under the Everbridge SLA. Examples of non-standard uses include, but are not limited to, the following: Marketing; SPAM (malicious marketing); Political or "Robo-Calls"; Collections; "One-to- one" communications; or calls that have to follow "do not call" or "time of day" rules. Please refer to the Everbridge Acceptable Use Policy for additional details: https://www.everbridge.com/company/legal/%E2%80%8Bacceptable-use-policy/.

Everbridge Open APIs and E-mail Ingestion provides:

- Number of Broadcast API Calls or Email Ingestion Initiation contracted*
- Access to 2 Everbridge Organizations (e.g. Production and Sandbox) each with authenticated API users
- Access to Incident Management as needed to configure email ingestion

*Does not include contact path usage (i.e. voice or SMS) costs which needs to be purchased separately for voice or SMS communications.

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE w/ IFF
511210	Everbridge	101-01-11-1015-000	Everbridge Open API (100 or fewer Broadcasts)	$2,997.48
511210	Everbridge	101-01-11-1016-000	Everbridge Open API (Between 101 and 500 Broadcasts)	$4,924.43
511210	Everbridge	101-01-11-1017-000	Everbridge Open API (Between 501 and 2500 Broadcasts)	$10,919.40
511210	Everbridge	101-01-11-1025-000	Everbridge Open API (Between 2501 and 25000 Broadcasts)	$17,128.46
511210	Everbridge	101-01-11-1028-000	Everbridge Open API (Between 25001 and 250000 Broadcasts)	$29,974.81
511210	Everbridge	101-01-11-1029-000	Everbridge Open API (250001 or more Broadcasts)	$42,821.16

Everbridge Safety Connection Mobile for Employees - 101-11-11-0264-000

Everbridge Safety Connection™ Mobile for Employees helps organizations quickly locate and communicate with their people. The solution aggregates geo-location data from HR systems and the Everbridge Mobile app (fka ContactBridge) so you can reach out to those employees, contractors or visitors who are potentially at risk. Combining the Everbridge Mobile app with the power of Everbridge Mass Notification, Safety Connection™ helps to improve employee security and provide enhanced information about an employee's location to help keep people safe. Everbridge Mass Notification is supported by state-of-the-art security protocols, an elastic infrastructure, advanced mobility, interactive reporting and analytics, adaptive people and resource mapping to mirror your organization, and true enterprise class data management capabilities to provide a wide array of data management options.

Key Capabilities Include:

- Send Domestic and International Alerts and Testing Messages
- Unlimited Email and Mobile App Push Notifications
- Global Messaging Credits equal to 10% of the aggregate license fee paid (Each voice call is charged ten Global Messaging Credits per recipient and each SMS message is charged five Global Messaging Credits per recipient)
- Three (3) Organization with unlimited nested static and dynamic groups
- Access to Real-Time Dashboard, Notifications Library, Everbridge Universe, and Custom Reporting
- Access to the SOS and Safe Corridor functionality in the Everbridge Mobile App to automate outreach to predefined contacts and to require check-in and location monitoring capabilities within a specific geographic area
- Integrated GIS/Map-based, rule-based, group-based, or individual contact selection
- Ability to send standard, polling, or on-the-fly 'One-Touch' Conference Call messages
- One-screen broadcast creation workflow to speed message creation and reduce human error
- Everbridge Network to access situational intelligence & notifications shared by other public and private groups
- Publish notifications directly Facebook and Twitter and Websites and services that support API access via HTTPS using 'Web Posting'
- Publish notifications directly to the Smartphones of residents and employees via Everbridge Mobile app (fka ContactBridge)
- Apple Watch mobile app functionality
- Contact filtering based on custom criteria
- Map-based drawing and selection tools and imported shape files (e.g. Google Maps, Bing Maps, ESRI)
- Automatic address geo-coding for contacts
- Organization specific customizable caller ID, greetings, and broadcast settings
- Multi-language Text to Speech Engine and Custom Voice Recording
- Real-time reporting for improved situational awareness and easier after-action analysis
- Five (5) Live Operator Message Initiations per year
- Interactive Dashboard for Organizational Activity Summary
- Unlimited Notification Templates
- Self-service Single Contact Record Adjustments, Contact Import via CSV Upload and via Contact AP
- Bulk Contact Management Automation via Secure FTP
- Four (4) Everbridge basic conference bridge codes
- Single Sign on to simplify user management

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE per Unit	GSA PRICE w/ IFF (Minimum Purchase Amount)
511210	Everbridge	101-11-11-0264-000	Safety Connection Mobile for Employees (Minimum dollar value per single order is no less than $6,423.17	$ 41.11	$ 6,423.17

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE per Unit	GSA PRICE w/ IFF (Minimum Purchase Amount)
			or 157 contacts, whichever is greater. Everbridge will provide per contact discount pricing on a pro-rata basis beyond the minimum purchase value/minimum contacts.)		

Everbridge Safety Connection Mobile for Higher Education - 101-11-11-0256-000

Everbridge Safety Connection™ Mobile for Higher Education helps organizations quickly locate and communicate with their people. The solution aggregates geo-location data from HR systems and the Everbridge Mobile app (fka ContactBridge) so you can reach out to those students, faculty, staff, contractors, or visitors who are potentially at risk. Combining the Everbridge Mobile app with the power of Everbridge Mass Notification, Safety Connection™ helps to improve campus security and provide enhanced information about an individual's location to help keep people safe. Everbridge Mass Notification is supported by state-of-the-art security protocols, an elastic infrastructure, advanced mobility, interactive reporting and analytics, adaptive people and resource mapping to mirror your organization, and true enterprise class data management capabilities to provide a wide array of data management options.

Key Capabilities Include:

- Send Domestic and International Alerts and Testing Messages
- Unlimited Email and Mobile App Push Notifications
- Global Messaging Credits equal to 25% of the aggregate license fee paid (Each voice call is charged ten Global Messaging Credits per recipient and each SMS message is charged five Global Messaging Credits per recipient)
- Three (3) Organization with unlimited nested static and dynamic groups
- Access to Real-Time Dashboard, Notifications Library, Everbridge Universe, and Custom Reporting
- Access to the SOS and Safe Corridor functionality in the Everbridge Mobile App to automate outreach to predefined contacts and to require check-in and location monitoring capabilities within a specific geographic area
- Integrated GIS/Map-based, rule-based, group-based, or individual contact selection Ability to send standard, polling, or on the-fly 'One-Touch' Conference Call messages
- One-screen broadcast creation workflow to speed message creation and reduce human error
- Everbridge Network to access situational intelligence & notifications shared by other public and private groups
- Publish notifications directly Facebook and Twitter and Websites and services that support API access via HTTPS using 'Web
- Posting' Publish notifications directly to the Smartphones of residents and employees via Everbridge Mobile app Contact
- filtering based on custom criteria
- Map-based drawing and selection tools and imported shape files (e.g. Google Maps, Bing Maps, ESRI)
- Automatic address geo-coding for contacts
- Organization specific customizable caller ID, greetings, and broadcast settings
- Multi-language Text to Speech Engine and Custom Voice Recording
- Real-time reporting for improved situational awareness and easier after-action analysis
- Five (5) Live Operator Message Initiations per year
- Interactive Dashboard for Organizational Activity Summary Unlimited Notification Templates
- Self-service Single Contact Record Adjustments, Contact Import via CSV Upload and via Contact AP Bulk Contact
- Management Automation via Secure FTP
- Audio Bulletin Board
- Single Sign on to simplify user management
- Active Shooter, Shelter in Place, Evacuation Order and Crisis Response Team (CMT) Bridge Activation message guides

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE per Unit	GSA PRICE w/ IFF (Minimum Purchase Amount)
511210	Everbridge	101-11-11-0256-000	Safety Connection Mobile for Higher Education (Minimum dollar value per single order is no less than $6,423.17 or 3659 contacts, whichever is greater. Everbridge will provide per contact discount pricing on a pro-rata basis beyond the minimum purchase value/minimum contacts.)	$ 1.76	$ 6,423.17

Everbridge Safety Connection Base for Employees - 101-10-11-1300-000

Everbridge Safety Connection™ helps businesses and organizations quickly locate and communicate with their people. The solution aggregates geo-location data from multiple systems so you can reach out to those employees, contractors or visitors who are potentially at risk. Combining physical access control, mobile application, network access and other location-aware data with the power of Everbridge Mass Notification, Safety Connection™ helps to improve employee security and provide enhanced information about an employee's location to help keep people safe.

Key Capabilities Include:

- Send Domestic and International Alerts and Testing Messages
- Unlimited Email and Mobile App Push Notifications
- Global Messaging Credits equal to 10% of the aggregate license fee paid (Each voice call is charged ten Global Messaging Credits per recipient and each SMS message is charged five Global Messaging Credits per recipient)
- Three (3) Organization with unlimited nested static and dynamic groups
- One (1) Contact Data Location
- Custom branded opt-in portal with custom fields and opt-in subscriptions
- Flexible role-based access controls to manage user permissions
- Access to Real-Time Dashboard, Notifications Library, Everbridge Universe, and Custom Reporting
- Access to Incident Management to automate incident communication workflows
- Access to Single Sign On to simplify user management
- Access to Email Ingestion or EB Open Broadcast API to distribute up to 100 annual multi-modal notifications
- Everbridge mobile app
- Contact profiles with location and timestamped attributes including 'last known' location and 'expected' location data
- Send targeted notifications based on 'last known' location or other contact attributes
- Easily place your physical assets (buildings, places of interest…) directly on the Everbridge Universe map
- Upload location aware data from access control systems, network systems, etc.
- Mobile app check-in functionality that allows users to provide their geo location
- Mobile app SOS functionality to automate outreach to predefined contacts
- Mobile app Safe Corridor functionality that requires check-in and location monitoring capabilities within a specific geographic area
- Apple Watch mobile app functionality
- Notification escalation to automatically send a notification to the next person or group if there is no confirmation
- Integrated GIS/Map-based, rule-based, group-based, or individual contact selection
- Ability to send standard, polling, or on-the-fly 'One-Touch' Conference Call messages with 4 Conference Bridge Codes
- Unlimited Notification Templates and one-screen broadcast creation workflow to speed message creation and reduce human error
- Everbridge Network to access situational intelligence & notifications shared by other public and private groups
- Publish notifications directly to Websites and services that support API access via HTTPS using 'Web Posting'
- Publish notifications directly to the Smartphones of residents and employees via the Everbridge Mobile app
- Contact filtering based on custom criteria and automatic address geo-coding for contacts
- Map-based drawing and selection tools and imported shape files (e.g. Google Maps, Bing Maps, ESRI)
- Organization specific customizable caller ID, greetings, and broadcast settings
- Multi-language Text to Speech Engine and Custom Voice Recording
- Real-time reporting for improved situational awareness and easier after-action analysis
- Self-service Single Contact Record Adjustments, Contact Import via CSV Upload and via Contact API or via Secure FTP
- Audio Bulletin Board
- Five (5) Live Operator Message Initiations per year

- Globally Local Calling for faster communications using local/regional message initiation
- Dynamic Caller ID with local number per country or broadcast and International Long and Short Codes for SMS delivery
- User interface localization in multiple languages

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE per Unit	GSA PRICE w/ IFF (Minimum Purchase Amount)
511210	Everbridge	101-10-11-1300-000	Safety Connection Base for Employees (Minimum dollar value per single order is no less than $8,564.23 or 150 contacts, whichever is greater. Everbridge will provide per contact discount pricing on a pro-rata basis beyond the minimum purchase value/minimum contacts.)	$ 57.10	$ 8,564.23

Everbridge Safety Connection Base for Higher Education - 101-11-11-0260-000

Everbridge Safety Connection™ helps businesses and organizations quickly locate and communicate with their people. The solution aggregates geo-location data from multiple systems so you can reach out to those employees, contractors or visitors who are potentially at risk. Combining physical access control, mobile application, network access and other location-aware data with the power of Everbridge Mass Notification, Safety Connection™ helps to improve employee security and provide enhanced information about an employee's location to help keep people safe.

Key Capabilities Include:

- Send Domestic and International Alerts and Testing Messages
- Unlimited Email and Mobile App Push Notifications
- Global Messaging Credits equal to 25% of the aggregate license fee paid (Each voice call is charged ten Global Messaging Credits per recipient and each SMS message is charged five Global Messaging Credits per recipient)
- Three (3) Organization with unlimited nested static and dynamic groups
- One (1) Contact Data Location
- Four (4) Everbridge basic conference bridge codes
- Access to Everbridge Elastic Infrastructure for message delivery
- Custom branded community opt-in portal with custom fields and opt-in subscriptions
- Flexible role-based access controls to manage user permissions
- Access to Real-Time Dashboard, Notifications Library, Everbridge Universe, and Custom Reporting
- Access to the SOS and Safe Corridor functionality in the Everbridge Mobile App to automate outreach to predefined contacts and to require check-in and location monitoring capabilities within a specific geographic area
- Apple Watch mobile app functionality
- Integrated GIS/Map-based, rule-based, group-based, or individual contact selection
- Ability to send standard, polling, or on the-fly 'One-Touch' Conference Call messages
- One-screen broadcast creation workflow to speed message creation and reduce human error
- Everbridge Network to access situational intelligence & notifications shared by other public and private groups
- Publish notifications directly Facebook and Twitter and Websites and services that support API access via HTTPS using 'Web Posting'
- Publish notifications directly to the Smartphones of residents and employees via Everbridge Mobile app
- Contact filtering based on custom criteria
- Map-based drawing and selection tools and imported shape files (e.g. Google Maps, Bing Maps, ESRI)
- Automatic address geo-coding for contacts
- Organization specific customizable caller ID, greetings, and broadcast settings
- Multi-language Text to Speech Engine and Custom Voice Recording
- Real-time reporting for improved situational awareness and easier after-action analysis
- Five (5) Live Operator Message Initiations per year
- Interactive Dashboard for Organizational Activity Summary Unlimited Notification Templates
- Self-service Single Contact Record Adjustments, Contact Import via CSV Upload and via Contact AP Bulk Contact Management Automation via Secure FTP
- Audio Bulletin Board
- Single Sign on to simplify user management
- Active Shooter, Shelter in Place, Evacuation Order and Crisis Response Team (CMT) Bridge Activation message guides

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE per Unit	GSA PRICE w/ IFF (Minimum Purchase Amount)
511210	Everbridge	101-11-11-0260-000	Safety Connection Base for Higher Education (Minimum dollar value per single order is no less than $6,423.17 or 193 contacts, whichever is greater. Everbridge will provide per contact discount pricing on a pro-rata basis beyond the minimum purchase value/minimum contacts.)	$ 33.40	$ 6,423.17

Everbridge Safety Connection Pro for Employees - 101-11-11-0235-000

Everbridge Safety Connection™ helps businesses and organizations quickly locate and communicate with their people. The solution aggregates geo-location data from multiple systems so you can reach out to those employees, contractors or visitors who are potentially at risk. Combining physical access control, mobile application, network access and other location-aware data with the power of Everbridge Mass Notification, Safety Connection™ helps to improve employee security and provide enhanced information about an employee's location to help keep people safe.

Key Capabilities Include:

- Send Domestic and International Alerts and Testing Messages
- Unlimited Email and Mobile App Push Notifications
- Global Messaging Credits equal to 10% of the aggregate license fee paid (Each voice call is charged ten Global Messaging Credits per recipient and each SMS message is charged five Global Messaging Credits per recipient)
- Three (3) Organization with unlimited nested static and dynamic groups
- One (1) Contact Data Location
- Custom branded opt-in portal with custom fields and opt-in subscriptions Flexible role-based access controls to manage user permissions
- Access to Real-Time Dashboard, Notifications Library, Everbridge Universe, and Custom Reporting Access to Everbridge
- Mobile Application with SOS, Check-in, Emergency Call, and Safe Corridor, and custom mobile tiles functionality
- Access to Location Based Tracing in the platform and Proximity Based Tracing via the Everbridge Mobile Application
- Access to Visualization of Dynamic location data including 'last known' location and 'expected' location data
- Location customizable icons for assets such as buildings, retail stores, airports, hospitals, etc. within the Everbridge Universe
- Access to Open Secure FTP for uploading data sets with 'last known' location data
- Access to Incident Management to automate incident communication workflows
- Access to Incident Chat for responders to coordinate and collaborate
- Access to Smart Conference audio conference bridging
- Access to Single Sign On to simplify user management
- Access to Private Incident Zones to target notifications based on a geo-fenced polygon
- Access to Secure Collaboration mobile functionality for chat and texting with one colleague or a group from mobile phones and desktops
- Access to Visitor and Customer Engagement with five Keywords to allow people to opt-in to a database by keyword
- Access to Email Ingestion or the EB Open Broadcast API to distribute up to 100 annual multi-modal notifications

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE per Unit	GSA PRICE w/ IFF (Minimum Purchase Amount)
511210	Everbridge	101-11-11-0235-000	Safety Connection Pro for Employees (Minimum dollar value per single order is no less than $10,705.29 or 150 contacts, whichever is greater. Everbridge will provide per contact discount pricing on a pro-rata basis beyond the minimum purchase value/minimum contacts.)	$ 71.37	$ 10,705.29

Everbridge Safety Connection Pro for Higher Education - 101-11-11-0253-000

Everbridge Safety Connection™ helps businesses and organizations quickly locate and communicate with their people. The solution aggregates geo-location data from multiple systems so you can reach out to those employees, contractors or visitors who are potentially at risk. Combining physical access control, mobile application, network access and other location-aware data with the power of Everbridge Mass Notification, Safety Connection™ helps to improve employee security and provide enhanced information about an employee's location to help keep people safe.

Key Capabilities Include:

- Send Domestic and International Alerts and Testing Messages
- Unlimited Email and Mobile App Push Notifications
- Global Messaging Credits equal to 25% of the aggregate license fee paid (Each voice call is charged ten Global Messaging Credits per recipient and each SMS message is charged five Global Messaging Credits per recipient)
- Three (3) Organization with unlimited nested static and dynamic groups
- Flexible role-based access controls to manage user permissions
- Access to Real-Time Dashboard, Notifications Library, Everbridge Universe, and Custom Reporting
- Access to Secure Collaboration mobile application for chat and texting with one colleague or a group from mobile phones and desktops
- Access to the SOS and Safe Corridor functionality in the Everbridge Mobile app to automate outreach to predefined contacts and to require check-in and location monitoring capabilities within a specific geographic area
- Access to Open Secure FTP for uploading data sets with 'last known' location data and standard Location Data Connectors (e.g. Lenel Connector for OnGuard 7.0 Access Control System)
- Access to Single Sign on to simplify user management
- Access to Visitor and Customer Engagement with five Keywords to allow large groups of people to opt-in to a database by texting a keyword. Maximum of 50,000 SMS Notifications per year
- Integrated GIS/Map-based, rule-based, group-based, or individual contact selection Ability to send standard, polling, or on the-fly 'One-Touch' Conference Call messages
- One-screen broadcast creation workflow to speed message creation and reduce human error
- Everbridge Network to access situational intelligence & notifications shared by other public and private groups
- Publish notifications directly Facebook and Twitter and Websites and services that support API access via HTTPS using 'Web Posting'
- Publish notifications directly to the Smartphones of residents and employees via Everbridge Mobile app
- Contact filtering based on custom criteria
- Map-based drawing and selection tools and imported shape files (e.g. Google Maps, Bing Maps, ESRI)
- Automatic address geo-coding for contacts
- Organization specific customizable caller ID, greetings, and broadcast settings
- Multi-language Text to Speech Engine and Custom Voice Recording
- Real-time reporting for improved situational awareness and easier after-action analysis
- Five (5) Live Operator Message Initiations per year
- Interactive Dashboard for Organizational Activity Summary Audio Bulletin Board
- Unlimited Notification Templates
- Self-service Single Contact Record Adjustments, Contact Import via CSV Upload and via Contact API Bulk Contact Management Automation via Secure FTP
- Active Shooter, Shelter in Place, Evacuation Order and Crisis Response Team (CMT) Bridge Activation, Workplace Violence Emergency, Vehicle accident on building grounds, Employee Check in, SOS/Panic Initiated, and Safe Corridor initiated message guides

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE per Unit	GSA PRICE w/ IFF (Minimum Purchase Amount)
511210	Everbridge	101-11-11-0253-000	Safety Connection Pro for Higher Education (Minimum dollar value per single order is no less than $8,564.23 or 188 contacts, whichever is greater. Everbridge will provide per contact discount pricing on a pro-rata basis beyond the minimum purchase value/minimum contacts.)	$ 45.78	$ 8,564.23

Concur Travel Connector for Safety Connection - 100-80-11-9050-000

The Concur Travel Connector allows organizations to integrate their Concur travel itineraries with the Everbridge Safety Connection product. The itineraries will update dynamic locations of employees and provide security teams with the ability to communicate and respond to impacted employees in case of location-based emergencies.

ISOS Connector for Safety Connection - 101-11-11-1086-000

The integration between Safety Connection and International SOS TravelTracker enables organizations to quickly locate employees based on their travel itineraries and reach them using the best available contact information.

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE w/ IFF
511210	Everbridge	100-80-11-9050-000	Concur Travel Connector for Safety Connection	$ 2,141.06
511210	Everbridge	101-11-11-1086-000	ISOS Connector for Safety Connection	$ 8,564.23

Everbridge Critical Event Management (CEM) for Safety and Continuity - 100-80-11-9091-000

Everbridge Critical Event Management (CEM) for Safety and Continuity aggregates thousands of the most trustworthy data sources with an experienced team of analysts to empower organizations to proactively monitor and mitigate risk. The solution provides powerful visualization and orchestration for managing critical events used in organizational functions such as security, business continuity, supply chain and operations to mitigate or eliminate the impact of risk. Through risk event correlation with assets, targeted real-time alerting, organizations can proactively monitor and analyze incidents and events worldwide, dramatically increasing the ability to respond to risks that threaten people, assets, operations, and organizations – locally and globally. CEM for Safety and Continuity allows users to send notifications to individuals or groups using lists, locations, and visual intelligence. The solution is supported by state-of-the-art security protocols, elastic infrastructure, advanced mobility, interactive reporting and analytics, adaptive people and resource mapping to mirror your organization, and true enterprise class data management capabilities to provide a wide array of data management options.

Key Capabilities Include:

- Unlimited email notifications
- Unlimited Everbridge mobile app push notifications
- Unlimited usage of Secure Collaboration mobile app encrypted communications
- Global Messaging Credits equal to 10% of the aggregate license fee paid (Each voice call is charged ten Global Messaging Credits per recipient and each SMS message is charged five Global Messaging Credits per recipient)
- Includes Everbridge Risk Center
- Includes Everbridge Mass Notification Pro
- Includes Everbridge Visual Command Center
- Access to Single Sign On to simplify user management
- Three (3) Organization with unlimited nested static and dynamic groups
- One (1) Contact Data Location
- Self-service configuration: severity/distance/category
- Acknowledge Alerts
- Add Notes to Alerts
- Assess Context with Alert Selected
- Hide All Alerts, Reinstate Alerts
- Select Multiple Alerts and Perform Actions on Selected Alerts, Snooze Alerts
- Show Distance from Alert to Assets View Alert Log
- View Details on Related Assets
- Filter Alerts using a Map Query, Search, Timeline
- View Acknowledged and Snoozed Alerts
- Data feeds
- Custom branded opt-in portal with custom fields and opt-in subscriptions Flexible role-based access controls to manage user permissions
- Access to Real-Time Dashboard, Notifications Library, Everbridge Universe, and Custom Reporting Access to Incident Management to automate incident communication workflows
- Access to Incident Chat for responders to coordinate and collaborate Access to SmartConference audio conference bridging
- Access to Secure Collaboration mobile functionality for chat and texting with one colleague or a group from mobile phones and desktops
- Access to Visitor and Customer Engagement with five Keywords to allow people to opt-in to a database using keywords
- Access to Email Ingestion or EB Open Broadcast API to distribute up to 100 annual multi-modal notifications

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE per Unit	GSA PRICE w/ IFF (Minimum Purchase Amount)
511210	Everbridge	100-80-11-9091-000	CEM Safety & Continuity (Minimum dollar value per single order is no less than $149,874.06 or 1000 contacts, whichever is greater. Everbridge will provide per contact discount pricing on a pro-rata basis beyond the minimum purchase value/minimum contacts.)	$ 149.87	$ 149,874.06

Everbridge Critical Event Management (CEM) for Mobility - 100-80-11-9069-000

Everbridge Critical Event Management (CEM) for Mobility aggregates thousands of the most trustworthy data sources with an experienced team of analysts to empower organizations to proactively monitor and mitigate risk. The solution provides powerful visualization and orchestration for managing critical events used in organizational functions such as security, business continuity, supply chain and operations to mitigate or eliminate the impact of risk. Through risk event correlation with assets, targeted real-time alerting, organizations can proactively monitor and analyze incidents and events worldwide, dramatically increasing the ability to respond to risks that threaten people, assets, operations, and organizations – locally and globally. CEM for Mobility allows users to send notifications to individuals or groups using lists, locations, and visual intelligence. Everbridge Safety Connection™ helps businesses and organizations quickly locate and communicate with their people. The solution aggregates geo-location data from multiple systems so you can reach out to those employees, contractors or visitors who are potentially at risk. Combining physical access control, mobile application, network access and other location-aware data. The solution is supported by state-of-the-art security protocols, elastic infrastructure, advanced mobility, interactive reporting and analytics, adaptive people and resource mapping to mirror your organization, and true enterprise class data management capabilities to provide a wide array of data management options.

Key Capabilities Include:

- Unlimited email notifications
- Unlimited Everbridge mobile app push notifications
- Unlimited usage of Secure Collaboration mobile app encrypted communications
- Global Messaging Credits equal to 10% of the aggregate license fee paid (Each voice call is charged ten Global Messaging Credits per recipient and each SMS message is charged five Global Messaging Credits per recipient)
- Includes Everbridge Risk Center
- Includes Everbridge Mass Notification Pro
- Includes Everbridge Visual Command Center
- Access to Single Sign On to simplify user management
- Three (3) Organization with unlimited nested static and dynamic groups
- One (1) Contact Data Location
- Self-service configuration: severity/distance/category
- Acknowledge Alerts; Add Notes to Alerts; Assess Context with Alert Selected; Hide All Alerts, Reinstate Alerts; Select Multiple Alerts and Perform Actions on Selected Alerts, Snooze Alerts
- Show Distance from Alert to Assets View Alert Log
- View Details on Related Assets
- Filter Alerts using a Map Query, Search, Timeline
- View Acknowledged and Snoozed Alerts
- Data feeds
- Custom branded opt-in portal with custom fields and opt-in subscriptions Flexible role-based access controls to manage user permissions
- Access to Real-Time Dashboard, Notifications Library, Everbridge Universe, and Custom Reporting Access to Incident Management to automate incident communication workflows
- Access to Incident Chat for responders to coordinate and collaborate Access to SmartConference audio conference bridging
- Access to Secure Collaboration mobile functionality for chat and texting with one colleague or a group from mobile phones and desktops
- Access to Visitor and Customer Engagement with five Keywords to allow people to opt-in to a database using keywords
- Access to Email Ingestion or EB Open Broadcast API to distribute up to 100 annual multi-modal notifications
- Access to Real-Time Dashboard, Notifications Library, Everbridge Universe, and Custom Reporting Access to Everbridge

- Mobile Application with SOS, Check-in, Emergency Call, and Safe Corridor, and custom mobile tiles functionality
- Contact profiles with location and timestamped attributes including 'last known' location and 'expected' location data
- Send targeted notifications based on 'last known' location or other contact attributes
- Easily place your physical assets (buildings, places of interest…) directly on the Everbridge Universe map
- Upload location aware data from access control systems, network systems, etc.
- Mobile app check-in functionality that allows users to provide their geo location
- Mobile app SOS functionality to automate outreach to predefined contacts
- Mobile app Safe Corridor functionality that requires check-in and location monitoring capabilities within a specific geographic area
- Apple Watch mobile app functionality
- Notification escalation to automatically send a notification to the next person or group if there is no confirmation Integrated
- GIS/Map-based, rule-based, group-based, or individual contact selection
- Ability to send standard, polling, or on-the-fly 'One-Touch' Conference Call messages with 4 Conference Bridge Codes
- Unlimited Notification Templates and one-screen broadcast creation workflow to speed message creation and reduce human error
- Everbridge Network to access situational intelligence & notifications shared by other public and private groups
- Publish notifications directly to Websites and services that support API access via HTTPS using 'Web Posting'
- Publish notifications directly to the Smartphones of residents and employees via the Everbridge Mobile app
- Contact filtering based on custom criteria and automatic address geo-coding for contacts
- Access to Location Based Tracing in the platform and Proximity Based Tracing via the Everbridge Mobile Application
- Map-based drawing and selection tools and imported shape files (e.g. Google Maps, Bing Maps, ESRI)
- Organization specific customizable caller ID, greetings, and broadcast settings
- Multi-language Text to Speech Engine and Custom Voice Recording
- Real-time reporting for improved situational awareness and easier after-action analysis
- Self-service Single Contact Record Adjustments, Contact Import via CSV Upload and via Contact API or via Secure FTP
- Audio Bulletin Board
- 5 Live Operator Message Initiations per year
- Globally Local Calling for faster communications using local/regional message initiation
- Dynamic Caller ID with local number per country or broadcast and International Long and Short Codes for SMS delivery
- User interface localization in multiple languages

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE per Unit	GSA PRICE w/ IFF (Minimum Purchase Amount)
511210	Everbridge	100-80-11-9069-000	CEM for Mobility (Minimum dollar value per single order is no less than $175,566.75 or 1000 contacts, whichever is greater. Everbridge will provide per contact discount pricing on a pro-rata basis beyond the minimum purchase value/minimum contacts.)	$ 175.57	$ 175,566.75

Everbridge Critical Event Management (CEM) 360 - 100-80-11-9092-000

Everbridge Critical Event Management (CEM) aggregates thousands of the most trustworthy data sources with an experienced team of analysts to empower organizations to proactively monitor and mitigate risk. The solution provides powerful visualization and orchestration for managing critical events used in organizational functions such as security, business continuity, supply chain and operations to mitigate or eliminate the impact of risk. Through risk event correlation with assets, targeted real-time alerting, organizations can proactively monitor and analyze incidents and events worldwide, dramatically increasing the ability to respond to risks that threaten people, assets, operations, and organizations – locally and globally. CEM 360 allows users to send notifications to individuals or groups using lists, locations, and visual intelligence. Everbridge Safety Connection™ helps businesses and organizations quickly locate and communicate with their people. The solution aggregates geo-location data from multiple systems so you can reach out to those employees, contractors or visitors who are potentially at risk. Combining physical access control, mobile application, network access and other location-aware data. Crisis Management orchestrates all crisis response activities, teams, and resources to accelerate critical event recovery times and allow organizations to continue to deliver on their brand promises with the least possible impact to life safety, revenue and reputation. In addition, IT Alerting provides an Enterprise closed-loop incident response automation solution backed up by multiple patented technologies. The platform integrates and automates communications, collaboration, and orchestration workflows for ServiceOps, IT Security Ops, DevOps, and Disaster recovery Ops for faster recovery and delivery. The solution is supported by state-of-the-art security protocols, elastic infrastructure, advanced mobility, interactive reporting and analytics, adaptive people and resource mapping to mirror your organization, and true enterprise class data management capabilities to provide a wide array of data management options.

Key Capabilities Include:

- Unlimited email notifications
- Unlimited Everbridge mobile app push notifications
- Unlimited usage of Secure Collaboration mobile app encrypted communications
- Global Messaging Credits equal to 20% of the aggregate license fee paid (Each voice call is charged ten Global Messaging Credits per recipient and each SMS message is charged five Global Messaging Credits per recipient)
- Includes Everbridge Risk Center
- Includes Everbridge Mass Notification Pro
- Includes Everbridge Safety Connection
- Includes Everbridge Visual Command Center
- Includes Everbridge Crisis Management
- Includes Everbridge IT Alerting Pro
- Includes Everbridge IT Workflow Designer (Smart Orchestration)
- Access to Single Sign On to simplify user management
- Three (3) Organization with unlimited nested static and dynamic groups
- One (1) Contact Data Location
- Self-service configuration: severity/distance/category
- Acknowledge Alerts; Add Notes to Alerts; Assess Context with Alert Selected; Hide All Alerts, Reinstate Alerts; Select Multiple Alerts and Perform Actions on Selected Alerts, Snooze Alerts;
- Show Distance from Alert to Assets View Alert Log
- View Details on Related Assets
- Filter Alerts using a Map Query, Search, Timeline
- View Acknowledged and Snoozed Alerts
- Data feeds
- Unlimited Administrators for web-based portal to initiate messages, reporting, and administration
- Unlimited Administrators for ManageBridge Application (iOS, Android) and Mobile Optimized Notification Site
- Custom branded opt-in portal with custom fields and opt-in subscriptions Flexible role-based access controls to manage user permissions

- Access to Real-Time Dashboard, Notifications Library, Everbridge Universe, and Custom Reporting
- Access to Incident Management to automate incident communication workflows
- Access to Incident Chat for responders to coordinate and collaborate
- Access to SmartConference audio conference bridging
- Access to Secure Collaboration mobile functionality for chat and texting with one colleague or a group from mobile phones and desktops
- Access to Visitor and Customer Engagement with five Keywords to allow people to opt-in to a database using keywords
- Access to Email Ingestion or EB Open Broadcast API to distribute up to 100 annual multi-modal notifications
- Contact profiles with location and timestamped attributes including 'last known' location and 'expected' location data
- Send targeted notifications based on 'last known' location or other contact attributes
- Easily place your physical assets (buildings, places of interest…) directly on the Everbridge Universe map
- Upload location aware data from access control systems, network systems, etc.
- Mobile app check-in functionality that allows users to provide their geo location
- Mobile app SOS functionality to automate outreach to predefined contacts
- Mobile app Safe Corridor functionality that requires check-in and location monitoring capabilities within a specific geographic area
- Apple Watch mobile app functionality
- Notification escalation to automatically send a notification to the next person or group if there is no confirmation
- Integrated GIS/Map-based, rule-based, group-based, or individual contact selection
- Ability to send standard, polling, or on-the-fly 'One-Touch' Conference Call messages with 4 Conference Bridge Codes
- Unlimited Notification Templates and one-screen broadcast creation workflow to speed message creation and reduce human error
- Everbridge Network to access situational intelligence & notifications shared by other public and private groups
- Publish notifications directly to Websites and services that support API access via HTTPS using 'Web Posting'
- Publish notifications directly to the Smartphones of residents and employees via the Everbridge Mobile app
- Contact filtering based on custom criteria and automatic address geo-coding for contacts
- Map-based drawing and selection tools and imported shape files (e.g. Google Maps, Bing Maps, ESRI)
- Organization specific customizable caller ID, greetings, and broadcast settings
- Multi-language Text to Speech Engine and Custom Voice Recording
- Real-time reporting for improved situational awareness and easier after-action analysis
- Self-service Single Contact Record Adjustments, Contact Import via CSV Upload and via Contact API or via Secure FTP
- Audio Bulletin Board
- Five (5) Live Operator Message Initiations per year International Support
- Globally Local Calling for faster communications using local/regional message initiation
- Dynamic Caller ID with local number per country or broadcast and International Long and Short Codes for SMS delivery
- User interface localization in multiple languages
- Unlimited IT Incident Templates
- IT Incident templates with different messages & delivery settings based on each notification phase or time of day
- Notification escalation to automatically send a notification to the next person or group if there is no confirmation
- Dynamic contact path preferences based on time of day
- Dynamic contact path preferences based on individual preferences
- Ability to send standard, polling, or on-the-fly 'one-touch' conference call notifications
- Self-service Integration platform
- Everbridge Open Broadcast API to send messages automatically from IT management and internal systems
- Email Ingestion

- Multi-step workflow that prompts users to add required incident details Incident communication logging for all broadcast and confirmations
- Incident journal to capture additional details not included in incident communications
- Communication broadcasts and confirmations include audit trails and timestamps
- Search across incidents using status, user, type and date
- Real-time incident dashboard for operators showing all open incidents
- On-Call Scheduling
- Smart Routing
- Smart Orchestration and workflow designer
- Smart Analytics
- Scenario manager to send different messages to different audiences
- Everbridge mobile application
- Standard reports as well as flexible custom reporting capability
- Interactive ITA Dashboards
- Secure Messaging for IT communications
- Mobile Application – With interactive mobile task lists, alerting, document access
- Web Collaboration - With customized task lists depending on role and type or incident; task status updates; situation reports, Log and To Do lists
- Plan Management - Central repository of plans and tasks
- Dashboard - Real-time event dashboard showing all open and complete tasks
- Dynamic Task Management - Task manager to automate task assignment and add tasks on-the-fly
- Automated Escalation - Notification/task escalation to automatically send a notification/task to the next person or group if there is no confirmation
- Reporting - Real-time reporting for improved situational awareness and easier after-action analysis
- Auditing – Detailed event logging for all tasks and communication
- Response Plan Templates - Safety, Security, Natural, Facility response plan templates
- Exercise Mode – Launch critical events in exercise mode to support training drills and tabletop exercises

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE per Unit	GSA PRICE w/ IFF (Minimum Purchase Amount)
511210	Everbridge	100-80-11-9092-000	CEM 360 (Minimum dollar value per single order is no less than $1,134,760.71 or 1000 contacts, whichever is greater. Everbridge will provide per contact discount pricing on a pro-rata basis beyond the minimum purchase value/minimum contacts.)	$ 113.48	$ 1,134,760.71

Additional CALs (10 Pack) - 100-80-11-9051-000

Consists of additional contacts, assets, and locations that can be added to Everbridge Critical Event Management (CEM) 360, Everbridge Critical Event Management (CEM) for Safety and Continuity, or Everbridge Critical Event Management (CEM) for Safety and Continuity.

Additional CALs (25 Pack) - 100-80-11-9052-000

Consists of additional contacts, assets, and locations that can be added to Everbridge Critical Event Management (CEM) 360, Everbridge Critical Event Management (CEM) for Safety and Continuity, or Everbridge Critical Event Management (CEM) for Safety and Continuity.

Additional CALs (50 Pack) - 100-80-11-9053-000

Consists of additional contacts, assets, and locations that can be added to Everbridge Critical Event Management (CEM) 360, Everbridge Critical Event Management (CEM) for Safety and Continuity, or Everbridge Critical Event Management (CEM) for Safety and Continuity.

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE w/ IFF
511210	Everbridge	100-80-11-9051-000	Additional CALs (10 Pack)	$ 6,423.17
511210	Everbridge	100-80-11-9052-000	Additional CALs (25 Pack)	$ 14,452.14
511210	Everbridge	100-80-11-9053-000	Additional CALs (50 Pack)	$ 27,298.49

VCC Channels - 100-80-11-9054-000

Visual Command Center Channels are designed to deliver the right information to the right people during a critical event or when your organization needs to understand the current risk environment. Visual Command Center Channels help stakeholders inside and outside a command center gain better situational awareness about threats to their organizations. Visual Command Center Channels includes a suite of powerful interactive apps and supporting view only Channels, which can be displayed on large screen monitors or mobile devices like a tablet. Visual Command Center Channels work in conjunction with Visual Command Center to help organizations be more proactive when managing critical events, which helps them keep their people safe and their businesses running.

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE w/ IFF
511210	Everbridge	100-80-11-9054-000	VCC Channels	$ 8,564.23

Everbridge Crisis Management - 100-12-11-0257-000

Everbridge Crisis Management orchestrates all crisis response activities, teams and resources to accelerate critical event recovery times and allow organizations to continue to deliver on their brand promises with the least possible impact to life safety, revenue and reputation.

Key Capabilities Include:

- One (1) additional Organization
- Unlimited response plans
- Custom branded portal with custom fields
- Flexible role-based access controls to manage user permissions
- Access to Everbridge Universe and Custom Reporting
- Mobile Application – With interactive mobile task lists, alerting, document access
- Web Collaboration - With customized task lists depending on role and type or incident; task status updates; situation reports, Log and To Do lists
- Plan Management - Central repository of plans and tasks
- Dashboard - Real-time event dashboard showing all open and complete tasks
- Dynamic Task Management - Task manager to automate task assignment and add tasks on-the-fly
- Automated Escalation - Notification/task escalation to automatically send a notification/task to the next person or group if there is no confirmation
- Reporting - Real-time reporting for improved situational awareness and easier after-action analysis
- Auditing – Detailed event logging for all tasks and communication
- Response Plan Templates - Safety, Security, Natural, Facility response plan templates
- Exercise Mode – Launch critical events in exercise mode to support training drills and table top exercises

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE per Unit	GSA PRICE w/ IFF (Minimum Purchase Amount)
511210	Everbridge	100-12-11-0257-000	Crisis Management (Minimum dollar value per single order is no less than $34,256.93 or 2500 contacts, whichever is greater. Everbridge will provide per contact discount pricing on a pro-rata basis beyond the minimum purchase value/minimum contacts.)	$ 13.70	$ 34,256.93

Everbridge JARVISS

JARVISS provides one platform where senior leaders, antiterrorism officers, law enforcement personnel, and emergency managers can identify relevant threats, gain context around each threat to understand its importance, identify all assets that could be affected, and act to avoid or mitigate the impact of a risk event. A common operating picture will enable your teams to protect your interests when faced with a critical event.

Pilot (101-12-11-0265-000):

Six weeks of access to the JARVISS platform to include threat notification, incident management, threat reporting, asset assessment, mobile applications, and workspace contextual layers. Limited to no more than 25 users and creation of one risk profile.

Named Users based on License User Types:

Full User License (101-12-11-0261-000): Access to Dashboards, Threat Reporting Tab, Workspace Tab, Reports Tab, Assets Tab, Support Tab, and Mobile Application.

Limited User License (101-12-11-0262-000): Access to Dashboards, Threat Reporting Tab, and Support Tabs. The ability to submit reports and receive threat notifications, incident reports and Mobile application.

Concurrent License (101-12-11-0263-000): Access to the system by an organization that requires more than one user to log in to the system on the same account. A concurrent user license shall have all the features available to a full user and system login times of up to 12 hours.

Admin License (101-12-11-0264-000): User with administrative rights to the system will have a full user license with the ability to authorize new user accounts, delete old accounts, lock accounts, and delete posted content. Additionally, the administrator will have the ability to audit accounts and retrieve an activity report for users.

Delivered in a multi-tenant Software-as-a-Service (SaaS) environment.

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE per Unit	GSA PRICE w/ IFF (Minimum Purchase Amount)
511210	Everbridge	101-12-11-0264-000	JARVISS Admin. User License (Per user/contact)	$ 1,712.85	$ 1,712.85
511210	Everbridge	101-12-11-0263-000	JARVISS Concurrent User License (Per user/contact)	$ 3,012.60	$ 3,012.60
511210	Everbridge	101-12-11-0261-000	JARVISS Full User License (per user/contact)	$ 1,712.85	$ 1,712.85
511210	Everbridge	101-12-11-0262-000	JARVISS Limited User License (per user/contact)	$ 110.83	$ 110.83

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE per Unit	GSA PRICE w/ IFF (Minimum Purchase Amount)
511210	Everbridge	101-12-11-0265-000	JARVISS Pilot (Fixed package)	$ 25,264.48	$ 25,264.48

Custom from Email Address - 101-04-11-1072-000

This premium feature enables a client to use a custom FROM EMAIL address in all notifications sent from the Everbridge platform instead of the default FROM EMAIL address used by the Everbridge application. The Everbridge application will use the Custom from Email Address in all notifications and administrative emails such as Forgot Password emails. This feature may benefit clients who: 1) require all emails entering client network to contain a client domain in the FROM EMAIL parameter; 2) who require the FROM EMAIL address in all emails to contain a static (unchanging) value; or, 3) are experiencing low confirmation rates from notification recipients who will not open or respond to emails from unknown sources.

Key Capabilities Include:

- A client can implement the same Custom from Email Address in all Organizations or can implement a different Custom from Email Address for each Organization.
- Relies on client domain or subdomain SPF record.
- Client must own Internet domain or subdomain used in Custom from Email Address.
- Client must manage DNS records for domain or subdomain used in Custom from Email Address.
- Client can use the same Custom from Email Address in all Everbridge Suite Organizations.
- Client can use a different Custom from Email Address in each Everbridge Suite Organization.

Everbridge Hosted Email Domain - 101-01-11-1035-000

This premium feature provides an email subdomain which Everbridge hosts for a customer's notifications.

Everbridge IPAWS Notification - 101-01-11-1002-000

Through integration with FEMA, this premium feature allows authorized clients to send alerts to the IPAWS gateway (EAS, WEA, etc.).

Premium Audio Bulletin Board - 101-01-11-1087-000

This premium feature enables alert recipients to retrieve an audio message at their convenience. It is similar to a voice mail system: you leave a message and others retrieve the message. Includes access to one dedicated toll-free number for message retrieval.

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE w/ IFF
511210	Everbridge	101-04-11-1072-000	Custom from Email Address	$ 2,141.06
511210	Everbridge	101-01-11-1035-000	Everbridge Hosted Email Domain	$ 1,712.85
511210	Everbridge	101-01-11-1002-000	Everbridge IPAWS Notification	$ 856.42

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE w/ IFF
511210	Everbridge	101-01-11-1087-000	Premium Audio Bulletin Board	$ 6,423.17

Everbridge Risk Center - 100-80-11-9093-000

Risk Center combines thousands of the most trustworthy data sources with an experienced team of analysts to empower organizations to proactively monitor and mitigate risk. Built on Everbridge platform, the solution provides powerful visualization and orchestration for managing critical events used in organizational functions such as security, business continuity, supply chain and operations to mitigate or eliminate the impact of risk. Through targeted real-time alerting, organizations can proactively monitor and analyze incidents and events worldwide, dramatically increasing the ability to respond to risks that threaten people, assets, operations, and organizations – locally and globally.

Key Capabilities Include:

- Send Domestic and International Alerts and Testing Messages
- Unlimited Email and Mobile App Push Notifications
- One (1) additional Organization
- Unlimited response plans
- Named Users
- Global fixed assets
- Real-time incidents with hyper-local data
- Access to Analyst team for real-time updates and up to 8 custom reports
- Delivered in a multi-tenant Software-as-a-Service (SaaS) environment
- Connect to an Everbridge Org
- Access to Operator Console
- Access to Admin Console
- One (1) Contact Data Store in the United States, Germany, or the United Kingdom
- Visualization of up to the number of organizational fixed assets purchased
- Self-service configuration: severity/distance/category
- Acknowledge Alerts; Add Notes to Alerts; Assess Context with Alert Selected; Hide All Alerts, Reinstate Alerts
- Select Multiple Alerts and Perform Actions on Selected Alerts, Snooze Alerts
- Show Distance from Alert to Assets View Alert Log
- View Details on Related Assets
- Filter Alerts using a Map Query, Search, Timeline
- View Acknowledged and Snoozed Alerts
- Data feeds

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE per Unit	GSA PRICE w/ IFF (Minimum Purchase Amount)
511210	Everbridge	100-80-11-9093-000	Risk Center (Minimum dollar value per single order is no less than $29,118.39 or 35 contacts/assets, whichever is greater. Everbridge will provide per contact discount pricing on a pro-rata basis beyond the minimum purchase value/minimum contacts.)	$ 831.96	$ 29,118.39

Threat View - 100-04-11-1034-000

Threat View powered by NC4 combines the world-class threat assessment intelligence of NC4 with Everbridge's critical communications suite and global reach. Threat View provides security executives and emergency managers the intelligence and the communications platform needed to quickly assess and disseminate risk-related information.

Key Capabilities Include:

- NC4 threat summary information for up to five geographic locations with a maximum of 10 thresholds
- Single Web interface console to display aggregated information
- Unlimited administrator access to the Everbridge System
- Integrated with Everbridge Mass Notification broadcast features to notify contacts in surrounding areas using phone, email, SMS text, and mobile push notifications
- Configurable thresholds and settings for NC4 Incidents
- Set up alerts based on proximity, severity, and type of NC4 incident
- Define messages and key recipients upon threshold trigger
- Visualize NC4 incident alerts on a map alongside your Everbridge contacts
- Quickly communicate with potentially impacted contacts using map-based targeting

Threat View Additional Location - 100-04-11-0207-000

Additional locations for use with Threat View. Requires purchase of Threat View.

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE w/ IFF
511210	Everbridge	100-04-11-1034-000	Threat View	$ 2,141.06
511210	Everbridge	100-04-11-0207-000	Threat View Additional Location	$ 428.21

Everbridge CareConverge - 101-94-11-0247-000; 101-94-11-0201-000; and 101-94-11-0203-000

Everbridge's CareConverge for Hospitals allows care teams to coordinate multiple clinicians, technicians, and staff across multiple locations and schedules to respond to the needs of patients efficiently and effectively, leading to increased response times, quality, and patient satisfaction.

Key Capabilities Include:

- Send Domestic and International Alerts and Testing Messages
- Unlimited Email and Mobile App Push Notifications
- Global Messaging Credits equal to 20% of the aggregate license fee paid (Each voice call is charged ten Global Messaging Credits per recipient and each SMS message is charged five Global Messaging Credits per recipient)
- Unlimited access to Everbridge secure communication platform (Secure Collaboration) for Registered End-users:
    - Video calling for telemedicine
    - Image sharing
    - Text messaging
    - Group messaging
    - Voice calls using VOIP
    - Real-time voice recording
    - Mobile device access
    - Desktop access
    - Quick Registration
- Care Events:
    - Alert multiple care team members with the click of a button or based on an automated event (e.g. Stroke Code) based on changing conditions for a patient.
    - Unlimited Care Event User Operator Seats (can launch a care event) for Registered End- users
    - Care Event Templates supporting different messages & delivery settings based on notification phase (New, Update, Close)
    - Search across care event templates using status, user, type and date
    - Multi-step workflow that prompts users to add required care event details
    - Real-time care event dashboard for operators showing all open care events
    - Communication detail reporting in a PDF format for each care event
    - Custom care event reports analyze communication effectiveness
    - Audit logging for all broadcasts and confirmations
- Dynamic Care Teams:
    - Unlimited group manager to manager on-call schedules for groups.
    - Unlimited individual on-call schedules for on-call Registered End-users
    - Ability to leverage on-call scheduling in Care Event communication and response
    - Ability to escalate Care Events to Registered End-users based on individual responses/response times.
    - Ability to message registered end-users for coverage needs.
    - Ability to set minimum staffing requirements and view shifts to see if these requirements have been met.
    - Ability to assign shift quotas based on certification and skill.
    - Configurable automatic shift rotation.
    - Ability to import/export schedules from other systems via .ics

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE per Unit	GSA PRICE w/ IFF (Minimum Purchase Amount)
511210	Everbridge	101-94-11-0201-000	CareConverge for Hospitals for 150 - 599 beds (Minimum dollar value per single order is no less than 150 beds. Everbridge will provide per contact discount pricing on a pro-rata basis beyond the minimum purchase value/minimum beds.)	$ 303.17	$ 45,476.07
511210	Everbridge	101-94-11-0203-000	CareConverge for Hospitals for 600 or more beds (Minimum dollar value per single order is no less than 600 beds. Everbridge will provide per contact discount pricing on a pro-rata basis beyond the minimum purchase value/minimum beds.)	$ 264.63	$ 158,780.86
511210	Everbridge	101-94-11-0247-000	CareConverge for Hospitals up to 149 beds	$ 15,329.97	$ 15,329.97

Anonymous Tipping - 100-09-11-1040-000

Anonymous Tipping allows residents to proactively connect with local agencies by submitting anonymous tips through text (SMS) and web messaging. Additionally, the Anonymous Tipping solution provides public safety agencies with a two-way, anonymous connection with tipsters to help gather more information.

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE w/ IFF
511210	Everbridge	100-09-11-1040-000	Anonymous Tipping	$ 3,853.90

Everbridge Supply Chain Module - 100-80-11-9013-000

The Visual Command Center Supply Chain Module is an add-on to Visual Command Center that helps businesses and organizations quickly identify potential threats to their supply chain assets and provides tools to assess and take action to mitigate impacts. The Supply Chain Module alerts organizations about potential threats to routes and route stops using a combination of asset and risk event data visualized via a map-based interface. The Supply Chain Module then provides capabilities to quickly assess and take action on risk events that pose a threat using contextual data and integration into Incident Communication, Crisis Management, and collaboration capabilities via the Everbridge suite. Using the Visual Command Center Supply Chain Module, organizations are able to be more proactive when managing critical events which helps them keep their supply chain safe and operational.

Visual Command Center Pro and Risk Center is required to use the Supply Chain Module – All supply chain functionality is delivered directly within the Visual Command Center user interface.

Key Capabilities Include:

- Access to Supply Chain assets (stops, routes, and origin-destination pairs) via the Operator Console
- Access to Supply Chain-specific contextual data
- Leverages the Customer's existing Visual Command Center Contact and Asset Data Stores
- Access to Visual Command Center "Manage Supply Chain" feature to load supply chain assets
- Visualization of supply chain stops, routes, and O-D pairs
- Supply Chain Data Pack:
    - Global Ports
    - Rail Lines (North America)
    - Global Shipping Lanes
- Supply Chain Asset Types:
    - Route Stops
    - Origin-Destination Pairs
    - Routes

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE w/ IFF
511210	Everbridge	100-80-11-9013-000	Supply Chain Module	$ 42,821.16

Alertus Urgent Alerts - 101-01-11-1037-000

When communicating across your organization, sending critical information to your workforce quickly and effectively requires multiple delivery channels. Everbridge's Urgent Desktop™ delivers alerts to your workforce's computer screens in seconds; to ensure timely delivery, high visibility and optimal impact of your messages. Urgent Desktop delivers emergency notifications in a rapid and reliable way.

Key Capabilities Include:

- Visibly overrides existing computer screens to display urgent notifications; the recipient must acknowledge the alert before resuming any activity on their computer
- Customizable to include your organization's logo to confer a trusted voice
- Alert confirmations and acknowledgement reporting
- Simple, scalable implementation with hands-on expert support

Alertus Premier Desktop & Digital Signage Client - 101-01-11-1038-000

Includes all of the capabilities of Alertus Urgent Alerts, users of Everbridge's Premier Desktop & Digital Signage Client plus the following Key Capabilities:

- Ability to send notification to devices other than computers, such as digital signage
- Multimedia notification
- Map-based notification targeting
- ThreatWatcher RSS feed from the National Oceanic and Atmospheric Administration (NOAA)

Alertus VOIP Notifications - 101-01-11-1039-000

Allows organizations to send emergency notifications to all phones in a defined paging group.

- Alert plays a recorded message or an audio tone over phone's speaker until canceled
- Stationary or scrolling text can be displayed
- Audible tone plays over ongoing calls, does not disrupt calls in progress

Everbridge Connector for Alertus - 101-01-11-1079-000

Connector which allows mutual clients of Alertus and Everbridge to integrate the two systems so that an Everbridge notification can be published to all Alertus profiles.

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE w/ IFF
511210	Everbridge	101-01-11-1038-000	Alertus Premier Desktop & Digital Signage Client - Includes Alertus Urgent Alerts	$ 4,710.33
511210	Everbridge	101-01-11-1037-000	Alertus Urgent Alerts	$ 2,141.06
511210	Everbridge	101-01-11-1039-000	Alertus VOIP Notifications	$ 7,279.60

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE w/ IFF
511210	Everbridge	101-01-11-1079-000	Everbridge Connector for Alertus	$ 2,141.06

SLG Premium Audio Bulletin Board - 101-01-11-1099-000

The Premium Audio Bulletin Board is a feature that enables the constituents to retrieve an audio message at their convenience. It is similar to a voice mail system, and the premium option assigns a dedicated inbound phone number and remove prompt for OrgID. This feature requires one of the following products: Mass Notification Base, Mass Notification Standard, Mass Notification Pro, Safety Connection Base, Safety Connection Pro, Critical Event Management for Safety and Continuity, Critical Event Management for Mobility, or Critical Event Management 360.

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE w/ IFF
511210	Everbridge	101-01-11-1099-000	SLG Premium Audio Bulletin Board	$ 1,284.63

Smart Conference 10 Additional Bridge Lines - 100-04-11-1106-000

Smart Conference 10 Additional Bridge Lines allows the customer to add 10 additional bridge lines to the Smart Conference of the Incident Communication product. This feature requires one of the following products: Incident Communication, Mass Notification Standard, Mass Notification Pro, Safety Connection Pro, Critical Event Management for Safety and Continuity, Critical Event Management for Mobility, or Critical Event Management 360.

SIN	Manufacturer	MFR PART NO	PRODUCT NAME	GSA PRICE w/ IFF
511210	Everbridge	100-04-11-1106-000	Smart Conference 10 Additional Bridge Lines	$ 856.42

Everbridge Software-Related Services

Everbridge leverages proven methodologies and domain expertise, honed through more than 1,000 deployments worldwide. We work with you to address the unique challenges of strategic communications within your organizational structure, your operational requirements, and specific training needs. Choose from bundled packages or customized options designed to meet your individual specifications.

SIN	Manufacturer	MFR PART NO	PRODUCT NAME and DESCRIPTION	GSA PRICE w/ IFF
511210	Everbridge	101-00-22-8101-000	Premium Implementation - 3 (consecutive) days of onsite implementation services to help configure, deploy and train customers on the system	$6,851.39
511210	Everbridge	101-00-22-8106-000	Premium Implementation with Additional Support (8 Hours) - 3 (consecutive) days of onsite implementation services to help configure, deploy and train customers on the system plus 8 additional remote hours for pre and post follow up services	$8,564.23
511210	Everbridge	101-00-11-8702-000	TAM (20 Hours per Month) - 20 Hours per Month of remote technical account management services geared to help customer obtain more value out of the products and features they have deployed or yet to deploy. These hours do not roll out month to month.	$51,385.39
511210	Everbridge	101-00-11-8703-000	TAM (40 Hours per Month) - 40 Hours per Month of remote technical account management services geared to help customer obtain more value out of the products and features they have deployed or yet to deploy. These hours do not roll out month to month.	$102,770.78
511210	Everbridge	101-00-11-8704-000	Dedicated TAM - Dedicate Technical Account Manager that is located onsite or remote to provide daily service support geared to help customer obtain more value out of the products and features they have deployed or yet to deploy. These hours do not roll out month to month.	$256,926.95
511210	Everbridge	101-00-22-8300-000	Consulting Services (per hour fee/remotely delivered)	$202.00
511210	Everbridge	101-00-22-8301-000	Consulting Services (per hour fee/T&E included in price)	$261.00
511210	Everbridge	101-00-22-8304-000	Technical Services (per hour fee/remotely delivered)	$154.00
511210	Everbridge	101-00-22-8502-000	ProServe: Everbridge Web-based Education Services (per hour/delivered remotely)	$145.59
511210	Everbridge	101-00-22-8502-01	ProServe: Everbridge Web-based Education Services (per day/delivered remotely)	$2,034.00

511210	Everbridge	101-00-22-8503-000	ProServe: Everbridge On-site Education Services (per day)	$3,319.00
511210	Everbridge	101-00-22-8901-000	ProServe - Crisis Management Base (Existing Clients) - Implementation of Crisis Management Base with 20 hours of remote consulting.	$ 4,282.12
511210	Everbridge	101-00-22-8902-000	ProServe - Crisis Management Tabletop Exercise - Implementation of Crisis Management tabletop exercise either remotely or onsite.	$ 10,705.29
511210	Everbridge	101-00-22-8900-000	ProServe - Crisis Management With MN/IC - Implementation of Crisis Management with 32 hours of remote consulting plus 16 hours onsite training.	$ 12,846.35
511210	Everbridge	101-00-22-8612-000	ProServe - CareConverge Base Deployment for 149 or fewer Beds - Healthcare - Inclusive of Remote Services - Implementation of CareConverge Base for 149 or fewer Beds, with up to 22 hours remote consulting.	$ 5,652.39
511210	Everbridge	101-00-22-8613-000	ProServe - CareConverge Standard Deployment for 150 - 599 Beds - Healthcare - Inclusive of Remote and Onsite Services - Implementation of CareConverge Standard for 150-599 Beds, with up to 50 hours remote consulting.	$ 14,079.60
511210	Everbridge	101-00-22-8614-000	ProServe - CareConverge Pro Deployment for 600 or more Beds - Healthcare - Inclusive of Remote and Onsite Services - Implementation of CareConverge Pro for 600 or more Beds, with up to 88 hours remote consulting.	$ 24,459.45
511210	Everbridge	101-00-22-8626-000	ProServe - IT Alerting Base Deployment Package - Implementation of IT Alerting Base delivered remotely.	$ 7,858.94
511210	Everbridge	101-00-22-8628-000	ProServe - IT Alerting Enterprise (Pro) Deployment Package - Implementation of IT Alerting Pro delivered remotely.	$ 44,534.01
511210	Everbridge	101-00-22-8627-000	ProServe - IT Alerting Standard Deployment Package - Implementation of IT Alerting Standard delivered remotely.	$ 18,337.53
511210	Everbridge	101-00-22-8600-000	ProServe - Mass Notification Base Deployment - Employees - Inclusive of Remote Services - Implementation of Mass Notification Base for Employees, with up to 18 hours remote consulting.	$ 4,624.69

511210	Everbridge	101-00-22-8608-000	ProServe - Mass Notification Base Deployment - Higher Ed Inclusive of Remote Services - Implementation of Mass Notification Base for Higher Education, with up to 18 hours remote consulting.	$ 4,624.69
511210	Everbridge	101-00-22-8605-000	ProServe - Mass Notification Base Deployment - Residents - Inclusive of Remote and Onsite Services - Implementation of Mass Notification Base for SLG customers with 8 hours remote consulting and 24 hours of onsite training.	$ 10,071.54
511210	Everbridge	101-00-22-8602-000	ProServe - Mass Notification Pro Deployment - Employees - Inclusive of Remote and Onsite Services - Implementation of Mass Notification Pro for Employees, with up to 42 hours remote consulting plus 24 hours onsite training.	$ 18,807.05
511210	Everbridge	101-00-22-8609-000	ProServe - Mass Notification Pro Deployment - Higher Ed Inclusive of Remote and Onsite Services - Implementation of Mass Notification Pro for Higher Education, with up to 14 hours remote consulting plus 16 hours onsite training.	$ 8,941.06
511210	Everbridge	101-00-22-8606-000	ProServe - Mass Notification Pro Deployment - Residents - Inclusive of Remote and Onsite Services - Implementation of Mass Notification Pro for SLG customers with up to 32 hours remote consulting plus 24 hours onsite training.	$ 15,689.67
511210	Everbridge	101-00-22-8601-000	ProServe - Mass Notification Standard Deployment - Employees - Inclusive of Remote and Onsite Services - Implementation of Mass Notification Standard for Employees, with up to 19 hours remote consulting plus 16 hours onsite training.	$ 10,225.69
511210	Everbridge	101-00-22-8603-000	ProServe - Safety Connection Base Deployment - Employees - Inclusive of Remote and Onsite Services - Implementation of Safety Connection Base for Employees, with up to 32 hours remote consulting plus 16 hours onsite training.	$ 13,565.74
511210	Everbridge	101-00-22-8610-000	ProServe - Safety Connection Base Deployment - Higher Ed Inclusive of Remote Services - Implementation of Safety Connection Base for Higher Education, with up to 24 hours remote consulting.	$ 6,166.25
511210	Everbridge	101-00-22-8604-000	ProServe - Safety Connection Pro Deployment - Employees - Inclusive of Remote and Onsite Services - Implementation of Safety Connection Pro for	$ 26,514.86

			Employees, with up to 80 hours remote consulting plus 16 hours onsite training.	
511210	Everbridge	101-00-22-8611-000	ProServe - Safety Connection Pro Deployment - Higher Ed Inclusive of Remote and Onsite Services - Implementation of Safety Connection Pro for Higher Education, with up to 22 hours remote consulting plus 16 hours onsite training.	$ 10,996.47

SIN	Manufacturer	MFR PART NO	PRODUCT NAME and DESCRIPTION	GSA PRICE per Unit	GSA PRICE w/ IFF (Minimum Purchase Amount)
511210	Everbridge	101-00-11-0246-000	Resident Connection: Monthly Contact Data Update for State and Local Government (Minimum dollar value per single order is no less than $4,282.12 or 55556 contacts, whichever is greater.) - Implementation of additional contacts for Mass Notification or Safety Connection.	$ 0.08	$ 4,282.12

Everbridge Smart Weather Alert System

Renewal Summary

11/3/2023

Date	Vendor Name	Renewal Amount
12/17/2018	EVERBRIDGE INC	$ 63,024.00
11/26/2019	EVERBRIDGE INC	$ 64,914.71
11/30/2020	EVERBRIDGE INC	$ 64,914.71
11/1/2021	EVERBRIDGE INC	$ 64,914.71
12/27/2022	EVERBRIDGE INC	$ 64,914.71
12/14/2023*	EVERBRIDGE INC	$ 64,914.71

This is the last renewal year of the current GSA contract # GS-35F-0692P which expires July 18, 2024. A new contract is being prepared for 2024-2025.

* Pending Board Approval

AGENDA ITEM

Environmental Health

REPORT TO: **Work Session (11/06/23)**

REPORT TO: **Voting Meeting (11/09/23)**

ITEM NO: 552/2023

SUBJECT: Approve the proposed Environmental Health Fee Schedule, effective January 1, 2024.

Meetings:

Work Session Date: 11/06/23 **Voting Meeting Date:** 11/09/23

Executive Summary:

Presenter: KH

Recommendation:
Approval.

Purpose of Request:
Approve the proposed Environmental Health Fee Schedule, effective January 1, 2024.

History:

Facts and Issues:
The Hall County Board of Health approved this fee update proposal on August 22, 2023. If approved by the Hall County Board of Commissioners, the intent is for this fee schedule update to replace the existing fee schedule and become effective on January 1, 2024.

The proposed fee schedule includes a review of previously approved increases to the Environmental Health fee schedule and a comparison of fees from surrounding, similar-sized counties for reference. The last major increase to the fee schedule occurred 6 years ago, in 2017. Included in the proposed fee schedule update are ten (10) new fees that are necessary to accommodate new services Environmental Health will be providing in response to new GA Department of Public Health (DPH) Body Art Regulations and changes to the existing DPH Food Service Regulations.

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:

Submit	Budget	Finance	Attorney
KH	EW	WG	WLI
Administration		**Clerk**	
CR		JR	

Attachments:

Board Memo
Proposed Fee Schedule

HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT

AGENDA ITEM 552/2023

Funds Requested: $ 0.00

Request Budgeted: No

Proposed Source of Funding:

Budget Transfer Requested: No

Funding Source Items:

Budget Transfer Items:

Additional Information/Comments:

Environmental Health fees collected for services provided go to the Hall County Board of Health.

Contact for Questions:

Phone:

Public Health
Prevent. Promote. Protect.

Hall County Environmental Health

Location: 2875 Browns Bridge Road, Gainesville, GA 30504
Mailing Address: P. O. Box 5901, Gainesville, GA 30504
PH: 770-531-3973 • FAX: 770-531-6767 • www.phdistrict2.org

Banks, Dawson, Forsyth, Franklin, Habersham, Hall, Hart, Lumpkin, Rabun, Stephens, Towns, Union and White Counties

October 2, 2023

To: The Hall County Board of Commissioners

From: Kelly Hairston
Environmental Health County Manager

Re: Proposal for Environmental Health Fee Schedule Update

For approval at the October 26, 2023 Hall County Commission Meeting, please find enclosed a proposed updated fee schedule for the Hall County Environmental Health Department. The Hall County Board of Health approved this fee update proposal on August 22, 2023. If approved by the Hall County Board of Commissioners, the intent is for this fee schedule update to replace the existing fee schedule and become effective on January 1, 2024.

The proposed fee schedule includes a review of previously approved increases to the Environmental Health fee schedule and a comparison of fees from surrounding, similar-sized counties for reference. The last major increase to the fee schedule occurred 6 years ago, in 2017. Included in the proposed fee schedule update are 10 new fees that are necessary to accommodate new services Environmental Health will be providing in response to new GA Department of Public Health (DPH) Body Art Regulations and changes to the existing DPH Food Service Regulations.

The proposed changes to existing fee amounts, as well as the new fee categories, are shown on the spreadsheet in red. All other existing fees are proposed to remain the same.

Please review this information and feel free to contact me if you have any questions or concerns. We appreciate your time and consideration of this matter.

Hall County Board of Health

Proposed Environmental Health Fee Increase - Proposed Eff. Date 01/01/2024

Last Fee Increase was November 1, 2017

**** Please note that fee increases and/or new, proposed fees are shown in RED**

	2004	2008/2009	Current (2017)	Proposed	Range - Forsyth (Proposed), Gwinnett, Jackson
Land Use					
Septic Tank Permit					
Residential system ≤ 5 bedrooms	$ 275	$ 275	$ 325	$ 350	$275-350
Residential system ≥ 6 bedrooms	$ 375	$ 375	$ 425	$ 450	$275-550
Pump system - Comm. ≤3000gpd & all Residential		$ 500	$ 550	$ 600	
Adv. Trtmt Sys. - Comm. ≤3000gpd & all Residential		$ 500	$ 550	$ 600	
Res. Septic Tank Add./Alter.	$ 100	$ 100	$ 200	$ 250	$350
Residential Repair	$ 100	$ 100	$ 100	$ 150	$115-400
Permit Renewal (1st Renewal Prior to Expiration)	$ 55	$ 55	$ 100	$ 150	$150
Permit Renewal (After Expiration or After 1st Renewal)	Initial Permit Fee	Initial Permit Fee	Initial Permit Fee	Initial Permit Fee	
Commercial/Community (gpd)					
0-1000	$ 325	$ 325	$ 375	$ 400	$450-600
1001-3000	$ 425	$ 425	$ 475	$ 500	$750-800
3001-6000	$ 625	$ 625	$ 675	$ 700	$800-1200
6001-10,000	$ 825	$ 825	$ 875	$ 900	$800-2000
Commercial - Repair, Add/Mod (gpd)					
0-1000	$ 325	$ 325	$ 375	$ 400	$215-600
1001-3000	$ 425	$ 425	$ 475	$ 500	$215-600
3001-6000	$ 625	$ 625	$ 675	$ 700	$215-600
6001-10,000	$ 825	$ 825	$ 875	$ 900	$215-600
Commercial/Community Sys Plan Review (gpd)					
0-1000	$ 75	$ 75	$ 125	$ 150	$75-200
1001-3000	$ 150	$ 150	$ 175	$ 200	$125-200
3001-6000	$ 200	$ 200	$ 225	$ 250	$200-300
6001-10,000	$ 250	$ 250	$ 300	$ 325	$300
Plat Review - S/D (Res. & Comm.)	$ 50	$ 50/lot	$ 100/lot	$ 125/lot	$125-300
Individual w/ Site	$ 25	$ 25/lot	$ 50/lot	$ 75/lot	
Re-submittal Fee - Plan Review (commercial or s/d)	$ 100	$ 100	$ 100	$ 125	$25-125
Existing System Evaluation					
Residential	$ 75	$100/$150	$ 150	$ 150	$125-150
Commercial			$ 200	$ 200	$250
Site Prior to Purchase	$ 35	$ 35	$ 100	$ 150	$150
In-office Review/Approval (Plat/New Structure)			$ 25	$ 25	$75
Septic Tank Reinsp./Site not Ready	$ 55	$ 55	$ 100	$ 150	$50-175
Special Case Permit	$ 300	$ 300	$ 300	$ 300	$300
Installing w/out a valid permit	$600 + fee	$600 + fee	$600 + fee	$600 + fee	2* Permit Fee
Community Sewage Systems					
Annual Insp. Fee (remove "Semi-")	$ 200	$ 200	$ 200	$ 200	
Each Add. System over 1			$ 50	$ 50	
Re-inspect fee to correct violations	$ 200	$ 200	$ 200	$ 200	
Septage Removal/Portable Sanitation					
Annual Permit Fee w/ Insp. (1st Truck)	$ 100	$ 100	$ 150	$ 150	$100
*** each additional truck	$ 25	$ 25	$ 25	$ 25	$25
Food Service					
Food Service Permit (walk-thru/permitting inspection)	$ 275	$ 275	$ 300	$ 300	
Annual Inspection Fee					
Base of Op or 0-25 seats	$ 175	$ 250	$ 275	$ 300	$250-750
26-50 seats	$ 250	$ 325	$ 350	$ 375	$250-1050
51-100 seats	$ 300	$ 375	$ 400	$ 425	$300-1050
100+ seats	$ 350	$ 450	$ 475	$ 500	$350-1050
Mobile (each vehicle)	$ 200	$ 200	$ 300	$ 300	$450
Late Fee (Annual Insp Fee)			$ 100	$ 100	$100 or 20% or $30/30dy
Food Service Plan Review					
Base of Op, Mobile Unit(ea), or 0-25 seats	$ 75	$ 200	$ 250	$ 275	$275-450
26-50 seats	$ 150	$ 275	$ 325	$ 350	$275-550
51-100 seats	$ 225	$ 325	$ 375	$ 400	$300-550
100+ seats	$ 275	$ 400	$ 450	$ 475	$300-550
Re-submittal Fee - Plan Review	$ 75	$ 100	$ 100	$ 100	$100-225
HACCP Plan Review			$ 150	$ 200	$150-200
Food Service (continued)					
Minor Modification Review Fee (new or ext)				$ 50	

Re-Inspection	$ 100	$ 150	$ 150	$ 150	$150-350
Mobile Unit Authorization Fee				$ 50	$50
Mobile Unit (Authorized) Insp Fee				$ 100	$100
Pop-Up Vendor				$ 100	$100-150
Site Prior to Purchase	$ 35	$ 35	$ 100	$ 150	$200
Temp FS Vendor Plan Rev/Insp Fee (profit)	$ 40	$ 40	$ 100	$ 100	$150-375
Temp FS Vendor Insp Fee (non-profit)	$ -	$ -	$ 50	$ 50	
Food Service Safety Class----group	$ 75	$ 75	$ 100	$ 100	
----individual	$ 20	$ 20	$ 30	$ 30	$50
ServSafe --- *** Class Registration		$ 150	$ 150	$ 150	$150
*** Exam Only		$ 80	$ 80	$ 80	$60
Swimming Pool Fees					
Pool/Spa Permit					
Construction permit w/insp.	$ 100	$ 100	$ 150	$ 150	$100-350
Pool Permit w/ Inspections					
Pool/Spa - Seasonal	$ 150	$ 250	$ 275	$ 275	$200-300
Pool/Spa - Year Round	$ 150	$ 325	$ 350	$ 350	$200-450
Water Parks & Multi Unit Est. - Seasonal	$ 150	$ 250	$ 275	$ 275	
Each add.(pool, spa, slide, etc.)-seasonal	$ 20	$ 50	$ 50	$ 50	
WP & MU Est - Year Round			$ 350	$ 350	
Each add.(pool, spa, slide, etc.)-year rnd	$ 20	$ 60	$ 60	$ 60	
Re-Inspection	$ 100	$ 150	$ 150	$ 150	$125-200
Pool Plan Review					
New Construction (per pool/spa)	$ 100	$ 250	$ 300	$ 400	$500-900
Minor Modification or Expansion	$ 50	$ 75	$ 150	$ 150	$500
Re-submittal Fee - Plan Review	$ 75	$ 100	$ 100	$ 100	$100-150
~~Courtesy insp. Upon request~~ **To Be Removed**	~~$ 75~~	~~$ 75~~	~~$ 75~~		
Tourist Accommodations					
Initial permit	$ 250	$ 250	$ 300	$ 300	$300-400
Annual Inspection Fee	$ 200	$ 250			
< 50 Rooms			$ 300	$ 325	$300-425
51 - 100 Rooms			$ 375	$ 400	$400-675
> 100 Rooms			$ 450	$ 475	$400-675
Late Fee (Annual Insp Fee)			$ 100	$ 100	$100 or 20% or $30/30dy
Re-Inspection			$ 150	$ 150	$150-250
Plan Review	$ 50	$ 50	$ 200	$ 300	$300-550
Re-submittal Fee - Plan Review			$ 100	$ 100	$100-150
Body Art - Eff. 1-1-09					
Establishment Permit - Initial		$ 275	$ 325	$ 350	$400
~~Technician Permit - Initial~~ **To be removed 12mos after St BA Rule Implem.**		~~$ 50~~	~~$ 75~~		
~~Estab. Annual Permit Fee~~ **To be removed 12mos after St BA Rule Implem.**		~~$ 150~~	~~$ 200~~		
Establishment Annual Inspection Fee				$ 300	$300-450
~~Tech. Annual Permit Fee~~ **To be removed 12mos after St BA Rule Implem.**		~~$ 20~~	~~$ 50~~		
Late Fee (Annual Inspection Fee)				$ 100	20% or $30/30dys
Re-Inspection		$ 150	$ 150	$ 150	$150-275
Plan Review		$ 100	$ 100	$ 200	$300
Re-submittal Fee - Plan Review			$ 50	$ 100	$100
Minor Modification Review Fee (new or ext)				$ 50	
Temporary Body Art Facility Plan Review/Permit				$ 150	$150-400
Temporary/Guest Body Art Permit (7 days)				$ 50	$100
Body Art Exam Fee				$ 50	$50
Other					
Well permits	$ 50	$50/$100	$ 125	$ 150	
~~Water samples~~ **To Be Removed**	~~$ 35~~	~~$ 35~~	~~$ 35~~		
~~UGA water lab~~ **To Be Removed**	~~$ 15~~	~~$ 15~~	~~$ 15~~		
Rabies specimen for test (non-exposure)	$ 50	$ 50	$50 + lab fees	$50 + lab fees	$75 + lab
Reinspection/missed appt. fee	$ 55	$ 55	$ 150	$ 150	
Operating without a Permit	$ -	$ -	Double Fee	Double Fee	Double Fee
Insp Report/Permit Modification or Replacement	$ -	$ -	$ 25	$ 25	$25
Returned Check Fee	$ -	$ -	Bank Rate	Bank Rate	$35 or Bank Rate
Copies			$ .10/pg (or as	$ .10/pg (or as	$ .10/pg - .25/pg
			per O.C.G.A.)	per O.C.G.A.)	

AGENDA ITEM

Planning and Development

REPORT TO:	**Work Session (11/06/23)**
REPORT TO:	**Voting Meeting (11/09/23)**
ITEM NO:	633/2023
SUBJECT:	**3902 & 0 Belmont Highway | Rezone |** from Agricultural Residential IV (AR-IV) to Planned Industrial Development (PID) on 15.75± acres located on the southeastern side of Belmont Highway, approximately 1,780 feet north of its intersection with Mountain Creek Road | Zoned AR-IV (GCOD), Tax Parcels: 15013 000017B and 000074 (pt.) **| Proposed Use: truck parking and office |** Commission District 3 **| Gus E. Simpson, applicant.**

Meetings:

Work Session Date: 11/06/23 **Voting Meeting Date:** 11/09/23

Executive Summary:

Presenter: RD
Recommendation:

Approval.

Conditions:

1. Development is approved as generally shown on the concept plan dated July 31, 2023 and described in the updated letter of intent received dated October 2, 2023, modified as necessary for compliance with development standards enforced at the time of site plan approval. Minor changes can be approved by the Planning Director provided 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 from the Hall County development standards.
2. The proposed dump truck storage shall be limited to a maximum of 35 trucks on-site at any one time.
3. Light fixtures shall be installed with full cut-offs. Any existing fixtures shall be retrofitted to be full cut-off.
4. All proposed on-site improvements shall be located beyond proposed GDOT project limits.
5. Any building to be utilized for the business shall be inspected for compliance with commercial building code requirements. Should any improvements be required for compliance, work shall be completed and inspected prior to the issuance of a certificate of occupancy or business license.
6. All truck parking shall be located outside of the 300-foot Gateway Corridors Overlay District limit as depicted on Hall County GIS maps.
7. No gravel shall be permitted within the Gateway Corridors Overlay District. All employee parking areas and driveways shall be paved with asphalt or concrete.
8. No approval of the proposed use in Hall County shall constitute approval of the use on any portion of the property within Jackson County.
9. Plans for any further improvements or development of the property shall be submitted for review and appropriate permits obtained.
10. The following statement regarding the potential impacts of agricultural operations in the area shall be made a part of any plat recorded on the property: "Owners, occupants, and users of property shown on this plat are hereby informed of the impacts associated with normal farming practices which may take place on adjacent and nearby property including, but not limited to, noise, odors, dust, the operation of machinery of any kind, the storage and disposal of manure, and the application of fertilizers, herbicides, and pesticides. Therefore, owners, occupants, and users of the property shown on this plat should be prepared to expect the effects of such practices."
11. The hours of operation for the business shall be 6:30am-7:00pm Monday through Friday, and 6:30am-12:30pm on Saturday, and the business will be closed on Sundays.
12. The driveway shall be paved from the edge of road to the limits of the Gateway Corridors Overlay District (measuring 300 feet from the centerline of the road).
13. The existing manufactured home and accessory buildings located within the limits of the Gateway Corridors Overlay District (measuring 300 feet from the centerline of the road) shall be exempt from GCOD standards, as the use will be dedicated to a caretaker/employee's residence for the business.
14. Direct sales of dirt, sand, gravel, mulch, and rock is prohibited on site.

Purpose of Request:

3902 & 0 Belmont Highway | Rezone | from Agricultural Residential IV (AR-IV) to Planned Industrial Development (PID) on 15.75± acres located on the southeastern side of Belmont Highway, approximately 1,780 feet north of its intersection with Mountain Creek Road | Zoned AR-IV (GCOD), Tax Parcels: 15013 000017B and 000074 (pt.) | **Proposed Use: truck parking and office |** Commission District 3 | **Gus E. Simpson, 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:

Submit	Approve	Attorney	Administration
AD	RD	WLI	CR

Clerk
JR

Attachments:
Board Memo
Recommendation Report
Application
Updated Narrative
Original Narrative
Site Plan
Maps
Deed
Environmental Health Comments
GDOT Comments
Fire Comments
Public Works Comments
Notice Sign Photo

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435

GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR
Srikanth Yamala

PLANNING AND DEVELOPMENT
DIRECTOR
Randi Doveton

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PLANNING AND DEVELOPMENT

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

From: Randi Doveton, Director of Planning & Development

Date: October 23, 2023

Subject: **3902 & 0 Belmont Highway | Rezone |** from Agricultural Residential IV (AR-IV) to Planned Industrial Development (PID) /GCOD on 15.75± acres **| Proposed Use: truck parking and office| Gus E. Simpson, applicant.**

The request before you is the application of Gus E. Simpson to Rezone from Agricultural Residential IV (AR-IV) to Planned Industrial Development (PID) /GCOD to allow truck parking and office. This item is located within Commission District 3.

At their October 2, 2023 meeting, the Hall County Planning Commission voted to recommend approval with fourteen (14) conditions **(3-2, Pilcher & Sosebee opposed)**.

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

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

Planning Commission Conditions:

1. Development is approved as generally shown on the concept plan dated July 31, 2023 and described in the updated letter of intent received dated October 2, 2023, modified as necessary for compliance with development standards enforced at the time of site plan approval. Minor changes can be approved by the Planning Director provided 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 from the Hall County development standards.
2. The proposed dump truck storage shall be limited to a maximum of 35 trucks on-site at any one time.

3. Light fixtures shall be installed with full cut-offs. Any existing fixtures shall be retrofitted to be full cut-off.
4. All proposed on-site improvements shall be located beyond proposed GDOT project limits.
5. Any building to be utilized for the business shall be inspected for compliance with commercial building code requirements. Should any improvements be required for compliance, work shall be completed and inspected prior to the issuance of a certificate of occupancy or business license.
6. All truck parking shall be located outside of the 300-foot Gateway Corridors Overlay District limit as depicted on Hall County GIS maps.
7. No gravel shall be permitted within the Gateway Corridors Overlay District. All employee parking areas and driveways shall be paved with asphalt or concrete.
8. No approval of the proposed use in Hall County shall constitute approval of the use on any portion of the property within Jackson County.
9. Plans for any further improvements or development of the property shall be submitted for review and appropriate permits obtained.
10. The following statement regarding the potential impacts of agricultural operations in the area shall be made a part of any plat recorded on the property:
    "Owners, occupants, and users of property shown on this plat are hereby informed of the impacts associated with normal farming practices which may take place on adjacent and nearby property including, but not limited to, noise, odors, dust, the operation of machinery of any kind, the storage and disposal of manure, and the application of fertilizers, herbicides, and pesticides. Therefore, owners, occupants, and users of the property shown on this plat should be prepared to expect the effects of such practices."
11. The hours of operation for the business shall be 6:30am-7:00pm Monday through Friday, and 6:30am-12:30pm on Saturday, and the business will be closed on Sundays.
12. The driveway shall be paved from the edge of road to the limits of the Gateway Corridors Overlay District (measuring 300 feet from the centerline of the road).
13. The existing manufactured home and accessory buildings located within the limits of the Gateway Corridors Overlay District (measuring 300 feet from the centerline of the road) shall be exempt from GCOD standards, as the use will be dedicated to a caretaker/employee's residence for the business.
14. Direct sales of dirt, sand, gravel, mulch, and rock is prohibited on site.

HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT

Applicant ..... Gus Simpson

Request ..... Rezone | from Agricultural Residential IV (AR-IV, 17.120) to Planned Industrial Development (PID, 17.180.090)/Gateway Corridors Overlay District (GCOD, 17.420)

Proposed Use ..... truck parking and office

Size ..... 15.75± acres

Zoning ..... Current Agricultural Residential IV (AR-IV, 17.120) / Gateway Corridors Overlay District (GCOD, 17.420) | Proposed Planned Industrial Development (PID, 17.180.090) / Gateway Corridors Overlay District (GCOD, 17.420)

Location ..... **3902 & 0 Belmont Highway |** Tax Parcels 15013 000017B and 15013 000074 (pt.)

Commission District ..... Three

Planning Commission Date ..... October 2, 2023

Staff Recommendation ..... **Denial,** as the requested use is inconsistent with the Rural Residential Character Area in the Hall County Comprehensive Plan

Planning Commission Recommendation.....Approval, with conditions
Vote: 3-2 (Pilcher & Sosebee opposed)

Conditions:

1. Development is approved as generally shown on the concept plan dated July 31, 2023 and described in the updated letter of intent received dated October 2, 2023, modified as necessary for compliance with development standards enforced at the time of site plan approval. Minor changes can be approved by the Planning Director provided 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 from the Hall County development standards.
2. The proposed dump truck storage shall be limited to a maximum of 35 trucks on-site at any one time.

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9. Plans for any further improvements or development of the property shall be submitted for review and appropriate permits obtained.
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13. The existing manufactured home and accessory buildings located within the limits of the Gateway Corridors Overlay District (measuring 300 feet from the centerline of the road) shall be exempt from GCOD standards, as the use will be dedicated to a caretaker/employee's residence for the business.
14. Direct sales of dirt, sand, gravel, mulch, and rock is prohibited on site.

Public Forum:

William Jenkins, 3950 Belmont Highway, Talmo, spoke in opposition. Concerns were noise, amount of trucks, traffic, safety, and commercial sales.

Summary Analysis

The applicant is requesting to rezone a combined 15.75± acres of Agricultural Residential IV (AR-IV, 17.120) zoned land to Planned Industrial Development (PID, 17.180.090) for the purpose of establishing a dump truck parking facility with a company office. This acreage falls partially within the Gateway Corridors Overlay District (GCOD, 17.420) along Belmont Highway (State Route 332). The GCOD governs non-residential property development.

The applicant has submitted a letter of intent stating that the existing agricultural building[s] and gravel areas will be utilized as the company office, employee parking, and dump truck storage. The site plan, dated July 31, 2023, displays the current conditions and proposed improvements to the property. This plan shows seven existing buildings on the property, which the applicant states have been used for agricultural purposes. The submitted plan and letter of intent do not specify which building(s) will be converted for

business use, how they will be used in addition to the office, if any residential uses will remain on the property, or if any demolition will be required as part of the site development. It should be noted that Hall County code requires that any building to be utilized for the business must be inspected for compliance with commercial building code requirements.

The letter of intent states that as part of the relocation of the business to the property, the applicant intents to install a 1 acre gravel lot for the employee and dump truck parking, which will be connected by an existing gravel driveway to Belmont Highway. A stormwater detention facility is proposed to the northeast of the gravel storage area, adjacent to a springhead on the property. No other improvements have been proposed as part of the development. The site plan shows the required 50-foot transitional buffer (17.420.050(C)) adjacent to all external property lines and a 10-foot landscape strip adjacent to Belmont Highway. Each side of the property features mature trees, which have been supplemented by the applicant with newly-planted evergreen trees. The buffer composition will be verified to be compliant with development standards during the permitting process, (17.420.050(C)). The letter of intent states that business operations will not be visible from Belmont Highway due to the topography of the site.

The submitted letter of intent states that approximately 30 dump trucks will utilize this site. Truck ingress and egress will take place between 6:30AM and 6:30PM on weekdays, with limited Saturday operations between 6:30AM and 12:30PM. Specific hours of operation for the office have not been specified.

Note: Only the 15.75± acre portion of the parcel in Hall County is subject to this request. No approval of a use in Hall County shall constitute approval of the use on any portion of the property within Jackson County.

Based on the future land-use plan, staff finds the requested zoning designation *is not consistent* with the Hall County Comprehensive Plan future land use designation of "Rural Residential." The intent of this character area is to preserve the established residential/rural character and create a transition between the rural and residential character areas. Future development will continue to include agricultural and low-density detached single-family residential uses.

17.180.090. - Planned industrial development (PID).

A Planned Industrial Development (PID, 17.180.090) allows for more flexibility in the design and development of the property. This provides for planned, organized and controlled industrial use, compatible the surrounding land uses.

A. Characteristics. A planned industrial development should consist of land which has been designated for a planned, organized and controlled industrial use or for multiple but compatible industrial uses in a planned industrial park. The standards employed should be designed to encourage the formation and continuance of a compatible environment for the planned industrial uses and the surrounding land uses. Carefully planned office and commercial uses may be incorporated as part of a planned industrial development.

B. Required plans. All of the general and special requirements for planned developments shall be provided. The following specific items shall also be addressed:

    1. A site plan indicating the proposed site preparation and grading, streets and parking areas, loading zones, outdoor storage areas, rail facilities, storm drainage, water, gas and sewage systems and all buffer areas. **The applicant has submitted a site plan which addresses some**

of these standards, but a full set of construction documents, including the site grading, have not been provided.

2. The development controls for the district shall be detailed (lot coverage, setbacks, building heights, lot sizes, etc.). If standards are not specifically proposed, then the applicable standards in the light industrial (I-I) district, together with the screening and buffer requirements, shall apply. **The application materials do not specify specific development controls, and as such, the applicable Light Industrial District-I (I-I, 17.160) standards shall apply.**

3. If office or commercial uses are proposed in conjunction with the planned industrial development, then the applicable requirements in the planned office development or the planned commercial development [district] shall be provided. **The proposed office is complementary to the industrial use of the site for truck storage and is not a separate, unassociated use. As such, this standard is not applicable.**

4. A proposed development schedule and listing of proposed uses shall be provided. **The applicant has described the proposed use of the property. A specific development schedule has not been provided, but the applicant understands that the property must go through the development permit process prior to relocating the business to the site.**

GCOD Analysis

With regard to the Gateway Corridors Overlay District (GCOD, 17.420) staff has developed a chart to summarize recommendations for establishing or bringing properties into compliance with the standards in the Corridors. Decision makers may use the assessment in developing conditions that warrant compliance based on the scale and scope of proposed development.

Standard	Compliance	Proposed Work	Notes
17.420.050.C – Transitional buffers	Likely	50-foot transitional buffer	Applicant has noted intention to comply with these provisions based on site plan layout.
17.420.050.D – Other landscape and screening standards	Likely	10-foot landscape strip along road	Applicant has noted intention to comply with these provisions based on site plan layout.
17.420.050.E – Parking lot design	Deficient	Gravel	Applicant is proposing gravel paving rather than asphalt or concrete. Recommendation of gravel only outside of GCOD limits.
17.420.050.F – Outdoor lighting	Deficient	Semi-cutoff proposed	New fixtures recommended to be installed with full cutoffs. Any existing fixtures should be retrofitted.
17.420.050.G – Interparcel access	Deficient	__	Parcels on either side are too dissimilar in proposed development character and use to warrant compliance at this time.

17.420.050.E – Architectural standards for non-residential buildings	Deficient	__	Existing structures do not meet material specifications as metal buildings. **Staff recommends all future renovations or improvements must conform to GCOD standards if located within 300 foot limits.**
17.420.060 – Signs	Unknown	__	Staff has not identified any existing signage on the property nor has any been proposed as part of the application materials.

Zoning Analysis

When considering a zoning amendment to the zoning maps, the following items must be considered by the Planning Commission and the Hall County Commission pursuant to 17.380.060:

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 proposal is not suitable compared to the use and development of nearby properties. The introduction of an industrial trucking business will contrast with the nearby low-density agricultural and residential uses.**

2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The proposal will bring an increase in general activity to the site and surrounding area, but staff is unable to determine any adversities that may arise.**

3. Whether the property to be affected by the zoning proposal has reasonable economic use as currently zoned. **The property has reasonable economic uses as currently zoned (Agricultural Residential IV (AR-IV, 17.120)), and was previously used for agricultural purposes.**

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; **The introduction of a fleet of heavy commercial vehicles to this corridor will undoubtedly increase the volume of traffic. However, this may not be excessive, as Belmont Highway is a state route.**

5. Whether the zoning proposal is in conformity with the policy and intent of the land use plan; **The proposal does not conform to the future land use designation of "Rural Residential." Industrial uses are not envisioned for this character area, nor do any exist in the vicinity.**

6. The extent to which property values are diminished by the existing zoning restrictions; **Staff is unable to determine the extent to which property values are diminished by the existing zoning restrictions.**

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 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.**

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 currently developed with several agricultural buildings, and tax records indicate the existence of a manufactured home on this property since 1987.**

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; **The zoning change would create an isolated district within Hall County. The nearest industrial zoning is located 0.67 miles away.**

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.**

13. Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood; **The proposal is out of scale with the needs of the neighborhood; however, Hall County has a growing, in-demand industrial sector.**

14. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **There are many sites within Hall County appropriately zoned to accommodate the applicant's proposal.**

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; **Staff is unable to determine the extent to which ecological and pollution impacts may occur as a result of the applicant's request.**

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.**

A Planned Industrial Development (PID, 17.180.090) allows for more flexibility in the design and development of the property. This provides for planned, organized and controlled industrial use, compatible the surrounding land uses.

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. **The proposal meets the requirement. The 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 provide a narrative outlining the intent of the development; however, the applicant has not prepared a response to each of the criteria listed in 17.380.060.C.**
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 does meet the requirement. The applicant has provided a site plan and included much of the necessary information to properly assess the development.**

C. For any application for a slow rate land treatment system (see chapter 17.20), the following additional requirements apply**. This standard is not applicable, as the site will be served by an onsite septic system.**

D. 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. **As there are not 100 or more residential dwelling units proposed, this criterion is not applicable.**

Development Support and Constraints

Hall County Environmental Health

In an email dated August 31, 2023, Emily McGahee stated "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 Marshal

In an email dated August 30, 2023, John Hornick, NPQ Fire Inspector 1, Plans Review Lieutenant provided the following comments:

"The Hall County Fire Marshal's Office has no comments as proposed."

Hall County Public Works and Utilities

In a memo dated August 31, 2023, Bill Nash, Director of Public Works and Utilities, provided the following comments:

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

stream buffer and impervious setback from wrested vegetation not centerline of stream. Proposed GDOT project goes right through this parcel.

Traffic:
Access must be approved/permitted by GDOT.

Utilities
No sewer connection within feasible distance.

Georgia Department of Transportation
In an email dated August 25, 2023, Veronica Chavers, D1TO Civil Engineer 3, confirmed that the project will require GDOT coordination.

- **Excerpts from the minutes of the October 2, 2023 meeting**

Applicant's Presentation:

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

James Irvin, 164 Professional Drive, Baldwin, presented the request. The applicant has been utilizing a Candler Highway site for his business but would like to relocate. The applicant will be utilizing the existing buildings on the property. The applicant stated that there will not be many people at the location since they arrive in personal vehicles in the morning and leave in the company trucks until their shift is over and leave again in personal vehicles in the evening. The applicant stated that the mobile home will serve as an employee home to have someone monitor the business. The applicant stated that there have been evergreens planted along the property lines. The applicant stated that the business will be running approximately 30 trucks.

Public Forum:

William Jenkins, 3950 Belmont Highway, Talmo, spoke in opposition. Concerns were noise, amount of trucks, traffic, safety, and commercial sales.

Planning Commission Comments:

Mr. Hunt questioned the hours of operation. The applicant stated it was Monday through Friday 6:30am – 7:00pm, Saturday 6:30am – 12:30pm, and closed on Sundays. Mr. Hunt requested clarification on the cleaning of the trucks. The applicant stated that the trucks would come to the site already having been cleaned. Mr. Braswell stated that there would be a condition to restrict on site sales. Ms. Pilcher questioned why the applicant didn't buy a nearby property that was already zoned for the intended use. The applicant stated that the property has been in the family and they would not have to purchase.

***Motion:* A motion to approve, with conditions was made by Mr. Hunt and seconded by Mr. Varner. Vote: 3-2 (Pilcher & Sosebee opposed)**

Conditions:

1. Development is approved as generally shown on the concept plan dated July 31, 2023 and described in the updated letter of intent received dated October 2, 2023, modified as necessary for compliance with development standards enforced at the time of site plan approval. Minor changes can be approved by the Planning Director provided 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 from the Hall County development standards.
2. The proposed dump truck storage shall be limited to a maximum of 35 trucks on-site at any one time.
3. Light fixtures shall be installed with full cut-offs. Any existing fixtures shall be retrofitted to be full cut-off.
4. All proposed on-site improvements shall be located beyond proposed GDOT project limits.
5. Any building to be utilized for the business shall be inspected for compliance with commercial building code requirements. Should any improvements be required for compliance, work shall be completed and inspected prior to the issuance of a certificate of occupancy or business license.
6. All truck parking shall be located outside of the 300-foot Gateway Corridors Overlay District limit as depicted on Hall County GIS maps.
7. No gravel shall be permitted within the Gateway Corridors Overlay District. All employee parking areas and driveways shall be paved with asphalt or concrete.
8. No approval of the proposed use in Hall County shall constitute approval of the use on any portion of the property within Jackson County.
9. Plans for any further improvements or development of the property shall be submitted for review and appropriate permits obtained.
10. The following statement regarding the potential impacts of agricultural operations in the area shall be made a part of any plat recorded on the property:
    "Owners, occupants, and users of property shown on this plat are hereby informed of the impacts associated with normal farming practices which may take place on adjacent and nearby property including, but not limited to, noise, odors, dust, the operation of machinery of any kind, the storage and disposal of manure, and the application of fertilizers, herbicides, and pesticides. Therefore, owners, occupants, and users of the property shown on this plat should be prepared to expect the effects of such practices."
11. The hours of operation for the business shall be 6:30am-7:00pm Monday through Friday, and 6:30am-12:30pm on Saturday, and the business will be closed on Sundays.
12. The driveway shall be paved from the edge of road to the limits of the Gateway Corridors Overlay District (measuring 300 feet from the centerline of the road).
13. The existing manufactured home and accessory buildings located within the limits of the Gateway Corridors Overlay District (measuring 300 feet from the centerline of the road) shall be exempt from GCOD standards, as the use will be dedicated to a caretaker/employee's residence for the business.
14. Direct sales of dirt, sand, gravel, mulch, and rock is prohibited on site.

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

HALL COUNTY
GEORGIA
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ZONING APPLICATION

Applicant (Name & Mailing Address)

GUS E. SIMPSON
3210 TANNERS MILL ROAD
GAINESVILLE, GA 30507
Phone 678-897-7739
Email Address gussimpsontrucking@gmail.com

Property Owner (Name & Mailing Address)

JAMES E. SIMPSON PROPERTIES, LP
1364 CANDLER ROAD
GAINESVILLE, GA 30507
Phone 770-536-4731
Email Address wjones@simpsontrucking.com

Proposed Use TRACTOR TRAILER STORAGE

Contact Person (Name & Mailing Address)

GUS E. SIMPSON
3210 TANNERS MILL ROAD
GAINESVILLE, GA 30507
Phone 678-897-7739
Email Address gussimpsontrucking@gmail.com

Status of Applicant

- ☒ Owner
- ☐ Option to Purchase
- ☐ Area Resident
- ☐ Other

Requested Action

Existing Zoning: AR-IV
Rezone to: PID
Fee:$ 550.00
Receipt #:
Check #:

Tax Parcel Number 15013 000017B Acreage 31.96
Location Address 3902 BELMONT HWY, GAINESVILLE, GA 30507

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

Sign Gus Simpson Date: Jul 24, 2023

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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HALL COUNTY
GEORGIA
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AUTHORIZATION OF PROPERTY OWNERS

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

Name of owner(s) JAMES E. SIMPSON PROPERTIES, LP

Address 1364 CANDER ROAD

GAINESVILLE, GA 30507

Phone Number 770-536-4731

Name of applicant(s) GUS SIMPSON

Address 3210 TANNERS MILL ROAD

GAINESVILLE, GA 30507

Phone Number 678-897-7739

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)

Greg B Simpson

Personally appeared before me

_____

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

Haley Simpson

Notary Public

HALEY SIMPSON
NOTARY PUBLIC
MY COMMISSION EXPIRES 7/26/2025
HALL COUNTY, GEORGIA

7/31/23

Date

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
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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_X__

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: Gus Simpson Gus Simpson (Jul 24, 2023 12:01 EDT) **Date:** Jul 24, 2023

Applicant's/Owner's Name (Printed): GUS SIMPSON

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
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Name of Official(s): _____ Office: _____

Dollar Amount: _____ Date of Contribution: _____

Applicant's/Owner's Signature: Angela Marie Simpson **Date:** 9-28-2023

Applicant's/Owner's Name (Printed): Angela Marie Simpson

PLANNING AND DEVELOPMENT DEPARTMENT
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MAILING ADDRESS: PO BOX 1435, GAINESVILLE. GA 30503
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Name of Official(s): _____ Office: _____

Dollar Amount: _____ Date of Contribution: _____

Applicant's/Owner's Signature: Greg S Simpson **Date:** 9.28.23

Applicant's/Owner's Name (Printed): Greg S. Simpson

NARRATIVE REPORT
REQUEST FOR REZONING
HALL COUNTY, GEORGIA
October 2, 2023 (2nd Revision)

RE: 31.96 acres located on 3902 Belmont Hwy, Gainesville, GA 30507
Parcel ID 15013 000017B

Gus Simpson (the "Applicant") respectfully submits this Narrative Report to the Hall County Board of Commissioners in support of an application for rezoning from AR-IV zoning classification to PID zoning classification. The applicant is aware that AR-IV zoning surrounds the property. The PID zoning is proposed to control the use and plan of the property.

The primary use of this parcel is planned and intended to be used as a trucking company office utilizing the existing building and other improvements on the property. The existing improvements on the property were for agricultural use. Mr. Simpson has been using a portion of the Simpson Trucking and Grading property on Candler Hwy for his separate trucking business. His insurance company is requesting that he does not need to use this property and to be at a separate location. Mr. Simpson wants to convert the agricultural building and gravel on this family property to use for his office and truck parking; therefore, rezoning is required to do this. Additional gravel is proposed behind the building for employee parking.

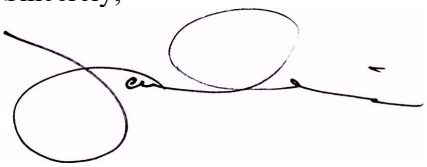
There will be approximately 30 trucks that will use this property. The majority of the trucks will leave at 6:30 AM and return at 6:30 PM on Monday through Friday. On Saturday some of the trucks will leave at 6:30 AM and return at 12:30 PM. The lighting will be semi-cutoff, non-spill, type. The applicant has already planted evergreens along both side property lines. See attached photos. Also, the building and its operations is not visible from the road due to the property's topography from the road. See attached photo from Google Earth. The mobile home on the property will be for an employee residence to address any issues with the property or business after hours.

Foothills Land Design, LLC
164 Professional Drive
Baldwin, GA 30511

Ph: 706-778-0067
Fax: 706-778-0069
www.foothillsld.com

It is understood that a GDOT commercial driveway permit will be required as well as an updated septic system for the building. The existing vegetation around the perimeter of the property will remain and the business is should not cause any adverse effects to the adjacent properties.

Sincerely,



James Irvin, PE
Engineer for Applicant
Foothills Land Design, LLC

Foothills Land Design, LLC
164 Professional Drive
Baldwin, GA 30511

Ph: 706-778-0067
Fax: 706-778-0069
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HALL COUNTY, GEORGIA

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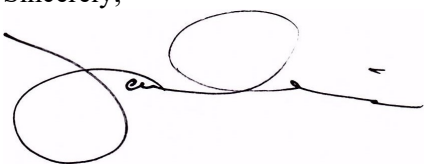


James Irvin, PE
Engineer for Applicant
Foothills Land Design, LLC

Foothills Land Design, LLC
164 Professional Drive
Baldwin, GA 30511

Ph: 706-778-0067
Fax: 706-778-0069
www.foothillsld.com

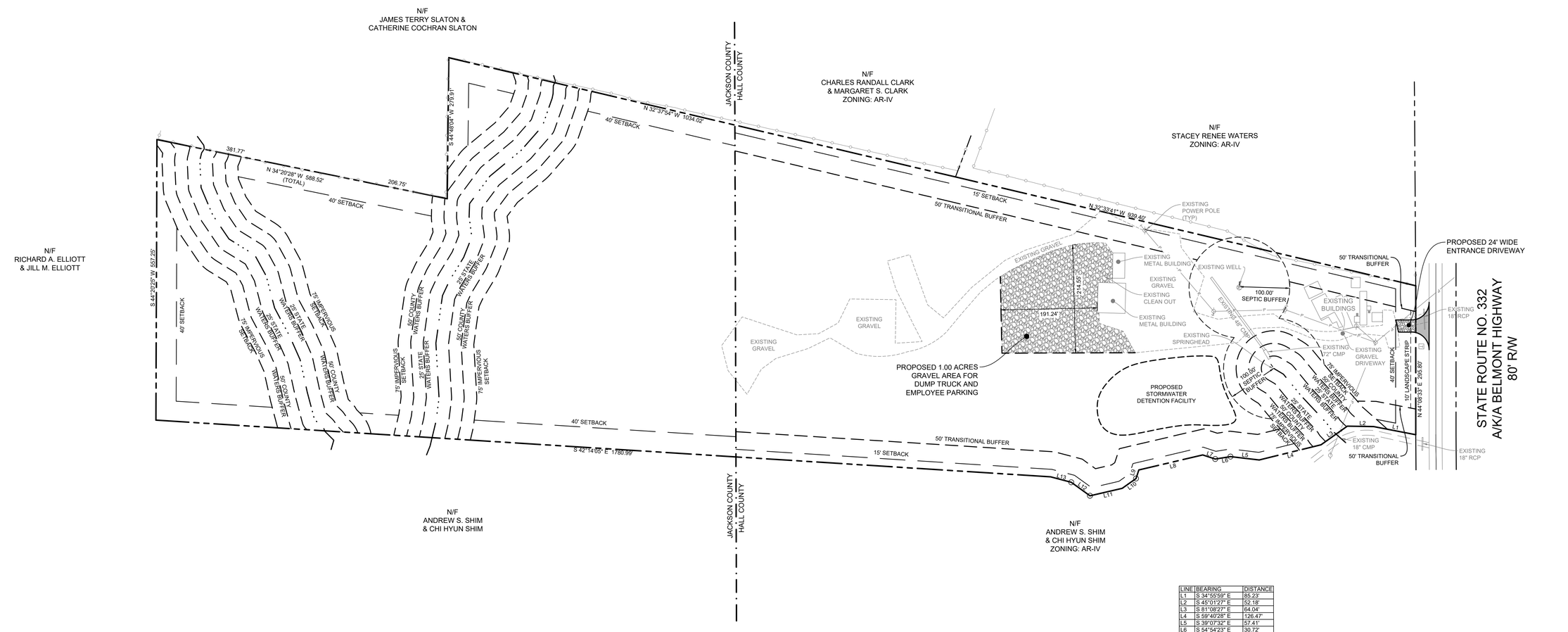
LEGEND

PROPOSED GDOT SPEC ASPHALT PAVING

PROPOSED GRAVEL

GENERAL NOTES:

1. APPLICANT: GUS SIMPSON
   3210 TANNERS MILL RD.
   GAINESVILLE, GA 30507
   678-897-7739
2. ENGINEERING CONTACT: JAMES IRVIN @ 706-778-0067
3. SITE AREA: 31.96 ACRES
4. TAX PARCEL #15013 000017B
5. EXISTING ZONING: AR-IV
   PROPOSED ZONING: PID
6. DUMP TRUCK AND EMPLOYEE PARKING IS PROPOSED.
7. STORMWATER DETENTION FACILITY WILL BE PROVIDED BY THE OWNER.
8. NO SIGNS ARE PROPOSED FOR THIS SITE AT THIS TIME.
9. THIS SITE IS WITHIN THE HALL COUNTY GATEWAY OVERLAY DISTRICT.



LINE	BEARING	DISTANCE
L1	S 34°55'59" E	85.23'
L2	S 45°01'27" E	52.18'
L3	S 81°08'27" E	64.04'
L4	S 59°40'28" E	126.47'
L5	S 39°07'32" E	57.41'
L6	S 54°54'23" E	30.72'
L7	S 27°49'19" E	26.11'
L8	S 59°04'47" E	130.39'
L9	N 62°25'17" E	17.82'
L10	S 81°12'47" E	33.66'
L11	S 59°00'07" E	65.65'
L12	S 10°00'12" E	45.87'
L13	S 31°04'06" E	42.38'

0' 100' 200' 300'

SCALE: 1" = 100'

foothills land design
164 PROFESSIONAL DRIVE
BALDWIN, GA 30511
PHONE: (706) 778-0067
FAX: (706) 754-0869
www.foothillsld.com

OWNER/ DEVELOPER:
JAMES E SIMPSON PROPERTIES, LP
1364 CANDLER ROAD
GAINESVILLE, GA 30507

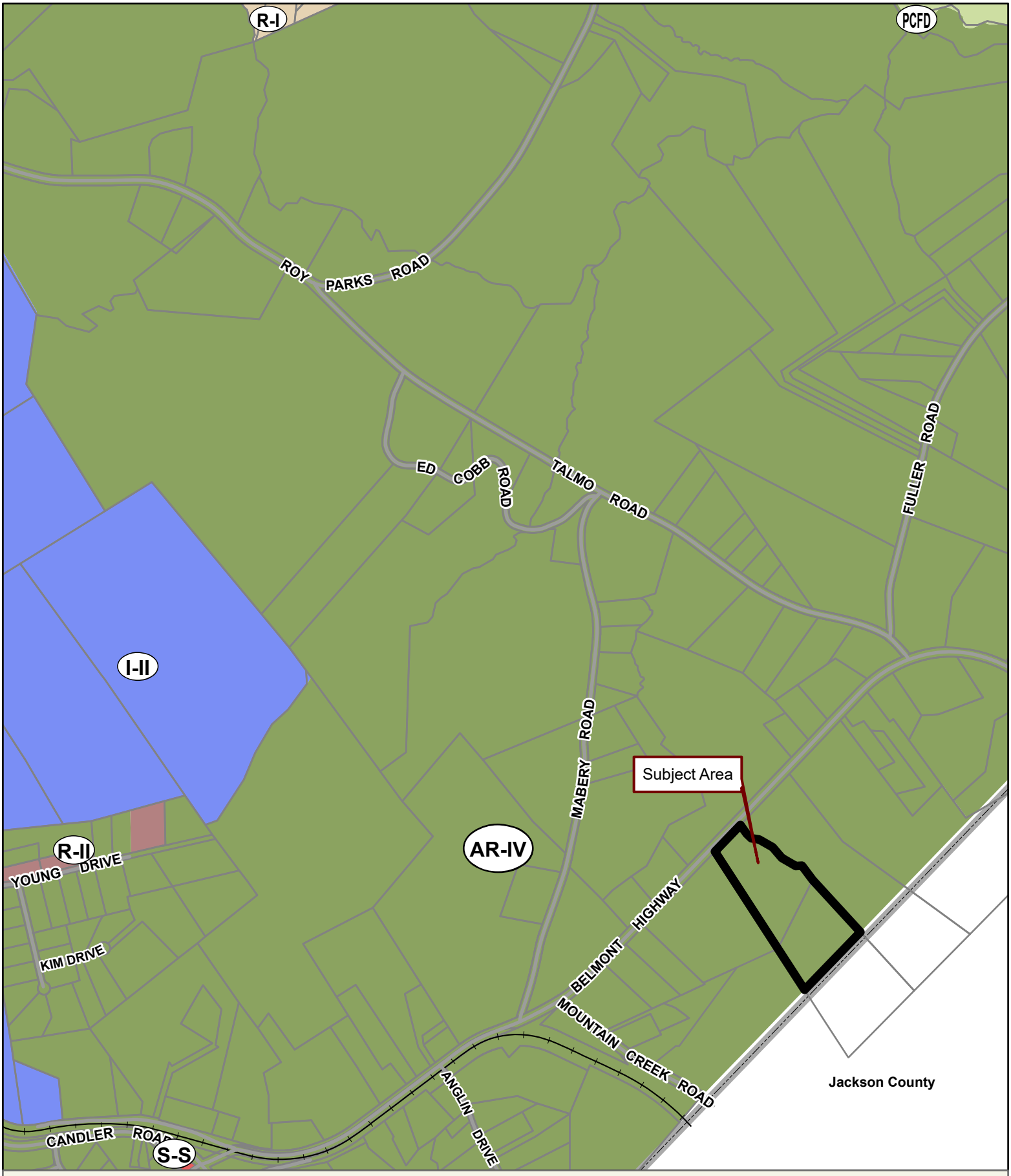
REZONING PLAN
SIMPSON TRUCK STORAGE
GMD 1385
HALL COUNTY, GA

REVISIONS: NO.	DESCRIPTION	DATE

DATE: JULY 31, 2023

SCALE: 1" = 100'

SHEET:
1
JOB #23094

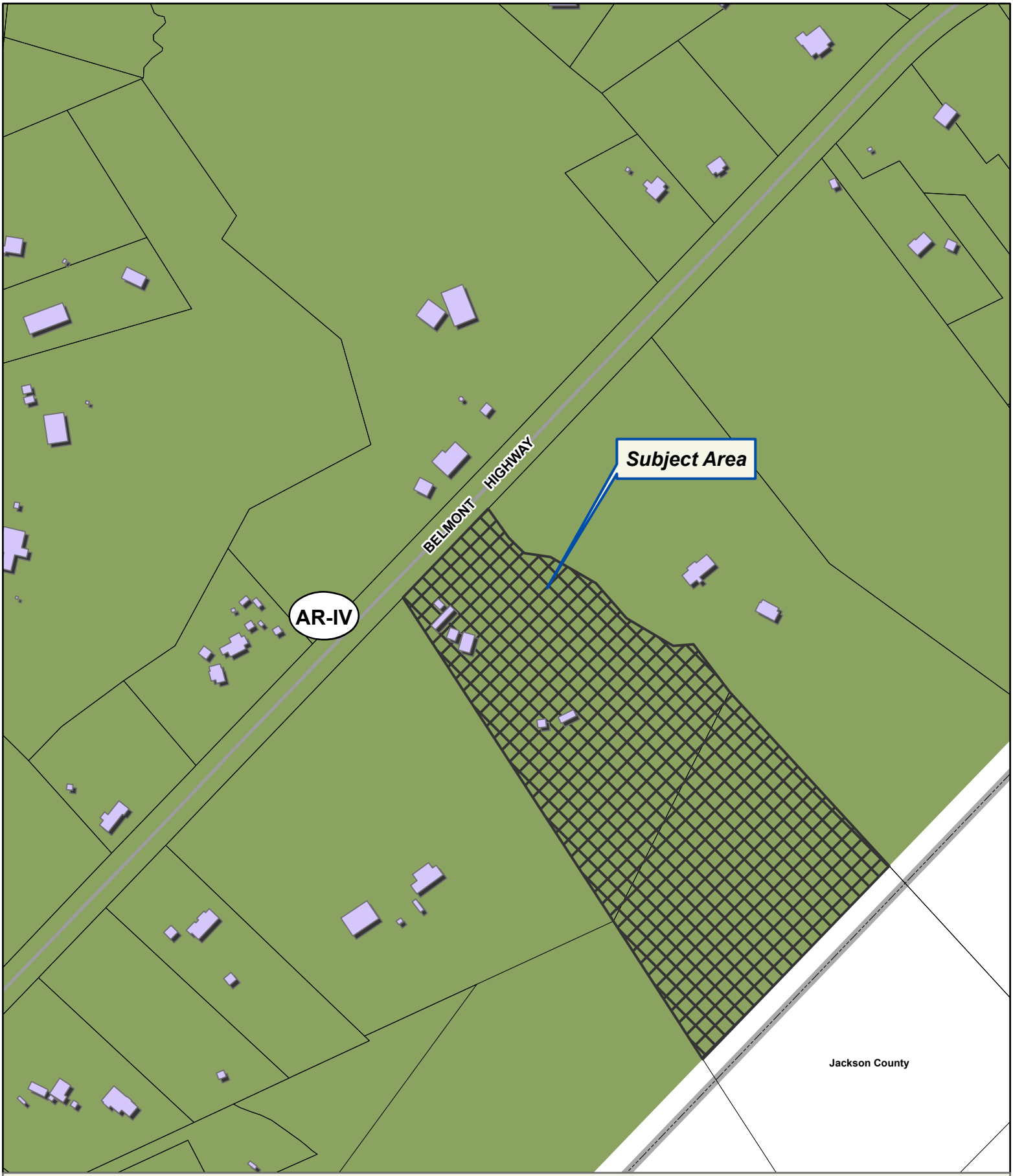


Applicant: GUS E. SIMPSON
Tax Parcel #: 15013 000017B & 000074 (PT.)
Location: 3902 & 0 BELMONT HIGHWAY, TALMO, GA 30575
Commission District 3 **PC Mtg. Date: 10/2/23**

0 300 600 1,200
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N



Applicant: GUS E. SIMPSON
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Location: 3902 & 0 BELMONT HIGHWAY, TALMO, GA 30575
Commission District 3 **PC Mtg. Date: 10/2/23**

0 90 180 360
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N

Applicant: GUS E. SIMPSON
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Location: 3902 & 0 BELMONT HIGHWAY, TALMO, GA 30575
Commission District 3 **PC Mtg. Date: 10/2/23**

0 90 180 360
Feet

Zoning Boundary
City Limits
Subject Area

N

Deed Doc: ESTD
Recorded 02/05/2021 10:56AM
Camie W. Thomas
Clerk Superior Court, JACKSON County Ga.
Bk 0093Z Pg 0166-0170
Georgia Transfer Tax Paid : $52.00
Penalty: $0.00
Interest: $0.00
0782021000516
Participants: 2722571621

eFiled and eRecorded
DATE: 02/05/2021
TIME: 2:42 PM
DEED BOOK: 8722
PAGE: 129 - 133
FILING FEES: $25.00
TRANSFER TAX: $248.00
PARTICIPANT ID: 2722571621
PT61: 069-2021-001120
RECORDED BY: CH
CLERK: Charles Baker, C.S.C
Hall County, GA

JAMES M. WALTERS
Attorney at Law
311 Green Street, Ste 103
Gainesville, GA 30501
(770) 536-9264

ADMINISTRATOR DEED

STATE OF GEORGIA

COUNTY OF HALL

THIS INDENTURE, made and entered into this the 18th day of December, in the year of our Lord Two Thousand and Twenty, between **MELANIE BARR CAREY & HARLEY CLINTON BARR, II AS ADMINISTRATORS OF THE ESTATE OF PHILLIP MALCOLM CRONIC A/K/A PHILIP MALCOLM CRONIC** of the State of Georgia, and County of Hall, as the duly appointed, qualified and constituted Administrators of the Estate of **PHILLIP MALCOLM CRONIC A/K/A PHILIP MALCOLM CRONIC,** deceased, late of Hall County, Georgia, in the State of Georgia, party of the First Part, and **JAMES E. SIMPSON PROPERTIES, LP** party of the Second Part.

WITNESSETH: That said party of the First Part, **MELANIE BARR CAREY & HARLEY CLINTON BARR, II,** execute this instrument as the Administrators of the Estate of **PHILLIP MALCOLM CRONIC A/K/A PHILIP MALCOLM CRONIC** deceased, late of Hall County, Georgia, the administrator was appointed by the Probate Court of Hall County, Georgia, pursuant to and by virtue of the power and authority vested in them by said Court, does

for and in consideration of the sum of **THREE HUNDRED THOUSAND AND NO/100 DOLLARS**, in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency whereof is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents, does grant, bargain, sell and convey unto the said Grantees, by virtue of the powers granted, the following described property, to-wit:

EXHIBIT "A" ATTACHED HERETO AND MADE A PART OF THIS DEED

NOW, the said party of the First Part, in consideration of the premises, and for and in consideration of the sum of **THREE HUNDRED THOUSAND AND NO/00 DOLLARS**, in hand paid, at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed, and hereby does grant, bargain, sell and convey unto the said party of the Second Part and their heirs, executors, administrators and assigns, the said described land, with all the rights, members and appurtenances thereunto belonging or in any wise appertaining to them and their own proper use, benefit and behoof forever, in as full and ample manner as the same was possessed and enjoyed by the said **PHILLIP MALCOLM CRONIC A/K/A PHILIP MALCOLM CRONIC**, deceased, during her lifetime.

SIGNATURES ON FOLLOWING PAGE

IN WITNESS WHEREOF, the said party of the First Part has hereunto set their hands and seals, the day and year first above written.

(SEAL)
MELANIE BARR CAREY

(SEAL)
HARNEY CLINTON BARR, II

AS ADMINISTRATORS OF THE ESTATE OF PHILLIP MALCOLM CRONIC A/K/A PHILIP MALCOLM CRONIC

Signed, sealed and delivered
in the presence of:

Unofficial Witness

Notary Public

CHERYL WALTERS NOTARY PUBLIC GEORGIA EXPIRES Oct. 21, 2022 HALL COUNTY

EXHIBIT 'A'

TRACT 1

All that tract or parcel of land lying and being Candler G.M.D. #1385 Hall County and Jackson County, GA and being shown and delineated on Plat of Survey prepared for ESTATE OF ZOMA LOU CLARK CRONIC by Henry Bailey Ga. Reg. Sur. dated December 23, 1998 and being shown as Tract 1, being 16.934 acres Hall County, GA and the 6.823 acre Tract as shown on said plat located in Jackson County, GA. Said plat is recorded in the Clerk's Office of the Superior Court of Hall Co GA in Plat Slide 763 page 202A and recorded in the Clerk's Office of the Superior Court of Jackson Co. GA in Plat Book 54 page 31. There is a total of 23.757 acres with 16.934 acres in Hall County and 6.823 acres in Jackson Co. GA. Said plats and the records thereof are herein incorporated for a full and complete legal description.

TRACT 2

All the following property, to wit: lying and being in the Candler District (GLLD 1385) of Hall County, Georgia, consisting of 8.193 acres, more or less, according to a plat prepared by Henry Bailey, Georgia Registered Surveyor No. 1586, dated October 26, 1976 and being more particularly described according to said plat as follows:

Commencing at the intersections of the Right of Way of Georgia State Highway No. 60 and Georgia State Highway No. 332, thence approximately 1.05 miles as measured along the southeast Right of Way of Georgia Highway No. 332 to an iron pin corner located on the Right of Way being the point of Beginning; thence N 44-34 E- 295.90 feet to an iron pin corner located on the Right of Way of Georgia State Highway No. 332 and the southwest side of graded road; thence S 33-56 E- 85.07 feet to a point thence S 44-04 E- 52.18 feet to a point; thence S 80-11 E -64.04 feet to an iron pin set on the southwest side of said graded road and in the centerline of a gully; thence along the centerline of a gully in a generally southeasterly direction, but with the following cord bearings and distances, S 58-43 E- 126.49 feet; thence S 39-49 E- 112.64 feet; thence S 58-07 E-130.40 feet; thence S 87-18 E- 49.16 feet; thence S 35-48 E- 143.90 feet to an iron pin; thence leaving the centerline of said gully and running S 28-13 W- 619.99 feet to an iron pin corner; thence 31-35 W- 927.35 feet to an iron pin corner being the Point of Beginning.

Reference is hereby made to a Recording in the Superior Clerk of Hall County Court in Deed Book 1106, Page 185-186

RE: Administrators Deed
Recorded Deed Book 932,
Page 166, Jackson Co. GA.

AFFIDAVIT

Comes now, James M. Walters, a practicing attorney in the State of Georgia and states as follows:

1.

I prepared the above referenced Administrators Deed.

2.

The above referenced Administrators Deed references property located in Jackson County and Hall County, GA. The majority of said property being located in Hall County, GA. The total value of the property is $300,000.00. $52,000.00 is for the Jackson Co. GA property. Therefore $52.00 transfer tax is paid on Jackson Co. and $248.00 will be paid on the Hall Co. GA property.

3.

Said Deed has been recorded in Jackson County, GA in Deed Book 932, pages 166 - [illegible]

This 5 day of February, 2021.

Sworn to and subscribed
before me this 5 day
of February, 2021.

Brannan Greene
Notary Public

BRANNAN GREENE NOTARY PUBLIC HALL COUNTY GEORGIA EXPIRES June 28, 2022

J. M. Walters
JAMES M. WALTERS

Anael Dominguez (CDI: Planning)

From: Emily McGahee (Environmental Health)
Sent: Thursday, August 31, 2023 4:53 PM
To: Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning); Beth Garmon (CDI: Planning)
Cc: Chad Harper (Environmental Health); Kelly Hairston (Environmental Health)
Subject: HCPC Tentative Agenda 10.2.23

Please find Environmental Health comments below:

Items 1A-C, 8730 Forrester Road, Crumley: No comment.

Item 2, 4057 Sargent Circle, Drees: All proposed structures must meet all residential permitting requirements and/or required setbacks to existing septic system. Area for a feasible, full conventional recovery system must be available for the number of bedrooms requested. Existing system evaluation and/or septic system modification may be required for system serving existing home on property. Level 3 Soil Evaluation will be required prior to application if existing septic system will not be used. Any abandoned well shall be properly closed as per Water Well Standards Act by a certified well driller.

Items 3A&B, 812 Atlanta Hwy, Murillo: Connecting to Public sewer. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled.

Item 4, 2122/0 Browns Bridge Road, Duran: No comment. Public sewer.

Item 5, 3321 Montvale Drive, Milne: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. Further determination will be made during the plat review process. All proposed plats must be submitted to the Hall County Plat Review Team for review and approval prior to submittal to Clerk of Courts for recordation.

Item 6, 3902/0 Belmont Hwy, Simpson: 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/modification may be required after review of business plan.

Item 7, 0/4611/4627 Guth Road, 4561/4613 J. M. Turk, 4590/4601/4610 Stanley, Kappler: The entire development (all pods) must be developed on sewer. No onsite sewage management systems to be permitted by Environmental Health. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled.

Items 8 and 9, 6777/6804 Spout Springs, Walker Anderson Homes: Public sewer. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled.

Item 10, Code Amendment: No comment.

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)
https://www.hallcounty.org/192/Environmental-Health (County Website & Forms)

Anael Dominguez (CDI: Planning)

From: Chavers, Veronica E <VChavers@dot.ga.gov>
Sent: Friday, August 25, 2023 10:51 AM
To: Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning)
Subject: RE: Tentative Planning Agenda for October 2, 2023

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.

See comments in red, below.

Veronica Chavers
D1TO Civil Engineer 3

Georgia Department of Transportation

District 1 Traffic Operations
1475 Jesse Jewell Pkwy
Suite 100
Gainesville, GA, 30501
770.533.8488 office

From: Anael Dominguez (CDI: Planning) <adominguez@hallcounty.org>
Sent: Thursday, August 24, 2023 12:20 PM
Subject: Tentative Planning Agenda for October 2, 2023

Good afternoon –

Here is the Tentative Agenda and Maps for the **Monday, October 2, 2023** 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, August 31st.** Email comments to Randi (rdoveton@hallcounty.org) and Ana (adominguez@hallcounty.org).

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – September 18, 2023
N
NEW BUSINESS

1. (A) **8730 Forrester Road | Use Subject to County Commission Approval** | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) | **Proposed use: expansion of commercial kennel** | ** Commission District 3 | **Steven & Holly Crumley, applicants.**

(B) **8730 Forrester Road | Variance** | from 17.240.060 to reduce the setback for commercial kennels from 200 feet to 48 feet | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: commercial kennel structures** | ** Commission District 3 | **Steven & Holly Crumley, applicants.**
(C) **8730 Forrester Road | Variance** | from 17.240.060 to reduce the setback for commercial kennels from 200 feet to 44 feet | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: commercial kennel structures** | ** Commission District 3 | **Steven & Holly Crumley, applicants.** **No GDOT coordination required**

4057 Sargent Circle | Variance | from 17.240.010 to reduce the front yard setback from 55 feet from centerline to 41 feet from centerline on a 0.85± acre parcel located on the east side of Sargent Circle approximately 210 feet from its intersection with Cochran Road | Zoned R-I; Tax Parcel 10120 000071 | **Proposed Use: single-family residence** | * Commission District 2 | **Dennis Drees, Applicant** **No GDOT coordination required**

2.

3. (A) **812 Atlanta Highway | Use Subject to Planning Commission Approval |** on a 0.25± acre parcel located on the west side of Atlanta Highway at its intersection with Conner Street | Zoned H-B, Tax Parcel 00127 002001 | **Proposed Use: expansion of a non-conforming use |** * Commission District 4 **| Robert Murillo, applicant.** **GDOT coordination required for any encroachment onto the right-of-way**

   (B) **812 Atlanta Highway | Variance** | from 17.240.010 to reduce the front yard setback from 55 feet from centerline to 14 feet from centerline of road on a 0.25± acre parcel located on the west side of Atlanta Highway at its intersection with Conner Street | Zoned H-B, Tax Parcels 00127 002001 | **Proposed Use: residential addition** | * Commission District 4 **| Robert Murillo, applicant.** **GDOT coordination required for any encroachment onto the right-of-way**

4. **2122 & 0 Browns Bridge Road | Use Subject to County Commission Approval |** on a 1.708± acre tract located on the west side of Browns Bridge Road, approximately 62 feet from its intersection with Hilton Drive | Zoned H-B / GCOD; Tax Parcel 00122 001021 & 001031B | **Proposed use: used vehicle sales lot |** ** Commission District 4 **| Antonio Duran, applicant.** **GDOT coordination required for access on SR 369/ Browns Bridge Rd**

5. **3321 Montvale Drive | Use Subject to County Commission Approval |** on a 7.88± acre tract located on the south side of Montvale Drive, at its intersection with Manor Ridge | Zoned R-I & AR-III; Tax Parcel 10046 000015 **| Proposed use: 4-lot subdivision |** ** Commission District 2 **| Zachary Lewis Boyd Milne, applicant.** **No GDOT coordination required**

6. **3902 & 0 Belmont Highway | Rezone |** from Agricultural Residential IV (AR-IV) to Planned Industrial Development (PID) /GCOD on 15.75± acres located on the southeastern side of Belmont Highway, approximately 1,780 feet north of its intersection with Mountain Creek Road | Zoned AR-IV, Tax Parcels: 15013 000017B and 000074 (pt.) **| Proposed Use: truck parking and office|** ** Commission District 3 **| Gus E. Simpson, applicant.** **GDOT coordination required**

7. **0, 4611,4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road | Rezone |** from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on 117.31± acres located on the east side of J M Turk Road at its intersection with Guth Road | Zoned AR-III; Tax Parcels 15043 000027, 000109, 000128, 000201 & 15044 000035, 000035B, 000043, 000100, 000127 **| Proposed Use: 324 lot residential development |** ** Commission District 1 **| Thompson O'Brien Kappler & Nasuti PC, applicant.** **No GDOT coordination required**

8. **6777 and 6804 Spout Springs Road | Rezone |** from Agricultural Residential III (AR-III) and Planned Residential Development (PRD) to Planned Residential Development (PRD) on a combined 22.88± acres located on the west side of Spout Springs Road, approximately 100 feet from its intersection with Lancaster Crossing | Zoned AR-III & PRD; Tax Parcels 15042 000018 and 000140 (pt.) **| Proposed Use: 95-unit townhome development |** ** Commission District 1 **| Walker Anderson Homes, applicant.** **No GDOT coordination required**

9. **6804 Spout Springs Road | Amend Condition of PRD |** on a 20.37± acre parcel located on the west side of Spout Springs Road, at its intersection with Lancaster Crossing | Zoned PRD; Tax Parcels 15042 000018 **| Proposed Use: 95-unit townhome development |** ** Commission District 1 **| Walker Anderson Homes, applicant.** **No GDOT coordination required**

10. **Public Hearing to Amend sections 17.410,** Standards for Telecommunication Antennas and Towers, and 17.412,Standards for Small Wireless Facilities Placed in the County Right-of-Way, Title 17 of the Official Code of Hall County, Georgia; to repeal conflicting ordinances and resolutions; and for other purposes. **** | Hall County Planning Staff, applicant.** **No 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 30 days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing Thursday, November 9, 2023 at 6:00 p.m. at the Hall County Government Center, 2nd 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, November 9, 2023. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,
Ana Dominguez
Planning Commission Clerk
Hall County Community Development and Infrastructure
(770) 531-6810 | www.hallcounty.org

HALL COUNTY
GEORGIA
We have it all in Hall

Human trafficking impacts every corner of the globe, including our state and local communities. Georgia DOT is committed to end human trafficking in Georgia through education enabling its employees and the public to recognize the signs of human trafficking and how to react in order to help make a change. To learn more about the warning signs of human trafficking, visit https://doas.ga.gov/human-resources-administration/human-trafficking-awareness. To report any suspicious activity, call the Georgia Human Trafficking Hotline at 866-363-4842. Let's band together to end human trafficking in Georgia.

Anael Dominguez (CDI: Planning)

From: John Hornick (Fire Services)
Sent: Wednesday, August 30, 2023 4:16 PM
To: Anael Dominguez (CDI: Planning)
Cc: Randi Doveton (CDI: Planning)
Subject: Fire Comments

Monday, October 2, 2023 Hall County Planning Commission Meeting.

1. **3902 & 0 Belmont Highway | Rezone |** from Agricultural Residential IV (AR-IV) to Planned Industrial Development (PID) /GCOD on 15.75± acres located on the southeastern side of Belmont Highway, approximately 1,780 feet north of its intersection with Mountain Creek Road | Zoned AR-IV, Tax Parcels: 15013 000017B and 000074 (pt.) **| Proposed Use: truck parking and office|** ** Commission District 3 **| Gus E. Simpson, applicant.**

   The Hall County Fire Marshal's Office has no comments as proposed.

Regards,

John Hornick, NPQ Fire Service Plans Examiner 1
Lieutenant, Hall County Fire Rescue
Hall County Government
Main: 770-531-6838 | Cell: 404-597-0083
Website: www.Hallcounty.org

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

DIRECTOR
Srikanth Yamala

PUBLIC WORKS AND
UTILITIES DIRECTOR
Bill Nash, P.E.

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PUBLIC WORKS AND UTILITIES

M E M O R A N D U M

To: Randi Doveton, Director of Planning and Development

From: Bill Nash, Director of Public Works and Utilities

Date: August 31, 2023

Subject: October 2, 2023 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the October 2, 2023 meeting. Upon review, we provide the following comments.

1. (A) **8730 Forrester Road | Use Subject to County Commission Approval** | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: expansion of commercial kennel** | ** Commission District 3 **| Steven & Holly Crumley, applicants.**
   (B) **8730 Forrester Road | Variance** | from 17.240.060 to reduce the setback for commercial kennels from 200 feet to 48 feet | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: commercial kennel structures** | ** Commission District 3 | **Steven & Holly Crumley, applicants.**
   (C) **8730 Forrester Road | Variance** | from 17.240.060 to reduce the setback for commercial kennels from 200 feet to 44 feet | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: commercial kennel structures** | ** Commission District 3 | **Steven & Holly Crumley, applicants.**

   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:** No Comment
   c. **Utilities:** No Comment

2. **4057 Sargent Circle | Variance |** from 17.240.010 to reduce the front yard setback from 55 feet from centerline to 41 feet from centerline on a 0.85± acre parcel located on the east side of Sargent Circle approximately 210 feet from its intersection with Cochran Road | Zoned R-I; Tax Parcel 10120 000071 | **Proposed Use: single-family residence** | * Commission District 2 **| Dennis Drees, Applicant**

   a. **Engineering:** No Comment
   b. **Traffic:** No Comment
   c. **Utilities:** No Comment

3. (A) **812 Atlanta Highway | Use Subject to Planning Commission Approval |** on a 0.25± acre parcel located on the west side of Atlanta Highway at its intersection with Conner Street | Zoned H-B, Tax Parcel 00127 002001 |

Proposed Use: expansion of a non-conforming use | * Commission District 4 **| Robert Murillo, applicant.**
(B) **812 Atlanta Highway | Variance** | from 17.240.010 to reduce the front yard setback from 55 feet from centerline to 14 feet from centerline of road on a 0.25± acre parcel located on the west side of Atlanta Highway at its intersection with Conner Street | Zoned H-B, Tax Parcels 00127 002001 | **Proposed Use: residential addition** | * Commission District 4 | **Robert Murillo, applicant.**

a. **Engineering:** No Comment
b. **Traffic:** No Comment
c. **Utilities:** No Comment

4. **2122 & 0 Browns Bridge Road | Use Subject to County Commission Approval |** on a 1.708± acre tract located on the west side of Browns Bridge Road, approximately 62 feet from its intersection with Hilton Drive | Zoned H-B / GCOD; Tax Parcel 00122 001021 & 001031B | **Proposed use: used vehicle sales lot |** ** Commission District 4 **| Antonio Duran, 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 stream buffer and impervious setback from wrested vegetation not centerline of stream.
FEMA and Hall County studied Flood plains present on site.
b. **Traffic:** Improvements along Baker Lane and Baker Circle may be required
c. **Utilities:** No sewer available

5. **3321 Montvale Drive | Use Subject to County Commission Approval |** on a 7.88± acre tract located on the south side of Montvale Drive, at its intersection with Manor Ridge | Zoned R-I & AR-III; Tax Parcel 10046 000015 **| Proposed use: 4-lot subdivision |** ** Commission District 2 **| Zachary Lewis Boyd Milne, applicant.**

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 Comment
c. **Utilities:** No Comment

6. **3902 & 0 Belmont Highway | Rezone |** from Agricultural Residential IV (AR-IV) to Planned Industrial Development (PID) /GCOD on 15.75± acres located on the southeastern side of Belmont Highway, approximately 1,780 feet north of its intersection with Mountain Creek Road | Zoned AR-IV, Tax Parcels: 15013 000017B and 000074 (pt.) **| Proposed Use: truck parking and office|** ** Commission District 3 **| Gus E. Simpson, 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 stream buffer and impervious setback from wrested vegetation not centerline of stream.
b. **Traffic:** Access must be approved/permitted by GDOT
c. **Utilities:** No Comment

7. **0, 4611,4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road | Rezone |** from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on 117.31± acres located on the east side of J M Turk Road at its intersection with Guth Road | Zoned AR-III; Tax Parcels 15043 000027, 000109, 000128, 000201 & 15044 000035, 000035B, 000043, 000100, 000127 **| Proposed Use: 324 lot residential development |** ** Commission District 1 **| Thompson O'Brien Kappler & Nasuti PC, applicant.**

a. Engineering: No dead end streets
Show stream buffer and impervious setback from wrested vegetation not centerline of stream
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: A left turn lane and decel lane will be required for the entrance.
Any required roadway improvements will be the financial responsibility of the developer
A cul-de-sac should be provided for Guth Road at the proposed end of county maintenance

c. Utilities: No sanitary sewer in area.

8. **6777 and 6804 Spout Springs Road | Rezone |** from Agricultural Residential III (AR-III) and Planned Residential Development (PRD) to Planned Residential Development (PRD) on a combined 22.88± acres located on the west side of Spout Springs Road, approximately 100 feet from its intersection with Lancaster Crossing | Zoned AR-III & PRD; Tax Parcels 15042 000018 and 000140 (pt.) **| Proposed Use: 95-unit townhome development |** ** Commission District 1 **| Walker Anderson Homes, 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 stream buffer and impervious setback from wrested vegetation not centerline of stream
Current layout provided for zoning does not meet Hall County Road standards
No on-street parking on public right-of-way.
Floodplain present on site

b. Traffic: will need to coordinate entrance design and location with Hall County Engineering with regards to Spout Springs Road Phase 2 Widening.

c. Utilities: Sewer required off-site easement
Must extend 30 feet sanitary sewer to up stream proposed line.

9. **6804 Spout Springs Road | Amend Condition of PRD |** on a 20.37± acre parcel located on the west side of Spout Springs Road, at its intersection with Lancaster Crossing | Zoned PRD; Tax Parcels 15042 000018 **| Proposed Use: 95-unit townhome development |** ** Commission District 1 **| Walker Anderson Homes, 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 stream buffer and impervious setback from wrested vegetation not centerline of stream
Current layout provided for zoning does not meet Hall County Road standards
No on-street parking on public right-of-way.
Floodplain present on site

b. **Traffic:** will need to coordinate entrance design and location with Hall County Engineering with regards to Spout Springs Road Phase 2 Widening.
c. **Utilities:** Sewer required off-site easement
Must extend 30 feet sanitary sewer to up stream proposed line.

10. **Public Hearing to Amend sections 17.410,** Standards for Telecommunication Antennas and Towers, and 17.412,Standards for Small Wireless Facilities Placed in the County Right-of-Way, Title 17 of the Official Code of Hall County, Georgia; to repeal conflicting ordinances and resolutions; and for other purposes. **** | Hall County Planning Staff, applicant.**

a. **Engineering:** No Comment
b. **Traffic:** No Comment
c. **Utilities:** No Comment

ZONING NOTICE

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

APPLICANT: GUS E SIMPSON

REQUEST: REZONE FROM AR-IV TO PID FOR TRUCK PARKING & OFFICE

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION
Date: OCT 2. 2023
Time: 5:15 PM

&

COUNTY COMMISSION
Date: NOV 9, 2023
Time: 6:00 PM

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

FOR MORE INFORMATION CALL: (770) 531-6809

AGENDA ITEM

Planning and Development

REPORT TO: **Work Session (11/06/23)**

REPORT TO: **Voting Meeting (11/09/23)**

ITEM NO: 634/2023

SUBJECT: **6777 and 6804 Spout Springs Road | Rezone |** from Agricultural Residential III (AR-III) and Planned Residential Development (PRD) to Planned Residential Development (PRD) on a combined 22.88± acres located on the west side of Spout Springs Road, approximately 100 feet from its intersection with Lancaster Crossing | Zoned AR-III & PRD; Tax Parcels 15042 000018 and 000140 (pt.) **| Proposed Use: 95-unit townhome development |** Commission District 1 **| Walker Anderson Homes, applicant.**

Meetings:

Work Session Date: 11/06/23 **Voting Meeting Date:** 11/09/23

Executive Summary:

Presenter: RD
Recommendation:

Approval.

Conditions:

1. The development shall not exceed a maximum of 95 units and may be modified as necessary for compliance with development standards enforced at the time of site plan approval. Minor changes can be approved by the Planning Director provided 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 from the Hall County development standards.
2. Standard Hall County Development Review and permitting processes shall be followed. Approval of this request does not supersede development standards, or processes, in effect when the plans are submitted for review. Such standards include, but are not limited to, stormwater management and emergency access requirements.
3. The minimum heated floor area (HFA) shall be 1,800 square feet.
4. Building elevations shall be composed of a mixture of cement siding, stone, and/or brick façade, with a minimum of brick or stone accents on the front of the homes. The balance of the home may be the same material or of fiber-cement material. Vinyl siding is prohibited. Homes shall be consistent with the submitted renderings.
5. The development shall have a 50 foot exterior buffer per the requirement of 17.180.060, Planned Residential Development along all exterior boundaries.
6. All associated stream buffers shall be contained completely within HOA common areas and shall not be on any individual lot.
7. All conditions of zoning shall be made a part of any plats or construction plans created for the subdivision.
8. The development shall be limited to a maximum of two (2) model homes prior to recording of the final plat.
9. The following variances are granted herein:
    a. 70% of garage door area shall be allowed.
    b. The street design as presented in the conceptual plan shall be subject to review and approval of the Hall County Engineering Department.
    c. The design shall be subject to review and approval of Hall County Fire Marshal.
    d. Sewer design shall be subject to review and approval of the County Engineer.
    e. The building elevations shall be reviewed and approved by the Planning Director.

Purpose of Request:

6777 and 6804 Spout Springs Road | Rezone | from Agricultural Residential III (AR-III) and Planned Residential Development (PRD) to Planned Residential Development (PRD) on a combined 22.88± acres located on the west side of Spout Springs Road, approximately 100 feet from its intersection with Lancaster Crossing | Zoned AR-III & PRD; Tax Parcels 15042 000018 and 000140 (pt.) | **Proposed Use: 95-unit townhome development |** Commission District 1 | **Walker Anderson Homes, 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:

Submit	Approve	Attorney	Administration
RD	RD	WLI	CR
Clerk			
JR			

Attachments:

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

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435

GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR
Srikanth Yamala

PLANNING AND DEVELOPMENT
DIRECTOR
Randi Doveton

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PLANNING AND DEVELOPMENT

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

From: Randi Doveton, Director of Planning & Development

Date: October 23, 2023

Subject: **6777 and 6804 Spout Springs Road | Rezone |** from Agricultural Residential III (AR-III) and Planned Residential Development (PRD) to Planned Residential Development (PRD) on a combined 22.88± acres **| Proposed Use: 95-unit townhome development | Walker Anderson Homes, applicant.**

The request before you is the application of Walker Anderson Homes to Rezone from Agricultural Residential III (AR-III) and Planned Residential Development (PRD) to Planned Residential Development (PRD) to allow a 95-unit townhome development. This item is located within Commission District 1.

At their October 2, 2023 meeting, the Hall County Planning Commission voted to recommend approval with nine (9) conditions **(3-2, Pilcher & Varner opposed)**.

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

Since the Planning Commission took action, the applicant submitted an updated elevation rendering of the proposed townhome development.

Planning Commission Conditions:

1. The development shall not exceed a maximum of 95 units and may be modified as necessary for compliance with development standards enforced at the time of site plan approval. Minor changes can be approved by the Planning Director provided 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 from the Hall County development standards.
2. Standard Hall County Development Review and permitting processes shall be followed. Approval of this request does not supersede development standards, or processes, in effect when the plans are submitted for review.

Such standards include, but are not limited to, stormwater management and emergency access requirements.

3. The minimum heated floor area (HFA) shall be 1,800 square feet.
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    d. Sewer design shall be subject to review and approval of the County Engineer.
    e. The building elevations shall be reviewed and approved by the Planning Director.

HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT

Applicant ..... Walker Anderson Homes

Request ..... Rezone Agricultural Residential III (AR-III, 17.110) to Planned Residential Development (PRD, 17.180.060)

Proposed Use ..... 95-unit townhome development

Size ..... 22.88± acres

Zoning ..... Current Agricultural Residential III (AR-III, 17.110) | Proposed Planned Residential Development (PRD, 17.180.060)

Location ..... **6777 and 6804 Spout Springs Road** | Tax Parcels 15042 000018 and 000140 (pt.)

Commission District ..... One

Planning Commission Date ..... October 2, 2023

Staff Recommendation ..... **Denial** as the proposed use exceeds the maximum density of 2 dwelling units per acre for the Residential future land use classification in the Comprehensive Plan.

Planning Commission Recommendation……Approval, with conditions
Vote: 3-2 (Pilcher & Varner opposed*)*

Conditions:

1. The development shall not exceed a maximum of 95 units and may be modified as necessary for compliance with development standards enforced at the time of site plan approval. Minor changes can be approved by the Planning Director provided 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 from the Hall County development standards.
2. Standard Hall County Development Review and permitting processes shall be followed. Approval of this request does not supersede development standards, or processes, in effect when the plans are submitted for review. Such standards include, but are not limited to, stormwater management and emergency access requirements.
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    c. The design shall be subject to review and approval of Hall County Fire Marshal.
    d. Sewer design shall be subject to review and approval of the County Engineer.
    e. The building elevations shall be reviewed and approved by the Planning Director.

Public Forum:

Joel Bell, 6756 Spout Springs Road, Flowery Branch, spoke in opposition. Concerns were lack of information obtained.

Summary Analysis

The applicant is requesting to rezone a combined 22.88± acres of Agricultural Residential (AR-III, 17.110) and Planned Residential Development (PRD, 17.180.060) property to Planned Residential Development (PRD, 17.180.060). A rezoning request was approved, with conditions, for a 58-unit, detached single-family residential development by the Board of Commissioners on March 10, 2022. An application to amend the original PRD proposals is being considered concurrent to this request.

In 2022, the PRD was approved as a 58-unit, detached single-family residential development. The applicant is requesting to amend the previous approval to develop the site as a 95-unit attached residential development (townhomes) instead. Concurrently, the applicant is requesting to rezone a 2.51± acre parcel from AR-III to PRD to be utilized as open space within this development.

With the addition of the 2.51± parcel (15042 000140) to the project, the overall density of the development will be 4.15 dwelling units per acre, when using the advertised GIS combined acreage of 22.88±. Note: the applicant's site plan shows a combined acreage of 21.46± acres, which would result in a density of 4.43 dwelling units per acre. In both instances, the proposed density of the development exceeds the recommended density of 2.0 units per acre established in the PRD ordinance (17.180.060) and the Residential future land use classification in the Comprehensive Plan.

The narrative explains that the proposed site layout utilizes the topography of the site, which falls away approximately 100 feet from Spouts Springs Road to the rear of the property. A single entrance is proposed

from Spout Springs Road. The proposed road network is "u-shaped", with the road extending towards the back, before turning to the left and heading back towards Spout Springs Road, where it ends in a cul-de-sac. The amenity area is located at the end of the cul-de-sac and is proposed to include a cabana, swimming pool and dog park/dog walk area, with a pedestrian path and street crossing connecting the pool and dog park.

The narrative states that internal sidewalks will be installed on both sides of all streets constructed as part of the development. However, the proposed width of the sidewalks is four feet, which is substandard to the five foot wide requirement of the PRD ordinance (17.180.060). Each household will be provided with four parking spaces: two garage spaces and two driveway spaces. The driveways will be a minimum of 22 feet in length from the back of sidewalk to the front building façade, and 16 feet in width, with individual curb cuts from a public street, according to the site plan. The western portion of the proposal, adjacent to lots 76 and 77, includes eight on-street parallel parking spaces for visitors and to access the centralized mail kiosk; on-street parking is not compliant with the design standards of the PRD (17.180.060) district.

The rear setback for each townhome will be 15 feet, allowing for a minimum of 30 feet of separation between townhomes with bordering rear yards. There will be a minimum of 20 feet of side building separation between adjacent units. Within lots 17, 18 and 19, the 75-foot impervious setback encroaches on the rear yards and appears to come within a few feet of each of the dwellings proposed on these lots.

The development standards for the project are described in the table below and compared to PRD requirements:

Standard	PRD Requirement (17.180.060)	2022 Approved PRD	Proposed Development
Site Area	5 acre minimum	20.67± acres	22.88± acres
Number of Units	–	58 detached single-family residences**	95 attached single-family residences (townhomes)
Density	2 units per acre	2.85 units per acre	4.15 units per acre*
Min. Lot Area	8,000 sq. ft.	NA – rental development	2,160 sq. ft. (24' x 90')
Max. Building Height	–	–	35 feet
Min. Open Space	30%	30%	61.18%
Exterior Buffer	50 feet	25 feet	50 feet
Front Setback (Internal)	25 feet	–	15 feet from ROW, 10 feet on corner street
Side Setback (Internal)	5 feet	–	10 feet (20 feet side separation between buildings)
Rear Setback (Internal)	20 feet	–	15 feet (30 feet of rear building separation)
Parking	2 spaces for each dwelling unit (17.250.020)	2 on-street parking spaces	4 spaces per each dwelling unit (2 garage, 2 driveway)
Min. Heated Floor Space	–	720 sq. ft. (1-bedroom) 1,080 sq. ft. (2-bedroom)	1,600 square feet

		1,200 sq. ft. (3-bedroom)	
Garage – % of front façade	50% of the width of the townhome unit	No garages	70% (flush with front wall plan of residence) *
Minimum Sidewalk Width	5 feet	5 feet	4 feet*
*These figures do not meet the standards of 17.180.060.			
**Note: the 2022 PRD request was for a 95-unit development, which was approved with a maximum of 58-units.			

No variances have been submitted as part of this request.

Based on the future land-use plan, staff finds the requested zoning designation *is not consistent* with the Hall County Comprehensive Plan future land use designation. Although the proposed use is consistent with the "Residential" designation in general, the Residential designation envisions a maximum density of 2 dwelling unit per acre, similar to the maximum density requirement within a Planned Residential Development (PRD, 17.180.060). The development has proposed a density of 4.15 DU/acre. The Residential land use category is characterized by moderate-density residential development and neighborhoods. The intent of this land use category is to preserve established neighborhoods and create new residential development consistent to surrounding suburban densities, which range from low to moderate. Future development will continue to be detached, single family homes at moderate densities.

The table below provides the density of several approved multi-family developments at nearby properties as outlined below:

The Wren	11.2 units/acre
Harrison at Braselton (City Limits of Braselton)	20.2 units/acre
Phoenix (City Limits of Gainesville)	11.1 units/acre
Chateau Senior Living	26.34 units/acres

The subject property is bordered to the west and south by Lancaster, a 187-lot subdivision which was approved by the Board of Commissioners on October 13, 2016 at a density of 1.84 units per acre. To the north are several developed and undeveloped Agricultural-Residential-III (AR-III) tracts, as well as the open area of Cambridge, a 130-lot subdivision approved by the Board of Commissioners on February 25, 2016 at a density of 2.44 units per acre. Both Cambridge and Lancaster are zoned PRD. The property across Spout Springs Road was approved for rezoning to a 393-unit mixed use development on September 23, 2021.

Zoning Analysis

When considering a zoning amendment to the zoning maps, the following items must be considered by the Planning Commission and the Hall County Commission pursuant to 17.380.060:

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 zoning proposal may be suitable given the context of the**

surrounding area, though the proposed development is more dense than the surrounding developments with an overall density of 4.15 du/acre.

2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **No, it is not anticipated that the proposed residential use will adversely affect adjacent properties.**

3. Whether the property to be affected by the zoning proposal has reasonable economic use as currently zoned. **The property appears to have reasonable economic use as currently zoned.**

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; **No, the proposed use is not expected to cause an excessive or burdensome use of existing streets, transportation facilities, or utilities. No letters of service have been provided confirming the availability or capacity to provide water or sewer service to the property. The property falls within the Hall County sewer service district.**

5. Whether the zoning proposal is in conformity with the policy and intent of the land use plan; **The proposed use is not consistent with the Comprehensive Plan and the "Residential" land use designation. Density is envisioned to be a maximum of two dwelling units per acre. The proposed development is proposing a density of 4.15 dwelling units per acre.**

6. The extent to which property values are diminished by the existing zoning restrictions; **Staff is unable to determine the extent to which property values are diminished by the existing zoning restrictions.**

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 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.**

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; **Hall County property tax records show the properties are a mixture of vacant and developed parcels, which include a number of residential structures and accessory building, to be removed as part of the development process.**

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; **The proposed zoning is a Planned Residential Development (PRD, 17.180.080). Per the Official Code of Hall County, Planned Development Districts (17.180) are to be utilized as a "floating zone" which shall mean that areas will not be pre-designated as planned development districts but rather each such designation shall result from a specific and separate application for amendment. That being said, the proposed density is higher than that found on surrounding properties.**

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.**

13. Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood; **The proposed density is higher than that found on immediately surrounding properties but in general the use does not appear to be out of scale with the needs of the County as a whole, as there is a need for additional and varied housing.**

14. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **There are no other properties within the county that are currently zoned to support the type of development being proposed without requiring zoning action.**

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; **Any land disturbance activities on the property shall be required to go through the land development permitting process and as a result are subject to local, state, and federal regulations. As a result, there should not be an ecological or pollution impact resulting from any modification to the land if the request is granted.**

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.**

A Planned Residential Development (PRD, 17.180.080) allows for more flexibility in the design and development of the property. This provides for a mixture of housing types and encourages maximum use of natural features through proper site planning measures. The development should conform to the existing character and development pattern of the surrounding area.

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 provide a narrative outlining the intent of the development however, the applicant has not prepared a response to each of the criteria listed in 17.380.060.C.**

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 does meet the requirement. The applicant has provided a site plan and included the necessary information to properly assess the development.**

C. For any application for a slow rate land treatment system (see chapter 17.20), the following additional requirements apply. **The proposed development will utilize public sewer and water; as such, this is not applicable.**

D. 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 contains less than 100 residential dwelling units, and as such is exempt from this requirement.**

Development Support and Constraints – Departmental / Agency Comments

Hall County Environmental Health

In an email dated August 31, 2023, Emily McGahee stated "Public sewer. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled."

Hall County Fire Marshal

In an email dated August 31, 2023 John Hornick, NPQ Fire Inspector 1, Plans Review Lieutenant stated the following:

Current concept plan will need to be modified to meet the below fire code requirement:

International Fire Code 503.1.1 Buildings and facilities. 2018 Edition

Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the *exterior walls* of the first story of the building as measured by an *approved* route around the exterior of the building or facility.

Hall County Public Works and Utilities

In a memorandum from Public Works and Utilities dated August 31, 2023, Bill Nash, Director, stated the following:

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 stream buffer and impervious setback from wrested vegetation not centerline of stream.

Current layout provided for zoning does not meet Hall County Road standards.

No on-street parking on public right-of-way.

Floodplain present on site.

Traffic:
Will need to coordinate entrance design and location with Hall County Engineering with regards to Spout Springs Road Phase 2 Widening.

Utilities:
Sewer required off-site easement
Must extend 30 feet sanitary sewer to upstream proposed line.

Georgia Department of Transportation
In an email dated August 25, 2023, Veronica Chavers, D1TO Civil Engineer 3, stated GDOT coordination would not be required for this development.

- **Excerpts from the minutes of the October 2, 2023 meeting**

Applicant's Presentation:

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

Steve Gilliam, 340 Jesse Jewell Parkway, Gainesville, presented the request. The applicant stated that the previous approval wasn't viable. The applicant presented renderings of the attached townhomes and went over the site plan. The applicant requested variances to allow the garage to be 70% of the front façade and to allow on-street parking for the kiosk. The applicant is willing to add more fire hydrants to meet fire marshal requirements. The applicant stated that there is no room to build a cul-de-sac on two ends so they would like flexibility to work with the Engineering department to utilize hammerhead road terminations.

Corbitt Woods, 390 Brogdon Road, Suwanee, presented the request. The applicant stated that they are in the process of figuring out sewer with the county. The applicant stated that there will not be any disturbances to the rear of the property.

Public Forum:

Joel Bell, 6756 Spout Springs Road, Flowery Branch, spoke in opposition. Concerns were lack of information obtained.

Planning Commission Comments:

Mr. Braswell questioned the width of the two-car garage. The applicant stated about 16 feet. Mr. Braswell questioned who will be in charge of the HOA. The applicant stated that it will be managed by the applicants up until they are done and it is handed off to the residents.

***Motion:* A motion to approve, with conditions was made by Mr. Sosebee and seconded by Mr. Hunt. Vote: 3-2 (Pilcher & Varner opposed)**

Conditions:

1. The development shall not exceed a maximum of 95 units and may be modified as necessary for compliance with development standards enforced at the time of site plan approval. Minor changes can be approved by the Planning Director provided 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 from the Hall County development standards.
2. Standard Hall County Development Review and permitting processes shall be followed. Approval of this request does not supersede development standards, or processes, in effect when the plans are submitted for review. Such standards include, but are not limited to, stormwater management and emergency access requirements.
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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 I f: 770-531-3902

HALL COUNTY
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ZONING APPLICATION

Applicant (Name & Mailing Address)
WALKER ANDERSON HOMES
C/O CORBITT WOODS
390 BROGDON RD, SUWANEE GA 30024
Phone 404-210-9925
Email Address cwoods@bfhcompany.com

Property Owner (Name & Mailing Address)
JERRY PIRKLE ESTATE
4321 ELMEADOW DR
DULUTH GA 30096
Phone 404-403-4392
Email Address r_pirkle@comcast.net

Proposed Use REZONE FOR COMMON SPACE IN CONJUNCTION WITH 15042 000018

Contact Person (Name & Mailing Address)
STEVE GILLIAM, SMITH GILLIAM WILLIAMS & MILES
PO BOX 1098
GAINESVILLE GA 30503
Phone 770 536 3381
Email Address SGILLIAM@SGWMFIRM.COM

Status of Applicant
☐ Owner
☑ Option to Purchase
☐ Area Resident
☐ Other

Requested Action
Existing Zoning: ~~AR-III~~
Rezone to: PRD
Fee:$
Receipt #:
Check #:

Tax Parcel Number 15042-000140
Acreage 1.16
Location Address ADJACENT TO 6804 SPOUT SPRINGS RD

I hereby certify that the above information and all attached information are true and correct.
Sign WALKER ANDERSON HOMES, LLC Date: 8/2/23

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) Jerry Rrkle Estate

Address 4321 E Meadow Dr.
Duluth, GA 30096

Phone Number 404-403-4392

Name of applicant(s) WALKER ANDERSON HOMES, ATTN Corbitt Woods

Address 390 Brogdon Rd
Suwanee GA 30024

Phone Number 404 210 9925

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)
Randall K. Pirkle

Personally appeared before me
Cindy E. Ballard

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

Cindy E. Ballard
Notary Public

CINDY E. BALLARD
NOTARY PUBLIC
Exp. Mar. 16, 2025
FORSYTH COUNTY, GA

7-12-2023
Date

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

HALL COUNTY
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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: WALKER ANDERSON HOMES, LLC Corbitt W L **Date:** 8/2/23

Applicant's/Owner's Name (Printed): Corbitt Woods

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

HALL COUNTY
GEORGIA
We have it all in Hall

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

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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: Randall K. Pirkle **Date:** 8/8/2023

Applicant's/Owner's Name (Printed): Randall K. Pirkle, Administrator Estate of Jerry R. Pirkle

Project Narrative for

6804 Spout Springs Road – 20.3 acre portion

LOCATION – 6804 Spout Springs Road,
Flowery Branch, GA 30542

ACREAGE – 21.46 acres +/- total of adjacent properties. This is in two applications– 20.3 acres of parcel 15042 000018 and 1.16 acres of parcel 15042 000140, The narratives in both applications are the same after the summary.

APPLICANT – Walker Anderson Homes, LLC,
Smith Gilliam Williams & Miles

Summary

The accompanying applications seek a change of conditions through on the existing PRD zoned on parcel 15042-000018, 20.3 acres, concurrent with the rezoning of 1.16 acres (from AR-III to PRD) on parcel 15042 000140 a for a total of 21.46 acres of undeveloped property located on Spout Springs Road in south Hall County. The intent is to develop 95 Fee Simple Townhouse units of quality, traditional housing with an amenity area and 65% open space. Parcel 15042 000018 was rezoned from PCFD to PRD in March of 2022. The proposed change in conditions will allow a fee simple product to be supplied to the area that is consistent with the Hall County Comprehensive Plan for residential use and appropriate for Hall County's Planned Residential Development (PRD) District for this location. Completion of development is anticipated by 2025. The revised site plan also uses the building foundation layouts to work with the challenges of the site's topography, as the site falls 100 feet from the front to the back of the buildable area. Since the original rezoning of this parcel, the applicant is acquiring an additional acre between Spout Springs Road and the adjoining property to provide additional open space. This narrative is specific to parcel 15042 000018.

Site Description

The overall tract has approximately 570 LF of frontage along Spout Springs Road The overall tract is mostly rectangular in shape and is approximately 1200 LF deep with an average width of 700 LF. The site has very challenging topography with a 100 foot change in elevation between Spout Springs Road and the rear of the property. In this case, the topography is best handled by adjusting the finished floor elevation of the attached fee simple homesites. Domestic water provided by the City of Gainesville is located Spout Springs Road. Hall County will also serve the site through an existing gravity sanitary sewer easement into the Lancaster subdivision adjacent to the Hall County Water Reclamation Facility. All other dry utilities are located along the frontage of Spout Springs Road. There are no known impediments to its successful development for the purposes intended.

Adjacencies (exhibit B)

The property is already zoned PRD and abuts PRD and AR-III to the North, PRD to the South and West and PCFD to the East.

Access

Access to the property is from Spout Springs Road. Interstate access to I-985 (Exit 12) is approximately 3.3 miles to the north.

Project Dimensional Standards

Parcel Size (both parcels)	21.46 (includes both parcels)
Proposed Number of Lots	95
Proposed Density	4.4 Units per acre
Proposed Open Space	65%
Streets	Public
Water and Sewer Provider	Gainesville City Water and Hall County Sewer

Sidewalks-Both side of Road-Internal Sidewalks Only	4 Ft
Amenities	Cabana, Pool, Dog Park, Walking Trail
Minimum Lot width at Building Line	24 Ft
Minimum Lot Depth	90 ft
Minimum Lot Area	2160 sq Ft
Maximum Height	35 ft
Front setback from R/W	15 ft, 10’ on corner street
Minimum Driveway length from back of sidewalk	22ft
Internal Rear Setback	15ft
Internal Side Setback	0ft
Perimeter Front Setback	50ft – transitional
Perimeter Rear Setback	50ft from rear property line
Perimeter Side Setback	50ft – transitional
Side Separation-Foundation to Foundation	20ft between buildings
Garage- % of front Façade	70%, garage to be flush with front wall plane of the unit
Minimum Heated Floor Area	1800 Sq ft

Architectural Materials & Site Improvements

The builder intends to build:

- Single Family Fee Simple attached dwellings with two-car garages (garage width not to exceed 70% of front building width)
- Front facades with a combination of masonry and fiber cement siding materials
- Side & Rear facades with masonry, fiber cement siding, or shake siding
- Sodded yards (4 sides)

- Speed tables in coordination with Hall County Engineering

Amenities

The community amenities will vary depending on the housing option executed but at a minimum will contain the following items:

- Cabana and pool
- Dog Park
- Parking Lot
- Mailbox kiosk – centrally located as shown on plan between lot 19 and 20. Parking is provided across the street from the kiosk in the visitors' parking spaces. +
- Walking Trail

Internal Signage

The Developer and/or Builder shall be allowed to post permanent directional signs and monuments within the Community to direct traffic to sales and recreation centers and to identify differing residential areas. All permanent internal signage must be outside of any Right of Way or Utility Easement with a Landscape and Signage easement recorded on the Final Plat.

Temporary Sales and Marketing signs not exceeding 32 square feet per sign face and 8 feet in height may be used along property frontage of Spout Springs Road.

Model Home Permits

Applicant requests that up to two (2) buildings of model home permits be issued prior to Final Plat recording provided that hard surface (crusher run) access is provided and fire protection (functioning hydrant) is located within 500 feet of any structure under construction. However, no certificate of occupancy permits (CO) will be issued prior to final plat recording.

Sales and Construction Trailers

Applicant is requesting ability to install one sales trailer and one construction trailer with associated parking areas in locations to be determined at the time of final plat approval.

Entry Monument Signage

Applicant is requesting permission for an entry monument type of sign with a natural stone base with a sign size (monument base and signage) totaling approximately 42 SF.

The entrance may include the following structural items:

- Masonry walls
- Wood or PVC fencing
- Illuminated Signage in accordance with the Hall County Sign Ordinance
- Ornamental Sculpture
- Landscaping and Irrigation

Conceptual Master Plan

The development of the community shall be controlled by the Conceptual Master Plan (the "Plan") attached as exhibit "A". The plan is considered conceptual in nature, and as such may require minor modifications during the engineering and development process. Modifications to the locations and arrangement of lots, roads, amenities, and other improvements that do not conflict with specific standards and requirements of these conditions may be made by the Developer so long as such modifications do not change the land use, increase the overall density of the project or reduce any established exterior buffers or setbacks.

Variances

Applicant is requesting a variance to 17.180.060.B,11 to allow for parallel visitor parking, and a variance to 16.120.160 to allow two short stub streets without cul de sacs, one 50’ long and one 90’ long. Both of these will facilitate turnaround for

emergency vehicles, one will serve the kiosk in a more central location and one will allow for access to the pond.

REQUIRED CONSTITUTIONAL AND ANTE LITEM NOTICE

Georgia law and the procedures of Hall County requires the Applicant to raise Federal and State constitutional objections during the PRD master plan application process. While the Applicant anticipates a smooth application process, failure to raise constitutional objections at this stage may mean that the Applicant will be barred from raising important legal claims later in the process. Accordingly, the following constitutional objections are stated:

The portions of the Hall County Development Code, facially and as applied to the Property, which restrict the Property to any uses, conditions, land use designations, development standards, or to any zoning district other than that proposed by the Applicant are unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph I and Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitutionof the United States.

The application of the Hall County Development Code, facially and as applied to the Property, which restricts the Property to any uses, conditions, land use designations, development standards, or to any zoning district other than in accordance with the application as proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States; Article I, Section I, Paragraph I, and Section III, Paragraph I of the Constitution of the State of Georgia of 1983; and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use

of its land while not substantially advancing legitimate state interests.

A denial of this Application would be unconstitutional under the Takings Clause of the Fifth Amendment to the Constitution of the United States and the Just Compensation Clause of Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983. A refusal by the Hall County Board of Commissioners to approve the zoning conditions as requested would constitute a taking of the Applicant's property.

A denial of this Application would constitute an arbitrary and capricious act by the Hall County Board of Commissioners without any rational basis therefore constituting an abuse of discretion in violation of Article I, Section I, Paragraph I and Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States. A refusal to grant the PRD zoning request would lack objective justification and would result only from neighborhood opposition, which would constitute an unlawful delegation of the zoning power to non-legislative bodies in violation of the Georgia Constitution, Article IX, Section II, Paragraph 4.

A refusal by the Hall County Board of Commissioners to approve this Application for the Property in accordance with the criteria as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of the similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any rezoning of the Property subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting Applicant's utilization of the Property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Property to a unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth

hereinabove.

Conclusion

For the foregoing reasons, the Applicant respectfully requests that this requested modification of an existing PRD zoning be granted as requested by the Applicant. If there are any questions about this request, you may contact:

Corbitt Woods
Walker Anderson Homes
390 Brogdon Road
Suwanee, Ga 30024
404-210-9925
cwoods@walkerandersonhomes.com

Steve Gilliam
Smith, Gilliam, Williams, and Miles
340 Jesse Jewell Parkway, Suite 300
Gainesville, Ga 30501
770-536-3381
sgilliam@sgwmfirm.com

Project Narrative for

6804 Spout Springs Road – 1.16 acre

LOCATION – 6804 Spout Springs Road,
Flowery Branch, GA 30542

ACREAGE –21.46 acres +/- total of adjacent properties. This is in two applications– 20.3 acres of parcel 15042 000018 and 1.16 acres of parcel 15042 000140. The narratives in both applications are the same after the summary.

APPLICANT – Walker Anderson Homes, LLC,
Smith Gilliam Williams & Miles

Summary

The accompanying applications seek a change of conditions in the existing PRD zoning classification on parcel 15042-000018, 20.3 acres, concurrent with the rezoning of 1.16 acres (from AR-III to PRD) on parcel 15042 000140 for a total of 21.46 acres of undeveloped property located on Spout Springs Road in south Hall County. The intent is to develop 95 Fee Simple Townhouse units of quality, traditional housing with an amenity area and 65% open space. The adjacent parcel 15042 000018 was rezoned from PCFD to PRD in March of 2022. The proposed rezoning in conjunction with the proposed change in conditions on the adjacent Parcel 15042 000018 will add open space to the larger parcel, with no home construction proposed on this 1.16 acre parcel. This companion rezoning is consistent with the Hall County Comprehensive Plan for residential use and appropriate for Hall County's Planned Residential Development (PRD) District for this location. Completion of development is anticipated by 2025. The revised site plan also uses the building foundation layouts to work with the challenges of the site's topography, as the site falls 100 feet from the front to the back of the buildable area. Since the original rezoning of parcel 15042 000018, the applicant is acquiring an additional acre between Spout Springs Road and the adjoining property to provide additional open space. This narrative is specific to parcel 15042 000140.

Site Description

The overall tract has approximately 570 LF of frontage along Spout Springs Road The overall tract is mostly rectangular in shape and is approximately 1200 LF deep with an average width of 700 LF. The site has very challenging topography with a 100 foot change in elevation between Spout Springs Road and the rear of the property. In this case, the topography is best handled by adjusting the finished floor elevation of the attached fee simple homesites. Domestic water provided by the City of Gainesville is located Spout Springs Road. Hall County will also serve the site through an existing gravity sanitary sewer easement into the Lancaster subdivision adjacent to the Hall County Water Reclamation Facility. All other dry utilities are located along the frontage of Spout Springs Road. There are no known impediments to its successful development for the purposes intended.

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The property is zoned AR-III and abuts PRD and AR-III to the North, PRD to the South and West and PCFD to the East.

Access

Access to the property is from Spout Springs Road. Interstate access to I-985 (Exit 12) is approximately 3.3 miles to the north.

Project Dimensional Standards

Parcel Size (both parcels)	21.4 (includes both parcels)
Proposed Number of Lots	95
Proposed Density	4.4 Units per acre
Proposed Open Space	65%
Streets	Public

Water and Sewer Provider	Gainesville City Water and Hall County Sewer
Sidewalks-Both side of Road-Internal Only	4 Ft
Amenities	Cabana, Pool, Dog Park, Walking Trail
Minimum Lot width at Building Line	24 Ft
Minimum Lot Depth	90 ft
Minimum Lot Area	2160 sq Ft
Maximum Height	35 ft
Front setback from R/W	15 ft, 10' on corner street
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Internal Rear Setback	15ft
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Perimeter Front Setback	50ft – transitional
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Side Separation-Foundation to Foundation	20ft between buildings
Garage- % of front Façade	70%, garage to be flush with front wall plane of the unit
Minimum Heated Floor Area	1800 Sq ft

Architectural Materials & Site Improvements

The builder intends to build:

- Single Family Fee Simple attached dwellings with two-car garages (garage width not to exceed 70% of front building width)
- Front facades with a combination of masonry and fiber cement siding materials

- Side & Rear facades with masonry, fiber cement siding, or shake siding
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The community amenities will vary depending on the housing option executed but at a minimumwill contain the following items:

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The application of the Hall County Development Code, facially and as applied to the Property, which restricts the Property to any uses, conditions, land use designations, development standards, or to any zoning district other than in accordance with the application as proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States; Article I, Section I, Paragraph I, and Section III, Paragraph I of the Constitution of the State of Georgia of 1983; and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would be unconstitutional under the Takings Clause of the Fifth Amendment to the Constitution of the United States and the

Just Compensation Clause of Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983. A refusal by the Hall County Board of Commissioners to approve the zoning conditions as requested would constitute a taking of the Applicant's property.

A denial of this Application would constitute an arbitrary and capricious act by the Hall County Board of Commissioners without anyrational basis therefore constituting an abuse of discretion in violation of Article I, Section I, Paragraph I and Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the FourteenthAmendment to the Constitution of the United States. A refusal to grant the PRD zoning request would lack objective justification and would result only from neighborhood opposition, which would constitute an unlawful delegation of the zoning power to non-legislative bodies in violation of the Georgia Constitution, Article IX, Section II, Paragraph 4.

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Conclusion

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Corbitt Woods
Walker Anderson Homes
390 Brogdon Road
Suwanee, Ga 30024
404-210-9925
cwoods@walkerandersonhomes.com

Steve Gilliam
Smith, Gilliam, Williams, and Miles
340 Jesse Jewell Parkway, Suite 300
Gainesville, Ga 30501
770-536-3381
sgilliam@sgwmfirm.com

SITE DATA:

PARCEL NUMBER:	15042 000018
CURRENT ZONING:	PRD
AREA:	20.30 ACRES
PARCEL NUMBER:	15042 000140 (PARTIAL)
CURRENT ZONING:	AR-III
AREA:	1.16 ACRES
TOTAL AREA:	21.46 ACRES

ZONING:

EXISTING ZONING:	PRD (PLANNED RESIDENTIAL DISTRICT) AND AR-III (AGRICULTURE DISTRICT)
PROPOSED ZONING:	PRD (PLANNED RESIDENTIAL DISTRICT)
ZONING JURISDICTION:	HALL COUNTY

RESIDENTIAL STRUCTURE INFORMATION:

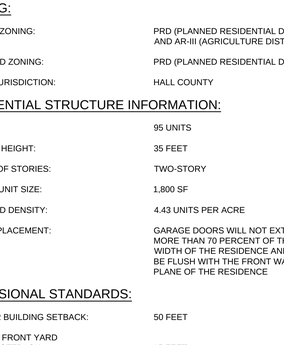
UNITS:	95 UNITS
MAXIMUM HEIGHT:	35 FEET
NUMBER OF STORIES:	TWO-STORY
MINIMUM UNIT SIZE:	1,800 SF
PROPOSED DENSITY:	4.43 UNITS PER ACRE
GARAGE PLACEMENT:	GARAGE DOORS WILL NOT EXTEND MORE THAN 70 PERCENT OF THE WIDTH OF THE RESIDENCE AND WILL BE FLUSH WITH THE FRONT WALL PLANE OF THE RESIDENCE

DIMENSIONAL STANDARDS:

EXTERIOR BUILDING SETBACK:	50 FEET
INTERNAL FRONT YARD BUILDING SETBACK:	15 FEET
INTERNAL SIDE YARD BUILDING SETBACK:	0 FEET
INTERNAL SIDE YARD BUILDING SETBACK (CORNER):	10 FEET
INTERNAL REAR YARD BUILDING SETBACK:	15 FEET
FOR A TOWNHOME WITH A MINIMUM OF THREE ATTACHED SIGNLE-FAMILY UNITS, THE MINIMUM LOT AREA STANDARD OF 35,000 SF WILL APPLY:	15 BUILDINGS FOR A TOTAL OF 525,000 SF OR 12.05 ACRES
FOR EACH ADDITIONAL UNIT IN TOWNHOUSE OVER THREE UNITS, THE MINIMUM ADDITIONAL LOT AREA STANDARD OF 5,000 SF WILL APPLY:	50 ADDITIONAL UNITS FOR A TOTAL OF 250,000 SF OR 5.74 ACRES
TOTAL LOT AREA REQUIRED:	17.79 ACRES
MINIMUM REQUIRED OPEN SPACE:	30% OR 6.5 ACRES
PROPOSED OPEN SPACE:	65% OR 14.0 ACRES

PARKING REQUIREMENTS:

REQUIRED RESIDENT SPACES:	2 SPACES PER DWELLING UNIT OR 190 PARKING SPACES
PROPOSED RESIDENT SPACES:	4 SPACES PER DWELLING UNIT (TWO CAR GARAGE PLUS DRIVEWAY) OR 190 PARKING SPACES



TYPICAL TOWNHOME
FRONT ENTRY GARAGE
NOT TO SCALE

VICINITY MAP
SCALE: NTS
SOURCE: USGS

SOURCE OF TOPOGRAPHY:
GAINESVILLE-HALL COUNTY GIS.
CONTOUR INTERVAL: TWO FEET

BLUE LANDWORKS
CONSULTING ENGINEERS & SURVEYORS
LICENSE # PEF005018
LICENSE # LSF001044
5019 WEST BROAD STREET
SUITE M230
SUGAR HILL, GEORGIA 30518
TELEPHONE: (678) 804-8586
INFO@BLUELANDWORKS.COM
WWW.BLUELANDWORKS.COM

PREPARED FOR:
WALKER ANDERSON HOMES, LLC
390 BROGDON RD.
SUWANEE, GA. 30024
ATTN: ANDY WALKER
CORBIT MCCOY
TEL: 404-219-9935

ISSUE #	DATE	REVISIONS
1	07/17/23	CLIENT REVIEW
2	07/17/23	REVISED DRIVEWAY LENGTH
3	07/17/23	ADD PARKING AND DOG WALK
4	07/26/23	REVISE AMENITY
5	07/27/23	ADD UNDISTURBED BUFFER

SCALE: 1" = 50'
0 50 100 150 feet
scale

6777-6804 SPOUT SPRINGS ROAD
FLOWERY BRANCH, GEORGIA

PARCEL(S) 15042 000018
HALL COUNTY, GA
DRAWN: DH
CHECKED: SAM

REZONING EXHIBIT

PROJECT# 2023.030
REZ

X:\2023\030 - 6804 Spout Springs Road\1000 - AutoCAD\10 - Planning\2030-1000 - rez base 2 COLORED.dwg, REZ, 9/29/2023 11:56 AM, by Carter Hoff

SITE DATA:

PARCEL NUMBER:	15042 000018
CURRENT ZONING:	PRD
AREA:	20.30 ACRES
PARCEL NUMBER:	15042 000140 (PARTIAL)
CURRENT ZONING:	AR-III
AREA:	1.16 ACRES
TOTAL AREA:	21.46 ACRES

ZONING:

EXISTING ZONING:	PRD (PLANNED RESIDENTIAL DISTRICT) AND AR-III (AGRICULTURE DISTRICT)
PROPOSED ZONING:	PRD (PLANNED RESIDENTIAL DISTRICT)
ZONING JURISDICTION:	HALL COUNTY

RESIDENTIAL STRUCTURE INFORMATION:

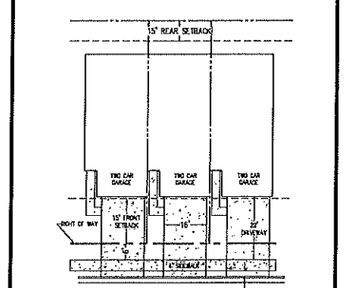
UNITS:	95 UNITS
MAXIMUM HEIGHT:	35 FEET
NUMBER OF STORIES:	TWO-STORY
MINIMUM UNIT SIZE:	1,600 SF
PROPOSED DENSITY:	4.43 UNITS PER ACRE
GARAGE PLACEMENT:	GARAGE DOORS WILL NOT EXTEND MORE THAN 70 PERCENT OF THE WIDTH OF THE RESIDENCE AND WILL BE FLUSH WITH THE FRONT WALL PLANE OF THE RESIDENCE

DIMENSIONAL STANDARDS:

EXTERIOR BUILDING SETBACK:	50 FEET
INTERNAL FRONT YARD BUILDING SETBACK:	15 FEET
INTERNAL SIDE YARD BUILDING SETBACK:	0 FEET
INTERNAL SIDE YARD BUILDING SETBACK (CORNER):	10 FEET
INTERNAL REAR YARD BUILDING SETBACK:	15 FEET
FOR A TOWNHOME WITH A MINIMUM OF THREE ATTACHED SIGNLE-FAMILY UNITS, THE MINIMUM LOT AREA STANDARD OF 35,000 SF WILL APPLY:	15 BUILDINGS FOR A TOTAL OF 525,000 SF OR 12.05 ACRES
FOR EACH ADDITIONAL UNIT IN TOWNHOUSE OVER THREE UNITS, THE MINIMUM ADDITIONAL LOT AREA STANDARD OF 5,000 SF WILL APPLY:	50 ADDITIONAL UNITS FOR A TOTAL OF 250,000 SF OR 5.74 ACRES
TOTAL LOT AREA REQUIRED:	17.79 ACRES
MINIMUM REQUIRED OPEN SPACE:	30% OR 8.5 ACRES
PROPOSED OPEN SPACE:	65% OR 14.0 ACRES

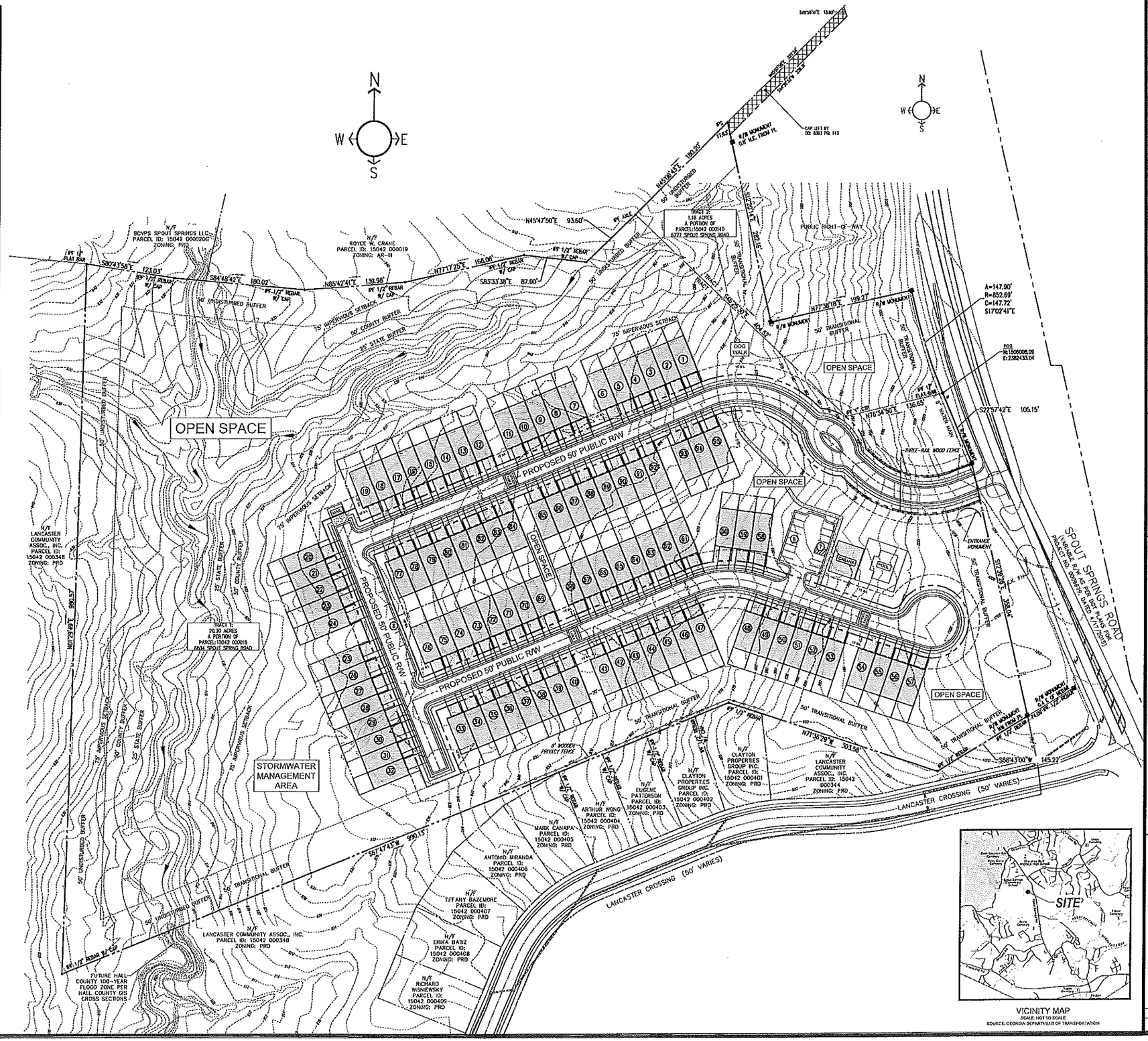
PARKING REQUIREMENTS:

REQUIRED RESIDENT SPACES:	2 SPACES PER DWELLING UNIT OR 190 PARKING SPACES
PROPOSED RESIDENT SPACES:	4 SPACES PER DWELLING UNIT (TWO CAR GARAGE PLUS DRIVEWAY) OR 190 PARKING SPACES



TYPICAL TOWNHOME FRONT ENTRY GARAGE
NOT TO SCALE

SOURCE OF TOPOGRAPHY:
GAINESVILLE-HALL COUNTY GIS.
CONTOUR INTERVAL: TWO FEET



VICINITY MAP
SCALE: NOT TO SCALE
SOURCE: GEORGIA DEPARTMENT OF TRANSPORTATION

BLUE LANDWORKS
CIVIL ENGINEERS & SURVEYORS
LEDUC J. ROGERS
LICENSE # 3027
LEDUC J. ROGERS
LICENSE # 3027
5615 WEST BROAD STREET
SUITE 1020
SUGAR HILL, GEORGIA 30518
TELEPHONE: (678) 804-8046
INFO@BLUELANDWORKS.COM
WWW.BLUELANDWORKS.COM

PREPARED FOR:
WALKER ANDERSON HOMES, LLC
380 JESSON RD.
HOSCHTON, GEORGIA 30548
PH: 404-259-0925

ISSUE #	DATE	REVISIONS
1	07/07/23	REVISE STREETS, LOCATION
2	08/07/23	REVISE STREETS
3	09/07/23	ADD PARKING AND SIDE WALK
4	07/07/23	REVISE AMENITY
5	07/07/23	REVISE AMENITY
6		

PARCEL(S): 15042 000018
DRAWN: CH
HALL COUNTY, GA
ACREAGE: 21.46

6777-6804 SPOUT SPRINGS ROAD
FLOWERY BRANCH, GEORGIA

REZONING EXHIBIT

PROJECT: 2023.030
REZ

VICINITY MAP
SCALE: NTS
SOURCE: USGS

SURVEY REFERENCES

1. RETRACEMENT SURVEY PREPARED FOR OMAR ZAVALA BY DAVIS ENGINEERING AND SURVEYING DATED 07/22/2021.
2. HALL COUNTY PLAT BOOK B76 PAGE 426
3. HALL COUNTY PLAT BOOK B77 PAGE 449
4. HALL COUNTY DEED BOOK 9141 PAGE 415

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6. SAID DESCRIBED PROPERTY DOES NOT LIE WITHIN A FLOODPLAIN ACCORDING TO FLOOD INSURANCE RATE MAP NO. 13139C0294G WITH A DATE OF IDENTIFICATION OF DECEMBER 1ST 2022, FOR COMMUNITY NUMBER 13139C, IN HALL COUNTY, STATE OF GEORGIA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED.

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FIELD INFORMATION FOR THIS SURVEY WAS OBTAINED WITH A TRIMBLE S6 ROBOTIC TOTAL STATION ELECTRONIC INSTRUMENT. THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 133,203 FEET AND AN ANGULAR ERROR OF 12 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES ADJUSTMENT. THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 2,448,949 FEET.

DATE OF LAST FIELD WORK: 06/22/2023
DATE PLAT WAS SEALED: 07/14/2023

GEORGIA REGISTERED No. 2767 LAND SURVEYOR THOMAS W. WOODSMALL

NAME: THOMAS W. WOODSMALL
REGISTRATION/LICENSE NUMBER: 2767 (GEORGIA)
DATE OF EXPIRATION: DECEMBER 31, 2023

ABBREVIATIONS

APPROX	= APPROXIMATE	HP	= HIGH POINT
BC	= BACK OF CURB	INV	= INVERT
BFE	= BOTTOM FLOOR ELEVATION	IE	= INVERT ELEVATION
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SYMBOLS

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BLUE LANDWORKS
CONSULTING ENGINEERS & SURVEYORS
LICENSE # PEF005818
LICENSE # LSF001044
5019 WEST BROAD STREET
SUITE M230
SUGAR HILL, GEORGIA 30518
TELEPHONE: (678) 804-8586
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WWW.BLUELANDWORKS.COM

PREPARED FOR:
WALKER ANDERSON HOMES, LLC
3510 BROOKS RD.
SUWANEE GA 30024
CONTACT: JEFF WOOD
CELL: (404-210-9925

SCALE: 1" = 60'
0 60 120 180 feet

ISSUE #	DATE	REVISIONS
1	07/14/23	SUBMIT FOR REVIEW

6777-6804 SPOUT SPRINGS ROAD
FLOWERY BRANCH, GA 30542

G.M.D. 1419
PARCEL(S) 15042 000018 AND A PORTION OF 15042 000140
HALL COUNTY, GA
DRAWING

CHECKED: TWW

BOUNDARY SURVEY

PROJECT # 2023.030

SHEET 1 OF 1

ACCORDING TO O.C.G.A. 44-3-232 (ELECTRONIC/DIGITAL SEAL OF SURVEYOR) IS EFFECTIVE ONLY TO THAT VERSION OF THE DOCUMENT THAT WAS ORIGINALLY SEALED. IT IS UNLAWFUL FOR ANY PERSON TO KNOWINGLY ALTER, DELETE, SUBSEQUENT MODIFICATION, CORRUPTION, OR UNAUTHORIZED USE OF SUCH DOCUMENT, TO VERIFY THE VALIDITY OF THE SEAL/SIGNATURE, CONTACT SPV.

N:\2023-030 - 6804 Spout Springs Road\1000 - AutoCAD\05 - Survey\2023.030 BNDY.dwg, 2023.030 TI, 7/17/2023 3:32 PM, by Kyle O'Neal

VICINITY MAP
SCALE: NTS
SOURCE: USGS

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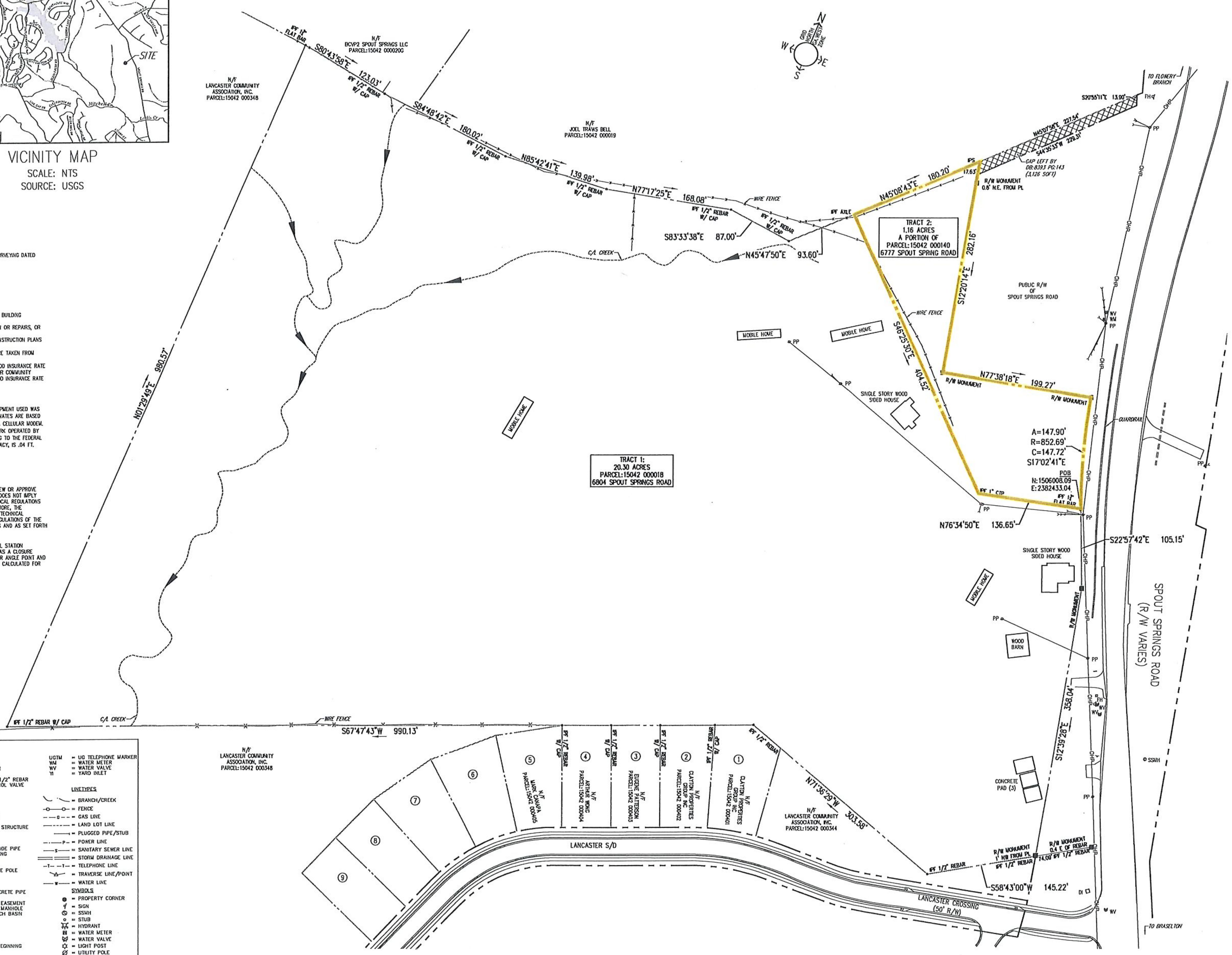

LEGEND

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390 BROGDON RD.
SUWANEE, GA 30024
24-HOUR CONTACT:
CORBIT WOODS
TEL:404-210-9925

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REVISIONS
1 07/14/23 SUBMIT FOR REVIEW

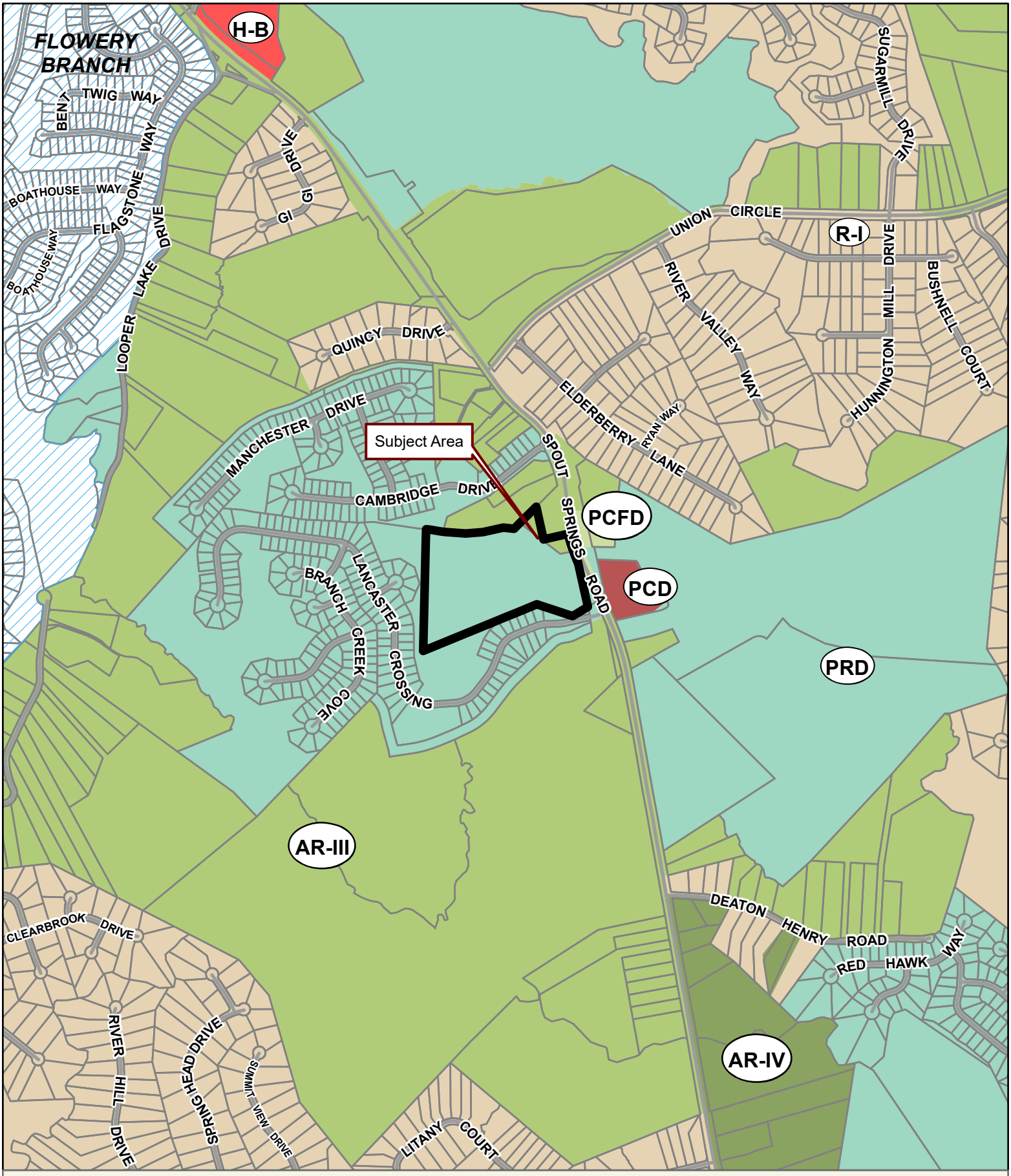
SCALE: 1" = 60'

6777-6804 SPOUT SPRINGS ROAD
FLOWERY BRANCH, GA 30542

BOUNDARY SURVEY

PROJECT# 2023.030

SHEET 1 OF 1

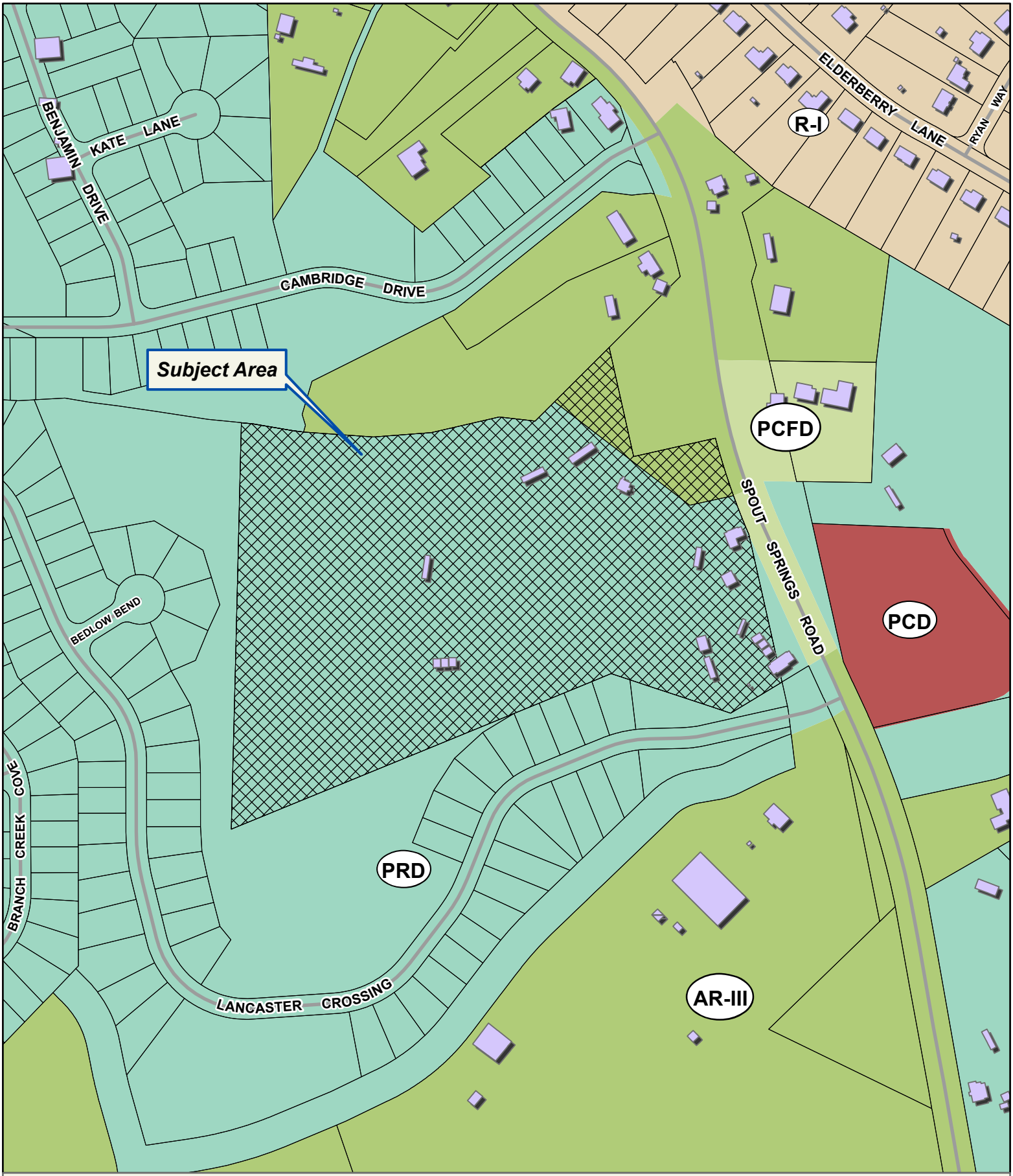


Applicant: WALKER ANDERSON HOMES
Tax Parcel #: 15042 000018 & 000140 (PT.)
Location: 6777 & 6804 SPOUT SPRINGS ROAD, FLOWERY BRANCH, GA 30542
Commission District 1 **PC Mtg. Date: 10/2/23**

0 300 600 1,200
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N



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Commission District 1 **PC Mtg. Date: 10/2/23**

0 90 180 360
Feet

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Structure

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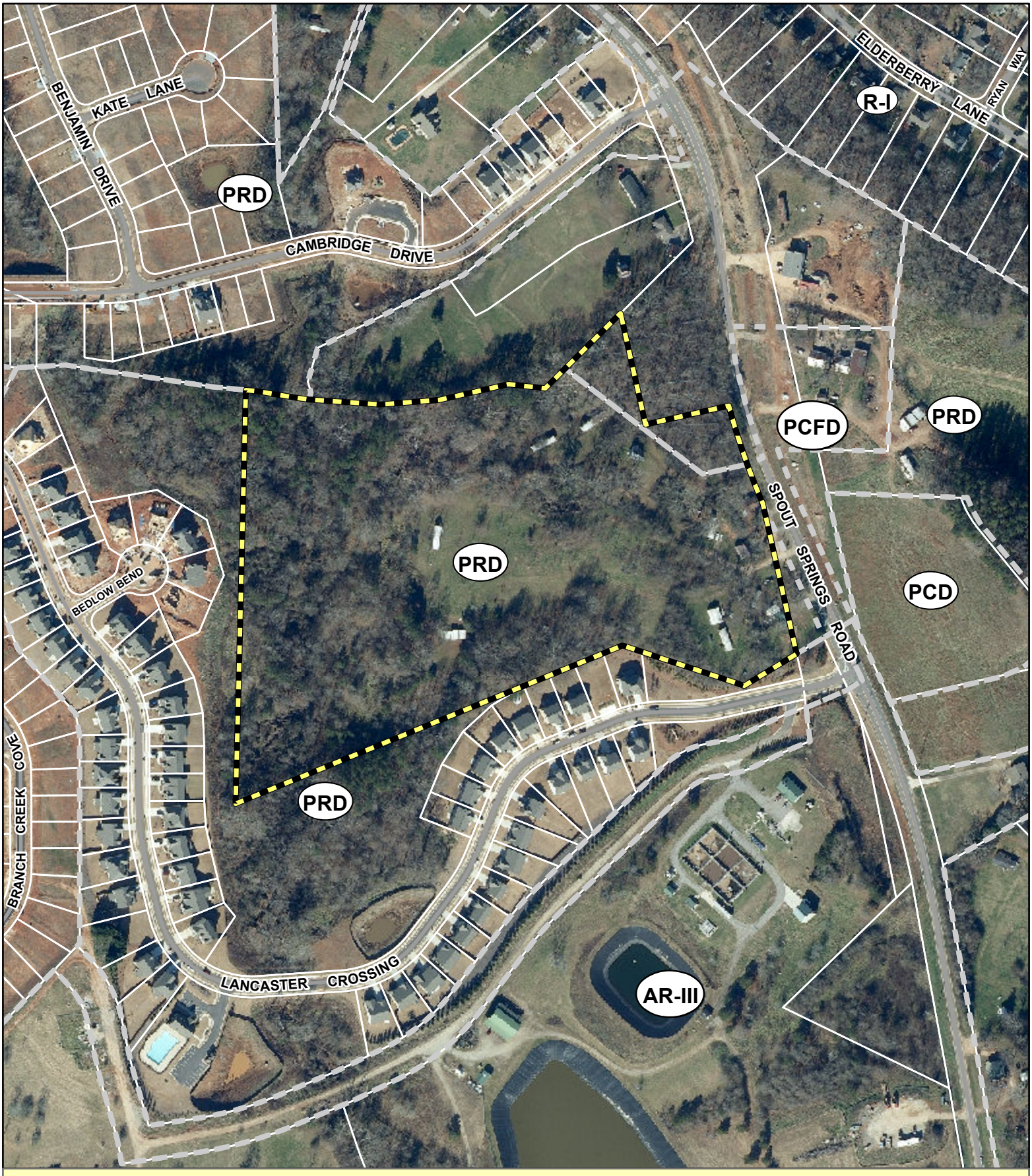

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0 90 180 360
Feet

Zoning Boundary
City Limits
Subject Area

N

Submitted 10-19-2023

Land Description

6777 Spout Springs Road - Tract 2

All that tract or parcel of land lying and being in the 1419 G.M.D. Hall County Georgia containing 1.16 acres more or less, as shown in a survey prepared by Blue Landworks LLC and being more particularly described as follows:

Beginning at an iron pin found (1 3/4" flat Bar) being on the Western margin of Spout Springs Road (R/W Varies) and having a State Plane Coordinate of N:1506008.09 E:2382433.04 Georgia West Zone. Said pin being the **True Point of Beginning.**

Thence departing said margin South 76 degrees 34 minutes 50 seconds West 136.65 feet to an iron pin found (1" CTP);

Thence North 46 degrees 25 minutes 30 seconds West 404.52 feet to an iron pin found (Axle);

Thence North 45 degrees 08 minutes 43 seconds East 180.20 feet to an iron pin set (1/2" Rebar W/ Cap) said pin being on the Western margin of Spout Springs Road (R/W Varies);

Thence continuing along said margin South 12 degrees 20 minutes 14 seconds East 282.16 feet to a concrete R/W monument found.

Thence North 77 degrees 38 minutes 18 seconds East 199.27 feet to a concrete R/W monument found.

Thence 147.90 feet along the arc of a curve to the left having a radius of 852.69 feet and chord bearing and distance of South 17 degrees 02 minutes 41 seconds East 147.72 feet to an iron pin found (1 3/4" Flat Bar) said pin being the **True Point of Beginning.**

Anael Dominguez (CDI: Planning)

From: Emily McGahee (Environmental Health)
Sent: Thursday, August 31, 2023 4:53 PM
To: Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning); Beth Garmon (CDI: Planning)
Cc: Chad Harper (Environmental Health); Kelly Hairston (Environmental Health)
Subject: HCPC Tentative Agenda 10.2.23

Please find Environmental Health comments below:

Items 1A-C, 8730 Forrester Road, Crumley: No comment.

Item 2, 4057 Sargent Circle, Drees: All proposed structures must meet all residential permitting requirements and/or required setbacks to existing septic system. Area for a feasible, full conventional recovery system must be available for the number of bedrooms requested. Existing system evaluation and/or septic system modification may be required for system serving existing home on property. Level 3 Soil Evaluation will be required prior to application if existing septic system will not be used. Any abandoned well shall be properly closed as per Water Well Standards Act by a certified well driller.

Items 3A&B, 812 Atlanta Hwy, Murillo: Connecting to Public sewer. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled.

Item 4, 2122/0 Browns Bridge Road, Duran: No comment. Public sewer.

Item 5, 3321 Montvale Drive, Milne: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. Further determination will be made during the plat review process. All proposed plats must be submitted to the Hall County Plat Review Team for review and approval prior to submittal to Clerk of Courts for recordation.

Item 6, 3902/0 Belmont Hwy, Simpson: 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/modification may be required after review of business plan.

Item 7, 0/4611/4627 Guth Road, 4561/4613 J. M. Turk, 4590/4601/4610 Stanley, Kappler: The entire development (all pods) must be developed on sewer. No onsite sewage management systems to be permitted by Environmental Health. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled.

Items 8 and 9, 6777/6804 Spout Springs, Walker Anderson Homes: Public sewer. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled.

Item 10, Code Amendment: No comment.

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)
https://www.hallcounty.org/192/Environmental-Health (County Website & Forms)

Anael Dominguez (CDI: Planning)

From: Chavers, Veronica E <VChavers@dot.ga.gov>
Sent: Friday, August 25, 2023 10:51 AM
To: Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning)
Subject: RE: Tentative Planning Agenda for October 2, 2023

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.

See comments in red, below.

Veronica Chavers
D1TO Civil Engineer 3

Georgia Department of Transportation

District 1 Traffic Operations
1475 Jesse Jewell Pkwy
Suite 100
Gainesville, GA, 30501
770.533.8488 office

From: Anael Dominguez (CDI: Planning) <adominguez@hallcounty.org>
Sent: Thursday, August 24, 2023 12:20 PM
Subject: Tentative Planning Agenda for October 2, 2023

Good afternoon –

Here is the Tentative Agenda and Maps for the **Monday, October 2, 2023** 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, August 31st.** Email comments to Randi (rdoveton@hallcounty.org) and Ana (adominguez@hallcounty.org).

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – September 18, 2023
N
NEW BUSINESS

1. (A) **8730 Forrester Road | Use Subject to County Commission Approval** | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) | **Proposed use: expansion of commercial kennel** | ** Commission District 3 | **Steven & Holly Crumley, applicants.**

(B) **8730 Forrester Road | Variance** | from 17.240.060 to reduce the setback for commercial kennels from 200 feet to 48 feet | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: commercial kennel structures** | ** Commission District 3 | **Steven & Holly Crumley, applicants.**
(C) **8730 Forrester Road | Variance** | from 17.240.060 to reduce the setback for commercial kennels from 200 feet to 44 feet | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: commercial kennel structures** | ** Commission District 3 | **Steven & Holly Crumley, applicants.** **No GDOT coordination required**

4057 Sargent Circle | Variance | from 17.240.010 to reduce the front yard setback from 55 feet from centerline to 41 feet from centerline on a 0.85± acre parcel located on the east side of Sargent Circle approximately 210 feet from its intersection with Cochran Road | Zoned R-I; Tax Parcel 10120 000071 | **Proposed Use: single-family residence** | * Commission District 2 | **Dennis Drees, Applicant** **No GDOT coordination required**

2.

3. (A) **812 Atlanta Highway | Use Subject to Planning Commission Approval |** on a 0.25± acre parcel located on the west side of Atlanta Highway at its intersection with Conner Street | Zoned H-B, Tax Parcel 00127 002001 | **Proposed Use: expansion of a non-conforming use |** * Commission District 4 **| Robert Murillo, applicant.** **GDOT coordination required for any encroachment onto the right-of-way**

   (B) **812 Atlanta Highway | Variance** | from 17.240.010 to reduce the front yard setback from 55 feet from centerline to 14 feet from centerline of road on a 0.25± acre parcel located on the west side of Atlanta Highway at its intersection with Conner Street | Zoned H-B, Tax Parcels 00127 002001 | **Proposed Use: residential addition** | * Commission District 4 **| Robert Murillo, applicant.** **GDOT coordination required for any encroachment onto the right-of-way**

4. **2122 & 0 Browns Bridge Road | Use Subject to County Commission Approval |** on a 1.708± acre tract located on the west side of Browns Bridge Road, approximately 62 feet from its intersection with Hilton Drive | Zoned H-B / GCOD; Tax Parcel 00122 001021 & 001031B | **Proposed use: used vehicle sales lot |** ** Commission District 4 **| Antonio Duran, applicant.** **GDOT coordination required for access on SR 369/ Browns Bridge Rd**

5. **3321 Montvale Drive | Use Subject to County Commission Approval |** on a 7.88± acre tract located on the south side of Montvale Drive, at its intersection with Manor Ridge | Zoned R-I & AR-III; Tax Parcel 10046 000015 **| Proposed use: 4-lot subdivision |** ** Commission District 2 **| Zachary Lewis Boyd Milne, applicant.** **No GDOT coordination required**

6. **3902 & 0 Belmont Highway | Rezone |** from Agricultural Residential IV (AR-IV) to Planned Industrial Development (PID) /GCOD on 15.75± acres located on the southeastern side of Belmont Highway, approximately 1,780 feet north of its intersection with Mountain Creek Road | Zoned AR-IV, Tax Parcels: 15013 000017B and 000074 (pt.) **| Proposed Use: truck parking and office|** ** Commission District 3 **| Gus E. Simpson, applicant.** **GDOT coordination required**

7. **0, 4611,4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road | Rezone |** from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on 117.31± acres located on the east side of J M Turk Road at its intersection with Guth Road | Zoned AR-III; Tax Parcels 15043 000027, 000109, 000128, 000201 & 15044 000035, 000035B, 000043, 000100, 000127 **| Proposed Use: 324 lot residential development |** ** Commission District 1 **| Thompson O'Brien Kappler & Nasuti PC, applicant.** **No GDOT coordination required**

8. **6777 and 6804 Spout Springs Road | Rezone |** from Agricultural Residential III (AR-III) and Planned Residential Development (PRD) to Planned Residential Development (PRD) on a combined 22.88± acres located on the west side of Spout Springs Road, approximately 100 feet from its intersection with Lancaster Crossing | Zoned AR-III & PRD; Tax Parcels 15042 000018 and 000140 (pt.) **| Proposed Use: 95-unit townhome development |** ** Commission District 1 **| Walker Anderson Homes, applicant.** **No GDOT coordination required**

9. **6804 Spout Springs Road | Amend Condition of PRD |** on a 20.37± acre parcel located on the west side of Spout Springs Road, at its intersection with Lancaster Crossing | Zoned PRD; Tax Parcels 15042 000018 **| Proposed Use: 95-unit townhome development |** ** Commission District 1 **| Walker Anderson Homes, applicant.** **No GDOT coordination required**

10. **Public Hearing to Amend sections 17.410,** Standards for Telecommunication Antennas and Towers, and 17.412,Standards for Small Wireless Facilities Placed in the County Right-of-Way, Title 17 of the Official Code of Hall County, Georgia; to repeal conflicting ordinances and resolutions; and for other purposes. **** | Hall County Planning Staff, applicant.** **No 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 30 days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing Thursday, November 9, 2023 at 6:00 p.m. at the Hall County Government Center, 2nd 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, November 9, 2023. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,
Ana Dominguez
Planning Commission Clerk
Hall County Community Development and Infrastructure
(770) 531-6810 | www.hallcounty.org

HALL COUNTY
GEORGIA
We have it all in Hall

Human trafficking impacts every corner of the globe, including our state and local communities. Georgia DOT is committed to end human trafficking in Georgia through education enabling its employees and the public to recognize the signs of human trafficking and how to react in order to help make a change. To learn more about the warning signs of human trafficking, visit https://doas.ga.gov/human-resources-administration/human-trafficking-awareness. To report any suspicious activity, call the Georgia Human Trafficking Hotline at 866-363-4842. Let's band together to end human trafficking in Georgia.

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

DIRECTOR
Srikanth Yamala

PUBLIC WORKS AND
UTILITIES DIRECTOR
Bill Nash, P.E.

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PUBLIC WORKS AND UTILITIES

M E M O R A N D U M

To: Randi Doveton, Director of Planning and Development

From: Bill Nash, Director of Public Works and Utilities

Date: August 31, 2023

Subject: October 2, 2023 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the October 2, 2023 meeting. Upon review, we provide the following comments.

1. (A) **8730 Forrester Road | Use Subject to County Commission Approval** | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: expansion of commercial kennel** | ** Commission District 3 **| Steven & Holly Crumley, applicants.**
   (B) **8730 Forrester Road | Variance** | from 17.240.060 to reduce the setback for commercial kennels from 200 feet to 48 feet | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: commercial kennel structures** | ** Commission District 3 | **Steven & Holly Crumley, applicants.**
   (C) **8730 Forrester Road | Variance** | from 17.240.060 to reduce the setback for commercial kennels from 200 feet to 44 feet | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: commercial kennel structures** | ** Commission District 3 | **Steven & Holly Crumley, applicants.**

   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:** No Comment
   c. **Utilities:** No Comment

2. **4057 Sargent Circle | Variance |** from 17.240.010 to reduce the front yard setback from 55 feet from centerline to 41 feet from centerline on a 0.85± acre parcel located on the east side of Sargent Circle approximately 210 feet from its intersection with Cochran Road | Zoned R-I; Tax Parcel 10120 000071 | **Proposed Use: single-family residence** | * Commission District 2 **| Dennis Drees, Applicant**

   a. **Engineering:** No Comment
   b. **Traffic:** No Comment
   c. **Utilities:** No Comment

3. (A) **812 Atlanta Highway | Use Subject to Planning Commission Approval |** on a 0.25± acre parcel located on the west side of Atlanta Highway at its intersection with Conner Street | Zoned H-B, Tax Parcel 00127 002001 |

Proposed Use: expansion of a non-conforming use | * Commission District 4 **| Robert Murillo, applicant.**
(B) **812 Atlanta Highway | Variance** | from 17.240.010 to reduce the front yard setback from 55 feet from centerline to 14 feet from centerline of road on a 0.25± acre parcel located on the west side of Atlanta Highway at its intersection with Conner Street | Zoned H-B, Tax Parcels 00127 002001 | **Proposed Use: residential addition** | * Commission District 4 | **Robert Murillo, applicant.**

a. **Engineering:** No Comment
b. **Traffic:** No Comment
c. **Utilities:** No Comment

4. **2122 & 0 Browns Bridge Road | Use Subject to County Commission Approval |** on a 1.708± acre tract located on the west side of Browns Bridge Road, approximately 62 feet from its intersection with Hilton Drive | Zoned H-B / GCOD; Tax Parcel 00122 001021 & 001031B | **Proposed use: used vehicle sales lot |** ** Commission District 4 **| Antonio Duran, 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 stream buffer and impervious setback from wrested vegetation not centerline of stream.
FEMA and Hall County studied Flood plains present on site.
b. **Traffic:** Improvements along Baker Lane and Baker Circle may be required
c. **Utilities:** No sewer available

5. **3321 Montvale Drive | Use Subject to County Commission Approval |** on a 7.88± acre tract located on the south side of Montvale Drive, at its intersection with Manor Ridge | Zoned R-I & AR-III; Tax Parcel 10046 000015 **| Proposed use: 4-lot subdivision |** ** Commission District 2 **| Zachary Lewis Boyd Milne, applicant.**

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 Comment
c. **Utilities:** No Comment

6. **3902 & 0 Belmont Highway | Rezone |** from Agricultural Residential IV (AR-IV) to Planned Industrial Development (PID) /GCOD on 15.75± acres located on the southeastern side of Belmont Highway, approximately 1,780 feet north of its intersection with Mountain Creek Road | Zoned AR-IV, Tax Parcels: 15013 000017B and 000074 (pt.) **| Proposed Use: truck parking and office|** ** Commission District 3 **| Gus E. Simpson, 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 stream buffer and impervious setback from wrested vegetation not centerline of stream.
b. **Traffic:** Access must be approved/permitted by GDOT
c. **Utilities:** No Comment

7. **0, 4611,4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road | Rezone |** from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on 117.31± acres located on the east side of J M Turk Road at its intersection with Guth Road | Zoned AR-III; Tax Parcels 15043 000027, 000109, 000128, 000201 & 15044 000035, 000035B, 000043, 000100, 000127 **| Proposed Use: 324 lot residential development |** ** Commission District 1 **| Thompson O'Brien Kappler & Nasuti PC, applicant.**

a. Engineering: No dead end streets
Show stream buffer and impervious setback from wrested vegetation not centerline of stream
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: A left turn lane and decel lane will be required for the entrance.
Any required roadway improvements will be the financial responsibility of the developer
A cul-de-sac should be provided for Guth Road at the proposed end of county maintenance

c. Utilities: No sanitary sewer in area.

8. **6777 and 6804 Spout Springs Road | Rezone |** from Agricultural Residential III (AR-III) and Planned Residential Development (PRD) to Planned Residential Development (PRD) on a combined 22.88± acres located on the west side of Spout Springs Road, approximately 100 feet from its intersection with Lancaster Crossing | Zoned AR-III & PRD; Tax Parcels 15042 000018 and 000140 (pt.) **| Proposed Use: 95-unit townhome development |** ** Commission District 1 **| Walker Anderson Homes, 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 stream buffer and impervious setback from wrested vegetation not centerline of stream
Current layout provided for zoning does not meet Hall County Road standards
No on-street parking on public right-of-way.
Floodplain present on site

b. Traffic: will need to coordinate entrance design and location with Hall County Engineering with regards to Spout Springs Road Phase 2 Widening.

c. Utilities: Sewer required off-site easement
Must extend 30 feet sanitary sewer to up stream proposed line.

9. **6804 Spout Springs Road | Amend Condition of PRD |** on a 20.37± acre parcel located on the west side of Spout Springs Road, at its intersection with Lancaster Crossing | Zoned PRD; Tax Parcels 15042 000018 **| Proposed Use: 95-unit townhome development |** ** Commission District 1 **| Walker Anderson Homes, 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 stream buffer and impervious setback from wrested vegetation not centerline of stream
Current layout provided for zoning does not meet Hall County Road standards
No on-street parking on public right-of-way.
Floodplain present on site

b. **Traffic:** will need to coordinate entrance design and location with Hall County Engineering with regards to Spout Springs Road Phase 2 Widening.
c. **Utilities:** Sewer required off-site easement
Must extend 30 feet sanitary sewer to up stream proposed line.

10. **Public Hearing to Amend sections 17.410,** Standards for Telecommunication Antennas and Towers, and 17.412,Standards for Small Wireless Facilities Placed in the County Right-of-Way, Title 17 of the Official Code of Hall County, Georgia; to repeal conflicting ordinances and resolutions; and for other purposes. **** | Hall County Planning Staff, applicant.**

a. **Engineering:** No Comment
b. **Traffic:** No Comment
c. **Utilities:** No Comment

Anael Dominguez (CDI: Planning)

From: John Hornick (Fire Services)
Sent: Thursday, August 31, 2023 4:27 PM
To: Anael Dominguez (CDI: Planning)
Cc: Randi Doveton (CDI: Planning)
Subject: Fire Comment

Monday, October 2, 2023 Hall County Planning Commission Meeting.

1. **6777 and 6804 Spout Springs Road | Rezone |** from Agricultural Residential III (AR-III) and Planned Residential Development (PRD) to Planned Residential Development (PRD) on a combined 22.88± acres located on the west side of Spout Springs Road, approximately 100 feet from its intersection with Lancaster Crossing | Zoned AR-III & PRD; Tax Parcels 15042 000018 and 000140 (pt.) **| Proposed Use: 95-unit townhome development |** ** Commission District 1 **| Walker Anderson Homes, applicant.**

2. **6804 Spout Springs Road | Amend Condition of PRD |** on a 20.37± acre parcel located on the west side of Spout Springs Road, at its intersection with Lancaster Crossing | Zoned PRD; Tax Parcels 15042 000018 **| Proposed Use: 95-unit townhome development |** ** Commission District 1 **| Walker Anderson Homes, applicant.**

3. **Hall County Fire Marshal's Comments: Current concept plan will need to be modified to meet the below fire code requirement.**

International Fire Code 503.1.1 Buildings and facilities. 2018 Edition
Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the *exterior walls* of the first story of the building as measured by an *approved* route around the exterior of the building or facility.

Regards,

John Hornick, NPQ Fire Service Plans Examiner 1
Lieutenant, Hall County Fire Rescue
Hall County Government
Main: 770-531-6838 | Cell: 404-597-0083
Website: 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: WALKER ANDERSON HOMES
REQUEST: REZONE FROM AR III & PRD TO PRD FOR 95-UNIT TOWNHOME DEVELOPMENT
PUBLIC HEARINGS WILL BE HELD ON:
PLANNING COMMISSION Date: OCT 2 2023 Time: 7:15 PM
COUNTY COMMISSION Date: OCT 3 2023 Time: 6:00 PM
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: WALKER ANDERSON HOMES
REQUEST: AMEND CONDITIONS OF A PRD FOR 95-UNIT TOWNHOME DEVELOPMENT
PUBLIC HEARINGS WILL BE HELD ON:
PLANNING COMMISSION Date: OCT 2 2023 Time: 5:15 PM
COUNTY COMMISSION Date: OCT 3 2023 Time: 6:00 PM
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
WALKER ANDERSON HOMES
REQUEST
REZONE FROM AR-III & PRD TO PRD FOR 95-UNIT TOWNHOME DEVELOPMENT
PUBLIC HEARINGS WILL BE HELD ON:
PLANNING COMMISSION
Date: OCT 2 2023
Time: 7:15 PM
COUNTY COMMISSION
Date: 10/24/2023
Time: 6:00 PM
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
WALKER ANDERSON HOMES
REQUEST
AMEND CONDITIONS OF A PRD FOR 95-UNIT TOWNHOME DEVELOPMENT
PUBLIC HEARINGS WILL BE HELD ON:
PLANNING COMMISSION
Date: OCT 2 2023
Time: 5:15 PM
COUNTY COMMISSION
Date: 10/24/2023
Time: 6:00 PM
FOR MORE INFORMATION CALL: (770) 531-6809

ZONING NOTICE

ZONING NOTICE

ACREA

NORTO
SINCE 1928

nortoncommercial

770.297.48

MATT McCO
770.561.05
STEPHEN LOV
770.297.480
ZACH TIBE
770.297.487

AGENDA ITEM

Planning and Development

REPORT TO:	**Work Session (11/06/23)**
REPORT TO:	**Voting Meeting (11/09/23)**
ITEM NO:	635/2023
SUBJECT:	**6804 Spout Springs Road | Amend Conditions |** of a Planned Residential Development (PRD) on a 20.37± acre parcel located on the west side of Spout Springs Road, at its intersection with Lancaster Crossing | Zoned PRD; Tax Parcels 15042 000018 **| Proposed Use: 95-unit townhome development |** Commission District 1 **| Walker Anderson Homes, applicant.**

Meetings:

Work Session Date: 11/06/23 **Voting Meeting Date:** 11/09/23

Executive Summary:

Presenter: RD
Recommendation:

Approval.

Conditions:

1. The development shall not exceed a maximum of 95 units and may be modified as necessary for compliance with development standards enforced at the time of site plan approval. Minor changes can be approved by the Planning Director provided 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 from the Hall County development standards.
2. Standard Hall County Development Review and permitting processes shall be followed. Approval of this request does not supersede development standards, or processes, in effect when the plans are submitted for review. Such standards include, but are not limited to, stormwater management and emergency access requirements.
3. The minimum heated floor area (HFA) shall be 1,800 square feet.
4. Building elevations shall be composed of a mixture of cement siding, stone, and/or brick façade, with a minimum of brick or stone accents on the front of the homes. The balance of the home may be the same material or of fiber-cement material. Vinyl siding is prohibited. Homes shall be consistent with the submitted renderings.
5. The development shall have a 50 foot exterior buffer per the requirement of 17.180.060, Planned Residential Development along all exterior boundaries.
6. All associated stream buffers shall be contained completely within HOA common areas and shall not be on any individual lot.
7. All conditions of zoning shall be made a part of any plats or construction plans created for the subdivision.
8. The development shall be limited to a maximum of two (2) model homes prior to recording of the final plat.
9. The following variances are granted herein:
    a. 70% of garage door area shall be allowed.
    b. The street design as presented in the conceptual plan shall be subject to review and approval of the Hall County Engineering Department.
    c. The design shall be subject to review and approval of Hall County Fire Marshal.
    d. Sewer design shall be subject to review and approval of the County Engineer.
    e. The building elevations shall be reviewed and approved by the Planning Director.

Purpose of Request:

6804 Spout Springs Road | Amend Conditions | of a Planned Residential Development (PRD) on a 20.37± acre parcel located on the west side of Spout Springs Road, at its intersection with Lancaster Crossing | Zoned PRD; Tax Parcels 15042 000018 | **Proposed Use: 95-unit townhome development |** Commission District 1 | **Walker Anderson Homes, 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:

Submit	Approve	Attorney	Administration
RD	RD	WLI	CR
Clerk			
JR			

Attachments:

Board Memo
Recommendation Report

Application
Updated Narrative
Narrative
Updated Site Plan
Original Site Plan
Maps
Rendering
Legal Description
Environmental Health Comments
GDOT Comments
Public Works Comments
Sanitary Sewer Letter of Availability
Fire Comments
Notice Sign Photos

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435

GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR
Srikanth Yamala

PLANNING AND DEVELOPMENT
DIRECTOR
Randi Doveton

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PLANNING AND DEVELOPMENT

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

From: Randi Doveton, Director of Planning & Development

Date: October 23, 2023

Subject: **6804 Spout Springs Road | Amend Condition of PRD |** on a 20.37± acre parcel **| Proposed Use: 95-unit townhome development | Walker Anderson Homes, applicant.**

The request before you is the application of Walker Anderson Homes to Amend Condition of PRD to allow a 95-unit townhome development. This item is located within Commission District 1.

At their October 2, 2023 meeting, the Hall County Planning Commission voted to recommend approval with nine (9) conditions **(3-2, Pilcher & Varner opposed)**.

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

Since the Planning Commission took action, the applicant submitted an updated elevation rendering of the proposed townhome development.

Planning Commission Conditions:

1. The development shall not exceed a maximum of 95 units and may be modified as necessary for compliance with development standards enforced at the time of site plan approval. Minor changes can be approved by the Planning Director provided 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 from the Hall County development standards.
2. Standard Hall County Development Review and permitting processes shall be followed. Approval of this request does not supersede development standards, or processes, in effect when the plans are submitted for review. Such standards include, but are not limited to, stormwater management and emergency access requirements.
3. The minimum heated floor area (HFA) shall be 1,800 square feet.

4. Building elevations shall be composed of a mixture of cement siding, stone, and/or brick façade, with a minimum of brick or stone accents on the front of the homes. The balance of the home may be the same material or of fiber-cement material. Vinyl siding is prohibited. Homes shall be consistent with the submitted renderings.
5. The development shall have a 50 foot exterior buffer per the requirement of 17.180.060, Planned Residential Development along all exterior boundaries.
6. All associated stream buffers shall be contained completely within HOA common areas and shall not be on any individual lot.
7. All conditions of zoning shall be made a part of any plats or construction plans created for the subdivision.
8. The development shall be limited to a maximum of two (2) model homes prior to recording of the final plat.
9. The following variances are granted herein:
    a. 70% of garage door area shall be allowed.
    b. The street design as presented in the conceptual plan shall be subject to review and approval of the Hall County Engineering Department.
    c. The design shall be subject to review and approval of Hall County Fire Marshal.
    d. Sewer design shall be subject to review and approval of the County Engineer.
    e. The building elevations shall be reviewed and approved by the Planning Director.

HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT

Applicant ..... Walker Anderson Homes

Request ..... Amend Conditions of a Planned Residential Development (PRD, 17.180.060)

Proposed Use ..... 95-unit townhome development

Size ..... 20.37± acres

Zoning ..... Planned Residential Development (PRD, 17.180.060)

Location ..... **6804 Spout Springs Road** | Tax Parcel 15042 000018

Commission District ..... One

Planning Commission Date ..... October 2, 2023

Staff Recommendation ..... **Denial** as the proposed use exceeds the maximum density of 2 dwelling units per acre for the Residential future land use classification in the Comprehensive Plan.

Planning Commission Recommendation……Approval, with conditions
Vote: 3-2 (Pilcher & Varner opposed*)*

Conditions:

1. The development shall not exceed a maximum of 95 units and may be modified as necessary for compliance with development standards enforced at the time of site plan approval. Minor changes can be approved by the Planning Director provided 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 from the Hall County development standards.
2. Standard Hall County Development Review and permitting processes shall be followed. Approval of this request does not supersede development standards, or processes, in effect when the plans are submitted for review. Such standards include, but are not limited to, stormwater management and emergency access requirements.
3. The minimum heated floor area (HFA) shall be 1,800 square feet.
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may be the same material or of fiber-cement material. Vinyl siding is prohibited. Homes shall be consistent with the submitted renderings.

5. The development shall have a 50 foot exterior buffer per the requirement of 17.180.060, Planned Residential Development along all exterior boundaries.
6. All associated stream buffers shall be contained completely within HOA common areas and shall not be on any individual lot.
7. All conditions of zoning shall be made a part of any plats or construction plans created for the subdivision.
8. The development shall be limited to a maximum of two (2) model homes prior to recording of the final plat.
9. The following variances are granted herein:
    a. 70% of garage door area shall be allowed.
    b. The street design as presented in the conceptual plan shall be subject to review and approval of the Hall County Engineering Department.
    c. The design shall be subject to review and approval of Hall County Fire Marshal.
    d. Sewer design shall be subject to review and approval of the County Engineer.
    e. The building elevations shall be reviewed and approved by the Planning Director.

Public Forum:

Joel Bell, 6756 Spout Springs Road, Flowery Branch, spoke in opposition. Concerns were lack of information obtained.

Summary Analysis

The applicant is requesting to amend the previously approved conditions of a Planned Residential Development (PRD, 17.180.060). The request was originally approved, with conditions, for a 58-unit, detached single-family residential development by the Board of Commissioners on March 10, 2022. Concurrent with this request is an application to rezone a 2.51± acre parcel from AR-III to PRD to be utilized as open space within this development.

In 2022, the PRD was approved as a 58-unit, detached single-family residential development. The applicant is requesting to amend the previous approval in order to develop the site as a 95-unit attached residential development (townhomes) instead.

With the addition of the 2.51± parcel (15042 000140) to the project, the overall density of the development will be 4.15 dwelling units per acre, when using the advertised GIS combined acreage of 22.88±. Note: the applicant's site plan shows a combined acreage of 21.46± acres, which would result in a density of 4.43 dwelling units per acre. In both instances, the proposed density of the development exceeds the recommended density of 2.0 units per acre established in the PRD ordinance (17.180.060) and the Residential future land use classification in the Comprehensive Plan.

The narrative explains that the proposed site layout utilizes the topography of the site, which falls away approximately 100 feet from Spouts Springs Road to the rear of the property. A single entrance is proposed from Spout Springs Road. The proposed road network is "u-shaped", with the road extending towards the back, before turning to the left and heading back towards Spout Springs Road, where it ends in a cul-de-sac.

The amenity area is located at the end of the cul-de-sac and is proposed to include a cabana, swimming pool and dog park/dog walk area, with a pedestrian path and street crossing connecting the pool and dog park.

The narrative states that internal sidewalks will be installed on both sides of all streets constructed as part of the development. However, the proposed width of the sidewalks is four feet, which is substandard to the five foot wide requirement of the PRD ordinance (17.180.060). Each household will be provided with four parking spaces: two garage spaces and two driveway spaces. The driveways will be a minimum of 22 feet in length from the back of sidewalk to the front building façade, and 16 feet in width, with individual curb cuts from a public street, according to the site plan. The western portion of the proposal, adjacent to lots 76 and 77, includes eight on-street parallel parking spaces for visitors and to access the centralized mail kiosk; on-street parking is not compliant with the design standards of the PRD (17.180.060) district.

The rear setback for each townhome will be 15 feet, allowing for a minimum of 30 feet of separation between townhomes with bordering rear yards. There will be a minimum of 20 feet of side building separation between adjacent units. Within lots 17, 18 and 19, the 75-foot impervious setback encroaches on the rear yards and appears to come within a few feet of each of the dwellings proposed on these lots.

The development standards for the project are described in the table below and compared to PRD requirements:

Standard	**PRD Requirement (17.180.060)**	**2022 Approved PRD**	**Proposed Development**
Site Area	5 acre minimum	20.67± acres	22.88± acres
Number of Units	–	58 detached single-family residences**	95 attached single-family residences (townhomes)
Density	2 units per acre	2.85 units per acre	4.15 units per acre*
Min. Lot Area	8,000 sq. ft.	NA – rental development	2,160 sq. ft. (24’ x 90’)
Max. Building Height	–	–	35 feet
Min. Open Space	30%	30%	61.18%
Exterior Buffer	50 feet	25 feet	50 feet
Front Setback (Internal)	25 feet	–	15 feet from ROW, 10 feet on corner street
Side Setback (Internal)	5 feet	–	10 feet (20 feet side separation between buildings)
Rear Setback (Internal)	20 feet	–	15 feet (30 feet of rear building separation)
Parking	2 spaces for each dwelling unit (17.250.020)	2 on-street parking spaces	4 spaces per each dwelling unit (2 garage, 2 driveway)
Min. Heated Floor Space	–	720 sq. ft. (1-bedroom) 1,080 sq. ft. (2-bedroom) 1,200 sq. ft. (3-bedroom)	1,600 square feet

Garage – % of front façade	50% of the width of the townhome unit	No garages	70% (flush with front wall plan of residence) *
Minimum Sidewalk Width	5 feet	5 feet	4 feet*
*These figures do not meet the standards of 17.180.060.			
**Note: the 2022 PRD request was for a 95-unit development, which was approved with a maximum of 58-units.			

No variances have been submitted as part of this request.

Based on the future land-use plan, staff finds the requested zoning designation *is not consistent* with the Hall County Comprehensive Plan future land use designation. Although the proposed use is consistent with the "Residential" designation in general, the Residential designation envisions a maximum density of 2 dwelling unit per acre, similar to the maximum density requirement within a Planned Residential Development (PRD, 17.180.060). The development has proposed a density of 4.15 DU/acre. The Residential land use category is characterized by moderate-density residential development and neighborhoods. The intent of this land use category is to preserve established neighborhoods and create new residential development consistent to surrounding suburban densities, which range from low to moderate. Future development will continue to be detached, single family homes at moderate densities.

The subject property is bordered to the west and south by Lancaster, a 187-lot subdivision which was approved by the Board of Commissioners on October 13, 2016 at a density of 1.84 units per acre. To the north are several developed and undeveloped Agricultural-Residential-III (AR-III) tracts, as well as the open area of Cambridge, a 130-lot subdivision approved by the Board of Commissioners on February 25, 2016 at a density of 2.44 units per acre. Both Cambridge and Lancaster are zoned PRD. The property across Spout Springs Road was approved for rezoning to a 393-unit mixed use development on September 23, 2021.

Zoning Analysis

When considering a zoning amendment to the zoning maps, the following items must be considered by the Planning Commission and the Hall County Commission pursuant to 17.380.060:

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 zoning proposal may be suitable given the context of the surrounding area, though the proposed development is more dense than the surrounding developments with an overall density of 4.15 du/acre.**

2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **No, it is not anticipated that the proposed residential use will adversely affect adjacent properties.**

3. Whether the property to be affected by the zoning proposal has reasonable economic use as currently zoned. **The property appears to have reasonable economic use as currently zoned.**

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; **No, the proposed use is not expected to**

cause an excessive or burdensome use of existing streets, transportation facilities, or utilities. No letters of service have been provided confirming the availability or capacity to provide water or sewer service to the property. The property falls within the Hall County sewer service district.

5. Whether the zoning proposal is in conformity with the policy and intent of the land use plan; **The proposed use is not consistent with the Comprehensive Plan and the "Residential" land use designation. Density is envisioned to be a maximum of two dwelling units per acre. The proposed development is proposing a density of 4.15 dwelling units per acre.**

6. The extent to which property values are diminished by the existing zoning restrictions; **Staff is unable to determine the extent to which property values are diminished by the existing zoning restrictions.**

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 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.**

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; **Hall County property tax records show the properties are a mixture of vacant and developed parcels, which include a number of residential structures and accessory building, to be removed as part of the development process.**

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; **The proposed zoning is a Planned Residential Development (PRD, 17.180.080). Per the Official Code of Hall County, Planned Development Districts (17.180) are to be utilized as a "floating zone" which shall mean that areas will not be pre-designated as planned development districts but rather each such designation shall result from a specific and separate application for amendment. That being said, the proposed density is higher than that found on surrounding properties.**

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.**

13. Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood; **The proposed density is higher than that found on immediately surrounding properties but in general the use does not appear to be out of scale with the needs of the County as a whole, as there is a need for additional and varied housing.**

14. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **There are no other properties within the county that are currently zoned to support the type of mixed-use development being proposed without requiring zoning action.**

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; **Any land disturbance activities on the property shall be required to go through the land development permitting process and as a result are subject to local, state, and federal regulations. As a result, there should not be an ecological or pollution impact resulting from any modification to the land if the request is granted.**

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.**

A Planned Residential Development (PRD, 17.180.080) allows for more flexibility in the design and development of the property. This provides for a mixture of housing types and encourages maximum use of natural features through proper site planning measures. The development should conform to the existing character and development pattern of the surrounding area.

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 provide a narrative outlining the intent of the development however, the applicant has not prepared a response to each of the criteria listed in 17.380.060.C.**

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 does meet the requirement. The applicant has provided a site plan and included the necessary information to properly assess the development.**

C. For any application for a slow rate land treatment system (see chapter 17.20), the following additional requirements apply. **The proposed development will utilize public sewer and water; as such, this is not applicable.**

D. 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 contains less than 100 residential dwelling units, and as such is exempt from this requirement.**

Development Support and Constraints – Departmental / Agency Comments

Hall County Environmental Health
In an email dated August 31, 2023, Emily McGahee stated "Public sewer. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled."

Hall County Fire Marshal
In an email dated August 31, 2023 John Hornick, NPQ Fire Inspector 1, Plans Review Lieutenant stated the following:

Current concept plan will need to be modified to meet the below fire code requirement:

International Fire Code 503.1.1 Buildings and facilities. 2018 Edition
Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the *exterior walls* of the first story of the building as measured by an *approved* route around the exterior of the building or facility.

Hall County Public Works and Utilities
In a memorandum from Public Works and Utilities dated August 31, 2023, Bill Nash, Director, stated the following:

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 stream buffer and impervious setback from wrested vegetation not centerline of stream.

Current layout provided for zoning does not meet Hall County Road standards.

No on-street parking on public right-of-way.

Floodplain present on site.

Traffic:

Will need to coordinate entrance design and location with Hall County Engineering with regards to Spout Springs Road Phase 2 Widening.

Utilities:
Sewer required off-site easement
Must extend 30 feet sanitary sewer to up stream proposed line.

Georgia Department of Transportation
In an email dated August 25, 2023, Veronica Chavers, D1TO Civil Engineer 3, stated GDOT coordination would not be required for this development.

- **Excerpts from the minutes of the October 2, 2023 meeting**

Applicant's Presentation:

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

Steve Gilliam, 340 Jesse Jewell Parkway, Gainesville, presented the request. The applicant stated that the previous approval wasn't viable. The applicant presented renderings of the attached townhomes and went over the site plan. The applicant requested variances to allow the garage to be 70% of the front façade and to allow on-street parking for the kiosk. The applicant is willing to add more fire hydrants to meet fire marshal requirements. The applicant stated that there is no room to build a cul-de-sac on two ends so they would like flexibility to work with the Engineering department to utilize hammerhead road terminations.

Corbitt Woods, 390 Brogdon Road, Suwanee, presented the request. The applicant stated that they are in the process of figuring out sewer with the county. The applicant stated that there will not be any disturbances to the rear of the property.

Public Forum:

Joel Bell, 6756 Spout Springs Road, Flowery Branch, spoke in opposition. Concerns were lack of information obtained.

Planning Commission Comments:

Mr. Braswell questioned the width of the two-car garage. The applicant stated about 16 feet. Mr. Braswell questioned who will be in charge of the HOA. The applicant stated that it will be managed by the applicants up until they are done and it is handed off to the residents.

Motion: A motion to approve, with conditions was made by Mr. Sosebee and seconded by Mr. Hunt. Vote: 3-2 (Pilcher & Varner opposed)

Conditions:

1. The development shall not exceed a maximum of 95 units and may be modified as necessary for compliance with development standards enforced at the time of site plan approval. Minor changes can be approved by the Planning Director provided 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 from the Hall County development standards.

2. Standard Hall County Development Review and permitting processes shall be followed. Approval of this request does not supersede development standards, or processes, in effect when the plans are submitted for review. Such standards include, but are not limited to, stormwater management and emergency access requirements.
3. The minimum heated floor area (HFA) shall be 1,800 square feet.
4. Building elevations shall be composed of a mixture of cement siding, stone, and/or brick façade, with a minimum of brick or stone accents on the front of the homes. The balance of the home may be the same material or of fiber-cement material. Vinyl siding is prohibited. Homes shall be consistent with the submitted renderings.
5. The development shall have a 50 foot exterior buffer per the requirement of 17.180.060, Planned Residential Development along all exterior boundaries.
6. All associated stream buffers shall be contained completely within HOA common areas and shall not be on any individual lot.
7. All conditions of zoning shall be made a part of any plats or construction plans created for the subdivision.
8. The development shall be limited to a maximum of two (2) model homes prior to recording of the final plat.
9. The following variances are granted herein:
    a. 70% of garage door area shall be allowed.
    b. The street design as presented in the conceptual plan shall be subject to review and approval of the Hall County Engineering Department.
    c. The design shall be subject to review and approval of Hall County Fire Marshal.
    d. Sewer design shall be subject to review and approval of the County Engineer.
    e. The building elevations shall be reviewed and approved by the Planning Director.

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

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ZONING APPLICATION

Applicant (Name & Mailing Address)
WALKER ANDERSON HOMES
c/o ~~STEVE GILLIAM~~ CORBITT WOODS
390 Brogdon Rd, Suwanee GA 30024
Phone 404 2109925
Email Address cwoods@bfhcompany.com

Property Owner (Name & Mailing Address)
JERRY PIRKLE ESTATE
RANDALL PIRKLE ADMINISTRATOR
4321 E. MEADOW DRIVE
DULUTH GA 30096
Phone 404-403-4392
Email Address r_pirkle@comcast.net

Proposed Use PRD - CHANGE IN CONDITIONS

Contact Person (Name & Mailing Address)
STEVE GILLIAM, SMITH, GILLIAM, WILLIAMS & MILES
PO BOX 1098
GAINESVILLE GA 30503
Phone 770 536 3381
Email Address SGILLIAM@SGWMFIRM.COM

Status of Applicant
- ☐ Owner
- ☑ Option to Purchase
- ☐ Area Resident
- ☐ Other

Requested Action
Existing Zoning: PRD
Rezone to: PRD
Fee:$
Receipt #:
Check #:

Tax Parcel Number 15042 000018; PORTION OF 15042-000140
Location Address 6804 SPOUT SPRINGS RD
Acreage 20.3
- THIS APPLICATION IS FOR PARCEL 15042-000018

I hereby certify that the above information and all attached information are true and correct.
Sign WALKER ANDERSON HOMES, LLC Corbitt Woods Date: 8/2/23

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) Jerry Rrkle Estate

Address 4321 E Meadow Dr.
Duluth, GA 30096

Phone Number 404-403-4392

Name of applicant(s) WALKER ANDERSON HOMES, ATTN Corbitt Woods

Address 390 Brogdon Rd
Suwanee GA 30024

Phone Number 404 210 9925

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)
Randall K. Pirkle

Personally appeared before me
Cindy E. Ballard

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

Cindy E. Ballard
Notary Public

CINDY E. BALLARD
NOTARY PUBLIC
Exp. Mar. 16, 2025
FORSYTH COUNTY, GA

7-12-2023
Date

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
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t: 770-531-6809 I f: 770-531-3902

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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: WALKER ANDERSON HOMES, LLC Corbitt Woods **Date:** 8/2/23

Applicant's/Owner's Name (Printed): Corbitt Woods

PLANNING AND DEVELOPMENT DEPARTMENT
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I hereby certify that I have read the above and that:

I have**____ I have not X

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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: Randall K. Pirkle **Date:** 8/8/2023

Applicant's/Owner's Name (Printed): Randall K. Pirkle, Administrator Estate of Jerry R. Pirkle

Project Narrative for

6804 Spout Springs Road – 20.3 acre portion

LOCATION – 6804 Spout Springs Road,
Flowery Branch, GA 30542

ACREAGE – 21.46 acres +/- total of adjacent properties. This is in two applications– 20.3 acres of parcel 15042 000018 and 1.16 acres of parcel 15042 000140, The narratives in both applications are the same after the summary.

APPLICANT – Walker Anderson Homes, LLC,
Smith Gilliam Williams & Miles

Summary

The accompanying applications seek a change of conditions through on the existing PRD zoned on parcel 15042-000018, 20.3 acres, concurrent with the rezoning of 1.16 acres (from AR-III to PRD) on parcel 15042 000140 a for a total of 21.46 acres of undeveloped property located on Spout Springs Road in south Hall County. The intent is to develop 95 Fee Simple Townhouse units of quality, traditional housing with an amenity area and 65% open space. Parcel 15042 000018 was rezoned from PCFD to PRD in March of 2022. The proposed change in conditions will allow a fee simple product to be supplied to the area that is consistent with the Hall County Comprehensive Plan for residential use and appropriate for Hall County's Planned Residential Development (PRD) District for this location. Completion of development is anticipated by 2025. The revised site plan also uses the building foundation layouts to work with the challenges of the site's topography, as the site falls 100 feet from the front to the back of the buildable area. Since the original rezoning of this parcel, the applicant is acquiring an additional acre between Spout Springs Road and the adjoining property to provide additional open space. This narrative is specific to parcel 15042 000018.

Site Description

The overall tract has approximately 570 LF of frontage along Spout Springs Road The overall tract is mostly rectangular in shape and is approximately 1200 LF deep with an average width of 700 LF. The site has very challenging topography with a 100 foot change in elevation between Spout Springs Road and the rear of the property. In this case, the topography is best handled by adjusting the finished floor elevation of the attached fee simple homesites. Domestic water provided by the City of Gainesville is located Spout Springs Road. Hall County will also serve the site through an existing gravity sanitary sewer easement into the Lancaster subdivision adjacent to the Hall County Water Reclamation Facility. All other dry utilities are located along the frontage of Spout Springs Road. There are no known impediments to its successful development for the purposes intended.

Adjacencies (exhibit B)

The property is already zoned PRD and abuts PRD and AR-III to the North, PRD to the South and West and PCFD to the East.

Access

Access to the property is from Spout Springs Road. Interstate access to I-985 (Exit 12) is approximately 3.3 miles to the north.

Project Dimensional Standards

Parcel Size (both parcels)	21.46 (includes both parcels)
Proposed Number of Lots	95
Proposed Density	4.4 Units per acre
Proposed Open Space	65%
Streets	Public
Water and Sewer Provider	Gainesville City Water and Hall County Sewer

Sidewalks-Both side of Road-Internal Sidewalks Only	4 Ft
Amenities	Cabana, Pool, Dog Park, Walking Trail
Minimum Lot width at Building Line	24 Ft
Minimum Lot Depth	90 ft
Minimum Lot Area	2160 sq Ft
Maximum Height	35 ft
Front setback from R/W	15 ft, 10’ on corner street
Minimum Driveway length from back of sidewalk	22ft
Internal Rear Setback	15ft
Internal Side Setback	0ft
Perimeter Front Setback	50ft – transitional
Perimeter Rear Setback	50ft from rear property line
Perimeter Side Setback	50ft – transitional
Side Separation-Foundation to Foundation	20ft between buildings
Garage- % of front Façade	70%, garage to be flush with front wall plane of the unit
Minimum Heated Floor Area	1800 Sq ft

Architectural Materials & Site Improvements

The builder intends to build:

- Single Family Fee Simple attached dwellings with two-car garages (garage width not to exceed 70% of front building width)
- Front facades with a combination of masonry and fiber cement siding materials
- Side & Rear facades with masonry, fiber cement siding, or shake siding
- Sodded yards (4 sides)

- Speed tables in coordination with Hall County Engineering

Amenities

The community amenities will vary depending on the housing option executed but at a minimum will contain the following items:

- Cabana and pool
- Dog Park
- Parking Lot
- Mailbox kiosk – centrally located as shown on plan between lot 19 and 20. Parking is provided across the street from the kiosk in the visitors' parking spaces. +
- Walking Trail

Internal Signage

The Developer and/or Builder shall be allowed to post permanent directional signs and monuments within the Community to direct traffic to sales and recreation centers and to identify differing residential areas. All permanent internal signage must be outside of any Right of Way or Utility Easement with a Landscape and Signage easement recorded on the Final Plat.

Temporary Sales and Marketing signs not exceeding 32 square feet per sign face and 8 feet in height may be used along property frontage of Spout Springs Road.

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- Wood or PVC fencing
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The development of the community shall be controlled by the Conceptual Master Plan (the "Plan") attached as exhibit "A". The plan is considered conceptual in nature, and as such may require minor modifications during the engineering and development process. Modifications to the locations and arrangement of lots, roads, amenities, and other improvements that do not conflict with specific standards and requirements of these conditions may be made by the Developer so long as such modifications do not change the land use, increase the overall density of the project or reduce any established exterior buffers or setbacks.

Variances

Applicant is requesting a variance to 17.180.060.B,11 to allow for parallel visitor parking, and a variance to 16.120.160 to allow two short stub streets without cul de sacs, one 50’ long and one 90’ long. Both of these will facilitate turnaround for

emergency vehicles, one will serve the kiosk in a more central location and one will allow for access to the pond.

REQUIRED CONSTITUTIONAL AND ANTE LITEM NOTICE

Georgia law and the procedures of Hall County requires the Applicant to raise Federal and State constitutional objections during the PRD master plan application process. While the Applicant anticipates a smooth application process, failure to raise constitutional objections at this stage may mean that the Applicant will be barred from raising important legal claims later in the process. Accordingly, the following constitutional objections are stated:

The portions of the Hall County Development Code, facially and as applied to the Property, which restrict the Property to any uses, conditions, land use designations, development standards, or to any zoning district other than that proposed by the Applicant are unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph I and Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitutionof the United States.

The application of the Hall County Development Code, facially and as applied to the Property, which restricts the Property to any uses, conditions, land use designations, development standards, or to any zoning district other than in accordance with the application as proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States; Article I, Section I, Paragraph I, and Section III, Paragraph I of the Constitution of the State of Georgia of 1983; and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use

of its land while not substantially advancing legitimate state interests.

A denial of this Application would be unconstitutional under the Takings Clause of the Fifth Amendment to the Constitution of the United States and the Just Compensation Clause of Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983. A refusal by the Hall County Board of Commissioners to approve the zoning conditions as requested would constitute a taking of the Applicant's property.

A denial of this Application would constitute an arbitrary and capricious act by the Hall County Board of Commissioners without any rational basis therefore constituting an abuse of discretion in violation of Article I, Section I, Paragraph I and Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States. A refusal to grant the PRD zoning request would lack objective justification and would result only from neighborhood opposition, which would constitute an unlawful delegation of the zoning power to non-legislative bodies in violation of the Georgia Constitution, Article IX, Section II, Paragraph 4.

A refusal by the Hall County Board of Commissioners to approve this Application for the Property in accordance with the criteria as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of the similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any rezoning of the Property subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting Applicant's utilization of the Property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Property to a unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth

hereinabove.

Conclusion

For the foregoing reasons, the Applicant respectfully requests that this requested modification of an existing PRD zoning be granted as requested by the Applicant. If there are any questions about this request, you may contact:

Corbitt Woods
Walker Anderson Homes
390 Brogdon Road
Suwanee, Ga 30024
404-210-9925
cwoods@walkerandersonhomes.com

Steve Gilliam
Smith, Gilliam, Williams, and Miles
340 Jesse Jewell Parkway, Suite 300
Gainesville, Ga 30501
770-536-3381
sgilliam@sgwmfirm.com

Project Narrative for

6804 Spout Springs Road – 20.3 acre portion

LOCATION – 6804 Spout Springs Road,
Flowery Branch, GA 30542

ACREAGE – 21.46 acres +/- total of adjacent properties. This is in two applications– 20.3 acres of parcel 15042 000018 and 1.16 acres of parcel 15042 000140, The narratives in both applications are the same after the summary.

APPLICANT – Walker Anderson Homes, LLC,
Smith Gilliam Williams & Miles

Summary

The accompanying applications seek a change of conditions through on the existing PRD zoned on parcel 15042-000018, 20.3 acres, concurrent with the rezoning of 1.16 acres (from AR-III to PRD) on parcel 15042 000140 a for a total of 21.46 acres of undeveloped property located on Spout Springs Road in south Hall County. The intent is to develop 95 Fee Simple Townhouse units of quality, traditional housing with an amenity area and 65% open space. Parcel 15042 000018 was rezoned from PCFD to PRD in March of 2022. The proposed change in conditions will allow a fee simple product to be supplied to the area that is consistent with the Hall County Comprehensive Plan for residential use and appropriate for Hall County's Planned Residential Development (PRD) District for this location. Completion of development is anticipated by 2025. The revised site plan also uses the building foundation layouts to work with the challenges of the site's topography, as the site falls 100 feet from the front to the back of the buildable area. Since the original rezoning of this parcel, the applicant is acquiring an additional acre between Spout Springs Road and the adjoining property to provide additional open space. This narrative is specific to parcel 15042 000018.

Site Description

The overall tract has approximately 570 LF of frontage along Spout Springs Road The overall tract is mostly rectangular in shape and is approximately 1200 LF deep with an average width of 700 LF. The site has very challenging topography with a 100 foot change in elevation between Spout Springs Road and the rear of the property. In this case, the topography is best handled by adjusting the finished floor elevation of the attached fee simple homesites. Domestic water provided by the City of Gainesville is located Spout Springs Road. Hall County will also serve the site through an existing gravity sanitary sewer easement into the Lancaster subdivision adjacent to the Hall County Water Reclamation Facility. All other dry utilities are located along the frontage of Spout Springs Road. There are no known impediments to its successful development for the purposes intended.

Adjacencies (exhibit B)

The property is already zoned PRD and abuts PRD and AR-III to the North, PRD to the South and West and PCFD to the East.

Access

Access to the property is from Spout Springs Road. Interstate access to I-985 (Exit 12) is approximately 3.3 miles to the north.

Project Dimensional Standards

Parcel Size (both parcels)	21.46 (includes both parcels)
Proposed Number of Lots	95
Proposed Density	4.4 Units per acre
Proposed Open Space	65%
Streets	Public
Water and Sewer Provider	Gainesville City Water and Hall County Sewer

Sidewalks-Both side of Road-Internal Sidewalks Only	4 Ft
Amenities	Cabana, Pool, Dog Park, Walking Trail
Minimum Lot width at Building Line	24 Ft
Minimum Lot Depth	90 ft
Minimum Lot Area	2160 sq Ft
Maximum Height	35 ft
Front setback from R/W	15 ft, 10' on corner street
Minimum Driveway length from back of sidewalk	22ft
Internal Rear Setback	15ft
Internal Side Setback	0ft
Perimeter Front Setback	50ft – transitional
Perimeter Rear Setback	50ft from rear property line
Perimeter Side Setback	50ft – transitional
Side Separation-Foundation to Foundation	20ft between buildings
Garage- % of front Façade	70%, garage to be flush with front wall plane of the unit
Minimum Heated Floor Area	1800 Sq ft

Architectural Materials & Site Improvements

The builder intends to build:

- Single Family Fee Simple attached dwellings with two-car garages (garage width not to exceed 70% of front building width)
- Front facades with a combination of masonry and fiber cement siding materials
- Side & Rear facades with masonry, fiber cement siding, or shake siding
- Sodded yards (4 sides)

- Speed tables in coordination with Hall County Engineering

Amenities

The community amenities will vary depending on the housing option executed but at a minimum will contain the following items:

- Cabana and pool
- Dog Park
- Parking Lot
- Mailbox kiosk – centrally located as shown on plan between lot 19 and 20. Parking is provided across the street from the kiosk in the visitors' parking spaces.
- Walking Trail

Internal Signage

The Developer and/or Builder shall be allowed to post permanent directional signs and monuments within the Community to direct traffic to sales and recreation centers and to identify differing residential areas. All permanent internal signage must be outside of any Right of Way or Utility Easement with a Landscape and Signage easement recorded on the Final Plat.

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A denial of this Application would be unconstitutional under the Takings

Clause of the Fifth Amendment to the Constitution of the United States and the Just Compensation Clause of Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983. A refusal by the Hall County Board of Commissioners to approve the zoning conditions as requested would constitute a taking of the Applicant's property.

A denial of this Application would constitute an arbitrary and capricious act by the Hall County Board of Commissioners without anyrational basis therefore constituting an abuse of discretion in violation of Article I, Section I, Paragraph I and Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the FourteenthAmendment to the Constitution of the United States. A refusal to grant the PRD zoning request would lack objective justification and would result only from neighborhood opposition, which would constitute an unlawful delegation of the zoning power to non-legislative bodies in violation of the Georgia Constitution, Article IX, Section II, Paragraph 4.

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Smith, Gilliam, Williams, and Miles
340 Jesse Jewell Parkway, Suite 300
Gainesville, Ga 30501
770-536-3381
sgilliam@sgwmfirm.com

SITE DATA:

PARCEL NUMBER:	15042 000018
CURRENT ZONING:	PRD
AREA:	20.30 ACRES
PARCEL NUMBER:	15042 000140 (PARTIAL)
CURRENT ZONING:	AR-III
AREA:	1.16 ACRES
TOTAL AREA:	21.46 ACRES

ZONING:

EXISTING ZONING:	PRD (PLANNED RESIDENTIAL DISTRICT) AND AR-III (AGRICULTURE DISTRICT)
PROPOSED ZONING:	PRD (PLANNED RESIDENTIAL DISTRICT)
ZONING JURISDICTION:	HALL COUNTY

RESIDENTIAL STRUCTURE INFORMATION:

UNITS:	95 UNITS
MAXIMUM HEIGHT:	35 FEET
NUMBER OF STORIES:	TWO-STORY
MINIMUM UNIT SIZE:	1,800 SF
PROPOSED DENSITY:	4.43 UNITS PER ACRE
GARAGE PLACEMENT:	GARAGE DOORS WILL NOT EXTEND MORE THAN 70 PERCENT OF THE WIDTH OF THE RESIDENCE AND WILL BE FLUSH WITH THE FRONT WALL PLANE OF THE RESIDENCE

DIMENSIONAL STANDARDS:

EXTERIOR BUILDING SETBACK:	50 FEET
INTERNAL FRONT YARD BUILDING SETBACK:	15 FEET
INTERNAL SIDE YARD BUILDING SETBACK:	0 FEET
INTERNAL SIDE YARD BUILDING SETBACK (CORNER):	10 FEET
INTERNAL REAR YARD BUILDING SETBACK:	15 FEET
FOR A TOWNHOME WITH A MINIMUM OF THREE ATTACHED SIGNLE-FAMILY UNITS, THE MINIMUM LOT AREA STANDARD OF 35,000 SF WILL APPLY:	15 BUILDINGS FOR A TOTAL OF 525,000 SF OR 12.05 ACRES
FOR EACH ADDITIONAL UNIT IN TOWNHOUSE OVER THREE UNITS, THE MINIMUM ADDITIONAL LOT AREA STANDARD OF 5,000 SF WILL APPLY:	50 ADDITIONAL UNITS FOR A TOTAL OF 250,000 SF OR 5.74 ACRES
TOTAL LOT AREA REQUIRED:	17.79 ACRES
MINIMUM REQUIRED OPEN SPACE:	30% OR 6.5 ACRES
PROPOSED OPEN SPACE:	65% OR 14.0 ACRES

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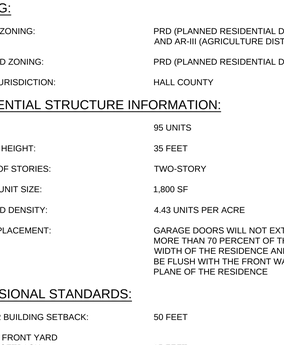
REQUIRED RESIDENT SPACES:	2 SPACES PER DWELLING UNIT OR 190 PARKING SPACES
PROPOSED RESIDENT SPACES:	4 SPACES PER DWELLING UNIT (TWO CAR GARAGE PLUS DRIVEWAY) OR 190 PARKING SPACES



TYPICAL TOWNHOME
FRONT ENTRY GARAGE
NOT TO SCALE

VICINITY MAP
SCALE: NTS
SOURCE: USGS

SOURCE OF TOPOGRAPHY:
GAINESVILLE-HALL COUNTY GIS.
CONTOUR INTERVAL: TWO FEET

BLUE LANDWORKS
CONSULTING ENGINEERS & SURVEYORS
LICENSE # PEF005018
LICENSE # LSF001044
5019 WEST BROAD STREET
SUITE M230
SUGAR HILL, GEORGIA 30518
TELEPHONE: (678) 804-8586
INFO@BLUELANDWORKS.COM
WWW.BLUELANDWORKS.COM

PREPARED FOR:
WALKER ANDERSON HOMES, LLC
390 BROGDON RD.
SUWANEE, GA. 30024
ATTN: ANDY WALKER
CORBIT MCCOY
TEL: 404-219-9935

ISSUE #	DATE	REVISIONS
1	07/17/23	CLIENT REVIEW
2	07/17/23	REVISED DRIVEWAY LENGTH
3	07/17/23	ADD PARKING AND DOG WALK
4	07/26/23	REVISE AMENITY
5	07/27/23	ADD UNDISTURBED BUFFER

SCALE: 1" = 50'
0 50 100 150 feet
scale

6777-6804 SPOUT SPRINGS ROAD
FLOWERY BRANCH, GEORGIA

PARCEL(S) 15042 000018
HALL COUNTY, GA
DRAWN: DH
CHECKED: SAM

REZONING EXHIBIT

PROJECT# 2023.030
REZ

X:\2023\030 - 6804 Spout Springs Road\1000 - AutoCAD\10 - Planning\2030-1000 - rez base 2 COLORED.dwg, REZ, 9/29/2023 11:56 AM, by Carter Hoff

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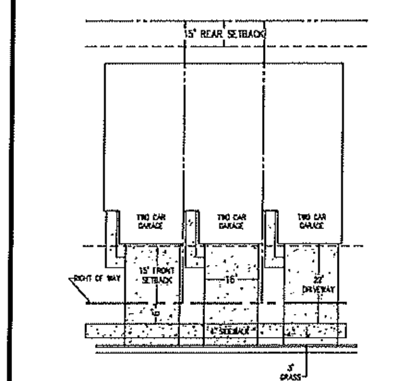

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SOURCE OF TOPOGRAPHY:
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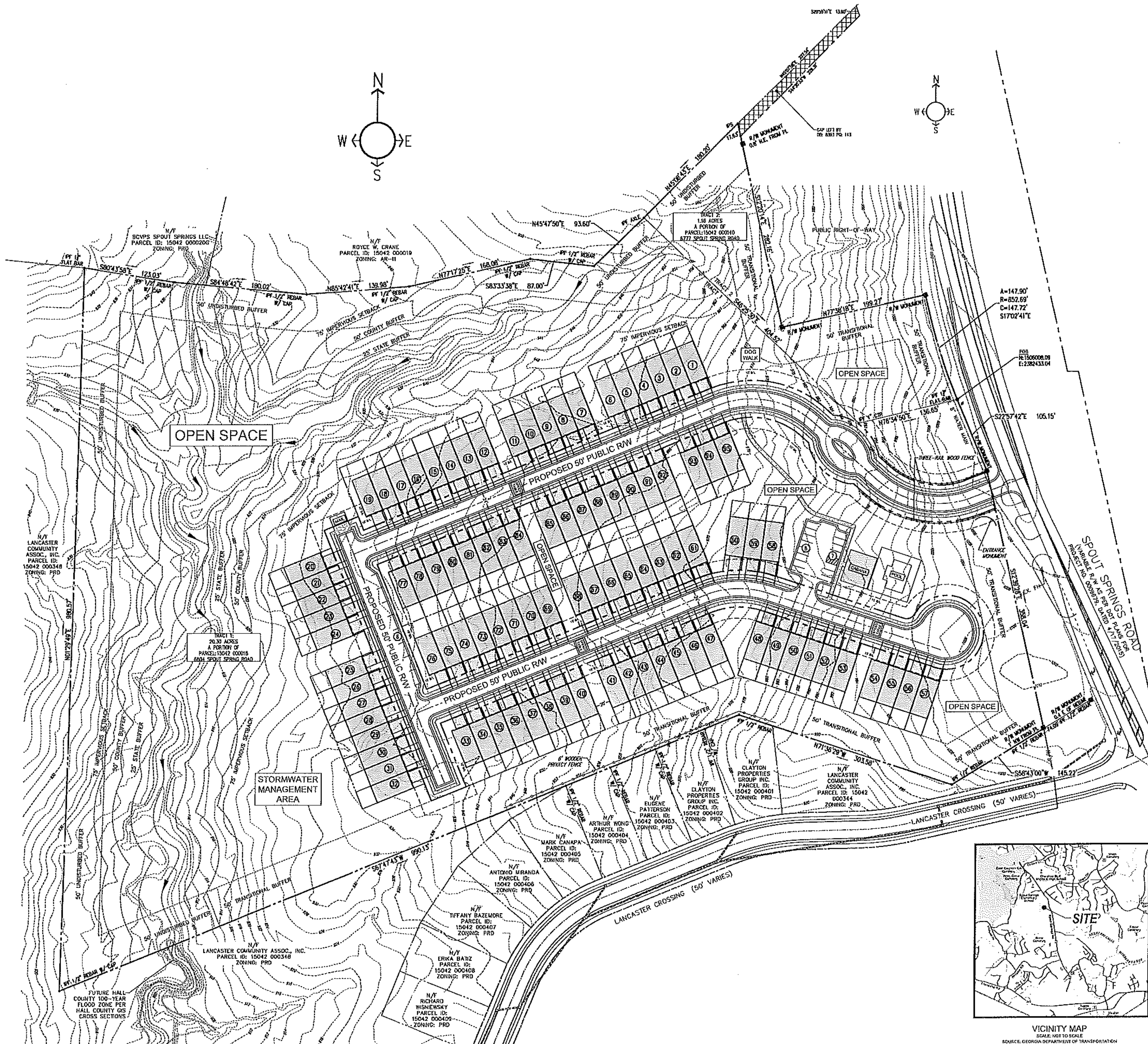


BLUE LANDWORKS

6777-6804 SPOUT SPRINGS ROAD
FLOWERY BRANCH, GEORGIA

REZONING EXHIBIT

SCALE: 1" = 50'

REZ

VICINITY MAP
SCALE: NTS
SOURCE: USGS

SURVEY REFERENCES

1. RETRACEMENT SURVEY PREPARED FOR OMAR ZAVALA BY DAVIS ENGINEERING AND SURVEYING DATED 07/22/2021.
2. HALL COUNTY PLAT BOOK 876 PAGE 426
3. HALL COUNTY PLAT BOOK 877 PAGE 449
4. HALL COUNTY DEED BOOK 9141 PAGE 415

GENERAL NOTES

1. IPS (IRON PIN SET) IS 1/2" RE-BAR; NS (NAIL SET) IS MAGNAIL.
2. THERE WAS NO OBSERVED EVIDENCE OF CURRENT EARTH MOVING WORK, DEMOLITION, BUILDING CONSTRUCTION OR BUILDING ADDITIONS.
3. THERE WAS NO OBSERVED EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS, OR PROPOSED CHANGES IN STREET RIGHT-OF-WAY LINES
4. THE LOCATIONS OF UNDERGROUND UTILITIES ARE TAKEN FROM VISIBLE EVIDENCE, CONSTRUCTION PLANS AND/OR PREVIOUS SURVEYS AND SHOULD BE CONSIDERED APPROXIMATE.
5. OTHER UNDERGROUND UTILITIES MAY BE LOCATED ON THIS PROPERTY. PIPE SIZES ARE TAKEN FROM CONSTRUCTION PLANS AND/OR PREVIOUS SURVEYS WHERE NOT VERIFIABLE.
6. SAID DESCRIBED PROPERTY DOES NOT LIE WITHIN A FLOODPLAIN ACCORDING TO FLOOD INSURANCE RATE MAP NO. 13139C0294G. WITH A DATE OF IDENTIFICATION OF DECEMBER 1ST 2022, FOR COMMUNITY NUMBER 13139C, IN HALL COUNTY, STATE OF GEORGIA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED.

GPS STATEMENT

THE INITIAL CONTROL POINTS FOR THIS SURVEY WERE LOCATED UTILIZING GPS. THE EQUIPMENT USED WAS AN eGPS 20TL ROVER RECEIVER WITH X-PAD DATA COLLECTION SOFTWARE. ALL COORDINATES ARE BASED ON NAD83(2011) AND GEOID2018US. NETWORK RTK CORRECTIONS WERE RECEIVED VIA A CELLULAR MODEM. THE TYPE OF SURVEY WAS NETWORK RTK UTILIZING THE TRIMBLE VRS REAL TIME NETWORK OPERATED BY eGPS SOLUTIONS, INC. THE RELATIVE POSITIONAL ACCURACY, AS CALCULATED ACCORDING TO THE FEDERAL GEOGRAPHIC DATA COMMITTEE PART 3: NATIONAL STANDARD FOR SPATIAL DATA ACCURACY, IS .04 FT. HORIZONTAL AND .07 FT. VERTICAL AT THE 95% CONFIDENCE LEVEL.

SURVEYOR'S CERTIFICATION BOUNDARY SURVEY

THE PROPERTY HEREON LIES COMPLETELY WITHIN A JURISDICTION WHICH DOES NOT REVIEW OR APPROVE ANY PLATS OR THIS TYPE OF PLAT PRIOR TO RECORDING. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

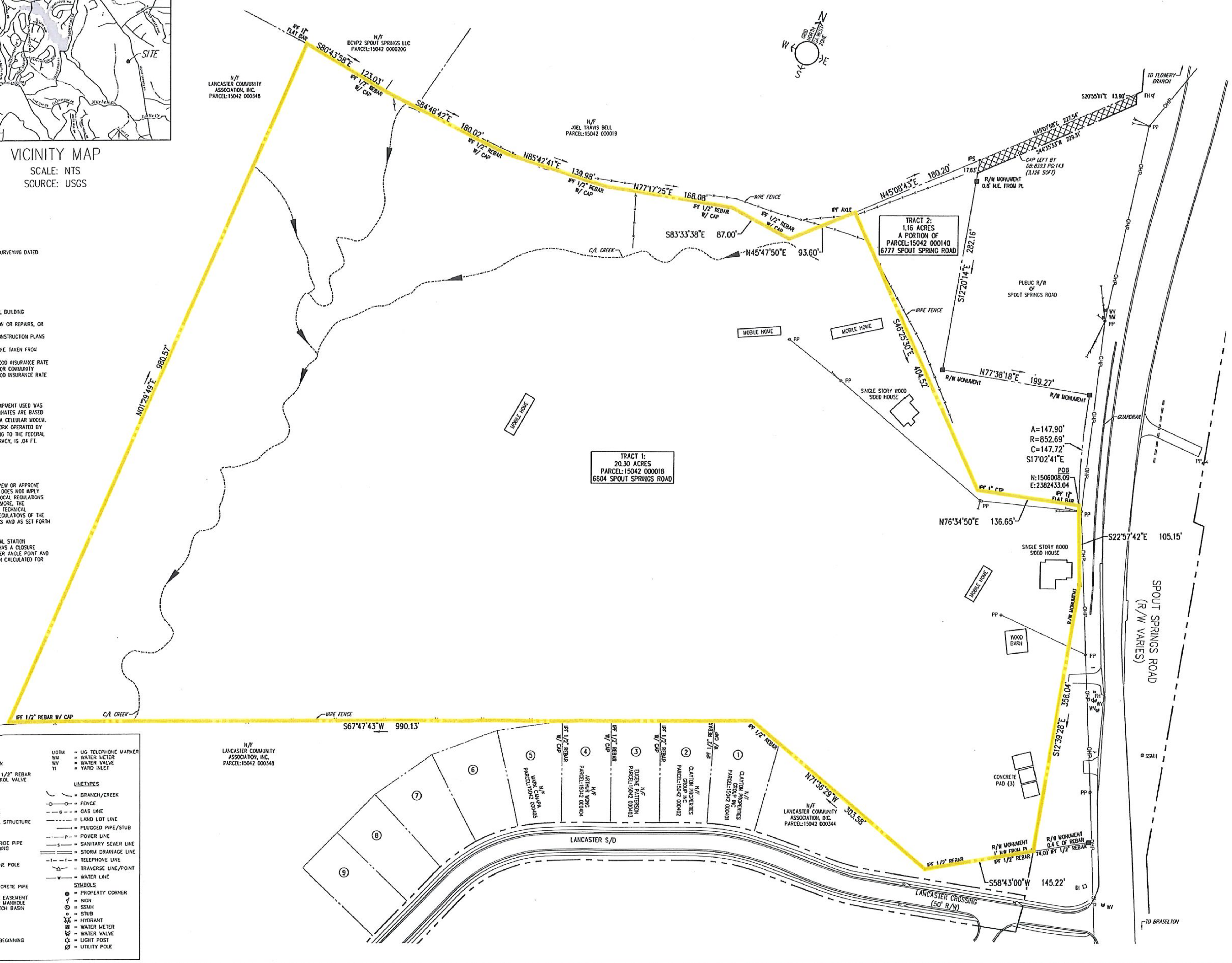
FIELD INFORMATION FOR THIS SURVEY WAS OBTAINED WITH A TRIMBLE S6 ROBOTIC TOTAL STATION ELECTRONIC INSTRUMENT. THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 135,203 FEET AND AN ANGULAR ERROR OF 12 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES ADJUSTMENT. THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 2,448,949 FEET.

DATE OF LAST FIELD WORK: 06/22/2023

DATE PLAT WAS SEALED: 07/14/2023

GEORGIA REGISTERED No. 2767 LAND SURVEYOR THOMAS W. WOODSMALL

NAME: THOMAS W. WOODSMALL
REGISTRATION/LICENSE NUMBER: 2767 (GEORGIA)
DATE OF EXPIRATION: DECEMBER 31, 2023



LEGEND

ABBREVIATIONS

APPROX	= APPROXIMATE	HP	= HIGH POINT	UGTM	= UG TELEPHONE MARKER
BC	= BACK OF CURB	INV	= INVERT	WM	= WATER METER
BFE	= BOTTOM FLOOR ELEVATION	IE	= INVERT ELEVATION	WV	= WATER VALVE
BM	= BENCHMARK	IPF	= IRON PIN FOUND	YI	= YARD INLET
BW	= BOTTOM OF WALL	IPS	= IRON PIN SET - 1/2" REBAR		
BLDG	= BUILDING	ICV	= IRRIGATION CONTROL VALVE		
B/L	= BUILDING LINE	JB	= JUNCTION BOX		
CB	= CATCH BASIN	LLL	= LAND LOT LINE		
C/L	= CENTERLINE	LP	= LIGHT POLE		
CO	= CLEANOUT	LOWP	= LOW POINT		
CONC	= CONCRETE	MH	= MANHOLE		
CMF	= CONCRETE MONUMENT FOUND	MSL	= MEAN SEA LEVEL		
CMP	= CORRUGATED METAL PIPE	OTP	= OPEN TOP PIPE		
CSP	= CORRUGATED STEEL PIPE	OCS	= OUTLET CONTROL STRUCTURE		
CF	= CUBIC FEET	PVMT	= PAVEMENT		
C&G	= CURB & GUTTER	PED	= PEDESTAL		
CTF	= CRIMP TOP FOUND	PKF	= PK NAIL FOUND		
DIA	= DIAMETER	PCP	= POLYVINYL CHLORIDE PIPE		
DE	= DRAINAGE EASEMENT	POB	= POINT OF BEGINNING		
DI	= DROP INLET	PWR	= POWER		
DIP	= DUCTILE IRON PIPE	PP	= POWER POLE		
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- = LIGHT POST
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BLUE LANDWORKS
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LICENSE # LSF001044
5019 WEST BROAD STREET
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SUGAR HILL, GEORGIA 30518
TELEPHONE: (678) 804-8586
INFO@BLUELANDWORKS.COM
WWW.BLUELANDWORKS.COM

PREPARED FOR:
WALKER ANDERSON HOMES, LLC
390 BROGDON RD.
SUWANEE, GA 30024
24-HOUR CONTACT:
CORBIT WOODS
TEL:404-210-9925

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ISSUE	DATE	REVISIONS
1	07/14/23	SUBMIT FOR REVIEW

SCALE: 1" = 60'
0 60 120 180 feet

6777-6804 SPOUT SPRINGS ROAD FLOWERY BRANCH, GA 30542

G.M.D. 1419
PARCEL(S) 15042 000018 AND A PORTION OF 15042 000140
HALL COUNTY, GA
DRAWN: KO
CHECKED: TWW

BOUNDARY SURVEY

PROJECT# 2023.030

SHEET 1 OF 1

Y:\2023-030 - 6804 Spout Springs Road\1000 - AutoCAD\20 - Survey\2023.030 BOUN.dwg, BOUN T1 7/17/2023 3:32 PM by Kyle O'Neal

VICINITY MAP
SCALE: NTS
SOURCE: USGS

SURVEY REFERENCES

1. RETRACEMENT SURVEY PREPARED FOR OMAR ZAVALA BY DAVIS ENGINEERING AND SURVEYING DATED 07/22/2021.
2. HALL COUNTY PLAT BOOK 876 PAGE 426
3. HALL COUNTY PLAT BOOK 877 PAGE 449
4. HALL COUNTY DEED BOOK 9141 PAGE 415

GENERAL NOTES

1. IPS (IRON PIN SET) IS 1/2" RE-BAR; NS (NAIL SET) IS MAGNAIL.
2. THERE WAS NO OBSERVED EVIDENCE OF CURRENT EARTH MOVING WORK, DEMOLITION, BUILDING CONSTRUCTION OR BUILDING ADDITIONS.
3. THERE WAS NO OBSERVED EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS, OR PROPOSED CHANGES IN STREET RIGHT-OF-WAY LINES
4. THE LOCATIONS OF UNDERGROUND UTILITIES ARE TAKEN FROM VISIBLE EVIDENCE, CONSTRUCTION PLANS AND/OR PREVIOUS SURVEYS AND SHOULD BE CONSIDERED APPROXIMATE.
5. OTHER UNDERGROUND UTILITIES MAY BE LOCATED ON THIS PROPERTY. PIPE SIZES ARE TAKEN FROM CONSTRUCTION PLANS AND/OR PREVIOUS SURVEYS WHERE NOT VERIFIABLE.
6. SAID DESCRIBED PROPERTY DOES NOT LIE WITHIN A FLOODPLAIN ACCORDING TO FLOOD INSURANCE RATE MAP NO. 13139C0219G, WITH A DATE OF IDENTIFICATION OF DECEMBER 1ST 2022, FOR COMMUNITY NUMBER 13139C, IN HALL COUNTY, STATE OF GEORGIA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED.

GPS STATEMENT

THE INITIAL CONTROL POINTS FOR THIS SURVEY WERE LOCATED UTILIZING GPS. THE EQUIPMENT USED WAS AN eGPS 20TL ROVER RECEIVER WITH X-PAD DATA COLLECTION SOFTWARE. ALL COORDINATES ARE BASED ON NAD83(2011) AND GEOID18US. NETWORK RTK CORRECTIONS WERE RECEIVED VIA A CELLULAR MODEM. THE TYPE OF SURVEY WAS NETWORK RTK UTILIZING THE TRIMBLE VRS REAL TIME NETWORK OPERATED BY eGPS SOLUTIONS, INC. THE RELATIVE POSITIONAL ACCURACY, AS CALCULATED ACCORDING TO THE FEDERAL GEOGRAPHIC DATA COMMITTEE PART 3: NATIONAL STANDARD FOR SPATIAL DATA ACCURACY, IS .04 FT. HORIZONTAL AND .07 FT. VERTICAL AT THE 95% CONFIDENCE LEVEL.

SURVEYOR'S CERTIFICATION BOUNDARY SURVEY

THE PROPERTY HEREON LIES COMPLETELY WITHIN A JURISDICTION WHICH DOES NOT REVIEW OR APPROVE ANY PLATS OR THIS TYPE OF PLAT PRIOR TO RECORDING. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

FIELD INFORMATION FOR THIS SURVEY WAS OBTAINED WITH A TRIMBLE S6 ROBOTIC TOTAL STATION ELECTRONIC INSTRUMENT. THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 135,203 FEET AND AN ANGULAR ERROR OF 12 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES ADJUSTMENT. THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 2,448,949 FEET.

DATE OF LAST FIELD WORK: 06/22/2023

DATE PLAT WAS SEALED: 07/14/2023

GEORGIA REGISTERED No. 2767 THOMAS W. WOODSMALL LAND SURVEYOR

NAME: THOMAS W. WOODSMALL
REGISTRATION/LICENSE NUMBER: 2767 (GEORGIA)
DATE OF EXPIRATION: DECEMBER 31, 2023

LEGEND

ABBREVIATIONS

APPROX	= APPROXIMATE	HP	= HIGH POINT
BC	= BACK OF CURB	INV	= INVERT
BFE	= BOTTOM FLOOR ELEVATION	IE	= INVERT ELEVATION
BM	= BENCHMARK	IPF	= IRON PIN FOUND
BW	= BOTTOM OF WALL	IPS	= IRON PIN SET - 1/2" REBAR
BLDG	= BUILDING	ICV	= IRRIGATION CONTROL VALVE
B/L	= BUILDING LINE	JB	= JUNCTION BOX
CB	= CATCH BASIN	LLL	= LAND LOT LINE
C/L	= CENTERLINE	LP	= LIGHT POLE
CO	= CLEANOUT	LOWP	= LOW POINT
CONC	= CONCRETE	MH	= MANHOLE
CMF	= CONCRETE MONUMENT FOUND	MSL	= MEAN SEA LEVEL
CMP	= CORRUGATED METAL PIPE	OTP	= OPEN TOP PIPE
CSP	= CORRUGATED STEEL PIPE	OCS	= OUTLET CONTROL STRUCTURE
CF	= CUBIC FEET	PVMT	= PAVEMENT
C&G	= CURB & GUTTER	PED	= PEDESTAL
CTF	= CRIMP TOP FOUND	PKF	= PK NAIL FOUND
DIA	= DIAMETER	PCP	= POLYVINYL CHLORIDE PIPE
DE	= DRAINAGE EASEMENT	POB	= POINT OF BEGINNING
DI	= DROP INLET	PWR	= POWER
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		UG	= UNDERGROUND

UGTM	= UG TELEPHONE MARKER
WM	= WATER METER
WV	= WATER VALVE
YI	= YARD INLET

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- STUB
- HYDRANT
- WATER METER
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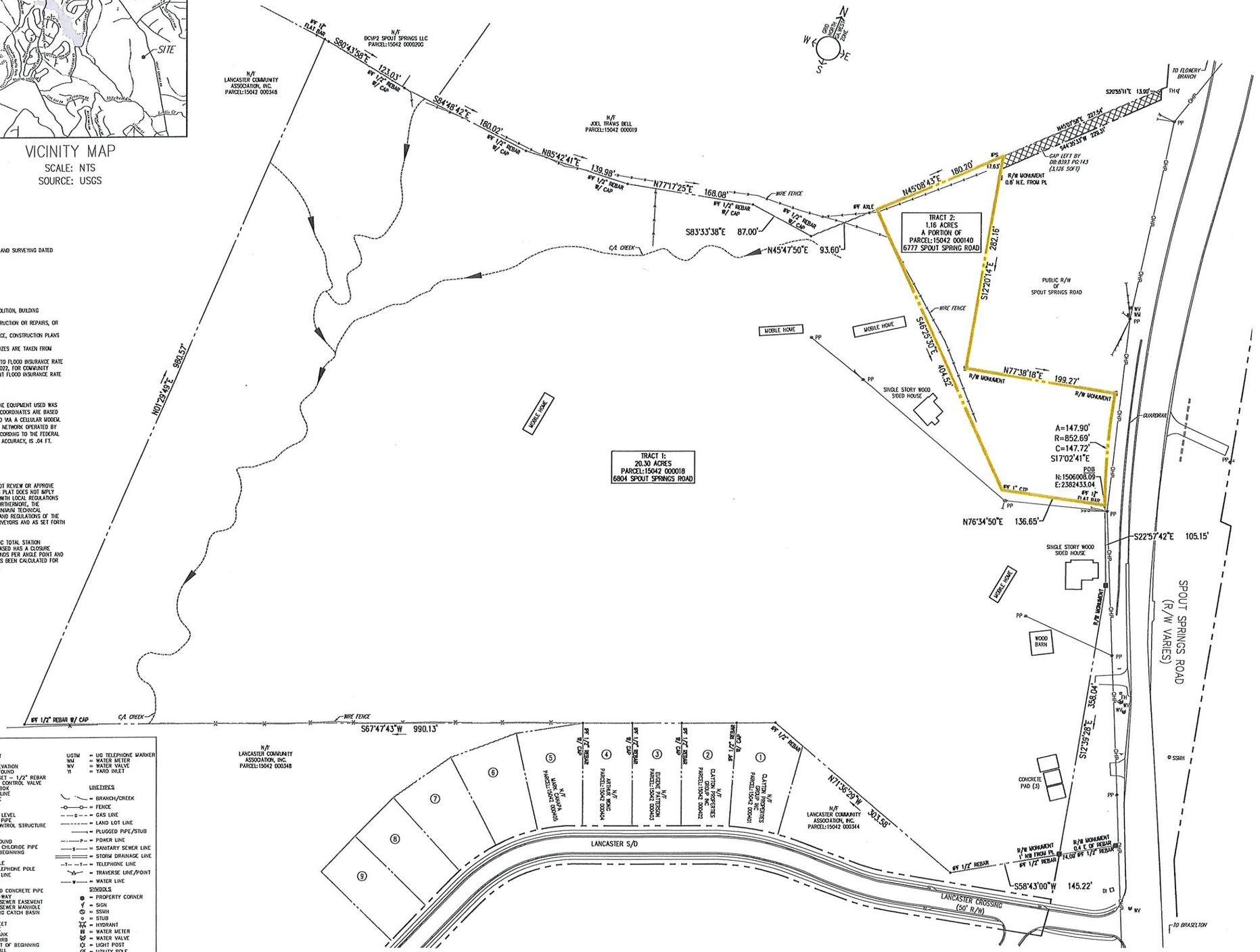

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309 BROOKSON RD.
SUITE 204-HOUSE 204A
CANTON, GA 30114
CONTACT WOODS
TEL: 404-210-9925

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ISSUE #	DATE	REVISIONS
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SCALE: 1" = 60'
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6777-6804 SPOUT SPRINGS ROAD
FLOWERY BRANCH, GA 30542

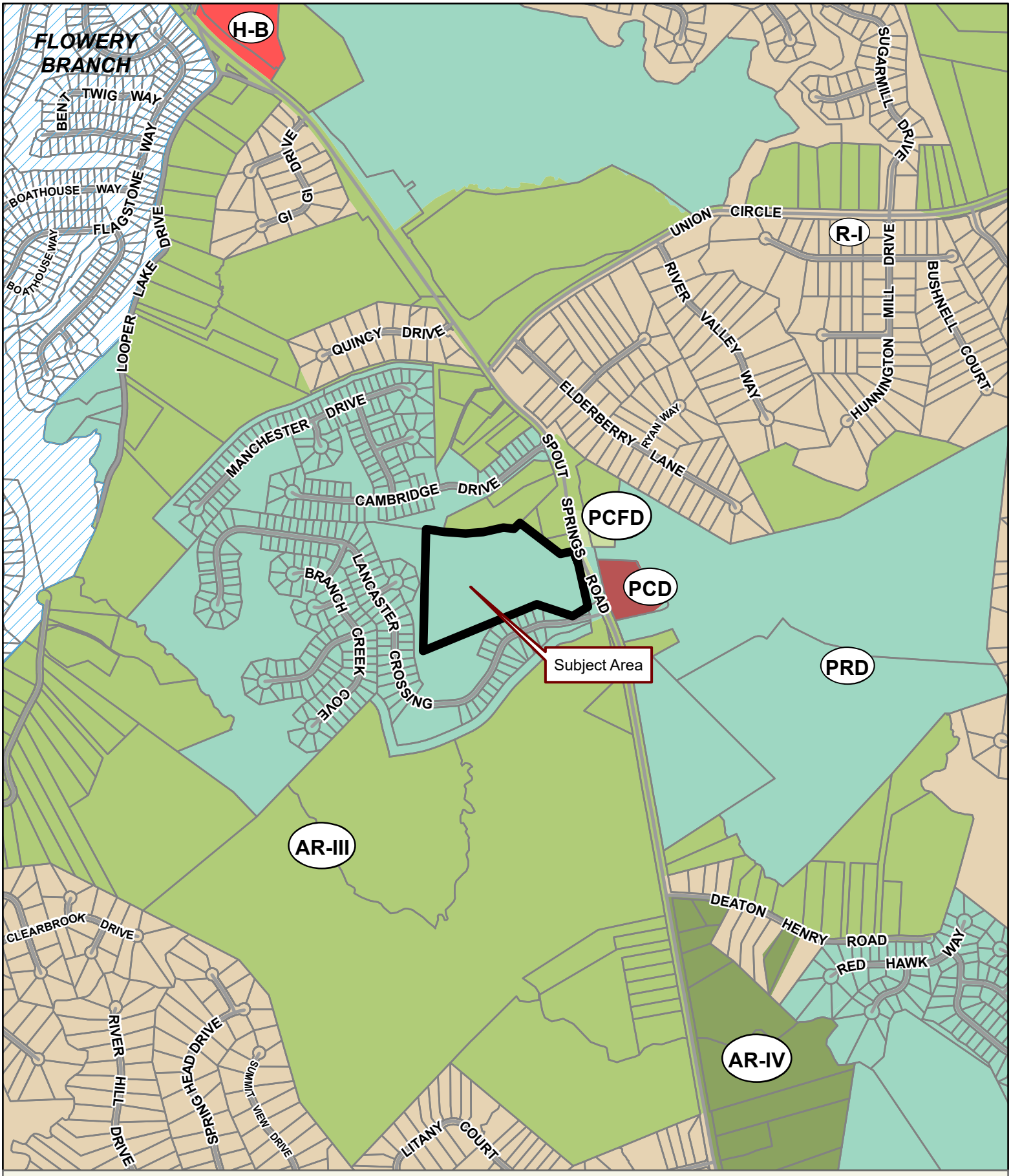
G.M.D. 1419
PARCEL(S) 15042 000018 AND A PORTION OF 15042 000140
HALL COUNTY, GA.
DRAWN BY:
CHECKED BY:

BOUNDARY SURVEY

PROJECT # 2023.030

SHEET 1 OF 1

N:\2023-030 - 6804 Spout Springs Road\1000 - Survey\2023.030 BNDRY.dwg, BOOK T2 7/17/2023 3:33 PM by Kyle O'Neal



Applicant: WALKER ANDERSON HOMES

Tax Parcel #: 15042 000018

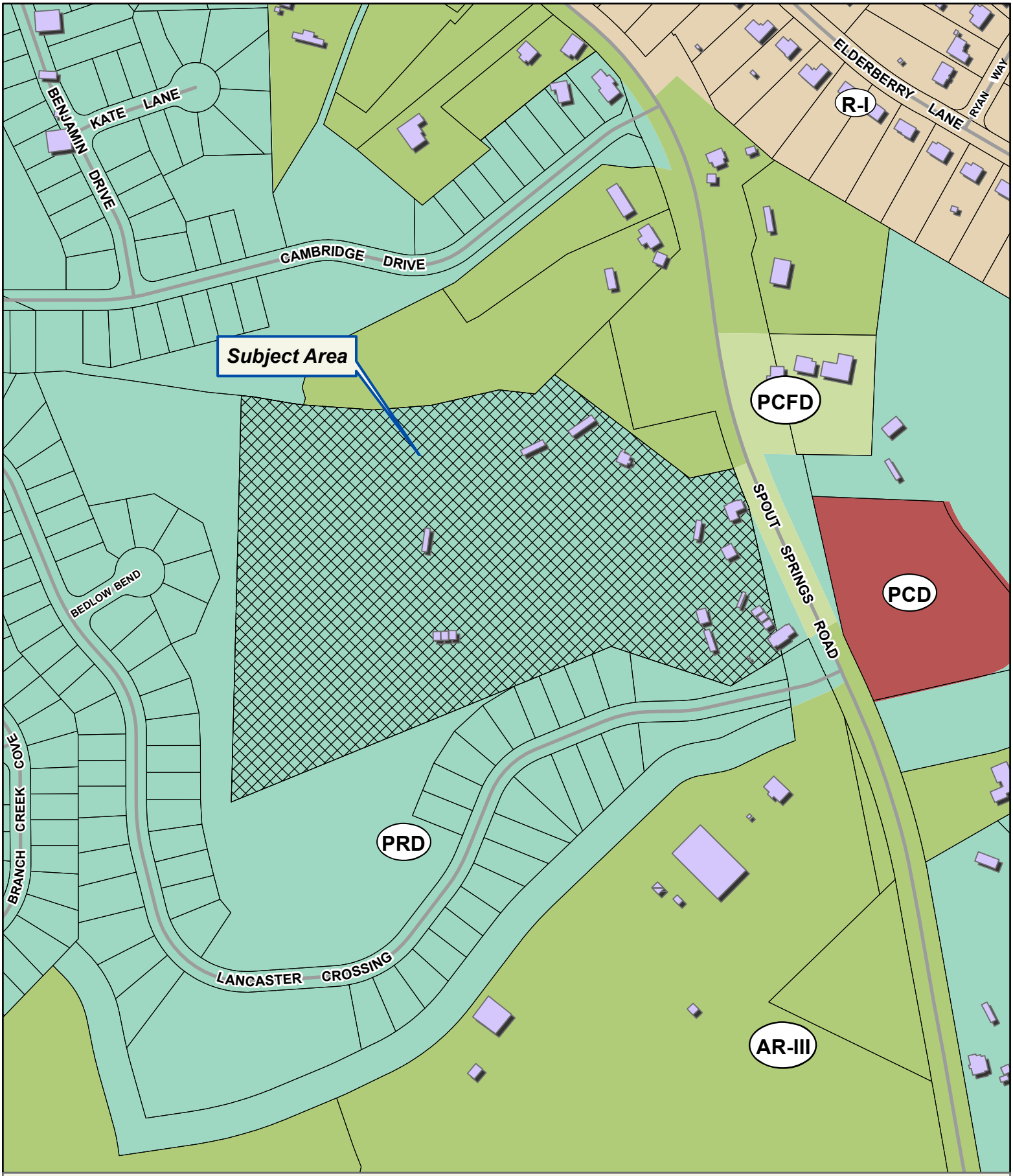
Location: 6804 SPOUT SPRINGS ROAD, FLOWERY BRANCH, GA 30542

Commission District 1 **PC Mtg. Date: 10/2/23**

0 300 600 1,200
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N



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0 90 180 360
Feet

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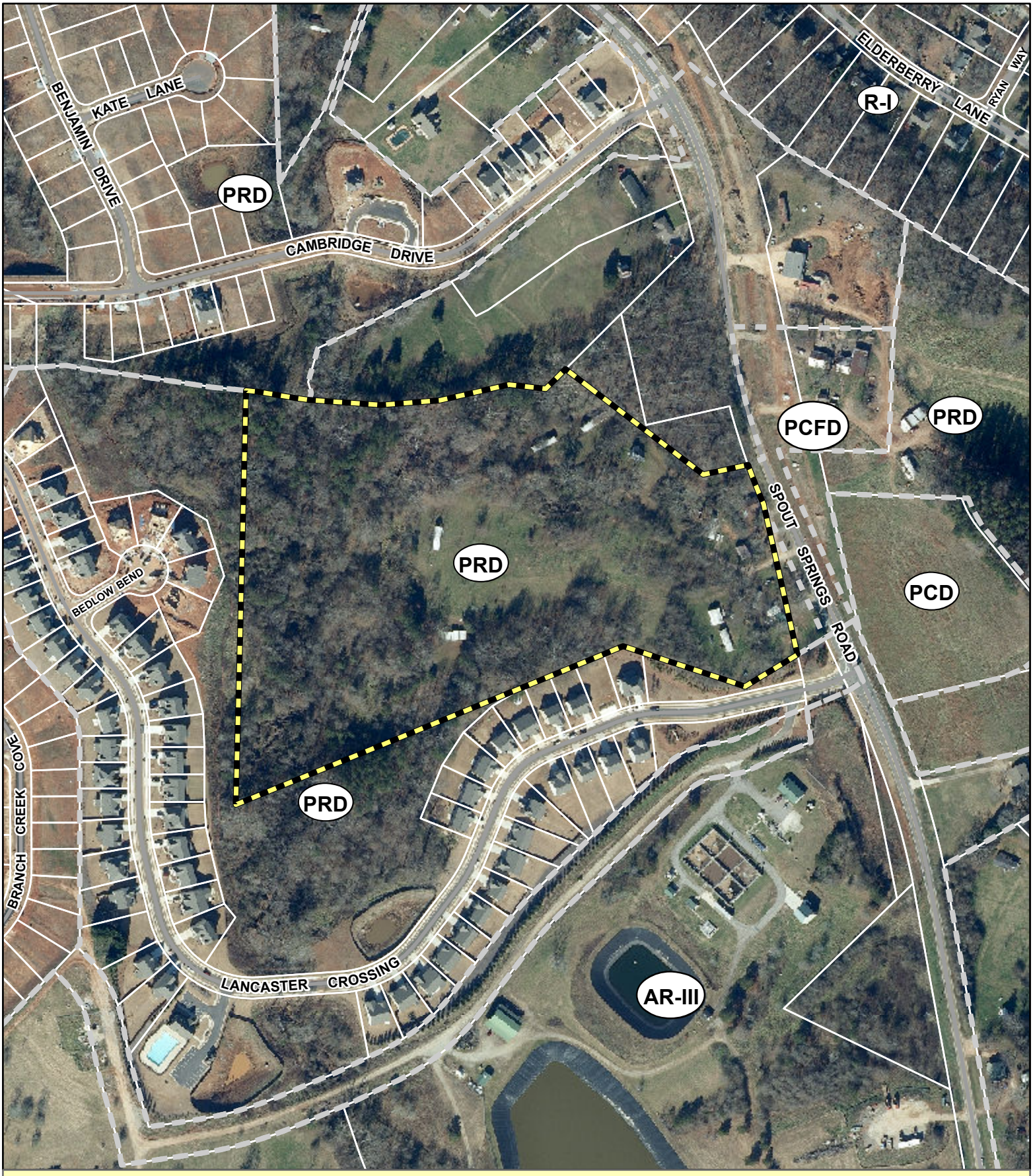
N



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Location: 6804 SPOUT SPRINGS ROAD, FLOWERY BRANCH, GA 30542
Commission District 1 **PC Mtg. Date: 10/2/23**

0 90 180 360
Feet

Zoning Boundary
City Limits
Subject Area

N

Submitted 10-19-2023

Land Description

6804 Spout Springs Road - Tract 1

All that tract or parcel of land lying and being in the 1419 G.M.D. Hall County Georgia containing 20.30 acres, as shown in a survey prepared by Blue Landworks LLC and being more particularly described as follows:

Beginning at an iron pin found (1 3/4" flat Bar) being on the Western margin of Spout Springs Road (R/W Varies) and having a State Plane Coordinate of N:1506008.09 E:2382433.04 Georgia West Zone. Said pin being the **True Point of Beginning.**

Thence continuing along said margin South 22 degrees 57 minutes 42 seconds East 105.15 feet to a concrete R/W monument found.

Thence South 12 degrees 39 minutes 28 seconds East 358.04 feet to an iron pin found (1/2" Rebar);

Thence departing said margin South 58 degrees 43 minutes 00 seconds West 145.22 feet to an iron pin found (1/2" Rebar);

Thence North 71 degrees 36 minutes 29 seconds West 303.58 feet to an iron pin found (1/2" Rebar);

Thence South 67 degrees 47 minutes 43 seconds West 990.13 feet to an iron pin found (1/2" Rebar W/ Cap);

Thence North 01 degrees 29 minutes 49 seconds East 980.57 feet to an iron pin found (1 3/4" Flat Bar);

Thence South 80 degrees 43 minutes 58 seconds East 123.03 feet to an iron pin found (1/2" Rebar W/ Cap);

Thence South 84 degrees 48 minutes 42 seconds East 180.02 feet to an iron pin found (1/2" Rebar W/ Cap);

Thence North 85 degrees 42 minutes 41 seconds East 139.98 feet to an iron pin found (1/2" Rebar W/ Cap);

Thence North 77 degrees 17 minutes 25 seconds East 168.08 feet to an iron pin found (1/2" Rebar W/ Cap);

Thence South 83 degrees 33 minutes 38 seconds East 87.00 feet to an iron pin found (1/2" Rebar W/ Cap);

Thence North 45 degrees 47 minutes 50 seconds East 93.60 feet to an iron pin found (Axle);

Thence South 46 degrees 25 minutes 30 seconds East 404.52 feet to an iron pin found (1” CTP);

Thence North 76 degrees 34 minutes 50 seconds East 136.65 feet to an iron pin found (1 3/4” Flat Bar) said pin being on the Western margin of Spout Springs Road (R/W Varies) and being the **True Point of Beginning.**

Anael Dominguez (CDI: Planning)

From: Emily McGahee (Environmental Health)
Sent: Thursday, August 31, 2023 4:53 PM
To: Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning); Beth Garmon (CDI: Planning)
Cc: Chad Harper (Environmental Health); Kelly Hairston (Environmental Health)
Subject: HCPC Tentative Agenda 10.2.23

Please find Environmental Health comments below:

Items 1A-C, 8730 Forrester Road, Crumley: No comment.

Item 2, 4057 Sargent Circle, Drees: All proposed structures must meet all residential permitting requirements and/or required setbacks to existing septic system. Area for a feasible, full conventional recovery system must be available for the number of bedrooms requested. Existing system evaluation and/or septic system modification may be required for system serving existing home on property. Level 3 Soil Evaluation will be required prior to application if existing septic system will not be used. Any abandoned well shall be properly closed as per Water Well Standards Act by a certified well driller.

Items 3A&B, 812 Atlanta Hwy, Murillo: Connecting to Public sewer. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled.

Item 4, 2122/0 Browns Bridge Road, Duran: No comment. Public sewer.

Item 5, 3321 Montvale Drive, Milne: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. Further determination will be made during the plat review process. All proposed plats must be submitted to the Hall County Plat Review Team for review and approval prior to submittal to Clerk of Courts for recordation.

Item 6, 3902/0 Belmont Hwy, Simpson: 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/modification may be required after review of business plan.

Item 7, 0/4611/4627 Guth Road, 4561/4613 J. M. Turk, 4590/4601/4610 Stanley, Kappler: The entire development (all pods) must be developed on sewer. No onsite sewage management systems to be permitted by Environmental Health. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled.

Items 8 and 9, 6777/6804 Spout Springs, Walker Anderson Homes: Public sewer. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled.

Item 10, Code Amendment: No comment.

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)
https://www.hallcounty.org/192/Environmental-Health (County Website & Forms)

Anael Dominguez (CDI: Planning)

From: Chavers, Veronica E <VChavers@dot.ga.gov>
Sent: Friday, August 25, 2023 10:51 AM
To: Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning)
Subject: RE: Tentative Planning Agenda for October 2, 2023

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.

See comments in red, below.

Veronica Chavers
D1TO Civil Engineer 3

Georgia Department of Transportation

District 1 Traffic Operations
1475 Jesse Jewell Pkwy
Suite 100
Gainesville, GA, 30501
770.533.8488 office

From: Anael Dominguez (CDI: Planning) <adominguez@hallcounty.org>
Sent: Thursday, August 24, 2023 12:20 PM
Subject: Tentative Planning Agenda for October 2, 2023

Good afternoon –

Here is the Tentative Agenda and Maps for the **Monday, October 2, 2023** 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, August 31st.** Email comments to Randi (rdoveton@hallcounty.org) and Ana (adominguez@hallcounty.org).

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – September 18, 2023
N
NEW BUSINESS

1. (A) **8730 Forrester Road | Use Subject to County Commission Approval** | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) | **Proposed use: expansion of commercial kennel** | ** Commission District 3 | **Steven & Holly Crumley, applicants.**

(B) **8730 Forrester Road | Variance** | from 17.240.060 to reduce the setback for commercial kennels from 200 feet to 48 feet | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: commercial kennel structures** | ** Commission District 3 | **Steven & Holly Crumley, applicants.**
(C) **8730 Forrester Road | Variance** | from 17.240.060 to reduce the setback for commercial kennels from 200 feet to 44 feet | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: commercial kennel structures** | ** Commission District 3 | **Steven & Holly Crumley, applicants.** **No GDOT coordination required**

4057 Sargent Circle | Variance | from 17.240.010 to reduce the front yard setback from 55 feet from centerline to 41 feet from centerline on a 0.85± acre parcel located on the east side of Sargent Circle approximately 210 feet from its intersection with Cochran Road | Zoned R-I; Tax Parcel 10120 000071 | **Proposed Use: single-family residence** | * Commission District 2 | **Dennis Drees, Applicant** **No GDOT coordination required**

2.

3. (A) **812 Atlanta Highway | Use Subject to Planning Commission Approval |** on a 0.25± acre parcel located on the west side of Atlanta Highway at its intersection with Conner Street | Zoned H-B, Tax Parcel 00127 002001 | **Proposed Use: expansion of a non-conforming use |** * Commission District 4 **| Robert Murillo, applicant.** **GDOT coordination required for any encroachment onto the right-of-way**

   (B) **812 Atlanta Highway | Variance** | from 17.240.010 to reduce the front yard setback from 55 feet from centerline to 14 feet from centerline of road on a 0.25± acre parcel located on the west side of Atlanta Highway at its intersection with Conner Street | Zoned H-B, Tax Parcels 00127 002001 | **Proposed Use: residential addition** | * Commission District 4 **| Robert Murillo, applicant.** **GDOT coordination required for any encroachment onto the right-of-way**

4. **2122 & 0 Browns Bridge Road | Use Subject to County Commission Approval |** on a 1.708± acre tract located on the west side of Browns Bridge Road, approximately 62 feet from its intersection with Hilton Drive | Zoned H-B / GCOD; Tax Parcel 00122 001021 & 001031B | **Proposed use: used vehicle sales lot |** ** Commission District 4 **| Antonio Duran, applicant.** **GDOT coordination required for access on SR 369/ Browns Bridge Rd**

5. **3321 Montvale Drive | Use Subject to County Commission Approval |** on a 7.88± acre tract located on the south side of Montvale Drive, at its intersection with Manor Ridge | Zoned R-I & AR-III; Tax Parcel 10046 000015 **| Proposed use: 4-lot subdivision |** ** Commission District 2 **| Zachary Lewis Boyd Milne, applicant.** **No GDOT coordination required**

6. **3902 & 0 Belmont Highway | Rezone |** from Agricultural Residential IV (AR-IV) to Planned Industrial Development (PID) /GCOD on 15.75± acres located on the southeastern side of Belmont Highway, approximately 1,780 feet north of its intersection with Mountain Creek Road | Zoned AR-IV, Tax Parcels: 15013 000017B and 000074 (pt.) **| Proposed Use: truck parking and office|** ** Commission District 3 **| Gus E. Simpson, applicant.** **GDOT coordination required**

7. **0, 4611,4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road | Rezone |** from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on 117.31± acres located on the east side of J M Turk Road at its intersection with Guth Road | Zoned AR-III; Tax Parcels 15043 000027, 000109, 000128, 000201 & 15044 000035, 000035B, 000043, 000100, 000127 **| Proposed Use: 324 lot residential development |** ** Commission District 1 **| Thompson O'Brien Kappler & Nasuti PC, applicant.** **No GDOT coordination required**

8. **6777 and 6804 Spout Springs Road | Rezone |** from Agricultural Residential III (AR-III) and Planned Residential Development (PRD) to Planned Residential Development (PRD) on a combined 22.88± acres located on the west side of Spout Springs Road, approximately 100 feet from its intersection with Lancaster Crossing | Zoned AR-III & PRD; Tax Parcels 15042 000018 and 000140 (pt.) **| Proposed Use: 95-unit townhome development |** ** Commission District 1 **| Walker Anderson Homes, applicant.** **No GDOT coordination required**

9. **6804 Spout Springs Road | Amend Condition of PRD |** on a 20.37± acre parcel located on the west side of Spout Springs Road, at its intersection with Lancaster Crossing | Zoned PRD; Tax Parcels 15042 000018 **| Proposed Use: 95-unit townhome development |** ** Commission District 1 **| Walker Anderson Homes, applicant.** **No GDOT coordination required**

10. **Public Hearing to Amend sections 17.410,** Standards for Telecommunication Antennas and Towers, and 17.412,Standards for Small Wireless Facilities Placed in the County Right-of-Way, Title 17 of the Official Code of Hall County, Georgia; to repeal conflicting ordinances and resolutions; and for other purposes. **** | Hall County Planning Staff, applicant.** **No 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 30 days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing Thursday, November 9, 2023 at 6:00 p.m. at the Hall County Government Center, 2nd 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, November 9, 2023. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,
Ana Dominguez
Planning Commission Clerk
Hall County Community Development and Infrastructure
(770) 531-6810 | www.hallcounty.org

HALL COUNTY
GEORGIA
We have it all in Hall

Human trafficking impacts every corner of the globe, including our state and local communities. Georgia DOT is committed to end human trafficking in Georgia through education enabling its employees and the public to recognize the signs of human trafficking and how to react in order to help make a change. To learn more about the warning signs of human trafficking, visit https://doas.ga.gov/human-resources-administration/human-trafficking-awareness. To report any suspicious activity, call the Georgia Human Trafficking Hotline at 866-363-4842. Let's band together to end human trafficking in Georgia.

HALL COUNTY
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GAINESVILLE, GA 30503

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DIRECTOR
Srikanth Yamala

PUBLIC WORKS AND
UTILITIES DIRECTOR
Bill Nash, P.E.

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PUBLIC WORKS AND UTILITIES

M E M O R A N D U M

To: Randi Doveton, Director of Planning and Development

From: Bill Nash, Director of Public Works and Utilities

Date: August 31, 2023

Subject: October 2, 2023 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the October 2, 2023 meeting. Upon review, we provide the following comments.

1. (A) **8730 Forrester Road | Use Subject to County Commission Approval** | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: expansion of commercial kennel** | ** Commission District 3 **| Steven & Holly Crumley, applicants.**
   (B) **8730 Forrester Road | Variance** | from 17.240.060 to reduce the setback for commercial kennels from 200 feet to 48 feet | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: commercial kennel structures** | ** Commission District 3 | **Steven & Holly Crumley, applicants.**
   (C) **8730 Forrester Road | Variance** | from 17.240.060 to reduce the setback for commercial kennels from 200 feet to 44 feet | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: commercial kennel structures** | ** Commission District 3 | **Steven & Holly Crumley, applicants.**

   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:** No Comment
   c. **Utilities:** No Comment

2. **4057 Sargent Circle | Variance |** from 17.240.010 to reduce the front yard setback from 55 feet from centerline to 41 feet from centerline on a 0.85± acre parcel located on the east side of Sargent Circle approximately 210 feet from its intersection with Cochran Road | Zoned R-I; Tax Parcel 10120 000071 | **Proposed Use: single-family residence** | * Commission District 2 **| Dennis Drees, Applicant**

   a. **Engineering:** No Comment
   b. **Traffic:** No Comment
   c. **Utilities:** No Comment

3. (A) **812 Atlanta Highway | Use Subject to Planning Commission Approval |** on a 0.25± acre parcel located on the west side of Atlanta Highway at its intersection with Conner Street | Zoned H-B, Tax Parcel 00127 002001 |

Proposed Use: expansion of a non-conforming use | * Commission District 4 **| Robert Murillo, applicant.**
(B) **812 Atlanta Highway | Variance** | from 17.240.010 to reduce the front yard setback from 55 feet from centerline to 14 feet from centerline of road on a 0.25± acre parcel located on the west side of Atlanta Highway at its intersection with Conner Street | Zoned H-B, Tax Parcels 00127 002001 | **Proposed Use: residential addition** | * Commission District 4 | **Robert Murillo, applicant.**

a. **Engineering:** No Comment
b. **Traffic:** No Comment
c. **Utilities:** No Comment

4. **2122 & 0 Browns Bridge Road | Use Subject to County Commission Approval |** on a 1.708± acre tract located on the west side of Browns Bridge Road, approximately 62 feet from its intersection with Hilton Drive | Zoned H-B / GCOD; Tax Parcel 00122 001021 & 001031B | **Proposed use: used vehicle sales lot |** ** Commission District 4 **| Antonio Duran, 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 stream buffer and impervious setback from wrested vegetation not centerline of stream.
FEMA and Hall County studied Flood plains present on site.
b. **Traffic:** Improvements along Baker Lane and Baker Circle may be required
c. **Utilities:** No sewer available

5. **3321 Montvale Drive | Use Subject to County Commission Approval |** on a 7.88± acre tract located on the south side of Montvale Drive, at its intersection with Manor Ridge | Zoned R-I & AR-III; Tax Parcel 10046 000015 **| Proposed use: 4-lot subdivision |** ** Commission District 2 **| Zachary Lewis Boyd Milne, applicant.**

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 Comment
c. **Utilities:** No Comment

6. **3902 & 0 Belmont Highway | Rezone |** from Agricultural Residential IV (AR-IV) to Planned Industrial Development (PID) /GCOD on 15.75± acres located on the southeastern side of Belmont Highway, approximately 1,780 feet north of its intersection with Mountain Creek Road | Zoned AR-IV, Tax Parcels: 15013 000017B and 000074 (pt.) **| Proposed Use: truck parking and office|** ** Commission District 3 **| Gus E. Simpson, 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 stream buffer and impervious setback from wrested vegetation not centerline of stream.
b. **Traffic:** Access must be approved/permitted by GDOT
c. **Utilities:** No Comment

7. **0, 4611,4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road | Rezone |** from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on 117.31± acres located on the east side of J M Turk Road at its intersection with Guth Road | Zoned AR-III; Tax Parcels 15043 000027, 000109, 000128, 000201 & 15044 000035, 000035B, 000043, 000100, 000127 **| Proposed Use: 324 lot residential development |** ** Commission District 1 **| Thompson O'Brien Kappler & Nasuti PC, applicant.**

a. Engineering: No dead end streets
Show stream buffer and impervious setback from wrested vegetation not centerline of stream
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: A left turn lane and decel lane will be required for the entrance.
Any required roadway improvements will be the financial responsibility of the developer
A cul-de-sac should be provided for Guth Road at the proposed end of county maintenance

c. Utilities: No sanitary sewer in area.

8. **6777 and 6804 Spout Springs Road | Rezone |** from Agricultural Residential III (AR-III) and Planned Residential Development (PRD) to Planned Residential Development (PRD) on a combined 22.88± acres located on the west side of Spout Springs Road, approximately 100 feet from its intersection with Lancaster Crossing | Zoned AR-III & PRD; Tax Parcels 15042 000018 and 000140 (pt.) **| Proposed Use: 95-unit townhome development |** ** Commission District 1 **| Walker Anderson Homes, 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 stream buffer and impervious setback from wrested vegetation not centerline of stream
Current layout provided for zoning does not meet Hall County Road standards
No on-street parking on public right-of-way.
Floodplain present on site

b. Traffic: will need to coordinate entrance design and location with Hall County Engineering with regards to Spout Springs Road Phase 2 Widening.

c. Utilities: Sewer required off-site easement
Must extend 30 feet sanitary sewer to up stream proposed line.

9. **6804 Spout Springs Road | Amend Condition of PRD |** on a 20.37± acre parcel located on the west side of Spout Springs Road, at its intersection with Lancaster Crossing | Zoned PRD; Tax Parcels 15042 000018 **| Proposed Use: 95-unit townhome development |** ** Commission District 1 **| Walker Anderson Homes, 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 stream buffer and impervious setback from wrested vegetation not centerline of stream
Current layout provided for zoning does not meet Hall County Road standards
No on-street parking on public right-of-way.
Floodplain present on site

b. **Traffic:** will need to coordinate entrance design and location with Hall County Engineering with regards to Spout Springs Road Phase 2 Widening.
c. **Utilities:** Sewer required off-site easement
Must extend 30 feet sanitary sewer to up stream proposed line.

10. **Public Hearing to Amend sections 17.410,** Standards for Telecommunication Antennas and Towers, and 17.412,Standards for Small Wireless Facilities Placed in the County Right-of-Way, Title 17 of the Official Code of Hall County, Georgia; to repeal conflicting ordinances and resolutions; and for other purposes. **** | Hall County Planning Staff, applicant.**

a. **Engineering:** No Comment
b. **Traffic:** No Comment
c. **Utilities:** No Comment

Hall County Government
PUBLIC WORKS AND UTILITIES

HALL COUNTY
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SRIKANTH YAMALA
Director

BILL NASH, P.E.
Assistant Director

September 27, 2021

Norton Commercial Real Estate
Attn: Stephen Reynolds
6804 Spout Springs Road
Flowery Branch, GA 30542

Subject: Sanitary Sewer Letter of Availability
Jerry Pirkle
Parcel Id No.: 15042 000018
Hall County, Georgia

Dear Mr. Reynolds,

In response to your request, this letter will serve as confirmation that Hall County has sufficient volume to serve the proposed 95 unit residential single-family development (estimated average daily flow of 19,000 GPD) at this time. The nearest sanitary sewer main to this address is located near Spout Springs Road.

Sanitary sewer capacity allocation is available on a first come, first serve basis by purchasing the sewer taps. As such, this “availability” letter does not guarantee capacity. Additionally, this letter is non-transferable. If the project design changes, this letter is void and a new “availability” letter must be obtained.

If you have any questions or need more information, please call the Hall County Public Works and Utilities Department at 770-531-6800.

Sincerely,

Bill Nash

Anael Dominguez (CDI: Planning)

From: John Hornick (Fire Services)
Sent: Thursday, August 31, 2023 4:27 PM
To: Anael Dominguez (CDI: Planning)
Cc: Randi Doveton (CDI: Planning)
Subject: Fire Comment

Monday, October 2, 2023 Hall County Planning Commission Meeting.

1. **6777 and 6804 Spout Springs Road | Rezone |** from Agricultural Residential III (AR-III) and Planned Residential Development (PRD) to Planned Residential Development (PRD) on a combined 22.88± acres located on the west side of Spout Springs Road, approximately 100 feet from its intersection with Lancaster Crossing | Zoned AR-III & PRD; Tax Parcels 15042 000018 and 000140 (pt.) **| Proposed Use: 95-unit townhome development |** ** Commission District 1 **| Walker Anderson Homes, applicant.**

2. **6804 Spout Springs Road | Amend Condition of PRD |** on a 20.37± acre parcel located on the west side of Spout Springs Road, at its intersection with Lancaster Crossing | Zoned PRD; Tax Parcels 15042 000018 **| Proposed Use: 95-unit townhome development |** ** Commission District 1 **| Walker Anderson Homes, applicant.**

3. **Hall County Fire Marshal's Comments: Current concept plan will need to be modified to meet the below fire code requirement.**

International Fire Code 503.1.1 Buildings and facilities. 2018 Edition
Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the *exterior walls* of the first story of the building as measured by an *approved* route around the exterior of the building or facility.

Regards,

John Hornick, NPQ Fire Service Plans Examiner 1
Lieutenant, Hall County Fire Rescue
Hall County Government
Main: 770-531-6838 | Cell: 404-597-0083
Website: 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: WALKER ANDERSON HOMES
REQUEST: REZONE FROM AR III & PRD TO PRD FOR 95-UNIT TOWNHOME DEVELOPMENT
PUBLIC HEARINGS WILL BE HELD ON:
PLANNING COMMISSION Date: OCT 2 2023 Time: 7:15 PM
COUNTY COMMISSION Date: OCT 3 2023 Time: 6:00 PM
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: WALKER ANDERSON HOMES
REQUEST: AMEND CONDITIONS OF A PRD FOR 95-UNIT TOWNHOME DEVELOPMENT
PUBLIC HEARINGS WILL BE HELD ON:
PLANNING COMMISSION Date: OCT 2 2023 Time: 5:15 PM
COUNTY COMMISSION Date: OCT 3 2023 Time: 6:00 PM
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
WALKER ANDERSON HOMES
REQUEST
REZONE FROM AR-III & PRD TO PRD FOR 95-UNIT TOWNHOME DEVELOPMENT
PUBLIC HEARINGS WILL BE HELD ON:
PLANNING COMMISSION
Date: OCT 2 2023
Time: 7:15 PM
COUNTY COMMISSION
Date: 10/24/2023
Time: 6:00 PM
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
WALKER ANDERSON HOMES
REQUEST
AMEND CONDITIONS OF A PRD FOR 95-UNIT TOWNHOME DEVELOPMENT
PUBLIC HEARINGS WILL BE HELD ON:
PLANNING COMMISSION
Date: OCT 2 2023
Time: 5:15 PM
COUNTY COMMISSION
Date: 10/24/2023
Time: 6:00 PM
FOR MORE INFORMATION CALL: (770) 531-6809

ZONING NOTICE

ZONING NOTICE

ACREA

NORTO
SINCE 1928

nortoncommercial

770.297.48

MATT McCO
770.561.05
STEPHEN LOV
770.297.480
ZACH TIBE
770.297.487

AGENDA ITEM

Planning and Development

REPORT TO: **Work Session (11/06/23)**

REPORT TO: **Voting Meeting (11/09/23)**

ITEM NO: 629/2023

SUBJECT: **8730 Forrester Road | Use Subject to County Commission Approval |** on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: expansion of commercial kennel |** Commission District 3 **| Steven & Holly Crumley, applicants.**

Meetings:

Work Session Date: 11/06/23 **Voting Meeting Date:** 11/09/23

Executive Summary:

Presenter: RD

Recommendation:

Approval.

Conditions:

1. Any and all further expansion of the facility or kennel activity will be subject to further review and approval of the Board of Commissioners, and appropriate permits obtained upon approval.
2. No residential dwelling may be added to the parcel where the commercial kennel is located.
3. The business shall maintain the fencing and planted buffer as described in the applicant's statement.
4. The applicant will pursue retroactive building permits for all buildings measuring more than sixteen feet in length and width.

Purpose of Request:

8730 Forrester Road | Use Subject to County Commission Approval | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) | **Proposed use: expansion of commercial kennel |** Commission District 3 | **Steven & Holly Crumley, applicants.**

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:

Submit	Approve	Attorney	Administration
AD	RD	WLI	CR
Clerk			
JR			

Attachments:

Board Memo
Recommendation Report
Application
Narrative
Updated Site Plan
Original Site Plan
Maps
Property Images
Environmental Health Comments
GDOT Comments
Public Works Comments
Fire Comments
Public Comments
Notice Sign Photos

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GAINESVILLE, GA 30503

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DIRECTOR
Srikanth Yamala

PLANNING AND DEVELOPMENT
DIRECTOR
Randi Doveton

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PLANNING AND DEVELOPMENT

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

From: Randi Doveton, Director of Planning & Development

Date: October 23, 2023

Subject: **8730 Forrester Road | Use Subject to County Commission Approval |** on a 5.57± acre tract **| Proposed use: expansion of commercial kennel | Steven & Holly Crumley, applicants.**

The request before you is the application of Steven & Holly Crumley for a Use Subject to County Commission Approval to allow an expansion of commercial kennel. This item is located within Commission District 3.

At their October 2, 2023 meeting, the Hall County Planning Commission voted to recommend approval with four conditions **(4-1, Sosebee opposed)**.

There was **one (1) comment submitted** in advance of the Planning Commission meeting and **two (2) people spoke during the public hearing.**

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

Planning Commission Conditions:

1. Any and all further expansion of the facility or kennel activity will be subject to further review and approval of the Board of Commissioners, and appropriate permits obtained upon approval.
2. No residential dwelling may be added to the parcel where the commercial kennel is located.
3. The business shall maintain the fencing and planted buffer as described in the applicant's statement.
4. The applicant will pursue retroactive building permits for all buildings measuring more than sixteen feet in length and width.

HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT

Applicant.....Holly Crumley

Request.....**(A)** Use Subject to County Commission Approval |17.120.040 expansion of a commercial kennel
(B) Variance | 17.240.060 to reduce the setback for commercial kennels from 200 feet to 48 feet
(C) Variance | 17.240.060 to reduce the setback for commercial kennels from 200 feet to 44 feet

Proposed Use.....**(A)** Expansion of a commercial kennel
(B) Setback variance for commercial kennel structures
(C) Setback variance for commercial kennel structures

Size.....5.57± acres

Zoning.....Agricultural Residential IV (AR-IV, 17.120)

Location.....**8730 Forrester Road** | Tax Parcel 12128 000009 (pt.)

Commission District.....Three

Planning Commission Date.....October 2, 2023

Staff Recommendation..... **(A) (B) and (C) Approval with conditions,** as the proposed use is consistent with the Rural future land use classification in the Comprehensive Plan.

Planning Commission Recommendation.....**(A) Approval, with conditions**
Vote: 4-1 (Sosebee opposed)
(B) Approval, with conditions
Vote: 3-2 (Pilcher & Sosebee opposed)
(C) Approval, with conditions
Vote: 3-2 (Pilcher & Sosebee opposed)

(A)(B)(C) Conditions:

1. Any and all further expansion of the facility or kennel activity will be subject to further review and approval of the Board of Commissioners, and appropriate permits obtained upon approval.
2. No residential dwelling may be added to the parcel where the commercial kennel is located.

3. The business shall maintain the fencing and planted buffer as described in the applicant's statement.
4. The applicant will pursue retroactive building permits for all buildings measuring more than sixteen feet in length and width.

Public Forum:

Virginia Martin, Gainesville, spoke in opposition. Concerns were access to the driveway easement, amount of dogs, approval process, and property owners.

Kathryn Askew, 8720 Forrester Road, Lula, spoke in opposition. Concerns were the driveway, breeding, and approval process.

Summary Analysis

The applicant is requesting a **(A)** Use Subject to County Commission Approval for the expansion of an existing commercial kennel within a 5.57± acre lot zoned Agricultural Residential IV (AR-IV, 17.120). Concurrent to this request, the applicant is seeking relief from the conditions of 17.240.060 that require commercial kennel structures to conform with a 200-foot setback from adjacent properties. The applicant is requesting a reduction in the required setbacks **(B)** from 200 feet to 48 feet, and **(C)** from 200 feet to 44 feet for existing kennel structures.

The applicant is seeking these requests retroactively. The submitted site plan reflects current conditions of the property, including setback lines. The commercial kennel was originally approved, with conditions, by the Board of Commissioners on August 23, 2007. One of the conditions of the 2007 conditional use permit required "any expansion of the facility or kennel activity would be subject to further review and approval" by the Board of Commissioners. On November 5, 2007, the Hall County Planning Commission approved a retroactive setback variance for a 42 foot by 118 foot kennel, which was constructed without a building permit.

Since then, the commercial kennel has been expanded beyond the original approval through the addition of kennel-related structures and outdoor facilities, resulting in these requests. While minor additions or adjustments to the site may be permissible, the addition of additional structures and facilities is beyond what would be considered minor. This expansion has included the installation of four (4) structures, covered concrete play areas, and associated fencing added without Board approval. The expansion and needed variances were discovered earlier in 2023 when the applicant was granted approval to subdivide the property, separating the commercial kennel from the residential uses on the property.

The applicant has stated the installation of additional buildings and improved surfaces has been for the sole purpose of broadening and improving business offerings, including canine massage therapy, quarantine, emergency care, and e-commerce inventory storage. The applicant also explains that many of these improvements have been required by the Department of Agriculture and at the recommendation of the applicant's veterinarian. These expansions, and new internal property line dividing the kennel from the residential property, have led to the applicant requesting relief from the 200-foot setback requirement for commercial kennel structures and outdoor runs (17.240.060).

Specifically, the expansion brings the kennel facilities within 48 feet of the eastern property line and 44 feet of the western property line, variance requests **(B)** and **(C)**, respectively.

As part of the application, the applicant is requesting two (2) variances from the setback requirements for commercial kennels established in 17.240.060. Specifically, the applicant is requesting relief from the following requirement, if the application, as presented, is approved:

- **(B)** Required 200 foot setback from the property line for the keeping of dogs and cats from the property line as found in 17.240.060
    - The applicant is requesting to reduce the setback to 48 feet along tax parcel 12128 000009, (Parcel "A") in order to bring the existing commercial kennel facilities into compliance.
- **(C) Required** 200 foot setback from the property line for the keeping of dogs and cats from the property line as found in 17.240.060
    - The applicant is requesting to reduce the setback to 44 feet along tax parcel 12128 000007 (Parcel "C") in order to bring the existing commercial kennel facilities into compliance.

Based on the future land-use plan, staff finds the *requested use consistent* with the Rural future land use classification of the in the Comprehensive Plan. The primary future land uses within the "Rural" Character Area, which includes agriculture and low-density residential uses. The intention is to preserve agriculture and the rural character of this area.

Zoning Analysis

(A) Use Subject to County Commission Approval | expansion of a commercial kennel within the Agricultural Residential IV district 17.120.040

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 and development of adjacent and nearby property; **Yes, the proposed use is suitable in view of the use and development of adjacent and nearby property, though the use is slightly more intensive than traditional agricultural and residential uses in the area. Many adjacent properties host low-intensity agricultural uses. It should be noted, the commercial kennel is an existing use and the current request is to being into compliance the expansion and noncompliance with setback standards.**
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The zoning proposal should not adversely affect the existing use or usability of adjacent or nearby properties as the kennel is existing and the expansion is being considered retroactively.**
3. Whether the property to be affected by the zoning proposal has reasonable economic use as currently zoned. **The subject property is zoned Agricultural Residential IV (AR-IV, 17.120) and is developed with a single-family residence and a commercial kennel. The commercial kennel was established in 2007.**

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; **No, the proposed use should not cause an excessive or burdensome use of existing streets, transportation facilities, or utilities.**

5. Whether the zoning proposal is in conformity with the policy and intent of the land use plan; **Yes, the requested zoning designation is consistent with the future land use classification of Rural in the Comprehensive Plan, but at a higher intensity.**

6. The extent to which property values are diminished by the existing zoning restrictions; **Staff has not identified that the existing property values have been impacted by the existing zoning.**

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 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.**

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 site has been developed with a residential building since at least 2000, per Property Tax records.**

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; **There are no known changing conditions affecting the use or development of the property.**

11. Whether the change would create an isolated district unrelated to the surrounding districts; **The current request is to retroactively expand a conditional use and the underlying Agricultural Residential IV (AR-IV, 17.120) will remain unchanged. All neighboring parcels are zoned similarly, or are a Planned Commercial Farm District (PCFD, 17.180.100).**

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.**

13. Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood; **The proposed use is not out of scale with the needs of the county as a whole. This establishment provides dog boarding services, which are important to the community and promote the well-being of dogs.**

14. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **Commercial kennel are subject to county commission approval and are not permitted by right in any zoning district, so it would be impossible to find a district in which this use is inherently permitted.**

15. Whether the need for rezoning could be handled instead by a variance request to the [Planning Commission]; **No, the request could not be handled alternatively as a variance as the requested use requires conditional use approval in the underlying Agricultural Residential IV district (AR-IV, 17.120).**

16. Whether there would be an ecological or pollution impact resulting from major modifications to the land if the request is granted; **There are no significant changes proposed to the site that should have an ecological or pollution impact.**

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 evidence to indicate a mistake was made in the original zoning of the property.**

(B) and (C) Variance | 17.240.060 to reduce the required setback for commercial kennels in Agricultural Residential IV (AR-IV, 17.120).

Section 17.420.070, appeals and modifications states that "if substantial modifications or changes are necessary, any person, firm, group or organization may apply for relief from the requirements set forth in this chapter to the Hall County Planning Commission, unless otherwise specified in this chapter."

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); **There do not appear to be extraordinary or exceptional conditions pertaining to the subject property.**

2. The application of the requirements of this Title 17 to this particular piece of property would create an unusual hardship; **The applicant would have to make modify the site, removing several concrete enclosures and existing building.**

3. Such conditions are peculiar to the particular piece of property involved and are not common to other properties in the neighborhood; **No, the conditions are not peculiar to the subject parcel but the result of the use of the property.**

4. Such conditions are not the result of any actions of the property owner; **the site has been developed as a commercial kennel by the applicant, who failed to follow proper procedures regarding the expansion of the commercial kennel, which may have prevented the need for variances.**

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. **Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of Title 17.**

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. **The proposal meets the requirement. The 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]. **The applicant has submitted a statement and site plan but did not specifically address the criteria listed in 17.380.060.C.**

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**. The submitted site plan is drawn to scale and includes the necessary details to assess the request.**

C. For any application for a slow rate land treatment system (see chapter 17.20), the following additional requirements apply. **This standard is not applicable as the site will be served by an onsite septic system.**

D. 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. **As there are not 100 or more residential dwelling units proposed this question is not applicable.**

Development Support and Constraints – Departmental / Agency Comments

Hall County Environmental Health
In an email dated August 31, 2023, Emily McGahee stated “No comment.”

Hall County Fire Marshal
In an email dated August 29, 2023, John Hornick, NPQ Fire Inspector 1, Plans Review Lieutenant stated “New owner will be required to pass a life safety inspection conducted by the Hall County Fire Marshal’s Office for all buildings open to the public, a passing life safety inspection is required for a business license.”

Hall County Public Works and Utilities

In a memo dated August 31, 2023, Bill Nash, Director of Public Works and Utilities, provided the following comments:

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:
No comment.

Utilities
No comment.

Georgia Department of Transportation
In an email dated August 25, 2023, Veronica Chavers, D1TO Traffic Operations Civil Engineer 3, provided the following comments:

"No GDOT coordination required."

- **Excerpts from the minutes of the October 2, 2023 meeting**

Applicant's Presentation:

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

Holly Crumley, 120 Magnolia Way, Homer, presented the request.

Rebuttal

The applicant stated that when dogs are sold they are dropped off, not picked up at the property. The applicant stated that they added a privacy fence as well as planting corn for screening.

Public Forum:

Virginia Martin, Gainesville, spoke in opposition. Concerns were access to the driveway easement, amount of dogs, approval process, and property owners.

Kathryn Askew, 8720 Forrester Road, Lula, spoke in opposition. Concerns were the driveway, breeding, and approval process.

Planning Commission Comments:

Mr. Hunt questioned if the applicant was just bringing the property into compliance. The applicant stated that was correct. Ms. Pilcher stated there should be a condition to restrict the further construction on the property.

A

***Motion:* A motion to approve, with conditions was made by Mr. Hunt and seconded by Mr. Varner. Vote: 4-1 (Sosebee opposed)**

Conditions:

1. Any and all further expansion of the facility or kennel activity will be subject to further review and approval of the Board of Commissioners, and appropriate permits obtained upon approval.
2. No residential dwelling may be added to the parcel where the commercial kennel is located.
3. The business shall maintain the fencing and planted buffer as described in the applicant's statement.
4. The applicant will pursue retroactive building permits for all buildings measuring more than sixteen feet in length and width.

B
***Motion:* A motion to approve, with conditions was made by Mr. Hunt and seconded by Mr. Varner. Vote: 3-2 (Pilcher & Sosebee opposed)**

Conditions:

1. Any and all further expansion of the facility or kennel activity will be subject to further review and approval of the Board of Commissioners, and appropriate permits obtained upon approval.
2. No residential dwelling may be added to the parcel where the commercial kennel is located.
3. The business shall maintain the fencing and planted buffer as described in the applicant's statement.
4. The applicant will pursue retroactive building permits for all buildings measuring more than sixteen feet in length and width.

C
***Motion:* A motion to approve, with conditions was made by Mr. Hunt and seconded by Mr. Varner. Vote: 3-2 (Pilcher & Sosebee opposed)**

Conditions:

1. Any and all further expansion of the facility or kennel activity will be subject to further review and approval of the Board of Commissioners, and appropriate permits obtained upon approval.
2. No residential dwelling may be added to the parcel where the commercial kennel is located.
3. The business shall maintain the fencing and planted buffer as described in the applicant's statement.
4. The applicant will pursue retroactive building permits for all buildings measuring more than sixteen feet in length and width.

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

HALL COUNTY
GEORGIA
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CONDITIONAL USE APPLICATION

Applicant (Name & Mailing Address)
Holly Crumley
8730 Forrester Rd
Lula GA 30554
Phone 678.316.4519
Email Address crumleyholly@bellsouth.net

Property Owner (Name & Mailing Address)
Holly Crumley
8730 Forrester Rd
Lula GA 30554
Phone 678.316.4519
Email Address crumleyholly@bellsouth.net

Proposed Use revise 2007 conditional use

Contact Person (Name & Mailing Address)
SAME
Phone
Email Address
Tax Parcel Number
Location Address 8730 Forrester Rd, Lula, GA 30554

Status of Applicant
☒ Owner
☐ Option to Purchase
☐ Area Resident
☐ Other

Requested Action
Permissive Use:
☐ HCPC ☒ HCC
Fee:$ 400
Receipt #:
Check #: 5618
Zoning: AR-1V
Acreage 9.50

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

Sign Holly V Crumley Date: 5/12/23

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: 5/17/2023
Taken by: Katie M
Tentative Planning Commission Date: July 3, 23
Tentative County Commission Date: Aug 21, 23 (per req.)
County Commission District: 3

PLANNING AND DEVELOPMENT DEPARTMENT
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AUTHORIZATION OF PROPERTY OWNERS

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

Name of owner(s) Holly Crumley

Address 8730 Forrester Rd
Lula GA 30554

Phone Number 678·316·4519

Name of applicant(s) Holly Crumley

Address 8730 Forrester Rd
Lula GA 30554

Phone Number 678·316·4519

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) Holly V. Crumley

Personally appeared before me
Cindy L. West

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

Cindy L. West
Notary Public

5/12/23
Date

Cindy L West
NOTARY PUBLIC
Hall County, GEORGIA
My Commission Expires 07/09/2026

PLANNING AND DEVELOPMENT DEPARTMENT
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HALL COUNTY
GEORGIA

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: Holly V. Turnley **Date:** 5/12/23

Applicant's/Owner's Name (Printed): _____

Notary Public
Hall County, Georgia
My Commission Expires 07/28/2026

Revised December 2019

PLANNING AND DEVELOPMENT DEPARTMENT
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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: _____ **Date:** 5/12/23

Applicant's/Owner's Name (Printed): Kelly V. Loomley

Narrative
Holly Crumley
8730 Forrester Rd
Lula, Ga 30554

Seeking approval to modify the conditions and the usage for the commercial kennel as stated in the 2007 approval for the business.

Seeking approval for the following:
Keep awnings, porches, porte-cocheres, and existing covered let out and exercise areas as is. (These were necessitated by the Dept. of Agriculture and my veterinarian). Let out areas were covered and insulated and wall units were installed for better temperature control.

I would like to keep the tiny houses/portable buildings. These were added to allow separation for bio-security per veterinarian 's request. The proximity of two of the buildings located near the house is pertinent to the functionally. Sometimes puppies require round the clock care and our ICU units are located in one of the buildings so the closeness to the home is vital to be able to get to those very quickly. The other building is our Quarantine building which is used to isolate puppies/dogs that could be contagious or infectious. It is seldomly used but when needed, it is priceless. The other 3 portable buildings are used as a "Labor and Delivery" where pregnant moms come to deliver their puppies, retail space which services our e-commerce and serves as a handoff location for puppies, and a training/Zen building that is used for a quiet space for meetings, k9 massage, ultrasounds, etc. When I purchased these buildings, I was told I didn't need a building permit or wiring permit as they were already constructed and prewired. I understand now that I did need a wiring permit which I am happy to get.

I am in the process of added a PVC privacy fence around 2 sides of the kennel. This should cut down on the noise significantly as the dogs will not be able to see people and wildlife in the surrounding fields. We are also planting corn in the fields which will act as a buffer.

Seventeen years ago, I started building this business completely unaware of the success it would have. The changes have all been by the advice and recommendations of the Dept of Agriculture and our veterinarian. I didn't see the portable buildings as an expansion. They improve the functionality of the services I was already provided. In the course of seventeen years, it was never my intention to be big but to be good.

I request is that this be heard by the Board of Commissioners on August 24th as I will be out of the country.

Pictures are included.

Regards,

Holly Crumley

Holly Crumley

120 Magnolia place

Homer , Ga.

I am here today to establish the usage of property at 8730 Forrester Rd. Lula.

Rewind 17 years ago. I was here for the very same thing only I had nothing but a paper with the drawing of a building for a commercial dog kennel. What I have realized over this 17 years is the footprint of the

Building would not be the footprint of the business I was about to pour 17 years of my life into.

I believe if I'm correct that the narrative was based on a brochure I had printed of services I was intending to provide that were in line with what you would expect a kennel to offer plus some specialized services (k9 massage). The hours of operation. And I believe I said that my intention was to board 40 dogs as I had 40 Suites.

I had exercise, let out and training areas that were uncovered and the surface was sod.

Now let me tell you my journey to get where I am today.

My intention was to build a place where people could leave there dogs and feel they were safe and

Given the best of care. The first problem..... sod is not a good surface for letouts exercise and training. It cannot be cleaned properly and dog like to dig it up. So little by little I replaced those let out surfaces

with concrete

Next problem concrete creates heat. My first big issue. I could not keep the kennel below 87 degrees. I I had 4 commercial Air-condition units working .That is not healthy to people or animals. My obligation was to find a solution. I began to put porches over all areas with windows or doors. Pictures 1 thru 13 . I even porched the inside of the building and

Put in a split unit. I planted trees for long term shade. Some of the let out areas had to be taken in and window Air conditions put in. You will see that in the pictures I have included as well. I bought several portable garages (also pictured) The portable garages covered some of my let out areas.

I bought my first portable shed from the same fellow that sold me my portable garage. He figured this was a perfect fit as it came built and pre wired and did not require any permits. I had no reason not to believe him as he sold these all day everyday.

I needed a quiet space for k9 massage. Yes that's a thing. I have had a k9 massage therapist since I opened. I have included the current therapist credentials. Plus we are lucky to be able to have specialist come to do clinics. Veterinary Cardiologist, veterinary ophthalmologist even though this building stays empty 90% of the time its great when we need it.

My second shed came as a result of an older gentleman getting knocked down by an overzealous goldendoodle while in the lobby filling out paperwork. The lobby was just to small and now it was a hazard as all check in came through the lobby. I have included a picture . Its very small ! We also

removed all the collars, leashes, dog toys, ect to this portable lobby and decided our best recourse was to do e commerce www.everythingspaniel.com Someone is in that building maybe 4 hours per week.

The Department of Agriculture and my vet put me under pressure to have a quarantine building . I never was on board but a portable shed was definitely the answer if I had to have one. This building had to be isolated for all other dogs and people and when it was used for quarantine . It was to be used if I had a dog that got sick in case it might be infectious or contagious. This would keep my patrons safe . I used it for that purpose 4 times in 8 years. It is on the residential side not used for storage.

Shed #4 took the space of my living room and is used for whelping and rearing of puppies.

Shed #5 we use for the puppy building. It has a incubator , oxygen concentrator and meds for that occasional unlucky puppy that needs round the clock care. Picture included

I have never considered any of these things expansion. In my mind expansion would have been a brick and mortar building (a new wing) to house more boarding dogs. I just thought I was modifying in order to keep my staff and the dogs safe.

After our last meeting I became more mindful of one of my neighbors. Katie Askew, she did not like to walk down her driveway and see the kennel , so we put up a privacy fence and Katie wanted a buffer for noise so we planted corn all around the kennel instead of alfalfa .

The property is now 2 separate parcels and we have reproposed the 2 sheds on the residential side so that the house residential and the other piece of the property is commercial.

I have included a screen shot of a conversation with Katie the day following the BOC meeting. You will see that Katie was not cross with me personally , she just was afraid that the land around her would be a subdivision .

I reached out to all my neighbors via text to make sure that my improvements had helped . I have included the screen shots of our conversations. If you look up Hollys Bed and Biscuit in on Google you will find a 4.7 rating . I am inspected by Department of Agriculture, and American Kennel Club and my rating is excellent. I have a Hall county Business License . Ive included a copy. I believe we have a great track record. I believe we provide a valuable service to out community. Nothing I have done has created more traffic , impacted our environment in a negative way , or created a hardship for my community.

There have been no complaints in 17 years .

Moving forward I don't think my usage need to change just critiqued a bit.

I still want to be a boarding kennel and do all the things boarding kennels do. Boarding , training , grooming. Selling a few retail items. include Pet sales.

My hours need to be a little different. 8 to 6 Monday Tuesday, Thursday , Friday

Wednesday 8 to 12

Saturday 8 to 12

Sunday 3 to 5

Seeking approval for the following.

Keep awnings, porches, porte-cocheres and existing covered let out ,training and exercise areas as is. Theres were necessitated by Dept of Agriculture and by the advise of my veterinarian. Some of the areas

Were covered and insulated for better temperature control .

Keep the portable sheds as they help with bio security and they are nice to look at. They give the campus a village look.

HOLISTIC ANIMAL STUDIES

Angel's Animals, LLC

CERTIFIED CANINE MYO-MANIPULATIVE FUNCTIONAL THERAPIST

In recognition of completing the training, examinations and case studies to earn certification in the Angel's Animals technique

Stasha Bell

Certification # 1102

January 20th, 2021

ANGEL'S ANIMALS CERTIFICATION

DR. ANGELIQUE BARBARA, FOUNDER AND PRESIDENT

Georgia De[illegible]griculture
Animal Protection Division
19 Martin Luther King Jr. Dr. SW
Atlanta, GA 30334
agr.georgia.gov

PET DEALER LICENSE

This license enables the above business to operate in the State of Georgia as a pet dealer subject of the Laws of and the Rules and Regulations promulgated by the Commissioner of Agriculture, thereunder.
This license is subject to revocation by the Commissioner of Agriculture for violation [illegible] Georgia laws, or the R Regulations promulgated by the Commissioner of Agriculture.

License Number:

36-36105159

HOLLY CRUMLEY, INC.
8730 Forrester Rd
Lula GA 30554

Date Issued:

9/14/2022

Expiration Date:

10/31/2023

License Fee: $20

This License Is Not Transferable and Must Be Posted At All Times In A Prominent Business Locat

BUS-0027087

2023

Date:

HALL COUNTY

BUSINESS LICENSE

2023

Acco

EFFECTIVE BEGINNING DATE OF BUSINESS 01/3

Owner: HOLLY CRUMLEY
Holly Crumley, Inc

'MLEY, INC
3730 FORRESTER ROAD
.ULA, GA 30554
:mployees: 8

usiness ype: BOARDING KENNEL, PET SALES, PET GROOMING, GENERAL MERCHANDISE SALES - NEW ITEMS ONLY

Comments: No additional structures authorized by this Permit

Holly Crumley, Inc
8730 FORRESTER RD
LULA, GA 30554

HALL COUNTY
GEORGIA

A license is granted in unincorporated Hall County for period ending December 31, 2023 subject to compliance with the provision of the Business Occupation Tax Code carrying on the business as listed hereon.

Brandi Sm

Licensing Director or Official

NOT TRANSFERABLE - DISPLAY IN A CONS ..OUS PLACE

Georgia Department of Agriculture
Animal Protection Division
19 Martin Luther King Jr. Dr. SW
Atlanta, GA 30334
agr.georgia.gov

KENNEL LICENSE

This license enables the above business to operate in the State of Georgia as a kennel subject of the Laws of Georgia, and the Rules and Regulations promulgated by the Commissioner of Agriculture, thereunder.
This license is subject to revocation by the Commissioner of Agriculture for violation of the Georgia laws, or the Rules and Regulations promulgated by the Commissioner of Agriculture.

License Number:
34-3497947

Date Issued:
6/16/2022

Expiration Date:
9/30/2023

HOLLY'S BED & BISCUIT INN
8730 Forrester Rd
Lula GA 30554

License Type: Capacity for 41 to 80 pets

This License Is Not Transferable and Must Be Posted At All Times In A Prominent Business Loca

SUBDIVIDE SURVEY FOR:
STEVEN M. CRUMLEY & HOLLY V. CRUMLEY
& REGINALD COCHRAN

THIS BLOCK IS RESERVED FOR THE CLERK OF THE SUPERIOR COURT

HALL COUNTY GEORGIA

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

T 770.531.6809 | F 770.531.3902

DIRECTOR
Srikanth Yamala

PLANNING AND DEVELOPMENT DIRECTOR
Randi Doveton

Hall County Government
COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PLANNING AND DEVELOPMENT

April 19, 2023

Steven & Holly Crumley
8730 Forrester Road
Lula, GA 30554

Dear Property Owner:

On April 17, 2023 the Hall County Planning Commission voted to approve, with conditions your application for **8730 Forrester Road | Variance |** for a road frontage variance from 50 feet to 0 feet on a 9.5± acre tract located on the east side of Forrester Road at approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 | **Proposed use: subdivide property |** Commission District 3 | **Steven & Holly Crumley, applicants.**

Conditions:

1. *No further subdivision of the two newly created parcels shall be allowed.*
2. *No expansion of the commercial kennel or its services shall be allowed. If expansion has occurred that is not included in the 2007 approval, the applicant shall submit a conditional use request to bring the commercial kennel operations into compliance.*
3. *No residential dwelling may be added to the tract containing the commercial kennel.*
4. *The following note shall be placed on the plat of record: "Purchaser understands that to the extent that the property is accessed through the current common access driveway, and non-exclusive perpetual easement, the current common access driveway is not maintained by Hall County, does not meet Hall County's common driveway standards, and may not be accessible to emergency vehicles."*
5. *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."*
6. *Standard Hall County platting procedures shall be followed to include the plat by Patton Land Surveying, LLC dated March 1, 2023.*
7. *All conditions of approval shall be included on any plat created for the property.*

The Planning Commission's decision on this item will be the final action taken **unless appealed.** The Planning Commission's decision regarding the above request **may be appealed** to the Hall County Board of Commissioners by filing an application and **appropriate appeal fee** with the Hall County Planning Department within five working days of the date of the Planning Commission's decision.

www.hallcounty.org

If appealed, the above-referenced request will be heard by the Hall County Board of Commissioners at a public hearing on **Tuesday, April 25, 2023 at 6:00 p.m.** at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Approval of your application by the Board is valid for one year. Failure to obtain the proper permits and/or licenses and proceed with the building, occupancy or establishment of business within that time will result in the Board's approval becoming null and void.

Please remember that removal of all Public Notice signs posted on the property is your responsibility and should be removed within five (5) working days following the Planning Commission's decision.

If you have any questions, please call this office.

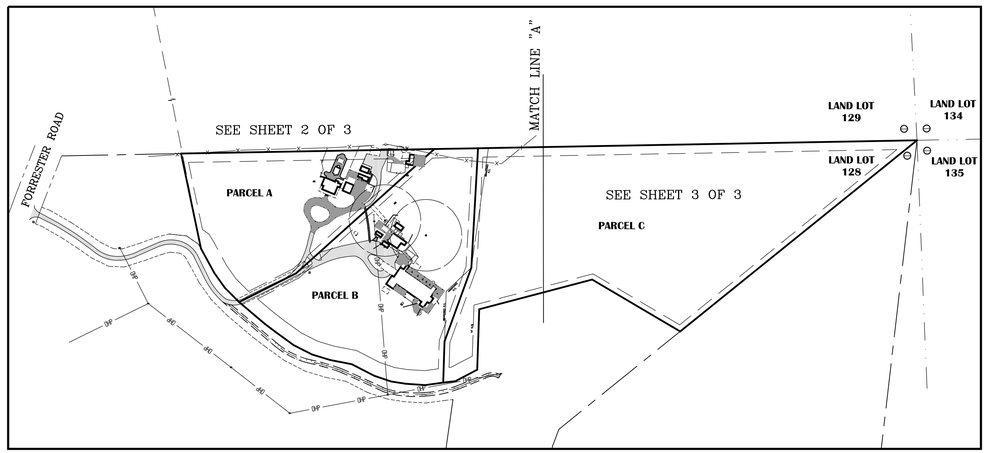
Sincerely,

Randi Doveton
Director

/ad

VICINITY MAP
(NOT TO SCALE)

NORTH



INDEX SHEET
(SCALE 1"=200')

ZONING AND BUILDING SETBACKS (S/B):

INFORMATION PROVIDED BY HALL COUNTY G.I.S.
WEB SITE LOCATED AT: http://gis.hallcounty.org/Public/WebPages/Map/FundyViewer.aspx

CURRENT HALL COUNTY ZONING:
AR-IV – AGRICULTURAL RESIDENTIAL IV

BUILDING SETBACKS:
FRONT: 40' FROM RIGHT-OF-WAY LINE OR 65' FROM CENTERLINE ROAD (WHICHEVER IS GREATER)
SIDE: 15' FROM PROPERTY LINE
REAR: 25' FROM PROPERTY LINE

REFERENCES:

1. DEED BOOK 3547, PAGES 198 & 199
2. DEED BOOK 2014, PAGES 23 & 24
3. DEED BOOK 7536, PAGES 340-342
4. DEED BOOK 8940, PAGES 264-267
5. DEED BOOK 7149, PAGES 706-712
6. DEED BOOK 3155, PAGE 229
7. PLAT SLIDE 685, PAGE 185A
A. SURVEY PREPARED BY FARLEY-COLLINS ASSOCIATES FOR REGINALD COCHRAN, JOB #5345, DATED JULY 23RD, 1993.
B. SURVEY PREPARED BY FARLEY-COLLINS ASSOCIATES FOR FREEMAN OLIVER & MARY OLIVER, JOB #5345, DATED JULY 23RD, 1993.
C. SURVEY PREPARED BY FARLEY-COLLINS ASSOCIATES FOR SHERYL ASKEW, JOB #5345, DATED JULY 23RD, 1993.

AREAS:
PARCEL A: 3.93 ACRES
PARCEL B: 5.57 ACRES
PARCEL C: 10.07 ACRES

WATER SERVICE BY:
INDIVIDUAL WELLS

SEWER SERVICE BY:
ON SITE SEPTIC MANAGEMENT SYSTEMS

LEGEND:

- A.I.F. – ANGLE IRON FOUND
- A.F. – AXLE FOUND
- C.M.F. – CONCRETE MONUMENT FOUND
- A.M.F. – ALUMINUM MONUMENT FOUND
- C.T.F. – CRIMP TOP PIN FOUND
- R.B.F. – REBAR FOUND (SEE DRAWING FOR SIZE)
- O.T.F. – OPEN TOP FOUND (SEE DRAWING FOR SIZE)
- I.P.F. – IRON PIN FOUND
- P.K.N.F. – PARKER KALON NAIL FOUND
- F.X. – X-CUT FOUND
- N.F. – NAIL FOUND
- R.F. – ROCK FOUND
- R.R.F. – RAILROAD SPIKE FOUND
- T.F. – TACK FOUND
- P.K.N.S. – PARKER KALON NAIL SET
- R.B.S. – 1/2" REBAR SET & CAP STAMPED "LSF 1029"
- C.M.S. – CONCRETE MONUMENT SET
- N.S. – NAIL SET
- C.P. – CALCULATED POINT
- D.I. – DROP INLET
- J.B. – JUNCTION BOX
- W.I. – WIER INLET
- Y.I. – YARD INLET
- C.V. – CABLE TV VAULT
- C.R. – CABLE RISER
- T.R. – TELEPHONE RISER
- T.V. – TELEPHONE VAULT
- T.P. – TELEPHONE POLE
- T.M.H. – TELEPHONE MANHOLE
- U.T.B. – UNDERGROUND TELEPHONE BOX
- A.C. – AIR CONDITIONER
- P.B. – POWER TRANSFORMER BOX
- E.P.B. – ELECTRIC PULL BOX
- E.M. – ELECTRIC METER
- P.P. – POWER POLE
- F.L. – FLOOD LIGHT
- S.P. – SERVICE POLE
- L.P. – LIGHT POLE
- G.W. – GUY WIRE
- G.P. – GUY ANCHOR POLE
- E.S. – ELECTRIC SERVICE
- W.M. – WATER METER
- W.V. – WATER VALVE
- F.H. – FIRE HYDRANT
- F.D.C. – FIRE DEPARTMENT CONNECTION
- I.C.V. – IRRIGATION CONTROL VALVE
- W.P. – WELL POINT
- S.P.G. – WATER SPIGOT
- B.O. – WATER BLOW OFF
- B.F.P. – WATER BACKFLOW PREVENTER
- SPK – SPRINKLER
- C.O. – SANITARY CLEANOUT
- S.S.M.H. – SANITARY SEWER MANHOLE
- G.V. – SANITARY GATE VALVE
- G.T. – GREASE TRAP
- U.M. – UNKNOWN TYPE MANHOLE
- GAS – GAS VALVE
- G.M. – GAS METER
- P.R. – PROPANE TANK
- F.P. – FLAG POLE
- T.S.P. – TRAFFIC SIGNAL POLE
- T.S.B. – TRAFFIC SIGNAL BOX
- M.W. – MONITORING WELL
- S.H. – SPRING HEAD
- B.P. – BOLLARD POST
- S.N.L. – TRAFFIC SIGN
- H.C.P. – HANDICAP PARKING
- B.M. – BENCHMARK
- M.B. – MAILBOX
- H.C.R. – HANDICAP RAMP
- A.H. – ACCESS HATCH
- R.L. – ROOF LINE
- E.P. – EDGE OF PAVEMENT
- B.C. – BACK OF CURB
- S.W.C.B. – SINGLE WING CATCH BASIN
- D.W.C.B. – DOUBLE WING CATCH BASIN
- I.E. – INVERT ELEVATION
- EL. – ELEVATION
- C.M.P. – CORRUGATED METAL PIPE
- R.C.P. – REINFORCED CONCRETE PIPE
- B.C.C.M.P. – BITUMINOUS COATED CORRUGATED PIPE
- H.D.P.E. – HIGH DENSITY POLYETHYLENE PIPE
- P.V.C. – POLYVINYL CHLORIDE PIPE
- D.I.P. – DUCTILE IRON PIPE
- R.W. – RETAINING WALL
- —T— – BURIED TELEPHONE LINE
- —\— – OVERHEAD TELEPHONE LINE
- —W— – BURIED WATER MAIN
- —SS— – BURIED SEWER LINE
- —G— – BURIED GAS LINE
- —E— – BURIED ELECTRIC LINE
- —TV— – BURIED CABLE TV
- —o— – CHAIN LINK FENCE
- —□— – WOOD FENCE
- —×— – WIRE FENCE
- —◇— – METAL FENCE
- —OHP— – OVERHEAD POWER LINES
- —•— – TRAFFIC SIGNAL LINE
- ⊂⊃ – FENCE GATE
- P/L – PROPERTY LINE
- R/W – RIGHT-OF-WAY
- N/F – NOW OR FORMERLY
- ℄ – CENTERLINE
- INTX – INTERSECTION
- R – CURVE RADIUS
- L – CURVE ARC LENGTH
- Δ – CURVE CENTRAL ANGLE
- C BRG – CHORD BEARING
- C DIST – CHORD DISTANCE
- L.L. – LAND LOT
- N – NORTHING COORDINATE
- E – EASTING COORDINATE
- S/B – SETBACK
- P.O.B. – POINT OF BEGINNING
- P.O.C. – POINT OF COMMENCEMENT
- G.D.O.T. – GEORGIA DEPARTMENT OF TRANSPORTATION
- STA. – STATION
- SQ. FT. – SQUARE FEET
- ⟷ – CONTINUOUS OWNERSHIP
- ⊕ – BUILDING HEIGHT LOCATION
- 25.5 – BUILDING HEIGHT (FROM GROUND TO ROOF PEAK)
- X 25.52 – SPOT ELEVATION
- – CONCRETE
- – WOOD DECKING
- – GRAVEL
- – ASPHALT
- – PAVERBRICK

SURVEYOR'S NOTES:

1. THIS SURVEY WAS PREPARED ON THE GEORGIA STATE PLANE COORDINATE SYSTEM, TRANSVERSE MERCATOR PROJECTION, WEST ZONE, NORTH AMERICAN DATUM OF 1983\2007 ADJUSTMENT. THE SCALE FACTOR FOR THIS SITE IS: 0.999921264. (GRID DISTANCE\SCALE FACTOR=GROUND DISTANCE). ALL COORDINATES SHOWN HEREON ARE GRID COORDINATES UNLESS OTHERWISE STATED.

2. THIS SURVEY COMPLIES WITH BOTH THE RULES OF THE GEORGIA BOARD OF REGULATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE OFFICIAL CODE OF GEORGIA ANNOTATED (OCGA) 15-6-67 AS AMENDED BY HB76 (2017).

3. CONVENTIONAL EQUIPMENT USED FOR MEASUREMENT WAS A TOPCON PS 103. GPS EQUIPMENT USED FOR MEASUREMENT WAS A CHAMPION TKO GNSS RECEIVER USING REALTIME KINEMATIC OBSERVATIONS PROCESSED THROUGH THE EGPS NETWORK.

4. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 25,102 FEET AND AN ANGULAR CLOSURE OF 00'00'03" PER ANGLE POINT, AND WAS ADJUSTED USING LEAST SQUARES RULE. FIELD PARTY D.C. & D.T.

5. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE AS FOLLOWS:

PARCEL "A" – WITHIN ONE FOOT IN 588,006 FEET.
PARCEL "B" – WITHIN ONE FOOT IN 330,214 FEET.
PARCEL "C" – WITHIN ONE FOOT IN 290,886 FEET.

6. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF TITLE REVIEW AND IS SUBJECT TO ANY RESERVATIONS, RESTRICTIONS, RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

7. THIS PLAT OF SURVEY IS FOR THE EXCLUSIVE USE OF THE PARTIES LISTED UNDER THE CAPTION "SURVEY FOR" ANY THIRD PARTY USE TO BE AT THEIR OWN RISK.

8. THE FIELD SURVEY WAS CONDUCTED ON JANUARY 27TH-31ST, FEBRUARY 17TH & 20TH, 2023.

HALL COUNTY PLAT NOTES:

1. ANY STREAM OR STATE WATER LOCATED ON THIS PROPERTY MAY BE SUBJECT TO A 50 FEET UNDISTURBED NATURAL VEGETATIVE BUFFER AND A 75 FEET IMPERVIOUS SURFACE SETBACK MEASURED FROM THE POINT OF WRESTED VEGETATION (HALL COUNTY CODE § 8.170.070).

2. IF PROPERTY IS LOCATED IN THE NORTH OCONEE WATERSHED DISTRICT, THEN ADDITIONAL STREAM BUFFERS AND IMPERVIOUS SETBACKS MAY BE REQUIRED FOR COMPLIANCE. (HALL COUNTY CODE § 17.225.040).

3. THIS PROPERTY IS NOT LOCATED WITHIN A FLOOD HAZARD AREA AS PER FIRM FLOOD INSURANCE RATE MAP OF HALL COUNTY, GA. COMMUNITY PANEL NO. 13046 0105 G, EFFECTIVE DATE: APRIL 4TH, 2018. THIS OPINION IS NOT A CERTIFICATION OF FLOOD HAZARD STATUS, BUT IS AN INTERPRETATION OF THE REFERENCED MAP AND PUBLIC DATA. IF THE EXACT LOCATION OR ELEVATIONS OF THE FLOOD HAZARD BOUNDARIES ARE NECESSARY, A MORE DETAILED STUDY MAY BE NEEDED. THIS FIRM ASSUMES NO RESPONSIBILITY OR LIABILITY FOR THE ACCURACY OF THE REFERENCED MAP OR PUBLIC DATA.

4. THIS PROPERTY OR A PORTION THEREOF IS NOT LOCATED IN THE HALL COUNTY STUDIED FLOOD ZONE PER HALL COUNTY GIS.

5. IF RESIDENTIAL PROPERTY IS SUBDIVIDED INTO SEVEN LOTS OR MORE WITH ALL LOTS ACCESSING EXISTING HALL COUNTY, GEORGIA ROADS, THEN STORMWATER MANAGEMENT IS REQUIRED FOR COMPLIANCE. (HALL COUNTY CODE § 8.180.160)

6. ALL DRIVEWAYS MUST MEET HALL COUNTY DRIVEWAY REGULATIONS PER CODE § 12.40.

7. ALL LAND DISTURBANCE OVER ONE ACRE SHALL REQUIRE AN EROSION SEDIMENTATION POLLUTION CONTROL PLAN.

SURVEYOR'S CERTIFICATION:

GEORGIA REGISTERED PROFESSIONAL No. 2647 LAND SURVEYOR CHRIS M. PATTON

HALL COUNTY SURVEYOR

AS REQUIRED BY SUBSECTION (D) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

03/01/2023
CHRIS M. PATTON, GA. R.L.S. #2647 DATE:

REGISTERED PROFESSIONAL LAND SURVEYORS

P.O. BOX 256
GAINESVILLE, GA. 30503
PHONE: (770) 532-6492
www.pattonsurveying.com

LAND SURVEYING FIRM
CERTIFICATE OF AUTHORIZATION
NUMBER LSF 001029

PATTON LAND SURVEYING, LLC

No.	DATE	DESCRIPTION
1	05-03-2023	ADDED VARIANCE LETTER AND NEW DEEDS
2	05-18-2023	ADDED DIMENSIONS PER COUNTY COMMENTS

COMPUTATIONS BY: C.K.
SURVEYED BY: D.C. & D.W.
DRAFTED BY: C.K.
CHECKED BY: C.P.

SUBDIVIDE SURVEY FOR:
STEVEN M. CRUMLEY & HOLLY V. CRUMLEY & REGINALD COCHRAN
– LOCATED IN –
LAND LOT 128
12TH LAND DISTRICT
HALL COUNTY, GEORGIA

REVISIONS

SHEET NUMBER:
1 of 3

SCALE: N/A
SURVEY DATE: 02/20/2023
PLAT DATE: 03/01/2023

22-199.dwg
JN. 22-199

THIS BLOCK IS RESERVED FOR THE CLERK OF THE SUPERIOR COURT

GRID NORTH

POINT OF COMMENCEMENT
P.K.N.S.
N:1630979.58
E:2432305.91

PROPERTY TIE:
S 11°07'55" E 2197.97'
(FROM THE CENTERLINE INTERSECTION OF FORRESTER ROAD & OLIVER MILL ROAD)

– N/F –
REGINALD COCHRAN
(NO DEED INFORMATION AVAILABLE)

WIRE FENCE (CROSSES P/L)

1/2" R.B.F.

FENCE LINE (1.8' SOUTH OF 1/2" R.B.F.)

P/L

ZONED PCPD
ZONED AR-IV

APPROXIMATE LAND LOT LINE

N 88°58'12" E 708.00'

6.6'

8.4'

COVERED CONCRETE

8.8'

CARPORT (OVER P/L 8.6')

8.6'

11.3'

20'X28' CARPORT OVER ASPHALT

3.4'

ASPHALT (OVER P/L)

DOG PINS (TYPICAL)

1/2" R.B.S.

N 88°58'12" E 122.10'

N 88°58'12" E 28.84'

3/8" R.B.F.

WIRE FENCE (CROSSES P/L)

N 88°57'20" E 1197.93'

25' S/B

32.8'

44.4'

4' WIRE FENCE

ABANDONED P/L

CONCRETE POOL EQUIPMENT PAD

POOL

HOT TUB

12.8'

10.6'

13'X20' WOOD BUILDING

14'X24 WOOD BUILDING

STEPS

17.2'

4.7'

CONCRETE DOG PINS (TO BE REMOVED)

METAL BUILDING "TO BE REMOVED"

15' S/B

231.19'

20.5'X22' CARPORT OVER CONCRETE

CONCRETE DRIVEWAY

5.8'

30.8'

38.5'

24.4'

10.5'

8.6'

COVERED PORCH

WALL

STEPS

10.0'

24'X27' WOOD GARAGE

31.9'

PARCEL "A"

– N/F –
STEVEN M. CRUMLEY & HOLLY V. CRUMLEY
(DEED BOOK 3547, PAGES 198 & 199)
(SURVEY REFERENCE "A")

CONCRETE DRIVEWAY

PLANTED MEDIAN

PROPOSED 10' WATER LINE EASEMENT

100' WELL RADIUS (NO SEPTIC)

COVERED CONCRETE

13'X24 WOOD BUILDING

44.7'

11.5' ASPHALT DRIVEWAY

S 48°02'45" W 519.79'

1.5' CONCRETE WALK

WOOD GAZEBO

STEP

R.L.

30.0'

48.0'

11.4'

17.4'X20' WOOD BUILDING

3" CONCRETE WALK

ASPHALT PARKING

9'X20' WOOD BUILDING

WOOD DECK

COVERED PORTECOCHERE

10.9'

13.0'

8.8'

1 STORY METAL BUILDING WITH KENNELS

83.5'

83.6'

18.2'

20.0'

14.9'

13'x20' CARPORT

5' CHAIN LINK FENCE (TYPICAL)

ABANDONED P/L

48.7'

69.7'

60.3'

S 75°18'07" W 326.53'

1/2" R.B.F.

– N/F –
GERRAN GILMER SYFAN, AS EXECUTOR OF THE ESTATE OF REGINOLD COCHRAN
(DEED BOOK 9299, PAGES 461–463)

MATCH LINE "A" (SEE SHEET 3 OF 3)

FORRESTER ROAD
(80' WIDE PUBLIC RIGHT-OF-WAY)

– N/F –
JOSHUA DAVID MILLER & ROXIE DANIELLE MILLER
(DEED BOOK 7536, PAGES 340–342)
(SURVEY REFERENCE "B")

1/2" R.B.F.

N 17°57'01" W 271.11'

15' S/B

POINT OF BEGINNING
(1/2" R.B.F.)

40' S/B

N 28°24'08" W 77.83'

11' ASPHALT DRIVEWAY

S 63°09'11" W 178.16'

P.K.N.S.

BUSINESS SIGN

40.0'

ASPHALT DRIVEWAY

PROPOSED 20' INGRESS & EGRESS EASEMENT

50' INGRESS & EGRESS EASEMENT
(DEED BOOK 3547, PAGES 198 & 199)

PARCEL "B"

– N/F –
STEVEN M. CRUMLEY & HOLLY V. CRUMLEY
(DEED BOOK 3547, PAGES 198 & 199)
(SURVEY REFERENCE "A")

239.6'

214.3'

(TIE LINE)
N 01°49'49" E
140.00'

S 19°54'40" W 219.46'

S 01°52'35" W 114.83'

1/2" R.B.F.

3/8" R.B.F.

S 62°20'26" W 68.74'

S 03°14'24" W 334.25'

(TIE LINE)
N 08°07'33" E 337.63'

PARCEL "C"

– N/F –
REGINALD COCHRAN
(DEED BOOK 2014, PAGES 23 & 24)
(SURVEY REFERENCE "A")

S 01°15'03" W 169.02'

1/2" R.B.S.

(TIE LINE)
N 46°36'10" E
83.15'

– N/F –
STEVEN M. CRUMLEY & HOLLY V. CRUMLEY
(DEED BOOK 9299, PAGES 464–466)

LINE	BEARING	DISTANCE
L1	N 45°06'08" W	56.64'
L2	N 35°14'36" W	50.79'
L3	S 82°00'03" W	50.49'
L4	N 86°25'12" W	54.18'
L5	N 80°55'34" W	41.80'
L6	N 71°24'30" W	49.95'
L7	N 62°47'14" W	70.65'
L8	N 78°52'11" W	60.88'
L9	N 73°27'08" W	53.03'
L10	N 62°54'56" W	58.45'
L11	N 54°04'15" W	59.15'
L12	N 52°50'14" W	39.91'
L13	N 49°44'00" W	45.49'
L14	N 49°48'56" W	49.32'
L15	S 83°24'23" W	34.38'

50' 0' 50' 100' 150'
GRAPHIC SCALE – 1 INCH = 50 FEET

REGISTERED PROFESSIONAL LAND SURVEYORS

P.O. BOX 256
GAINESVILLE, GA. 30503
PHONE: (770) 532-6492
www.pattonsurveying.com

LAND SURVEYING FIRM
CERTIFICATE OF AUTHORIZATION
NUMBER LSF 001029

PATTON
LAND SURVEYING, LLC

COMPUTATIONS BY: C.K.
SURVEYED BY: D.C. & D.W.
DRAFTED BY: C.K.
CHECKED BY: C.P.

SUBDIVIDE SURVEY FOR:
STEVEN M. CRUMLEY & HOLLY V. CRUMLEY & REGINALD COCHRAN
– LOCATED IN –
LAND LOT 128
12TH LAND DISTRICT
HALL COUNTY, GEORGIA

REVISIONS

No.	DATE	DESCRIPTION
1	05-03-2023	ADDED VARIANCE LETTER AND NEW DEEDS
2	05-18-2023	ADDED DIMENSIONS PER COUNTY COMMENTS

SHEET NUMBER:
2 of 3
SCALE: 1" = 50'
SURVEY DATE: 02/20/2023
PLAT DATE: 03/01/2023
22-199.dwg
JN. 22-199

THIS BLOCK IS RESERVED FOR THE CLERK OF THE SUPERIOR COURT

GRID NORTH

MATCH LINE "A" (SEE SHEET 3 OF 3)

– N/F –
REGINALD COCHRAN
(NO DEED INFORMATION AVAILABLE)

ZONED PCFD
ZONED AR-IV

ZONED AR-IV
ZONED PCFD

APPROXIMATE LAND LOT LINE

N 88°57'20" E 1197.93'

25' S/B

25' S/B

LL 129

LL 134

1/2" R.B.S.

LL 128

LL 135

APPROXIMATE LAND LOT LINE

P/L

– N/F –
BRIAN K. ROGERS & RHONDA K. ROGERS
(DEED BOOK 3155, PAGE 229)
(PLAT SLIDE 685, PAGE 185A)

PARCEL "C"

– N/F –
REGINALD COCHRAN
(DEED BOOK 2014, PAGES 23 & 24)
(SURVEY REFERENCE "A")

15' S/B

S 51°05'29" W 850.56'

1/2" R.B.F.
(N 03°21'09" W 0.67'
FROM 1/2" R.B.F.)

15' S/B

S 75°18'07" W 326.53'

1/2" R.B.S.

15' S/B

N 59°31'13" W 285.18'

– N/F –
BEAVER DAM POND, LLC
(DEED BOOK 7149, PAGES 706-712)

– N/F –
KATIE HELEN ASKEW
(DEED BOOK 8940, PAGES 264-267)
(SURVEY REFERENCE "C")

1/2" R.B.F.

3/8" R.B.F.
(S 81°28'18" E 2.84'
FROM 1/2" R.B.F.)

P/L

50' 0' 50' 100' 150'

GRAPHIC SCALE – 1 INCH = 50 FEET

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– LOCATED IN –

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3 of 3

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PLAT DATE: 03/01/2023

22-199.dwg

JN. 22-199

SUBDIVIDE SURVEY FOR:
STEVEN M. CRUMLEY & HOLLY V. CRUMLEY
& REGINALD COCHRAN

THIS BLOCK IS RESERVED FOR THE CLERK OF THE SUPERIOR COURT

HALL COUNTY GEORGIA

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

T 770.531.6809 | F 770.531.3902

DIRECTOR
Srikanth Yamala

PLANNING AND DEVELOPMENT DIRECTOR
Randi Doveton

Hall County Government
COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PLANNING AND DEVELOPMENT

April 19, 2023

Steven & Holly Crumley
8730 Forrester Road
Lula, GA 30554

Dear Property Owner:

On April 17, 2023 the Hall County Planning Commission voted to approve, with conditions your application for **8730 Forrester Road | Variance |** for a road frontage variance from 50 feet to 0 feet on a 9.5± acre tract located on the east side of Forrester Road at approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 | **Proposed use: subdivide property |** Commission District 3 | **Steven & Holly Crumley, applicants.**

Conditions:

1. *No further subdivision of the two newly created parcels shall be allowed.*
2. *No expansion of the commercial kennel or its services shall be allowed. If expansion has occurred that is not included in the 2007 approval, the applicant shall submit a conditional use request to bring the commercial kennel operations into compliance.*
3. *No residential dwelling may be added to the tract containing the commercial kennel.*
4. *The following note shall be placed on the plat of record: "Purchaser understands that to the extent that the property is accessed through the current common access driveway, and non-exclusive perpetual easement, the current common access driveway is not maintained by Hall County, does not meet Hall County's common driveway standards, and may not be accessible to emergency vehicles."*
5. *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."*
6. *Standard Hall County platting procedures shall be followed to include the plat by Patton Land Surveying, LLC dated March 1, 2023.*
7. *All conditions of approval shall be included on any plat created for the property.*

The Planning Commission's decision on this item will be the final action taken **unless appealed.** The Planning Commission's decision regarding the above request **may be appealed** to the Hall County Board of Commissioners by filing an application and **appropriate appeal fee** with the Hall County Planning Department within five working days of the date of the Planning Commission's decision.

www.hallcounty.org

If appealed, the above-referenced request will be heard by the Hall County Board of Commissioners at a public hearing on **Tuesday, April 25, 2023 at 6:00 p.m.** at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Approval of your application by the Board is valid for one year. Failure to obtain the proper permits and/or licenses and proceed with the building, occupancy or establishment of business within that time will result in the Board's approval becoming null and void.

Please remember that removal of all Public Notice signs posted on the property is your responsibility and should be removed within five (5) working days following the Planning Commission's decision.

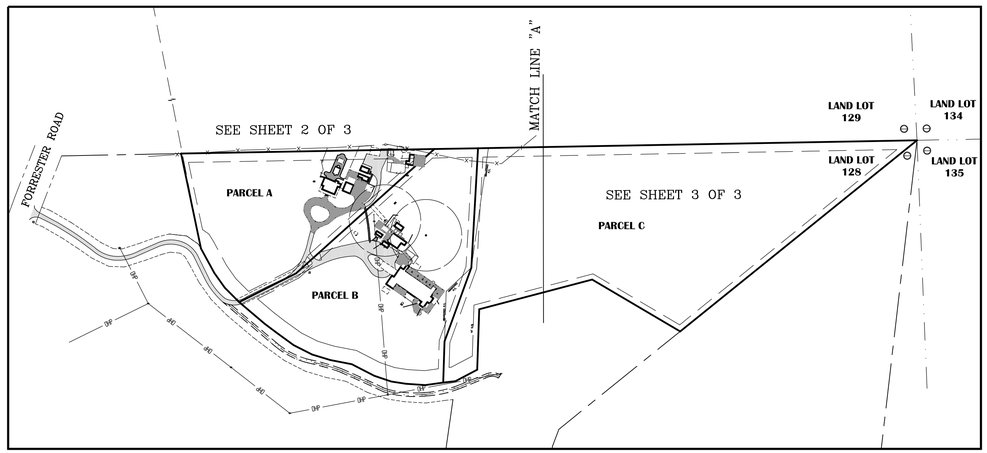
If you have any questions, please call this office.

Sincerely,

Randi Doveton
Director

/ad

VICINITY MAP
(NOT TO SCALE)



INDEX SHEET
(SCALE 1"=200')

ZONING AND BUILDING SETBACKS (S/B):

INFORMATION PROVIDED BY HALL COUNTY G.I.S.
WEB SITE LOCATED AT: http://gis.hallcounty.org/Public/WebPages/Map/FundyViewer.aspx

CURRENT HALL COUNTY ZONING:
AR-IV – AGRICULTURAL RESIDENTIAL IV

BUILDING SETBACKS:
FRONT: 40' FROM RIGHT-OF-WAY LINE OR 65' FROM CENTERLINE ROAD (WHICHEVER IS GREATER)
SIDE: 15' FROM PROPERTY LINE
REAR: 25' FROM PROPERTY LINE

REFERENCES:

1. DEED BOOK 3547, PAGES 198 & 199
2. DEED BOOK 2014, PAGES 23 & 24
3. DEED BOOK 7536, PAGES 340-342
4. DEED BOOK 8940, PAGES 264-267
5. DEED BOOK 7149, PAGES 706-712
6. DEED BOOK 3155, PAGE 229
7. PLAT SLIDE 685, PAGE 185A
A. SURVEY PREPARED BY FARLEY-COLLINS ASSOCIATES FOR REGINALD COCHRAN, JOB #5345, DATED JULY 23RD, 1993.
B. SURVEY PREPARED BY FARLEY-COLLINS ASSOCIATES FOR FREEMAN OLIVER & MARY OLIVER, JOB #5345, DATED JULY 23RD, 1993.
C. SURVEY PREPARED BY FARLEY-COLLINS ASSOCIATES FOR SHERYL ASKEW, JOB #5345, DATED JULY 23RD, 1993.

AREAS:
PARCEL A: 3.93 ACRES
PARCEL B: 5.57 ACRES
PARCEL C: 10.07 ACRES

WATER SERVICE BY:
INDIVIDUAL WELLS

SEWER SERVICE BY:
ON SITE SEPTIC MANAGEMENT SYSTEMS

LEGEND:

- A.I.F. – ANGLE IRON FOUND
- A.F. – AXLE FOUND
- C.M.F. – CONCRETE MONUMENT FOUND
- A.M.F. – ALUMINUM MONUMENT FOUND
- C.T.F. – CRIMP TOP PIN FOUND
- R.B.F. – REBAR FOUND (SEE DRAWING FOR SIZE)
- O.T.F. – OPEN TOP FOUND (SEE DRAWING FOR SIZE)
- I.P.F. – IRON PIN FOUND
- P.K.N.F. – PARKER KALON NAIL FOUND
- F.X. – X-CUT FOUND
- N.F. – NAIL FOUND
- R.F. – ROCK FOUND
- R.R.F. – RAILROAD SPIKE FOUND
- T.F. – TACK FOUND
- P.K.N.S. – PARKER KALON NAIL SET
- R.B.S. – 1/2" REBAR SET & CAP STAMPED "LSF 1029"
- C.M.S. – CONCRETE MONUMENT SET
- N.S. – NAIL SET
- C.P. – CALCULATED POINT
- D.I. – DROP INLET
- J.B. – JUNCTION BOX
- W.I. – WIER INLET
- Y.I. – YARD INLET
- C.V. – CABLE TV VAULT
- C.R. – CABLE RISER
- T.R. – TELEPHONE RISER
- T.V. – TELEPHONE VAULT
- T.P. – TELEPHONE POLE
- T.M.H. – TELEPHONE MANHOLE
- U.T.B. – UNDERGROUND TELEPHONE BOX
- A.C. – AIR CONDITIONER
- P.B. – POWER TRANSFORMER BOX
- E.P.B. – ELECTRIC PULL BOX
- E.M. – ELECTRIC METER
- P.P. – POWER POLE
- F.L. – FLOOD LIGHT
- S.P. – SERVICE POLE
- L.P. – LIGHT POLE
- G.W. – GUY WIRE
- G.P. – GUY ANCHOR POLE
- E.S. – ELECTRIC SERVICE
- W.M. – WATER METER
- W.V. – WATER VALVE
- F.H. – FIRE HYDRANT
- F.D.C. – FIRE DEPARTMENT CONNECTION
- I.C.V. – IRRIGATION CONTROL VALVE
- W.P. – WELL POINT
- S.P.G. – WATER SPIGOT
- B.O. – WATER BLOW OFF
- B.F.P. – WATER BACKFLOW PREVENTER
- SPK – SPRINKLER
- C.O. – SANITARY CLEANOUT
- S.S.M.H. – SANITARY SEWER MANHOLE
- G.V. – SANITARY GATE VALVE
- G.T. – GREASE TRAP
- U.M. – UNKNOWN TYPE MANHOLE
- GAS – GAS VALVE
- G.M. – GAS METER
- P.R. – PROPANE TANK
- F.P. – FLAG POLE
- T.S.P. – TRAFFIC SIGNAL POLE
- T.S.B. – TRAFFIC SIGNAL BOX
- M.W. – MONITORING WELL
- S.H. – SPRING HEAD
- B.P. – BOLLARD POST
- S.N.L. – TRAFFIC SIGN
- H.C.P. – HANDICAP PARKING
- B.M. – BENCHMARK
- M.B. – MAILBOX
- H.C.R. – HANDICAP RAMP
- A.H. – ACCESS HATCH
- R.L. – ROOF LINE
- E.P. – EDGE OF PAVEMENT
- B.C. – BACK OF CURB
- S.W.C.B. – SINGLE WING CATCH BASIN
- D.W.C.B. – DOUBLE WING CATCH BASIN
- I.E. – INVERT ELEVATION
- EL. – ELEVATION
- C.M.P. – CORRUGATED METAL PIPE
- R.C.P. – REINFORCED CONCRETE PIPE
- B.C.C.M.P. – BITUMINOUS COATED CORRUGATED PIPE
- H.D.P.E. – HIGH DENSITY POLYETHYLENE PIPE
- P.V.C. – POLYVINYL CHLORIDE PIPE
- D.I.P. – DUCTILE IRON PIPE
- R.W. – RETAINING WALL
- —T— – BURIED TELEPHONE LINE
- —\— – OVERHEAD TELEPHONE LINE
- —W— – BURIED WATER MAIN
- —SS— – BURIED SEWER LINE
- —G— – BURIED GAS LINE
- —E— – BURIED ELECTRIC LINE
- —TV— – BURIED CABLE TV
- —o—— – CHAIN LINK FENCE
- —□—— – WOOD FENCE
- —×—— – WIRE FENCE
- —◇—— – METAL FENCE
- —OHP— – OVERHEAD POWER LINES
- —•—•— – TRAFFIC SIGNAL LINE
- – FENCE GATE
- P/L – PROPERTY LINE
- R/W – RIGHT-OF-WAY
- N/F – NOW OR FORMERLY
- ℄ – CENTERLINE
- INTX – INTERSECTION
- R – CURVE RADIUS
- L – CURVE ARC LENGTH
- Δ – CURVE CENTRAL ANGLE
- C BRG – CHORD BEARING
- C DIST – CHORD DISTANCE
- L.L. – LAND LOT
- N – NORTHING COORDINATE
- E – EASTING COORDINATE
- S/B – SETBACK
- P.O.B. – POINT OF BEGINNING
- P.O.C. – POINT OF COMMENCEMENT
- G.D.O.T. – GEORGIA DEPARTMENT OF TRANSPORTATION
- STA. – STATION
- SQ. FT. – SQUARE FEET
- ⟷ – CONTINUOUS OWNERSHIP
- ⌖ – BUILDING HEIGHT LOCATION
- 25.5' – BUILDING HEIGHT (FROM GROUND TO ROOF PEAK)
- X 25.52 – SPOT ELEVATION
- – CONCRETE
- – WOOD DECKING
- – GRAVEL
- – ASPHALT
- – PAVERBRICK

SURVEYOR'S CERTIFICATION:

GEORGIA REGISTERED PROFESSIONAL No. 2647 LAND SURVEYOR CHRIS M. PATTON

HALL COUNTY SURVEYOR

AS REQUIRED BY SUBSECTION (D) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

Chris M. Patton — 03/01/2023

CHRIS M. PATTON, GA. R.L.S. #2647 — DATE:

SURVEYOR'S NOTES:

1. THIS SURVEY WAS PREPARED ON THE GEORGIA STATE PLANE COORDINATE SYSTEM, TRANSVERSE MERCATOR PROJECTION, WEST ZONE, NORTH AMERICAN DATUM OF 1983\2007 ADJUSTMENT. THE SCALE FACTOR FOR THIS SITE IS: 0.999921264. (GRID DISTANCE\SCALE FACTOR=GROUND DISTANCE). ALL COORDINATES SHOWN HEREON ARE GRID COORDINATES UNLESS OTHERWISE STATED.

2. THIS SURVEY COMPLIES WITH BOTH THE RULES OF THE GEORGIA BOARD OF REGULATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE OFFICIAL CODE OF GEORGIA ANNOTATED (OCGA) 15-6-67 AS AMENDED BY HB76 (2017).

3. CONVENTIONAL EQUIPMENT USED FOR MEASUREMENT WAS A TOPCON PS 103. GPS EQUIPMENT USED FOR MEASUREMENT WAS A CHAMPION TKO GNSS RECEIVER USING REALTIME KINEMATIC OBSERVATIONS PROCESSED THROUGH THE EGPS NETWORK.

4. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 25,102 FEET AND AN ANGULAR CLOSURE OF 00'00'03" PER ANGLE POINT, AND WAS ADJUSTED USING LEAST SQUARES RULE. FIELD PARTY D.C. & D.T.

5. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE AS FOLLOWS:

PARCEL "A" – WITHIN ONE FOOT IN 588,006 FEET.
PARCEL "B" – WITHIN ONE FOOT IN 330,214 FEET.
PARCEL "C" – WITHIN ONE FOOT IN 290,886 FEET.

6. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF TITLE REVIEW AND IS SUBJECT TO ANY RESERVATIONS, RESTRICTIONS, RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

7. THIS PLAT OF SURVEY IS FOR THE EXCLUSIVE USE OF THE PARTIES LISTED UNDER THE CAPTION "SURVEY FOR" ANY THIRD PARTY USE TO BE AT THEIR OWN RISK.

8. THE FIELD SURVEY WAS CONDUCTED ON JANUARY 27TH-31ST, FEBRUARY 17TH & 20TH, 2023.

HALL COUNTY PLAT NOTES:

1. ANY STREAM OR STATE WATER LOCATED ON THIS PROPERTY MAY BE SUBJECT TO A 50 FEET UNDISTURBED NATURAL VEGETATIVE BUFFER AND A 75 FEET IMPERVIOUS SURFACE SETBACK MEASURED FROM THE POINT OF WRESTED VEGETATION (HALL COUNTY CODE § 8.170.070).

2. IF PROPERTY IS LOCATED IN THE NORTH OCONEE WATERSHED DISTRICT, THEN ADDITIONAL STREAM BUFFERS AND IMPERVIOUS SETBACKS MAY BE REQUIRED FOR COMPLIANCE. (HALL COUNTY CODE § 17.225.040).

3. THIS PROPERTY IS NOT LOCATED WITHIN A FLOOD HAZARD AREA AS PER FIRM FLOOD INSURANCE RATE MAP OF HALL COUNTY, GA. COMMUNITY PANEL NO. 13046 0105 G, EFFECTIVE DATE: APRIL 4TH, 2018. THIS OPINION IS NOT A CERTIFICATION OF FLOOD HAZARD STATUS, BUT IS AN INTERPRETATION OF THE REFERENCED MAP AND PUBLIC DATA. IF THE EXACT LOCATION OR ELEVATIONS OF THE FLOOD HAZARD BOUNDARIES ARE NECESSARY, A MORE DETAILED STUDY MAY BE NEEDED. THIS FIRM ASSUMES NO RESPONSIBILITY OR LIABILITY FOR THE ACCURACY OF THE REFERENCED MAP OR PUBLIC DATA.

4. THIS PROPERTY OR A PORTION THEREOF IS NOT LOCATED IN THE HALL COUNTY STUDIED FLOOD ZONE PER HALL COUNTY GIS.

5. IF RESIDENTIAL PROPERTY IS SUBDIVIDED INTO SEVEN LOTS OR MORE WITH ALL LOTS ACCESSING EXISTING HALL COUNTY, GEORGIA ROADS, THEN STORMWATER MANAGEMENT IS REQUIRED FOR COMPLIANCE. (HALL COUNTY CODE § 8.180.160)

6. ALL DRIVEWAYS MUST MEET HALL COUNTY DRIVEWAY REGULATIONS PER CODE § 12.40.

7. ALL LAND DISTURBANCE OVER ONE ACRE SHALL REQUIRE AN EROSION SEDIMENTATION POLLUTION CONTROL PLAN.

REGISTERED PROFESSIONAL LAND SURVEYORS

P.O. BOX 256
GAINESVILLE, GA. 30503
PHONE: (770) 532-6492
www.pattonsurveying.com

LAND SURVEYING FIRM
CERTIFICATE OF AUTHORIZATION
NUMBER LSF 001029

PATTON LAND SURVEYING, LLC

COMPUTATIONS BY: C.K.
SURVEYED BY: D.C. & D.W.
DRAFTED BY: C.K.
CHECKED BY: C.P.

SUBDIVIDE SURVEY FOR:
STEVEN M. CRUMLEY & HOLLY V. CRUMLEY & REGINALD COCHRAN
– LOCATED IN –
LAND LOT 128
12TH LAND DISTRICT
HALL COUNTY, GEORGIA

REVISIONS

No.	DATE	DESCRIPTION
1	05-03-2023	ADDED VARIANCE LETTER AND NEW DEEDS

SHEET NUMBER:
1 of 3

SCALE: N/A
SURVEY DATE: 02/20/2023
PLAT DATE: 03/01/2023

22-199.dwg
JN. 22-199

THIS BLOCK IS RESERVED FOR THE CLERK OF THE SUPERIOR COURT

GRID NORTH

POINT OF COMMENCEMENT
P.K.N.S.
N:1630979.58
E:2432305.91

PROPERTY TIE:
S 11°07'55" E 2197.97'
(FROM THE CENTERLINE INTERSECTION OF FORRESTER ROAD & OLIVER MILL ROAD)

– N/F –
REGINALD COCHRAN
(NO DEED INFORMATION AVAILABLE)

WIRE FENCE (CROSSES P/L)

1/2" R.B.F.

FENCE LINE (1.8' SOUTH OF 1/2" R.B.F.)

P/L

ZONED PCPD
ZONED AR-IV

APPROXIMATE LAND LOT LINE

N 88°58'12" E 708.00'

6.6'

8.4'

COVERED CONCRETE

8.8'

11.3'

CARPORT (OVER P/L 8.6')

8.6'

20'X28' CARPORT OVER ASPHALT

3.4'

ASPHALT (OVER P/L)

DOG PINS (TYPICAL)

1/2" R.B.S.

N 88°58'12" E 28.84'

3/8" R.B.F.

WIRE FENCE (CROSSES P/L)

N 88°57'20" E 1197.93'

N 88°58'12" E 122.10'

32.8'

44.4'

25' S/B

4' WIRE FENCE

ABANDONED P/L

– N/F –
GERRAN GILMER SYFAN, AS EXECUTOR OF THE ESTATE OF REGINOLD COCHRAN
(DEED BOOK 9299, PAGES 461–463)

MATCH LINE "A" (SEE SHEET 3 OF 3)

FORRESTER ROAD
(80' WIDE PUBLIC RIGHT-OF-WAY)

– N/F –
JOSHUA DAVID MILLER & ROXIE DANIELLE MILLER
(DEED BOOK 7536, PAGES 340–342)
(SURVEY REFERENCE "B")

N 17°57'01" W 271.11'

15' S/B

POINT OF BEGINNING
(1/2" R.B.F.)

N 28°24'08" W 77.83'

40' S/B

11' ASPHALT DRIVEWAY

S 63°09'11" W 178.16'

ASPHALT DRIVEWAY

PROPOSED 20' INGRESS & EGRESS EASEMENT

BUSINESS SIGN

40.0'

P.K.N.S.

50' INGRESS & EGRESS EASEMENT
(DEED BOOK 3547, PAGES 198 & 199)

PARCEL "A"

– N/F –
STEVEN M. CRUMLEY & HOLLY V. CRUMLEY
(DEED BOOK 3547, PAGES 198 & 199)
(SURVEY REFERENCE "A")

CONCRETE POOL EQUIPMENT PAD

POOL

HOT TUB

13'X12' WOOD BUILDING

14'X24' WOOD BUILDING

STEPS

CONCRETE DOG PINS (TO BE REMOVED)

17.2'

4.7'

METAL BUILDING "TO BE REMOVED"

15' S/B

231.19'

20.5'X22' CARPORT OVER CONCRETE

CONCRETE DRIVEWAY

COVERED PORCH

WALL

STEPS

24'X27' WOOD GARAGE

PLANTED MEDIAN

PROPOSED 10' WATER LINE EASEMENT

100' WELL RADIUS (NO SEPTIC)

COVERED CONCRETE

13'X24' WOOD BUILDING

11.5' ASPHALT DRIVEWAY

S 48°02'45" W 519.79'

1.5' CONCRETE WALK

WOOD GAZEBO

STEP

3' CONCRETE WALK

ASPHALT PARKING

9'X20' WOOD BUILDING

14'X20' WOOD BUILDING

WOOD DECK

COVERED PORTECOCHERE

COVERED CONCRETE

CONCRETE

1 STORY BUILDING WITH KENNELS

83.5'

83.6'

18.2'

13'x20' CARPORT

5' CHAIN LINK FENCE (TYPICAL)

239.6'

214.3'

(TIE LINE) N 01°49'49" E 140.00'

ABANDONED P/L

PARCEL "B"

– N/F –
STEVEN M. CRUMLEY & HOLLY V. CRUMLEY
(DEED BOOK 3547, PAGES 198 & 199)
(SURVEY REFERENCE "A")

PARCEL "C"

– N/F –
REGINALD COCHRAN
(DEED BOOK 2014, PAGES 23 & 24)
(SURVEY REFERENCE "A")

S 03°14'24" W 334.25'

(TIE LINE) N 08°07'33" E 337.63'

15' S/B

1/2" R.B.S.

(TIE LINE) N 46°36'07" E 46.70'

– N/F –
STEVEN M. CRUMLEY & HOLLY V. CRUMLEY
(DEED BOOK 9299, PAGES 464–466)

ABANDONED P/L

S 75°18'07" W 326.53'

1/2" R.B.F.

– N/F –
KATIE HELEN ASKEW
(DEED BOOK 8940, PAGES 264–267)
(SURVEY REFERENCE "C")

S 19°34'40" W 218.48'

69.7'

60.3'

S 01°52'35" W 114.83'

S 01°15'03" W 169.02'

40' S/B

3/8" R.B.F.

1/2" R.B.F.

S 62°20'26" W 68.74'

LINE	BEARING	DISTANCE
L1	N 45°06'08" W	56.64'
L2	N 35°14'36" W	50.79'
L3	S 82°00'03" W	50.49'
L4	N 86°25'12" W	54.18'
L5	N 80°55'34" W	41.80'
L6	N 71°24'30" W	49.95'
L7	N 62°47'14" W	70.65'
L8	N 78°52'11" W	60.88'
L9	N 73°27'08" W	53.03'
L10	N 62°54'56" W	58.45'
L11	N 54°04'15" W	59.15'
L12	N 52°50'14" W	39.91'
L13	N 49°44'00" W	45.49'
L14	N 49°48'56" W	49.32'
L15	S 83°24'23" W	34.38'

50' 0' 50' 100' 150'
GRAPHIC SCALE – 1 INCH = 50 FEET

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SURVEYED BY: D.C. & D.W.
DRAFTED BY: C.K.
CHECKED BY: C.P.

SUBDIVIDE SURVEY FOR:
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– LOCATED IN –
LAND LOT 128
12TH LAND DISTRICT
HALL COUNTY, GEORGIA

REVISIONS

No.	DATE	DESCRIPTION
1	05-03-2023	ADDED VARIANCE LETTER AND NEW DEEDS

SHEET NUMBER:
2 of 3
SCALE: 1" = 50'
SURVEY DATE: 02/20/2023
PLAT DATE: 03/01/2023
22-199.dwg
JN. 22-199

THIS BLOCK IS RESERVED FOR THE CLERK OF THE SUPERIOR COURT

GRID NORTH

MATCH LINE "A" (SEE SHEET 3 OF 3)

– N/F –
REGINALD COCHRAN
(NO DEED INFORMATION AVAILABLE)

ZONED PCFD
ZONED AR-IV

ZONED AR-IV
ZONED PCFD

APPROXIMATE LAND LOT LINE

N 88°57'20" E 1197.93'

25' S/B

25' S/B

L.L. 129

L.L. 134

L.L. 128

L.L. 135

1/2" R.B.S.

APPROXIMATE LAND LOT LINE

P/L

– N/F –
BRIAN K. ROGERS & RHONDA K. ROGERS
(DEED BOOK 3155, PAGE 229)
(PLAT SLIDE 685, PAGE 185A)

PARCEL "C"

– N/F –
REGINALD COCHRAN
(DEED BOOK 2014, PAGES 23 & 24)
(SURVEY REFERENCE "A")

15' S/B

S 51°05'29" W 850.56'

1/2" R.B.F.
(N 03°21'09" W 0.67'
FROM 1/2" R.B.F.)

15' S/B

S 75°18'07" W 326.53'

1/2" R.B.S.

15' S/B

N 59°31'13" W 285.18'

– N/F –
KATIE HELEN ASKEW
(DEED BOOK 8940, PAGES 264–267)
(SURVEY REFERENCE "C")

1/2" R.B.F.

3/8" R.B.F.
(S 81°28'18" E 2.84'
FROM 1/2" R.B.F.)

P/L

– N/F –
BEAVER DAM POND, LLC
(DEED BOOK 7149, PAGES 706–712)

50' 0' 50' 100' 150'

GRAPHIC SCALE – 1 INCH = 50 FEET

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SUBDIVIDE SURVEY FOR:

STEVEN M. CRUMLEY & HOLLY V. CRUMLEY & REGINALD COCHRAN

– LOCATED IN –

LAND LOT 128
12TH LAND DISTRICT
HALL COUNTY, GEORGIA

REVISIONS

No.	DATE	DESCRIPTION
1	05-03-2023	ADDED VARIANCE LETTER AND NEW DEEDS

SHEET NUMBER:

3 of 3

SCALE: 1" = 50'

SURVEY DATE: 02/20/2023

PLAT DATE: 03/01/2023

22-199.dwg

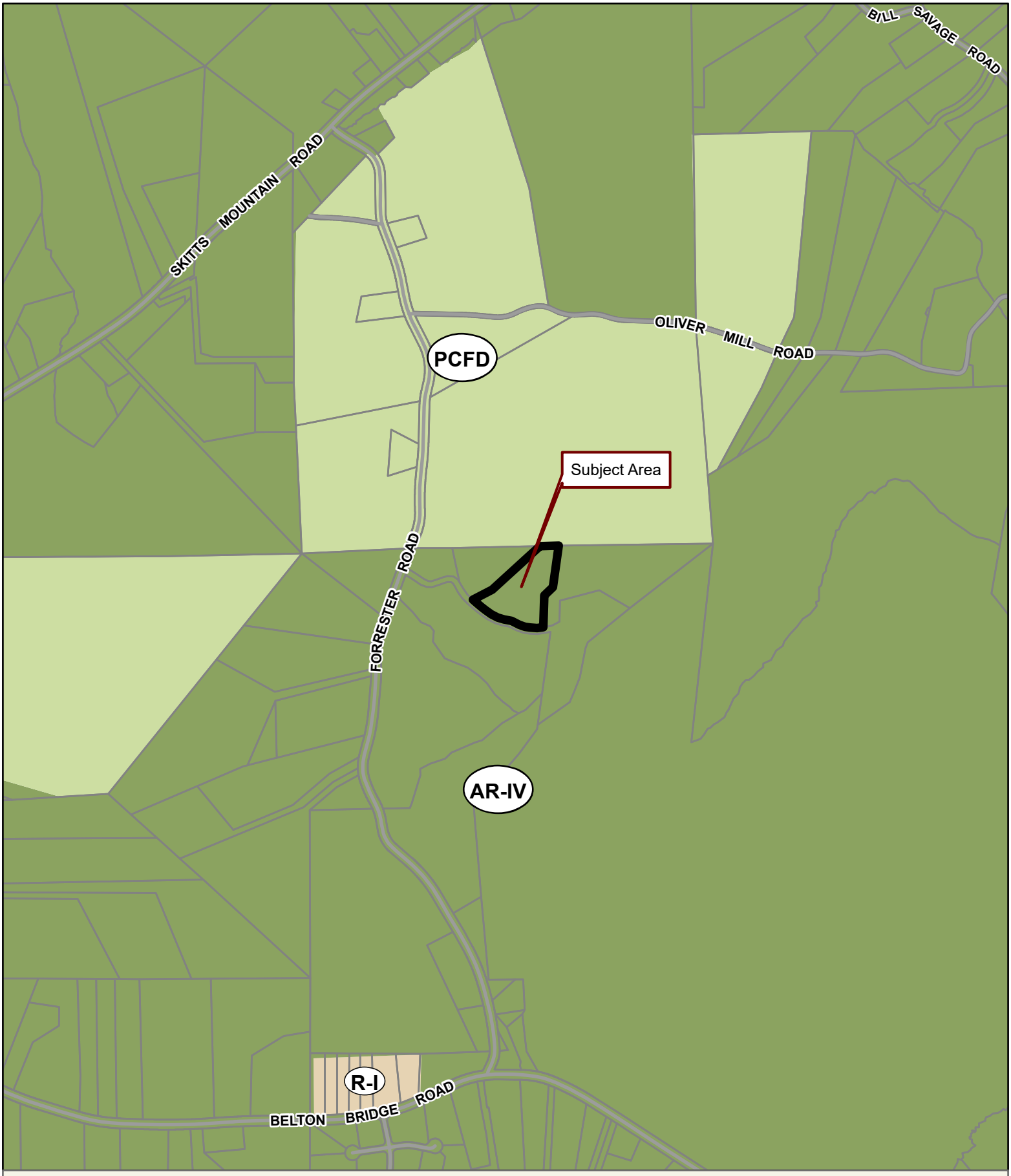
JN. 22-199

Applicant: STEVEN & HOLLY CRUMLEY
Tax Parcel #: 12128 000009 (PT.)
Location: 8730 FORRESTER ROAD, LULA, GA 30554
Commission District 3 **PC Mtg. Date: 10/2/23**

0 75 150 300
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N



Applicant: STEVEN & HOLLY CRUMLEY
Tax Parcel #: 12128 000009 (PT.)
Location: 8730 FORRESTER ROAD, LULA, GA 30554
Commission District 3 **PC Mtg. Date: 10/2/23**

0 250 500 1,000
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N

Applicant: STEVEN & HOLLY CRUMLEY
Tax Parcel #: 12128 000009 (PT.)
Location: 8730 FORRESTER ROAD, LULA, GA 30554
Commission District 3 **PC Mtg. Date: 10/2/23**

0 75 150 300
Feet

Zoning Boundary
City Limits
Subject Area

N

Watch your Head!! 6'8"

For the comfort
of our guests
and your safety,
please look but
don't touch

Visitors This Way
For the comfort of our guests and your safety, please look but don't touch

Hisense

EEK!
New

EEK!
Nebulizer
puppybaker

EEK!
BROODER.ICU
Intensive Care Unit
Intensive Care Unit
puppy

PUPPY CUL
by Miss L

Mom Dad		All	Born	Exp	Had	Alive		Dead
Cinderella\ Bobby		5/2	5/4	4-5	3	2		
Winslet\ Banjo		5/5	4/30	6	7	2		
Gemma\ Harry		4/30	4/27	5	6	6		
Shiloh\ Harry		4/25	4/19	8	8	5		
Osin / Banjo		5/15		5				
Sweets\ Gabe		4/30		8				

TC4Y

MD

OUT

Autonics

simply saving puppies

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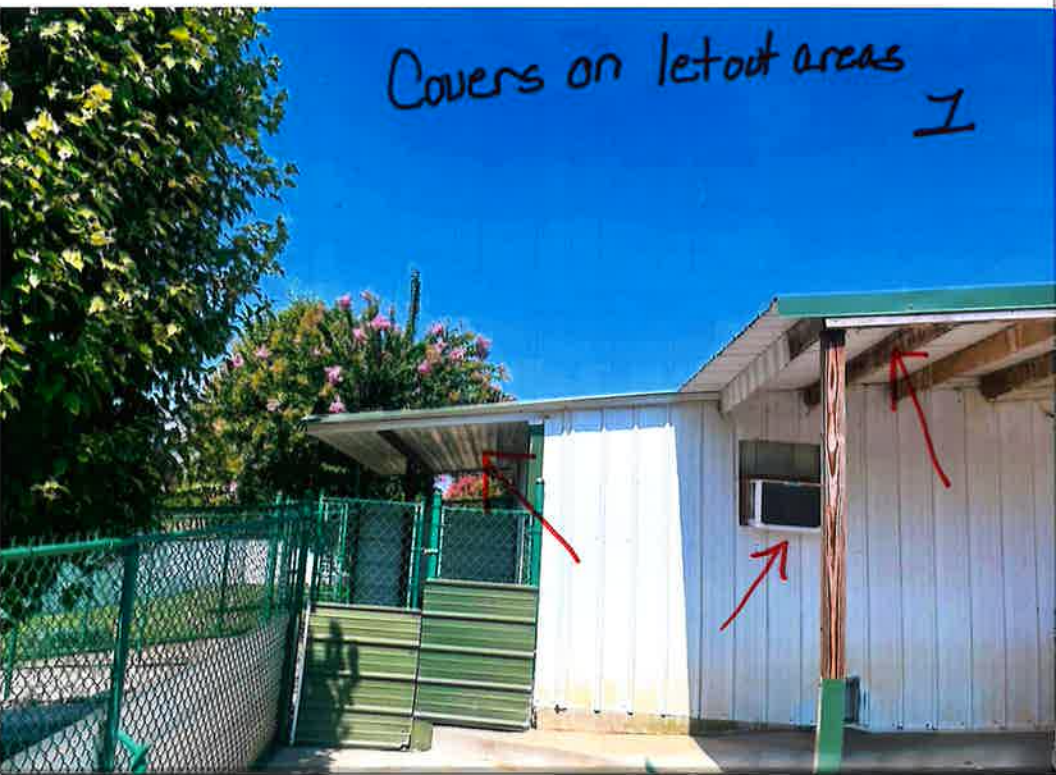
PUSH


Covers on letout areas
I

#2

#3

Privacy fence #4

Portable garage for covered lettuts
#5

#6
Covered
Letouts

#7

#8

#9

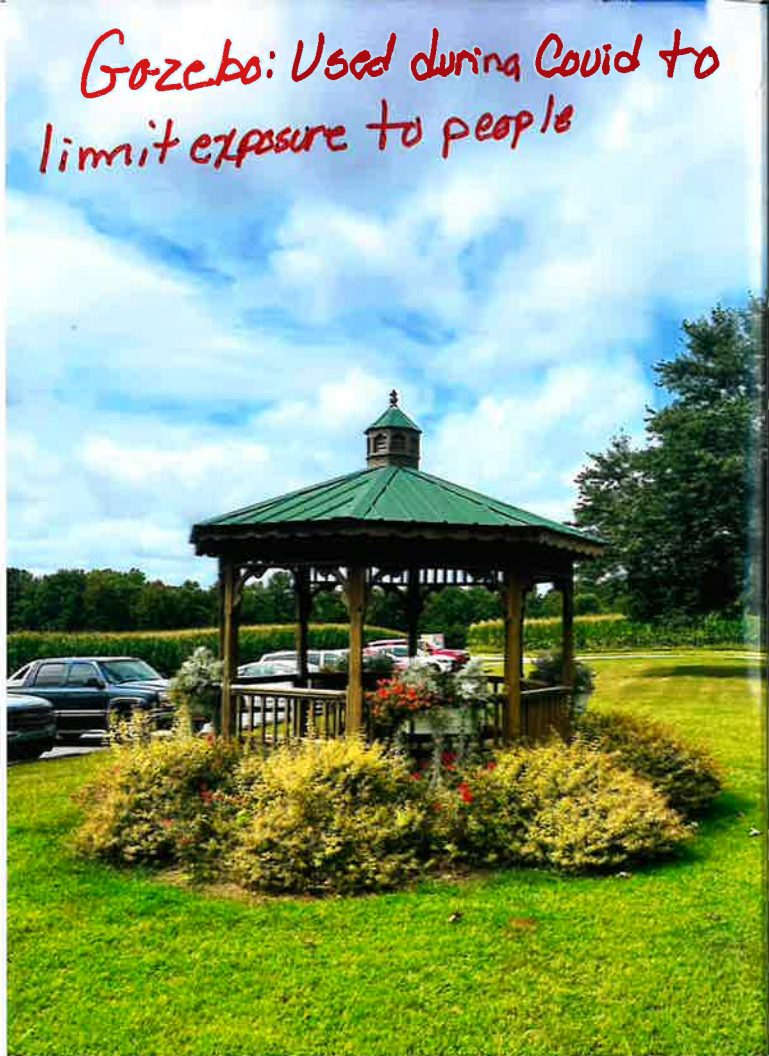
Covered
letouts

Portable garage
Sun shade

Porch over door

Porch over let outs

Lobby / Everything spanicl
e-commerce


Gazebo: Used during Covid to limit exposure to people

Car Shed

New

Quarantine
Now storage b U
or residential
property

Inside covered
area

Side
Covered
area

Inside split unit

Inside Covered
area
IM
CLEAN

Covers on Letout exercise acer

ennel/driveway

ennel driveway

Katie Askew
driveway
PRIVATE
NO PROPERTY
TRESPASSING

Katie Askew
driveway
PRIVATE
NO PROPERTY
TRESPASSING

Anael Dominguez (CDI: Planning)

From: Emily McGahee (Environmental Health)
Sent: Thursday, August 31, 2023 4:53 PM
To: Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning); Beth Garmon (CDI: Planning)
Cc: Chad Harper (Environmental Health); Kelly Hairston (Environmental Health)
Subject: HCPC Tentative Agenda 10.2.23

Please find Environmental Health comments below:

Items 1A-C, 8730 Forrester Road, Crumley: No comment.

Item 2, 4057 Sargent Circle, Drees: All proposed structures must meet all residential permitting requirements and/or required setbacks to existing septic system. Area for a feasible, full conventional recovery system must be available for the number of bedrooms requested. Existing system evaluation and/or septic system modification may be required for system serving existing home on property. Level 3 Soil Evaluation will be required prior to application if existing septic system will not be used. Any abandoned well shall be properly closed as per Water Well Standards Act by a certified well driller.

Items 3A&B, 812 Atlanta Hwy, Murillo: Connecting to Public sewer. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled.

Item 4, 2122/0 Browns Bridge Road, Duran: No comment. Public sewer.

Item 5, 3321 Montvale Drive, Milne: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. Further determination will be made during the plat review process. All proposed plats must be submitted to the Hall County Plat Review Team for review and approval prior to submittal to Clerk of Courts for recordation.

Item 6, 3902/0 Belmont Hwy, Simpson: 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/modification may be required after review of business plan.

Item 7, 0/4611/4627 Guth Road, 4561/4613 J. M. Turk, 4590/4601/4610 Stanley, Kappler: The entire development (all pods) must be developed on sewer. No onsite sewage management systems to be permitted by Environmental Health. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled.

Items 8 and 9, 6777/6804 Spout Springs, Walker Anderson Homes: Public sewer. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled.

Item 10, Code Amendment: No comment.

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)
https://www.hallcounty.org/192/Environmental-Health (County Website & Forms)

Anael Dominguez (CDI: Planning)

From: Chavers, Veronica E <VChavers@dot.ga.gov>
Sent: Friday, August 25, 2023 10:51 AM
To: Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning)
Subject: RE: Tentative Planning Agenda for October 2, 2023

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.

See comments in red, below.

Veronica Chavers
D1TO Civil Engineer 3

Georgia Department of Transportation

District 1 Traffic Operations
1475 Jesse Jewell Pkwy
Suite 100
Gainesville, GA, 30501
770.533.8488 office

From: Anael Dominguez (CDI: Planning) <adominguez@hallcounty.org>
Sent: Thursday, August 24, 2023 12:20 PM
Subject: Tentative Planning Agenda for October 2, 2023

Good afternoon –

Here is the Tentative Agenda and Maps for the **Monday, October 2, 2023** 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, August 31st.** Email comments to Randi (rdoveton@hallcounty.org) and Ana (adominguez@hallcounty.org).

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – September 18, 2023
N
NEW BUSINESS

1. (A) **8730 Forrester Road | Use Subject to County Commission Approval** | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) | **Proposed use: expansion of commercial kennel** | ** Commission District 3 | **Steven & Holly Crumley, applicants.**

(B) **8730 Forrester Road | Variance** | from 17.240.060 to reduce the setback for commercial kennels from 200 feet to 48 feet | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: commercial kennel structures** | ** Commission District 3 | **Steven & Holly Crumley, applicants.**
(C) **8730 Forrester Road | Variance** | from 17.240.060 to reduce the setback for commercial kennels from 200 feet to 44 feet | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: commercial kennel structures** | ** Commission District 3 | **Steven & Holly Crumley, applicants.** **No GDOT coordination required**

4057 Sargent Circle | Variance | from 17.240.010 to reduce the front yard setback from 55 feet from centerline to 41 feet from centerline on a 0.85± acre parcel located on the east side of Sargent Circle approximately 210 feet from its intersection with Cochran Road | Zoned R-I; Tax Parcel 10120 000071 | **Proposed Use: single-family residence** | * Commission District 2 | **Dennis Drees, Applicant** **No GDOT coordination required**

2.

3. (A) **812 Atlanta Highway | Use Subject to Planning Commission Approval |** on a 0.25± acre parcel located on the west side of Atlanta Highway at its intersection with Conner Street | Zoned H-B, Tax Parcel 00127 002001 | **Proposed Use: expansion of a non-conforming use |** * Commission District 4 **| Robert Murillo, applicant.** **GDOT coordination required for any encroachment onto the right-of-way**

   (B) **812 Atlanta Highway | Variance** | from 17.240.010 to reduce the front yard setback from 55 feet from centerline to 14 feet from centerline of road on a 0.25± acre parcel located on the west side of Atlanta Highway at its intersection with Conner Street | Zoned H-B, Tax Parcels 00127 002001 | **Proposed Use: residential addition** | * Commission District 4 **| Robert Murillo, applicant.** **GDOT coordination required for any encroachment onto the right-of-way**

4. **2122 & 0 Browns Bridge Road | Use Subject to County Commission Approval |** on a 1.708± acre tract located on the west side of Browns Bridge Road, approximately 62 feet from its intersection with Hilton Drive | Zoned H-B / GCOD; Tax Parcel 00122 001021 & 001031B | **Proposed use: used vehicle sales lot |** ** Commission District 4 **| Antonio Duran, applicant.** **GDOT coordination required for access on SR 369/ Browns Bridge Rd**

5. **3321 Montvale Drive | Use Subject to County Commission Approval |** on a 7.88± acre tract located on the south side of Montvale Drive, at its intersection with Manor Ridge | Zoned R-I & AR-III; Tax Parcel 10046 000015 **| Proposed use: 4-lot subdivision |** ** Commission District 2 **| Zachary Lewis Boyd Milne, applicant.** **No GDOT coordination required**

6. **3902 & 0 Belmont Highway | Rezone |** from Agricultural Residential IV (AR-IV) to Planned Industrial Development (PID) /GCOD on 15.75± acres located on the southeastern side of Belmont Highway, approximately 1,780 feet north of its intersection with Mountain Creek Road | Zoned AR-IV, Tax Parcels: 15013 000017B and 000074 (pt.) **| Proposed Use: truck parking and office|** ** Commission District 3 **| Gus E. Simpson, applicant.** **GDOT coordination required**

7. **0, 4611,4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road | Rezone |** from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on 117.31± acres located on the east side of J M Turk Road at its intersection with Guth Road | Zoned AR-III; Tax Parcels 15043 000027, 000109, 000128, 000201 & 15044 000035, 000035B, 000043, 000100, 000127 **| Proposed Use: 324 lot residential development |** ** Commission District 1 **| Thompson O'Brien Kappler & Nasuti PC, applicant.** **No GDOT coordination required**

8. **6777 and 6804 Spout Springs Road | Rezone |** from Agricultural Residential III (AR-III) and Planned Residential Development (PRD) to Planned Residential Development (PRD) on a combined 22.88± acres located on the west side of Spout Springs Road, approximately 100 feet from its intersection with Lancaster Crossing | Zoned AR-III & PRD; Tax Parcels 15042 000018 and 000140 (pt.) **| Proposed Use: 95-unit townhome development |** ** Commission District 1 **| Walker Anderson Homes, applicant.** **No GDOT coordination required**

9. **6804 Spout Springs Road | Amend Condition of PRD |** on a 20.37± acre parcel located on the west side of Spout Springs Road, at its intersection with Lancaster Crossing | Zoned PRD; Tax Parcels 15042 000018 **| Proposed Use: 95-unit townhome development |** ** Commission District 1 **| Walker Anderson Homes, applicant.** **No GDOT coordination required**

10. **Public Hearing to Amend sections 17.410,** Standards for Telecommunication Antennas and Towers, and 17.412,Standards for Small Wireless Facilities Placed in the County Right-of-Way, Title 17 of the Official Code of Hall County, Georgia; to repeal conflicting ordinances and resolutions; and for other purposes. **** | Hall County Planning Staff, applicant.** **No 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 30 days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing Thursday, November 9, 2023 at 6:00 p.m. at the Hall County Government Center, 2nd 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, November 9, 2023. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,
Ana Dominguez
Planning Commission Clerk
Hall County Community Development and Infrastructure
(770) 531-6810 | www.hallcounty.org

HALL COUNTY
GEORGIA
We have it all in Hall

Human trafficking impacts every corner of the globe, including our state and local communities. Georgia DOT is committed to end human trafficking in Georgia through education enabling its employees and the public to recognize the signs of human trafficking and how to react in order to help make a change. To learn more about the warning signs of human trafficking, visit https://doas.ga.gov/human-resources-administration/human-trafficking-awareness. To report any suspicious activity, call the Georgia Human Trafficking Hotline at 866-363-4842. Let's band together to end human trafficking in Georgia.

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

DIRECTOR
Srikanth Yamala

PUBLIC WORKS AND
UTILITIES DIRECTOR
Bill Nash, P.E.

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PUBLIC WORKS AND UTILITIES

M E M O R A N D U M

To: Randi Doveton, Director of Planning and Development

From: Bill Nash, Director of Public Works and Utilities

Date: August 31, 2023

Subject: October 2, 2023 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the October 2, 2023 meeting. Upon review, we provide the following comments.

1. (A) **8730 Forrester Road | Use Subject to County Commission Approval** | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: expansion of commercial kennel** | ** Commission District 3 **| Steven & Holly Crumley, applicants.**
   (B) **8730 Forrester Road | Variance** | from 17.240.060 to reduce the setback for commercial kennels from 200 feet to 48 feet | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: commercial kennel structures** | ** Commission District 3 | **Steven & Holly Crumley, applicants.**
   (C) **8730 Forrester Road | Variance** | from 17.240.060 to reduce the setback for commercial kennels from 200 feet to 44 feet | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: commercial kennel structures** | ** Commission District 3 | **Steven & Holly Crumley, applicants.**

   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:** No Comment
   c. **Utilities:** No Comment

2. **4057 Sargent Circle | Variance |** from 17.240.010 to reduce the front yard setback from 55 feet from centerline to 41 feet from centerline on a 0.85± acre parcel located on the east side of Sargent Circle approximately 210 feet from its intersection with Cochran Road | Zoned R-I; Tax Parcel 10120 000071 | **Proposed Use: single-family residence** | * Commission District 2 **| Dennis Drees, Applicant**

   a. **Engineering:** No Comment
   b. **Traffic:** No Comment
   c. **Utilities:** No Comment

3. (A) **812 Atlanta Highway | Use Subject to Planning Commission Approval |** on a 0.25± acre parcel located on the west side of Atlanta Highway at its intersection with Conner Street | Zoned H-B, Tax Parcel 00127 002001 |

Proposed Use: expansion of a non-conforming use | * Commission District 4 **| Robert Murillo, applicant.**
(B) **812 Atlanta Highway | Variance** | from 17.240.010 to reduce the front yard setback from 55 feet from centerline to 14 feet from centerline of road on a 0.25± acre parcel located on the west side of Atlanta Highway at its intersection with Conner Street | Zoned H-B, Tax Parcels 00127 002001 | **Proposed Use: residential addition** | * Commission District 4 | **Robert Murillo, applicant.**

a. **Engineering:** No Comment
b. **Traffic:** No Comment
c. **Utilities:** No Comment

4. **2122 & 0 Browns Bridge Road | Use Subject to County Commission Approval |** on a 1.708± acre tract located on the west side of Browns Bridge Road, approximately 62 feet from its intersection with Hilton Drive | Zoned H-B / GCOD; Tax Parcel 00122 001021 & 001031B | **Proposed use: used vehicle sales lot |** ** Commission District 4 **| Antonio Duran, 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 stream buffer and impervious setback from wrested vegetation not centerline of stream.
FEMA and Hall County studied Flood plains present on site.
b. **Traffic:** Improvements along Baker Lane and Baker Circle may be required
c. **Utilities:** No sewer available

5. **3321 Montvale Drive | Use Subject to County Commission Approval |** on a 7.88± acre tract located on the south side of Montvale Drive, at its intersection with Manor Ridge | Zoned R-I & AR-III; Tax Parcel 10046 000015 **| Proposed use: 4-lot subdivision |** ** Commission District 2 **| Zachary Lewis Boyd Milne, applicant.**

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 Comment
c. **Utilities:** No Comment

6. **3902 & 0 Belmont Highway | Rezone |** from Agricultural Residential IV (AR-IV) to Planned Industrial Development (PID) /GCOD on 15.75± acres located on the southeastern side of Belmont Highway, approximately 1,780 feet north of its intersection with Mountain Creek Road | Zoned AR-IV, Tax Parcels: 15013 000017B and 000074 (pt.) **| Proposed Use: truck parking and office|** ** Commission District 3 **| Gus E. Simpson, 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 stream buffer and impervious setback from wrested vegetation not centerline of stream.
b. **Traffic:** Access must be approved/permitted by GDOT
c. **Utilities:** No Comment

7. **0, 4611,4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road | Rezone |** from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on 117.31± acres located on the east side of J M Turk Road at its intersection with Guth Road | Zoned AR-III; Tax Parcels 15043 000027, 000109, 000128, 000201 & 15044 000035, 000035B, 000043, 000100, 000127 **| Proposed Use: 324 lot residential development |** ** Commission District 1 **| Thompson O'Brien Kappler & Nasuti PC, applicant.**

a. Engineering: No dead end streets
Show stream buffer and impervious setback from wrested vegetation not centerline of stream
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: A left turn lane and decel lane will be required for the entrance.
Any required roadway improvements will be the financial responsibility of the developer
A cul-de-sac should be provided for Guth Road at the proposed end of county maintenance

c. Utilities: No sanitary sewer in area.

8. **6777 and 6804 Spout Springs Road | Rezone |** from Agricultural Residential III (AR-III) and Planned Residential Development (PRD) to Planned Residential Development (PRD) on a combined 22.88± acres located on the west side of Spout Springs Road, approximately 100 feet from its intersection with Lancaster Crossing | Zoned AR-III & PRD; Tax Parcels 15042 000018 and 000140 (pt.) **| Proposed Use: 95-unit townhome development |** ** Commission District 1 **| Walker Anderson Homes, 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 stream buffer and impervious setback from wrested vegetation not centerline of stream
Current layout provided for zoning does not meet Hall County Road standards
No on-street parking on public right-of-way.
Floodplain present on site

b. Traffic: will need to coordinate entrance design and location with Hall County Engineering with regards to Spout Springs Road Phase 2 Widening.

c. Utilities: Sewer required off-site easement
Must extend 30 feet sanitary sewer to up stream proposed line.

9. **6804 Spout Springs Road | Amend Condition of PRD |** on a 20.37± acre parcel located on the west side of Spout Springs Road, at its intersection with Lancaster Crossing | Zoned PRD; Tax Parcels 15042 000018 **| Proposed Use: 95-unit townhome development |** ** Commission District 1 **| Walker Anderson Homes, 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 stream buffer and impervious setback from wrested vegetation not centerline of stream
Current layout provided for zoning does not meet Hall County Road standards
No on-street parking on public right-of-way.
Floodplain present on site

b. **Traffic:** will need to coordinate entrance design and location with Hall County Engineering with regards to Spout Springs Road Phase 2 Widening.
c. **Utilities:** Sewer required off-site easement
Must extend 30 feet sanitary sewer to up stream proposed line.

10. **Public Hearing to Amend sections 17.410,** Standards for Telecommunication Antennas and Towers, and 17.412,Standards for Small Wireless Facilities Placed in the County Right-of-Way, Title 17 of the Official Code of Hall County, Georgia; to repeal conflicting ordinances and resolutions; and for other purposes. **** | Hall County Planning Staff, applicant.**

a. **Engineering:** No Comment
b. **Traffic:** No Comment
c. **Utilities:** No Comment

Anael Dominguez (CDI: Planning)

From: John Hornick (Fire Services)
Sent: Tuesday, August 29, 2023 9:12 AM
To: Anael Dominguez (CDI: Planning)
Cc: Randi Doveton (CDI: Planning); Michael Vieira (Fire Services); John Tucker (Fire Services)
Subject: Fire Comments

Monday, October 2, 2023 Hall County Planning Commission Meeting.

1. (A) **8730 Forrester Road | Use Subject to County Commission Approval** | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: expansion of commercial kennel** | ** Commission District 3 **| Steven & Holly Crumley, applicants.**
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   (C) **8730 Forrester Road | Variance** | from 17.240.060 to reduce the setback for commercial kennels from 200 feet to 44 feet | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: commercial kennel structures** | ** Commission District 3 | **Steven & Holly Crumley, applicants.**

   Hall County Fire Marshal's Comments:
   New owner will be required to pass a life safety inspection conducted by the Hall County Fire Marshal's Office for all buildings open to the public, a passing life safety inspection is required for a business license.

Regards,

John Hornick, NPQ Fire Service Plans Examiner 1
Lieutenant, Hall County Fire Rescue
Hall County Government
Main: 770-531-6838 | Cell: 404-597-0083
Website: www.Hallcounty.org

02014
0021

original deed for sale from Askew to Cochran with permanent perpetual easement consisting of 9.825 Acres

8730 Forrester Rd

Form No. 214 WARRANTY DEED (Long Form)

21

STATE OF GEORGIA, County of Hall

THIS INDENTURE, Made this 12th day of January in the Year of Our Lord One Thousand Nine Hundred and Ninety-Three between WALLACE J. ASKEW, SR. of the State of Georgia and County of Hall of the first part, and REGINALD COCHRAN of the State of Georgia and County of Hall of the second part.

WITNESSETH: That the said part y of the first part, for and in consideration of the sum of Seventeen Thousand Seven Hundred Three & 30/100 ------ Dollars, in hand paid, at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, ha s granted, bargained, sold and conveyed, and by these presents do es grant, bargain, sell and convey unto the said part y of the second part, his heirs and assigns, all that tract or parcel of land

All that tract and parcel of land situate, lying and being in Land Lot 128 of the 12th Land District of Hall County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin corner on the Oliver and Cochran property line, at a point 333.91 feet east of the right-of-way of Forrester Road, and on the original land lot line dividing Land Lots 128 and 129; thence, S 89-09-00 E, to a point on said line, a distance of 973 feet, more or less; thence, S 09-55-00 W, 658.07 feet to an iron pin corner on the Sheryl Askew line; thence, in a general northwesterly direction along said line, as follows: S 85-24-24 W, 34.47 feet to a point; thence, S 84-05-37 W, 50.56 feet to a point; thence, 84-31-32 W, 54.16 feet to a point; thence, N 79-01-54 W, 41.80 feet to a point; thence, N 69-30-50 W, 49.95 feet to a point; thence, N 64-53-34 W, 70.65 feet to a point; thence, N 76-58-31 W, 60.88 feet to a point; thence, N 71-33-28 W, 53.03 feet to a point; thence, N 61-01-16 W, 58.45 feet to a point; thence, N 72-10-35 W, 59.15 feet to a point; thence, 50-56-34 W, 39.91 feet to a point; thence, N 47-50-20 W, 45.49 feet to a point; thence, N 47-55-16 W, 49.32 feet to a point; thence, N 43-12-28 W, 56.64 feet to a point; thence, N 33-20-26 W, 50.79 feet to a point; thence, N 26-19-47 W, 56.63 feet to a point; thence, N 28-32-41 W, 21.19 feet to an iron pin corner on the Oliver property line; thence, N 09-54-03 W, 271.11 feet to the point of beginning. Said tract containing 9.825 acres, as shown by a plat prepared by Farley-Collins Associates, and dated 7-23-93.

Also conveyed to grantee is a permanent perpetual easement for the purpose of ingress and egress to the use and enjoyment of the 50-foot-wide driveway leading from Forrester Road to the property of Sheryl Askew, and bounded by property of Mary and Freeman Oliver and Reginald Cochran.

HALL COUNTY, Georgia
Real Estate Transfer Tax
Paid $ 12.70
Date August 17, 1993
DWIGHT S. WOOD
Clerk of Superior Court
By Mesquite Deputy Clerk

https://search.gsccca.org/Imaging/HTML5Viewer.aspx?id=15528267&key1=2014&key2=21&county=69&countyname=HALL&userid=800759&appid=4 1/1

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 party of the second part, his heirs and assigns, forever, in Fee Simple.

AND THE SAID party of the first part, for himself, and his heirs, executors and administrators, will warrant and forever defend the right and title to the above described property, unto the said party of the second part, his heirs and assigns, against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal, the day and year above written.

Signed, sealed and delivered in presence of:

Witness — WALLACE J. ASKEW, SR. (Seal)

(Seal)

(Seal)

Notary Public Date: 8-17-93

My Commission Expires 4-14-95

(AFFIX SEAL)

WARRANTY DEED
(Long Form)

FROM

WALLACE J. ASKEW, SR.

TO

Mail:
REGINALD COCHRAN
8825 Forrester Rd.
Lula, Ga. 30554

GEORGIA, County of Hall

Clerk's Office, Superior Court

Filed for Record at 12:30 o'clock P.M. August 17, 1993.

Recorded in Deed Book 2014 Folio 21-22 August 18, 1993

Dwight S. Wood, Clerk

Pd. Tax ck# 2127
" Rec'ding - ck# 133

https://search.gsccca.org/Imaging/HTML5Viewer.aspx?id=15528267&key1=2014&key2=21&county=69&countyname=HALL&userid=800759&appid=4 1/1

Now cochran subdived "land locked property" to Now consist of 9.499 Acres and sold to crumley.

83547
0198

000198

HALL COUNTY, Georgia
Real Estate Transfer Tax
Paid $ 52.30
Date 8/25/99
DWIGHT S. WOOD
Clerk Superior Court
By BB

Georgia, Hall County, Clerk Superior Court
Filed in office, this 25 day of Aug.
19 99 at 4:04 P. m. Recorded in
Book 3547 Page(s) 198-199
this 26 day of Aug 19 99
DWIGHT S. WOOD, CLERK, by BB

2807, 4068

Return to: File: 027774
T. Treadwell Syfan
Stewart, Melvin & Frost, LLP
P. O. Box 3280
Gainesville, Georgia 30503

WARRANTY DEED

9.499 Acres from Cochran to Crumley, Added Words "NON-Exclusive" ON 2nd Page.

GEORGIA, COUNTY OF HALL.

THIS INDENTURE, made this 20th day of August in the Year of Our Lord One Thousand Nine Hundred and Ninety-Nine between **REGINALD COCHRAN** of the State of Georgia and County of Hall (hereinafter called "GRANTOR"), and **STEVEN M. CRUMLEY AND HOLLY V. CRUMLEY** of the State of Georgia and County of Hall (hereinafter called "GRANTEE"),

WITNESSETH: That the said **GRANTOR**, for and in consideration of the sum of TEN DOLLARS ($10.00) 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.

By acceptance of this deed the Grantees agree to assume and comply with the agricultural or timberland property covenant agreement recorded in Deed Book 3243, page 340, Hall County Deed Records.

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.

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 his hand and seal, the day and year above written.

SEE NEXT PAGE

Signed, sealed and delivered
in presence of:

T. Treadwell Syfan
Unofficial Witness

Reginald Cochran (SEAL)
REGINALD COCHRAN

Virginia L. Lynn
Notary Public
_____ County, Georgia

My Commission Expires:

(SEAL)

VIRGINIA L. LYNN NOTARY PUBLIC HALL COUNTY GEORGIA EXPIRES APRIL 10, 2003

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000199

EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 128, 12th District, Hall County, Georgia, and being that certain 9.499 acre tract shown on plat of survey of the property of Reginald Cochran, dated July 23, 1993, revised August 9, 1999, prepared by Farley-Collins Associates, Registered Surveyors, and said property being more particularly described as follows:

BEGINNING at an iron pin set on the original land lot line dividing Land Lots 128 and 129, said pin being located 333.91 feet East along said land lot line from the intersection of said land lot line with the Eastern right-of-way of Forrester Road, and running thence along said land lot line South 88 degrees 30 minutes 15 seconds East 858.89 feet to a point; thence South 10 degrees 39 minutes 30 seconds West 337.62 feet to a point; thence South 49 degrees 9 minutes 6 seconds West 96.7 feet to a point; thence South 4 degrees 22 minutes 14 seconds West 255 feet to a point; thence along the Northern right-of-way of a driveway easement containing a 10-foot wide gravel drive South 84 degrees 44 minutes 22 seconds West 50.56 feet to a point; thence North 83 degrees 52 minutes 47 seconds West 54.16 feet to a point; thence North 78 degrees 23 minutes 09 seconds West 41.80 feet to a point; thence North 68 degrees 52 minutes 05 seconds West 49.95 feet to a point; thence North 60 degrees 14 minutes 49 seconds West 70.65 feet to a point; thence North 76 degrees 19 minutes 46 seconds West 60.88 feet to a point; thence North 70 degrees 54 minutes 43 seconds West 53.03 feet to a point; thence North 60 degrees 22 minutes 31 seconds West 58.45 feet to a point; thence North 51 degrees 31 minutes 50 seconds West 59.15 feet to a point; thence North 50 degrees 17 minutes 49 seconds West 39.91 feet to a point; thence North 47 degrees 11 minutes 35 seconds West 45.49 feet to a point; thence North 47 degrees 16 minutes 31 seconds West 49.32 feet to a point; thence North 42 degrees 33 minutes 43 seconds West 56.64 feet to a point; thence North 32 degrees 41 minutes 41 seconds West 50.79 feet to a point; thence North 25 degrees 41 minutes 02 seconds West 56.63 feet to a point; thence North 27 degrees 53 minutes 56 seconds West 21.19 feet to an iron pin corner on the Oliver property line; thence North 09 degrees 15 minutes 18 seconds West 271.11 feet to the point of beginning.

* Also conveyed to Grantee is a permanent perpetual non-exclusive easement for the purpose of ingress and egress to use and enjoyment of a gravel driveway, said easement being 50 feet in width and leading from Forrester Road to the property of Cheryl Askew, as shown on said plat of survey. Said easement is the same easement conveyed in Warranty Deed from Wallace J. Askew, Sr. to Reginald Cochran, dated August 17, 1993, recorded in Deed Book 2014, pages 21-22, Hall County Deed Records.

Said easement is the same easement conveyed in Warranty Deed from Wallace J. Askew Sr. to Reginald (AKA) Reggy Cochran dated Aug 17 1993

Wording is changed from original deed, to now include "non-exclusive"

SEE NEXT PAGE

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000341

2015 JOSH & Roxy
Began to Build their house;
They also pay
my water bill
and, I am happy
they are
my neighbor.

Exhibit "A" (Page 1 of 2)

All that tract or parcel of land lying and being in Land Lot 128 of the 12th Land District of Hall County, Georgia, and being more particularly described as follows:

Beginning at an iron pin corner located on the Sheryl Askew property line and on the east Right-of-way of Forrester Road, thence, northeasterly along said right-of-way a distance of 153 84 feet to an iron pin corner located on the dividing line between Land Lots 128 and 129, thence, along the original land lot line, S 89-09-00 E, 333.91 feet to an iron pin corner, thence, S 09-54-03 E, 271.11 feet to an iron pin located on the Sheryl Askew property line, thence, in a westerly direction as follows: N 28-32-41 W, 14 76 feet to a point; thence, N 52-59-11 W, 39 42 feet to a point, thence, N 81-54-48 W, 49.71 feet to a point, thence, S 77-36-14 W, 35.40 feet to a point, thence, S 72-05-38 W, 49.70 feet to a point; thence, S 74-07-47 W, 53 05 feet to a point, thence, N 85-48-11 W, 24.23 feet to a point; thence, N 62-07-17 W, 37.60 feet to a point, thence N 53-34-17 W, 45.43 feet to a point, thence, N 54-41-52 W, 55.53 feet to a point; thence, N 58-03-43 W, 67 36 feet to a point, thence, N 66-50-56 W, 26 02 feet to the point of beginning Said tract containing 2 022, as shown on a plat prepared by Farley-Collins Associates, dated July 23, 1993.

Being the same property described as Tract 1 in Deed Book 2014, pages 18-20, Hall County Georgia Deed Records.

Also conveyed is a permanent perpetual easement for the purpose of ingress and egress to the use and enjoyment of the 50 feet wide driveway leading from Forrester Road to the property of Sheryl Askew, and bounded by property of Mary and Freeman Oliver and Reginald Cochran.

Property is conveyed together with and subject to any covenants, easements and restrictions affecting or applicable to said property.

NO - NON-EXCLUSIVE

This property holds same easement as what Crumley's should Be - for ingress, Egress, Not NON-exclusive to Allow to Be opened to Public

Hall County GIS

3/23/2023, 1:46:56 PM

Counties
LakeLanier
BUFORD
GAINESVILLE
OAKWOOD
Roads
GA_MajorWater
Citylimits
CLERMONT
GILLSVILLE
RESTHAVEN
Local
CedarCreekRes
BRASELTON
FLOWERY BRANCH
LULA

1:1,128

0 0.01 0.01 0.03 mi

0 0.01 0.03 0.05 km

Esri, HERE, Garmin, INCREMENT P, NGA, USGS, Hall County GIS

Esri, HERE, Garmin, INCREMENT P, NGA, USGS | Hall County GIs | Gainesville-Hall County GIS | NOAA/NOS/OCS nowCOAST, NOAA/NWS and NOAA/OAR/NSSL | Earthstar Geographics | Acknowledgment of the Federal Railroad Administration (FRA) and the

- 2010 -

Hall County GIS

- 2021 -

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Counties
GA_MajorWater
CedarCreekRes
LakeLanier
Citylimits
BRASELTON
BUFORD
CLERMONT
FLOWERY BRANCH
GAINESVILLE
GILLSVILLE
LULA
OAKWOOD
RESTHAVEN
Roads
Local

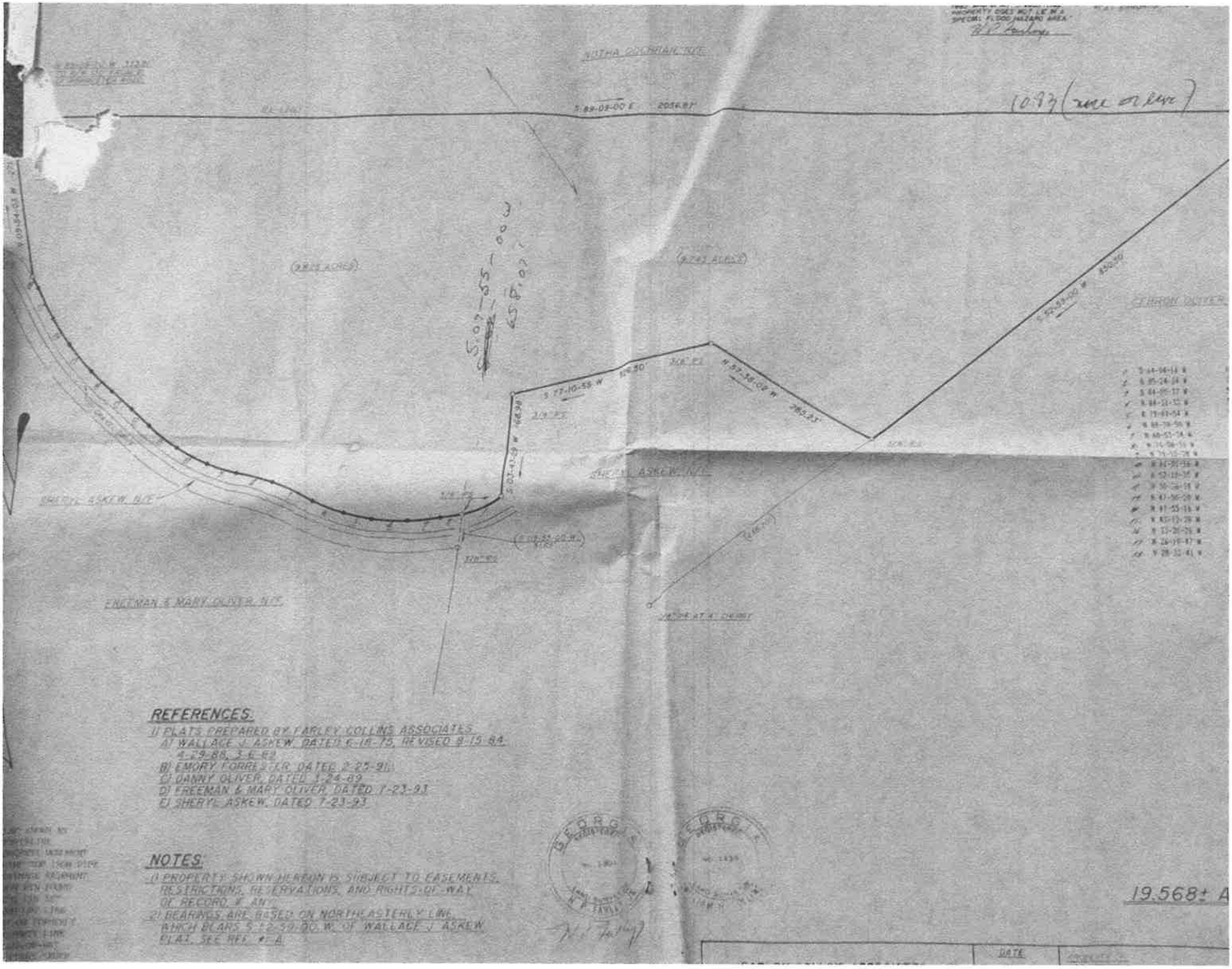
1:1,128

0 0.01 0.01 0.03 mi

0 0.01 0.03 0.05 km

Esri, HERE, Garmin, INCREMENT P, NGA, USGS, Hall County GIS

Esri, HERE, Garmin, INCREMENT P, NGA, USGS | Hall County GIs | Gainesville-Hall County GIS | NOAA/NOS/OCS nowCOAST, NOAA/NWS and NOAA/OAR/NSSL | Earthstar Geographics | Acknowledgment of the Federal Railroad Administration (FRA) and the



REFERENCES:

1) PLATS PREPARED BY FARLEY COLLINS ASSOCIATES
   A) WALLACE J. ASKEW, DATED 6-18-79, REVISED 8-15-84, 4-29-88, 3-6-92
   B) EMORY FORRESTER, DATED 2-25-91
   C) DANNY OLIVER, DATED 1-24-89
   D) FREEMAN & MARY OLIVER, DATED 7-23-93
   E) SHERYL ASKEW, DATED 7-23-93

NOTES:

1) PROPERTY SHOWN HEREON IS SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, AND RIGHTS-OF-WAY OF RECORD, IF ANY.
2) BEARINGS ARE BASED ON NORTHEASTERLY LINE, WHICH BEARS S 12-39-00 W, OF WALLACE J. ASKEW PLAT, SEE REF # A

Cars from camera March 31 - April 16th
this was After Holly moved
to my knowledge she moved on the weekend of
(spring break) March 11th

10 1

March 31st - 49 cars including delivery + mail
April 1st — 17 cars
April 2nd — 21 Cars
April 3rd — 29 Cars
April 4th — 35 cars
April 5th — 24 cars

262

April 13th — 14 cars
April 14th — 35 cars
April 15th — 20 cars
Yesterday April 16 — 18 Cars

In Rural area this is a lot of traffic I bet even the person reading this has been down my driveway

March 14 - 7 Cars
March 22 - 7 Cars
March 23 - 30 cars
March 24 - 39 Cars
March 25 - 23
March 26 — 17
March 27 - 39
March 28 - 33
March 29 - 27
March 30 - 31
April 6 — 37
April 7 - 30
April 8 - 29
April 9 - 9
April 10 - 18

25

Do 25 cars come down a normal Driveway even a "Dog Kennel" wouldn't have this much Traffic.

376

average of 25.52
26 cars

this was

My name is Kathryn Askew, I live at 8720 Forrester rd. Lula Ga. My family moved here from Dublin Ga. in 1984, to help my gradpa with his chicken farm and feild crops. I was five and my brother was eleven years old. We as a family all worked the farm, wile my father attended college at the University of Georgia, for his Doctorate in education. My mother also attended the University of Georgia, and soon became a first grade teacher at Wauka Mt. Elem school.

In the eairly nineties my father became a professor, a doctor of education at Georgia College, in Milledgeville GA, to teach teachers. So we as a family decided we were going to buy a house in middle GA. We decided to sell to our neighbor Reggie Cochran land. We trusted Reggie so, we gifted him an easement. Reggie promissed my father he would only use it for Agriculture. We bought a house in middle ga., Our house at 8720 would be our summer home. My fathe started commuting back and forth. My father would come home on weekends.

The seperation was very hard on the family. We stayed here because my mother wanted my brother and I to finish school. My mother also loved her job teaching children how to read. She was a teacher of excellence at Wauka Mt elem. School.

In 1995 my father was commuting home and ran off road on Hwy. 52 five miles from Home, He was pronounced deceased at the scene, we as fam were all devastated. My father wasn't a ordinary man, He was very important to everyone who knew him and everyone he came in contact with, His students truly love him. There is a tree dedicated and named Wally's Tree in Lockerly Arboretum, he enjoyed teaching in nature.

My mother was strong, but so, so hurt, we all were, We had to sell the house in Milledgeville ga., This all left my poor mama with to kid to raise in their rebellious teenage years that had just lost their father tragically.

A few years of agony passed, just to be told that now my mother was dying of liver disease, and I was to take care of her, so I did and it was good we had our time,

but she couldn't go on without her husband. there was a green house dedicated in her honor at Wauka Mt. Elem. that is in use to this day. Still teaching Children Aggricut-ur

During the battle of live disease is when Reggie Cochran sold the land we had previously sold to him with the gifted easment to steven and Holly V. Crumley.

The plat of land 8730 has only existed since it was filed and sold in 1999. When the land was soled in was in a agricultural timber covenant agreement. We spoke against even the house going there. Our land / driveway has become a commercial road with a estimate/guess of 26 to 30 cars entering and exiting everyday.

When I was growing up my father would walk the land with me expressing his loves for animals and nature, teaching me things, He even built the house My brother his daughter and I live in. He always walked the driveway with me. The view was beautiful, and most of my memories are of use walking and talking on my driveway. Unfortunely When you do go for a walk its loud dogs barking halfway and traffic on the other half. We barely even walk it anymore

Dear Gregg Doc, 4-18-23

because I feel it is dangerous. I feel very used, sad, depressed about all of this. I feel these people took advantage of a broken family. This is our property and we pay the taxes and love this land. We have to see this every day

I hope this letter touches your heart I love this land and I consider it my famlies home for generations to come. I feel like the gifted easement has been totally taken adrantage ~~off~~ the only one enjoying this gifted easement is Holly's bed and buscuit inn, Cavaliers by Crumley, Ruffon Birds and Everything Spaniel plus puppy transpotation. I leave this in Gods hands with great hope that the Board of Commissions will help me so this doesn't happen to someone else, Because it set a precedence for the north Hall distric

Thankyou so much for your Time

The Askew family

Kathryn Askew

Sheryl Askew Pettis

James Askew

Kathryn Askew

Sheryl Pettis

James ASKEW

THIS IS A LETTER MY MUM WROTE IN 1999 SHE WAS SUFFERING FROM LIVER DISEASE SHE WROTE THIS TO A JUDGE / LAWYER IN OUR Family

November 16, 1990

Johnny,

Great to talk to you. A lot of time has passed since I have seen you. Hope your family is doing well. Would love to see the girls and Hannah. Hope time has been nicer to you than it has to me. Can't believe how "gray" and "wrinkled" I have become.

As Daddy has mentioned to you, I am in the middle of a situation about which I feel very confused. I feel that I may be being taken advantage of. I realized that all zoning laws are different in different counties, but I will try to explain. In August of 1993, Wally and I sold some land to purchase the house in Milledgeville. Wally's dad also sold property. In the surveying and setting up of all the plots, Wally then had the remaining property put in my name. The situation that was created was that due to the fact that my property would be landlocked, a tract of land was created whereby my nine acres of land would also include a fifty foot driveway that would go to Forrester Road, thus creating the fifty foot frontage necessary for all property. My driveway is almost half a mile long. All of these transactions took place on the same day including the transference of the property to my name. (Recording the documents) I was never aware of a "permanent easement". I was also told that Mr. Cochran and Mr. Oliver would be able to use the driveway for maintenance of the field and cow pasture. My well is also in the middle of the cow pasture purchased by Freeman Oliver

so I was given water rights which are explained in the enclosed document. I have also enclosed the plat, so maybe this will not be so difficult to figure out. Now to the present. I was informed in August that Mr. Cochran was going to sell the field on the right side of my driveway to Steve Crumley and that they would then used my driveway for their property. They are planning to build a house on this propertyl changing it from agricultural to residential use. The tract of land that he sold them, approximately nine acres is landlocked. Mr. Cochran has additional property next to the property he purchased next to the property we sold him. However, he did not want to use any of his land. He would "arrange" things so they would be able to use my driveway. I was very upset about this and contacted my lawyer here, only to have him tell me that a permanent easement had been set up at the time of the selling of the property in 1993 and that there was nothing I could do. However, being aware of new zoning laws in Hall County --no one can sell or build on property that does not have fifty foot frontage, not sure about sell, but definitely not build. I did feel, however, that I was not being treated totally fair, so decided then to begin investigating myself. After several telephone calls, I ended up talking to the "head of zoning in Hall County, (Shuler) His first response to me was that my name sounded familiar. I explained my situation to him, and the said he would investigate and call me back the next day with a complete story on my situation. I thought his was rather strange considering he is such a busy person. He did, however, call me back the next day. He began his explanation with the fact that he and the lawyers had spent the last three

weeks"sweating" over my situation as to where the plot of land under consideration was a buildable plot. He said that it was decided it was. Even though the tract is land locked, my driveway would serve as the way for them to be able to build their house. He further explained to me that due to the fact that the 9 acre track of land had not been incorporated into Mr. Cochran's original land and was left isolated because it had an easement, it was a buildable lot. In Hall County now property can't be sold with frontage access. Also, I have great difficulty understanding how an easement can be sold. Also, what has come to light is that when Mr. Cochran bought the land, that land that was next to the track that we sold him actually belonged to Notha Cochran. This created a totally land locked area of land.

Another area of concern that has recently come to light is the fact that the recording of the sale of all these properties and the transfer of our property to me all took place on the same day. Also, even in the description of the land that was sold by Wally's dad, I am listed as the owner. I never signed any document giving a permanent easement to anyone. I am listed as the owner of the land. I feel very uncomfortable about the entire situation. Something is not right. Because I am possibly uninformed in this area as far as the law is concerned, because I am female, (there is a tremendous amount of discrimination of all types in this area) and because of the fact that all these men are very wealthy I feel something is very wrong. This is my land. I pay the taxes

things have been done without my permission. I am very angry. Any advice or direction would greatly be appreciated. I hope to be in Dublin soon. If I did not have to go through Milledgeville it would be alot easier. Times still get extremely difficult for us. I keep waiting for the peak; so far it won't come. Situation like this one make it very difficult. It's difficult making decision all alone. There's no one to blame but me when they're wrong ones. Oh, well, enough of giving myself a hard time. Hope to see you real soon.

Hello, my name is James Aske. I do not want to allow the property at 8730 Forrester Rd to be split and sold ~~to two different people or companies~~. The easement wording was changed on the Crumleys easement , it is not non- exclusive it is a permanent perpetual easement the word non exclusive was added. When I look outside my home I see a giant building , when I walk outside all I hear is dogs , non stop barking. Anytime I drive down my driveway I see about 15 cars parked in the parking lot , and almost every time run into someone coming or going from the business. I fear my Grand child will never get to walk the driveway to even catch the bus. I fear the noise , the traffic and even the size of this building will continue to be more and more because it has already in the last 10 years. Please don't let this happen. Please help us. Thank you

In 2007 Hall County approved 8730 Forrester Rd. for a Commercial Kennel, which is allowed under uses permitted in AR-IV upon Boc approval (17.120.040 N).

17.20.620. - Kennel, commercial.

"Commercial kennel" means any place in or at which more than four adult dogs (or cats) are kept for the purpose of sale, boarding, care, breeding or training and for which any fee is charged. A commercial kennel shall be located on not less than five acres of land in the residential zoning districts. The raising of four or fewer adult dogs (or cats) would be inherently allowed in all residential zones that allow a commercial kennel.

17.290.030. - Prohibited uses.

A. The keeping, breeding, or training of any animals or fowl for monetary gain or profit shall be deemed a commercial business and is expressly prohibited in all residential districts except where such operations may qualify as a home occupation.

17.20.560. - Home occupation.

"Home occupation" means an occupation or profession conducted entirely within a dwelling and which is carried on by an occupant thereof and which is clearly incidental and secondary to the use of the dwelling for residential dwelling purposes. There is no access by the public. A home occupation is designed to be less restrictive than a home office but more restrictive than a residential business in regard to access by the public, size, visibility, number of employees and types of business. Conditions for a home occupation are listed in chapter 17.210.

17.20.920. - Residential business.

"Residential business" means an occupation or profession conducted within a dwelling, and which is carried on by an occupant thereof and which is clearly incidental and secondary to the use of the dwelling for residential dwelling purposes. The business may require access by the public. The residential business is designed to be less restrictive than a home office or home occupation but more restrictive than a rural business in regard to access by the public, size, visibility, number of employees and types of business. Planning commission approval is required in accordance with the conditions outlined in section 17.350.130.

17.20.960. - Rural business.

"Rural business" means an occupation or profession conducted within a dwelling, an accessory structure or outside and which is carried on by a resident of that property and which is clearly incidental and secondary to the use of the property for residential dwelling purposes. The rural business is designed to be less restrictive than a home office, home occupation or residential business in regard to access by the public, size, visibility, number of employees and types of business. Planning commission approval is required for a rural business in accordance with the conditions outlined in section 17.350.140.

According to Randi Doveton (head of planning and zoning), Brandi Smith (supervisor of business license division), and many other employees at the planning office, the Commercial Kennel at 8730 Forrester Rd. is Not a Home Occupation, it is Not a Residential Business, or a Rural Business. When asked, "well what is it "? We were told we would need to see the Occupation Permit to see what it is. That Occupation Permit is one for a Commercial Business. Somehow this makes the commercial kennel at 8730 Forrester Rd (that should fall under guidelines for home occupation, residential business, or rural business) to be viewed as a Commercial Property. The regulations for a Home Occupation, Residential Business, or Rural Business would keep someone from establishing and developing a commercial business on a residential parcel, and then deciding once it would deemed profitable enough, divide and sell said property as a Commercial Business, because in each case, according to hall county ordinances "the business shall be valid only as long as the original principal practitioner resides in the dwelling, is conducting the business and has a current business license". These ordinances are put in place to lead, guide, direct and Protect the citizens of Hall County and should be fully enforced to do so.

provided at 10-2-23 PC meeting

PT-61 (Rev. 2/18) To be filed in **HALL COUNTY** **PT-61 069-2023-006421**

SECTION A – SELLER'S INFORMATION (Do not use agent's information)			SECTION C – TAX COMPUTATION	
SELLER'S LAST NAME: Crumley	FIRST NAME: Steven	MIDDLE: M.	Exempt Code If no exempt code enter NONE	Deed Confirming Title Already Vested
MAILING ADDRESS (STREET & NUMBER): 120 Magnolia Place			1. Actual Value of consideration received by seller Complete Line 1A if actual value unknown	$0.00
CITY, STATE / PROVINCE / REGION, ZIP CODE, COUNTRY: Homer, GA 30547 USA	DATE OF SALE: 9/14/2023		1A. Estimated fair market value of Real and Personal property	$900,000.00
SECTION B – BUYER'S INFORMATION (Do not use agent's information)			2. Fair market value of Personal Property only	$0.00
BUYER'S LAST NAME: Durham	FIRST NAME: Sarah	MIDDLE:	3. Amount of liens and encumbrances not removed by transfer	$0.00
MAILING ADDRESS (Must use buyer's address for tax billing & notice purposes): 8730 Forrester Road			4. Net Taxable Value (Line 1 or 1A less Lines 2 and 3)	$0.00
CITY, STATE / PROVINCE / REGION, ZIP CODE, COUNTRY: Lula, GA 30554 USA	Check Buyers Intended Use ( ) Residential ( ) Commercial ( ) Agricultural ( ) Industrial		5. TAX DUE at .10 per $100 or fraction thereof (Minimum $1.00)	$0.00

SECTION D – PROPERTY INFORMATION (Location of Property (Street, Route, Hwy, etc.))					
HOUSE NUMBER & EXTENSION (ex 285A): 8730	PRE-DIRECTION, STREET NAME AND TYPE, POST DIRECTION: Forrester Road				SUITE NUMBER:
COUNTY: HALL	CITY (IF APPLICABLE):		MAP & PARCEL NUMBER: 12128000009		ACCOUNT NUMBER:
TAX DISTRICT:	GMD:	LAND DISTRICT: 12	ACRES: 3.93	LAND LOT: 128	SUB LOT & BLOCK:

SECTION E – RECORDING INFORMATION (Official Use Only)				
DATE:	DEED BOOK: 9369	DEED PAGE: 252	PLAT BOOK:	PLAT PAGE:

ADDITIONAL BUYERS
Durham, Austin

PLEASE RETURN TO:
CARL S. FREE
ATTORNEY AT LAW
P.O. BOX 884
CLEVELAND, GA 30528
FILE # 23-105

eFiled and eRecorded
DATE: 06/06/2023
TIME: 9:59 AM
DEED BOOK: 9315
PAGE: 760 - 761
FILING FEES: $25.00
TRANSFER TAX: $560.00
PARTICIPANT ID: 1491131756
PT61: 069-2023-003742
RECORDED BY: NB
CLERK: Charles Baker, C.S.C
Hall County, GA

LIMITED WARRANTY DEED

JOINTLY FOR LIFE WITH REMAINDER TO SURVIVOR

STATE OF GEORGIA
COUNTY OF WHITE

THIS INDENTURE, made this 5th day of June in the year of our Lord Two Thousand Twenty-Three (2023), between **Steven M. Crumley** and **Holly V. Crumley**, Grantors, and **Sarah Durham** and **Austin Durham**, Grantees,

WITNESSETH, that the said Grantors for and in consideration of TEN DOLLARS ($10.00) AND OTHER VALUABLE CONSIDERATIONS in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency whereof is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the Grantees, for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion; the following described real estate:

Map and Parcel No. 12139-000009 (portion of)

All that tract or parcel of land lying and being in Land Lot 128 of the 12th Land District of Hall County, Georgia, being "Tract A", containing 3.93 acres, more or less, as shown on a plat of survey prepared by Chris M. Patton, G.R.L.S., under date of March 1, 2023 and recorded in Plat Book 883, Page 302-304, Office of the Clerk of Superior Court of Hall County, Georgia. The description of said property shown on said plat of survey is incorporated herein by reference for a more complete description thereof.

ALSO CONVEYED AND SUBJECT TO a permanent perpetual non-exclusive easement for ingress and egress from Forrester Road to the subject property, via the proposed 20' ingress/egress easement as shown on the above referenced plat of survey.

Subject to restrictions, reservations, easements and rights of way of record, if any.

https://search.gsccca.org/Imaging/HTML5Viewer.aspx?id=83625177&key1=9315&key2=760&county=69&countyname=HALL&userid=800759&appid=4 1/1

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 Grantees, their heirs and assigns, forever in fee simple.

AND THE SAID Grantors, for their heirs, executors and administrators, will warrant and forever defend the right and title to the above-described property, unto the said Grantees, their heirs and assigns, against the claims of all persons owning, holding or claiming by, through or under the Grantors.

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 Grantors have hereunto set their hands and affixed their seals the day and year above written.

Signed, sealed and delivered
in the presence of:

Witness

Notary Public
My Commission Expires:

CARL S FRE
NOTARY PUBLIC
WHITE COUNTY
GEORGIA
EXPIRES
Jun. 30, 2024

(SEAL)
Steven M. Crumley, Grantor

(SEAL)
Holly V. Crumley, Grantor

https://search.gsccca.org/Imaging/HTML5Viewer.aspx?id=83625177&key1=9315&key2=760&county=69&countyname=HALL&userid=800759&appid=4 1/1

EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 128 of the 12th Land District of Hall County, Georgia, being "Tract A", containing 3.93 acres, more or less, as shown on a plat of survey prepared by Chris M. Patton, G.R.L.S., under date of March 1, 2023 and recorded in Plat Book 883, Page 302-304, Office of the Clerk of Superior Court of Hall County, Georgia. The description of said property shown on said plat of survey is incorporated herein by reference for a more complete description thereof.

ALSO CONVEYED AND SUBJECT TO a permanent perpetual non-exclusive easement for ingress and egress from Forrester Road to the subject property, via the proposed 20' ingress/egress easement as shown on the recorded plat of survey.

Subject to restrictions, reservations, easements and rights of way of record, if any.

SD

ZONING NOTICE

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

APPLICANT: STEVEN & HOLLY CRUMLEY

REQUEST: USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR COMMERCIAL KENNEL EXPANSION IN AR-IV

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION
Date: Oct. 2, 2023
Time: 5:15 p.m.

&

COUNTY COMMISSION
Date: Nov. 9, 2023
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 WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: STEVEN & HOLLY CRUMLEY

REQUEST: VARY SETBACKS FROM 200 FT TO 48 FT & 44 FT FOR COMMERCIAL KENNEL STRUCTURES

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION
Date: Oct. 2, 2023
Time: 5:15 p.m.

&

COUNTY COMMISSION
Date: Nov. 9, 2023
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HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

AGENDA ITEM

Planning and Development

REPORT TO: **Work Session (11/06/23)**

REPORT TO: **Voting Meeting (11/09/23)**

ITEM NO: 631/2023

SUBJECT: **8730 Forrester Road | Variance |** from 17.240.060 to reduce the setback for commercial kennels from 200 feet to 44 feet | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: commercial kennel structures |** Commission District 3 **| Steven & Holly Crumley, applicants.**

Meetings:

Work Session Date: 11/06/23 **Voting Meeting Date:** 11/09/23

Executive Summary:

Presenter: RD

Recommendation:
Approval

Conditions:

1. Any and all further expansion of the facility or kennel activity will be subject to further review and approval of the Board of Commissioners, and appropriate permits obtained upon approval.
2. No residential dwelling may be added to the parcel where the commercial kennel is located.
3. The business shall maintain the fencing and planted buffer as described in the applicant's statement.
4. The applicant will pursue retroactive building permits for all buildings measuring more than sixteen feet in length and width.

Purpose of Request:
8730 Forrester Road | Variance | from 17.240.060 to reduce the setback for commercial kennels from 200 feet to 44 feet | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) | **Proposed use: commercial kennel structures** | Commission District 3 | **Steven & Holly Crumley, applicants.**

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:

Submit	Approve	Attorney	Administration
AD	RD	WLI	CR
Clerk			
JR			

Attachments:

Board Memo
Recommendation Report
Application
Narrative
Updated Site Plan
Original Site Plan
Maps
Property Images
Environmental Health Comments
GDOT Comments
Public Works Comments
Fire Comments
Public Comments
Notice Sign Photos

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435

GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR
Srikanth Yamala

PLANNING AND DEVELOPMENT
DIRECTOR
Randi Doveton

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PLANNING AND DEVELOPMENT

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

From: Randi Doveton, Director of Planning & Development

Date: October 23, 2023

Subject: **8730 Forrester Road | Variance** | from 17.240.060 to reduce the setback for commercial kennels from 200 feet to 48 feet | on a 5.57± acre tract **| Proposed use: commercial kennel structures | Steven & Holly Crumley, applicants.**

8730 Forrester Road | Variance | from 17.240.060 to reduce the setback for commercial kennels from 200 feet to 44 feet | on a 5.57± acre tract **| Proposed use: commercial kennel structures | Steven & Holly Crumley, applicants.**

The request before you is the application of Steven & Holly Crumley for a Variance from 17.240.060 to reduce the setback for commercial kennels from 200 feet to 48 feet and 44 feet to allow commercial kennel structures. This item is located within Commission District 3.

At their October 2, 2023 meeting, the Hall County Planning Commission voted to recommend approval with four (4) conditions of both requests **(3-2, Pilcher & Sosebee opposed).**

There was **one (1) comment submitted** in advance of the Planning Commission meeting and **two (2) people spoke during the public hearing.**

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

Planning Commission Conditions:

1. Any and all further expansion of the facility or kennel activity will be subject to further review and approval of the Board of Commissioners, and appropriate permits obtained upon approval.
2. No residential dwelling may be added to the parcel where the commercial kennel is located.

3. The business shall maintain the fencing and planted buffer as described in the applicant's statement.
4. The applicant will pursue retroactive building permits for all buildings measuring more than sixteen feet in length and width.

HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT

Applicant.....Holly Crumley

Request.....**(A)** Use Subject to County Commission Approval |17.120.040 expansion of a commercial kennel
(B) Variance | 17.240.060 to reduce the setback for commercial kennels from 200 feet to 48 feet
(C) Variance | 17.240.060 to reduce the setback for commercial kennels from 200 feet to 44 feet

Proposed Use.....**(A)** Expansion of a commercial kennel
(B) Setback variance for commercial kennel structures
(C) Setback variance for commercial kennel structures

Size.....5.57± acres

Zoning.....Agricultural Residential IV (AR-IV, 17.120)

Location.....**8730 Forrester Road** | Tax Parcel 12128 000009 (pt.)

Commission District.....Three

Planning Commission Date.....October 2, 2023

Staff Recommendation..... **(A) (B) and (C) Approval with conditions,** as the proposed use is consistent with the Rural future land use classification in the Comprehensive Plan.

Planning Commission Recommendation.....**(A) Approval, with conditions**
Vote: 4-1 (Sosebee opposed)
(B) Approval, with conditions
Vote: 3-2 (Pilcher & Sosebee opposed)
(C) Approval, with conditions
Vote: 3-2 (Pilcher & Sosebee opposed)

(A)(B)(C) Conditions:

1. Any and all further expansion of the facility or kennel activity will be subject to further review and approval of the Board of Commissioners, and appropriate permits obtained upon approval.
2. No residential dwelling may be added to the parcel where the commercial kennel is located.

3. The business shall maintain the fencing and planted buffer as described in the applicant's statement.
4. The applicant will pursue retroactive building permits for all buildings measuring more than sixteen feet in length and width.

Public Forum:

Virginia Martin, Gainesville, spoke in opposition. Concerns were access to the driveway easement, amount of dogs, approval process, and property owners.

Kathryn Askew, 8720 Forrester Road, Lula, spoke in opposition. Concerns were the driveway, breeding, and approval process.

Summary Analysis

The applicant is requesting a **(A)** Use Subject to County Commission Approval for the expansion of an existing commercial kennel within a 5.57± acre lot zoned Agricultural Residential IV (AR-IV, 17.120). Concurrent to this request, the applicant is seeking relief from the conditions of 17.240.060 that require commercial kennel structures to conform with a 200-foot setback from adjacent properties. The applicant is requesting a reduction in the required setbacks **(B)** from 200 feet to 48 feet, and **(C)** from 200 feet to 44 feet for existing kennel structures.

The applicant is seeking these requests retroactively. The submitted site plan reflects current conditions of the property, including setback lines. The commercial kennel was originally approved, with conditions, by the Board of Commissioners on August 23, 2007. One of the conditions of the 2007 conditional use permit required "any expansion of the facility or kennel activity would be subject to further review and approval" by the Board of Commissioners. On November 5, 2007, the Hall County Planning Commission approved a retroactive setback variance for a 42 foot by 118 foot kennel, which was constructed without a building permit.

Since then, the commercial kennel has been expanded beyond the original approval through the addition of kennel-related structures and outdoor facilities, resulting in these requests. While minor additions or adjustments to the site may be permissible, the addition of additional structures and facilities is beyond what would be considered minor. This expansion has included the installation of four (4) structures, covered concrete play areas, and associated fencing added without Board approval. The expansion and needed variances were discovered earlier in 2023 when the applicant was granted approval to subdivide the property, separating the commercial kennel from the residential uses on the property.

The applicant has stated the installation of additional buildings and improved surfaces has been for the sole purpose of broadening and improving business offerings, including canine massage therapy, quarantine, emergency care, and e-commerce inventory storage. The applicant also explains that many of these improvements have been required by the Department of Agriculture and at the recommendation of the applicant's veterinarian. These expansions, and new internal property line dividing the kennel from the residential property, have led to the applicant requesting relief from the 200-foot setback requirement for commercial kennel structures and outdoor runs (17.240.060).

Specifically, the expansion brings the kennel facilities within 48 feet of the eastern property line and 44 feet of the western property line, variance requests **(B)** and **(C)**, respectively.

As part of the application, the applicant is requesting two (2) variances from the setback requirements for commercial kennels established in 17.240.060. Specifically, the applicant is requesting relief from the following requirement, if the application, as presented, is approved:

- **(B)** Required 200 foot setback from the property line for the keeping of dogs and cats from the property line as found in 17.240.060
    - The applicant is requesting to reduce the setback to 48 feet along tax parcel 12128 000009, (Parcel "A") in order to bring the existing commercial kennel facilities into compliance.
- **(C) Required** 200 foot setback from the property line for the keeping of dogs and cats from the property line as found in 17.240.060
    - The applicant is requesting to reduce the setback to 44 feet along tax parcel 12128 000007 (Parcel "C") in order to bring the existing commercial kennel facilities into compliance.

Based on the future land-use plan, staff finds the *requested use consistent* with the Rural future land use classification of the in the Comprehensive Plan. The primary future land uses within the "Rural" Character Area, which includes agriculture and low-density residential uses. The intention is to preserve agriculture and the rural character of this area.

Zoning Analysis

(A) Use Subject to County Commission Approval | expansion of a commercial kennel within the Agricultural Residential IV district 17.120.040

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 and development of adjacent and nearby property; **Yes, the proposed use is suitable in view of the use and development of adjacent and nearby property, though the use is slightly more intensive than traditional agricultural and residential uses in the area. Many adjacent properties host low-intensity agricultural uses. It should be noted, the commercial kennel is an existing use and the current request is to being into compliance the expansion and noncompliance with setback standards.**
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The zoning proposal should not adversely affect the existing use or usability of adjacent or nearby properties as the kennel is existing and the expansion is being considered retroactively.**
3. Whether the property to be affected by the zoning proposal has reasonable economic use as currently zoned. **The subject property is zoned Agricultural Residential IV (AR-IV, 17.120) and is developed with a single-family residence and a commercial kennel. The commercial kennel was established in 2007.**

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; **No, the proposed use should not cause an excessive or burdensome use of existing streets, transportation facilities, or utilities.**

5. Whether the zoning proposal is in conformity with the policy and intent of the land use plan; **Yes, the requested zoning designation is consistent with the future land use classification of Rural in the Comprehensive Plan, but at a higher intensity.**

6. The extent to which property values are diminished by the existing zoning restrictions; **Staff has not identified that the existing property values have been impacted by the existing zoning.**

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 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.**

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 site has been developed with a residential building since at least 2000, per Property Tax records.**

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; **There are no known changing conditions affecting the use or development of the property.**

11. Whether the change would create an isolated district unrelated to the surrounding districts; **The current request is to retroactively expand a conditional use and the underlying Agricultural Residential IV (AR-IV, 17.120) will remain unchanged. All neighboring parcels are zoned similarly, or are a Planned Commercial Farm District (PCFD, 17.180.100).**

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.**

13. Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood; **The proposed use is not out of scale with the needs of the county as a whole. This establishment provides dog boarding services, which are important to the community and promote the well-being of dogs.**

14. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **Commercial kennel are subject to county commission approval and are not permitted by right in any zoning district, so it would be impossible to find a district in which this use is inherently permitted.**

15. Whether the need for rezoning could be handled instead by a variance request to the [Planning Commission]; **No, the request could not be handled alternatively as a variance as the requested use requires conditional use approval in the underlying Agricultural Residential IV district (AR-IV, 17.120).**

16. Whether there would be an ecological or pollution impact resulting from major modifications to the land if the request is granted; **There are no significant changes proposed to the site that should have an ecological or pollution impact.**

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 evidence to indicate a mistake was made in the original zoning of the property.**

(B) and (C) Variance | 17.240.060 to reduce the required setback for commercial kennels in Agricultural Residential IV (AR-IV, 17.120).

Section 17.420.070, appeals and modifications states that "if substantial modifications or changes are necessary, any person, firm, group or organization may apply for relief from the requirements set forth in this chapter to the Hall County Planning Commission, unless otherwise specified in this chapter."

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); **There do not appear to be extraordinary or exceptional conditions pertaining to the subject property.**

2. The application of the requirements of this Title 17 to this particular piece of property would create an unusual hardship; **The applicant would have to make modify the site, removing several concrete enclosures and existing building.**

3. Such conditions are peculiar to the particular piece of property involved and are not common to other properties in the neighborhood; **No, the conditions are not peculiar to the subject parcel but the result of the use of the property.**

4. Such conditions are not the result of any actions of the property owner; **the site has been developed as a commercial kennel by the applicant, who failed to follow proper procedures regarding the expansion of the commercial kennel, which may have prevented the need for variances.**

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. **Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of Title 17.**

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. **The proposal meets the requirement. The 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]. **The applicant has submitted a statement and site plan but did not specifically address the criteria listed in 17.380.060.C.**

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**. The submitted site plan is drawn to scale and includes the necessary details to assess the request.**

C. For any application for a slow rate land treatment system (see chapter 17.20), the following additional requirements apply. **This standard is not applicable as the site will be served by an onsite septic system.**

D. 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. **As there are not 100 or more residential dwelling units proposed this question is not applicable.**

Development Support and Constraints – Departmental / Agency Comments

Hall County Environmental Health
In an email dated August 31, 2023, Emily McGahee stated “No comment.”

Hall County Fire Marshal
In an email dated August 29, 2023, John Hornick, NPQ Fire Inspector 1, Plans Review Lieutenant stated “New owner will be required to pass a life safety inspection conducted by the Hall County Fire Marshal’s Office for all buildings open to the public, a passing life safety inspection is required for a business license.”

Hall County Public Works and Utilities

In a memo dated August 31, 2023, Bill Nash, Director of Public Works and Utilities, provided the following comments:

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:
No comment.

Utilities
No comment.

Georgia Department of Transportation
In an email dated August 25, 2023, Veronica Chavers, D1TO Traffic Operations Civil Engineer 3, provided the following comments:

"No GDOT coordination required."

- **Excerpts from the minutes of the October 2, 2023 meeting**

Applicant's Presentation:

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

Holly Crumley, 120 Magnolia Way, Homer, presented the request.

Rebuttal

The applicant stated that when dogs are sold they are dropped off, not picked up at the property. The applicant stated that they added a privacy fence as well as planting corn for screening.

Public Forum:

Virginia Martin, Gainesville, spoke in opposition. Concerns were access to the driveway easement, amount of dogs, approval process, and property owners.

Kathryn Askew, 8720 Forrester Road, Lula, spoke in opposition. Concerns were the driveway, breeding, and approval process.

Planning Commission Comments:

Mr. Hunt questioned if the applicant was just bringing the property into compliance. The applicant stated that was correct. Ms. Pilcher stated there should be a condition to restrict the further construction on the property.

A

***Motion:* A motion to approve, with conditions was made by Mr. Hunt and seconded by Mr. Varner. Vote: 4-1 (Sosebee opposed)**

Conditions:

1. Any and all further expansion of the facility or kennel activity will be subject to further review and approval of the Board of Commissioners, and appropriate permits obtained upon approval.
2. No residential dwelling may be added to the parcel where the commercial kennel is located.
3. The business shall maintain the fencing and planted buffer as described in the applicant's statement.
4. The applicant will pursue retroactive building permits for all buildings measuring more than sixteen feet in length and width.

B
***Motion:* A motion to approve, with conditions was made by Mr. Hunt and seconded by Mr. Varner. Vote: 3-2 (Pilcher & Sosebee opposed)**

Conditions:

1. Any and all further expansion of the facility or kennel activity will be subject to further review and approval of the Board of Commissioners, and appropriate permits obtained upon approval.
2. No residential dwelling may be added to the parcel where the commercial kennel is located.
3. The business shall maintain the fencing and planted buffer as described in the applicant's statement.
4. The applicant will pursue retroactive building permits for all buildings measuring more than sixteen feet in length and width.

C
***Motion:* A motion to approve, with conditions was made by Mr. Hunt and seconded by Mr. Varner. Vote: 3-2 (Pilcher & Sosebee opposed)**

Conditions:

1. Any and all further expansion of the facility or kennel activity will be subject to further review and approval of the Board of Commissioners, and appropriate permits obtained upon approval.
2. No residential dwelling may be added to the parcel where the commercial kennel is located.
3. The business shall maintain the fencing and planted buffer as described in the applicant's statement.
4. The applicant will pursue retroactive building permits for all buildings measuring more than sixteen feet in length and width.

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

HALL COUNTY
GEORGIA
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CONDITIONAL USE APPLICATION

Applicant (Name & Mailing Address)
Holly Crumley
8730 Forrester Rd
Lula GA 30554
Phone 678.316.4519
Email Address crumleyholly@bellsouth.net

Property Owner (Name & Mailing Address)
Holly Crumley
8730 Forrester Rd
Lula GA 30554
Phone 678.316.4519
Email Address crumleyholly@bellsouth.net

Proposed Use revise 2007 conditional use

Contact Person (Name & Mailing Address)
SAME
Phone
Email Address
Tax Parcel Number
Location Address 8730 Forrester Rd, Lula, GA 30554

Status of Applicant
☒ Owner
☐ Option to Purchase
☐ Area Resident
☐ Other

Requested Action
Permissive Use:
☐ HCPC ☒ HCC
Fee:$ 400
Receipt #:
Check #: 5618
Zoning: AR-1V
Acreage 9.50

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

Sign Holly V Crumley Date: 5/12/23

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: 5/17/2023
Taken by: Katie M
Tentative Planning Commission Date: July 3, 23
Tentative County Commission Date: Aug 21, 23 (per req.)
County Commission District: 3

PLANNING AND DEVELOPMENT DEPARTMENT
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HALL COUNTY
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AUTHORIZATION OF PROPERTY OWNERS

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

Name of owner(s) Holly Crumley

Address 8730 Forrester Rd
Lula GA 30554

Phone Number 678·316·4519

Name of applicant(s) Holly Crumley

Address 8730 Forrester Rd
Lula GA 30554

Phone Number 678·316·4519

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) Holly V. Crumley

Personally appeared before me
Cindy L. West

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

Cindy L. West
Notary Public

5/12/23
Date

Cindy L West
NOTARY PUBLIC
Hall County, GEORGIA
My Commission Expires 07/09/2026

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HALL COUNTY
GEORGIA

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: Holly V. Turnley **Date:** 5/12/23

Applicant's/Owner's Name (Printed): _____

Notary Public
Hall County, Georgia
My Commission Expires 07/28/2026

Revised December 2019

PLANNING AND DEVELOPMENT DEPARTMENT
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(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:** 5/12/23

Applicant's/Owner's Name (Printed): Kelly V. Loomley

Narrative
Holly Crumley
8730 Forrester Rd
Lula, Ga 30554

Seeking approval to modify the conditions and the usage for the commercial kennel as stated in the 2007 approval for the business.

Seeking approval for the following:
Keep awnings, porches, porte-cocheres, and existing covered let out and exercise areas as is. (These were necessitated by the Dept. of Agriculture and my veterinarian). Let out areas were covered and insulated and wall units were installed for better temperature control.

I would like to keep the tiny houses/portable buildings. These were added to allow separation for bio-security per veterinarian 's request. The proximity of two of the buildings located near the house is pertinent to the functionally. Sometimes puppies require round the clock care and our ICU units are located in one of the buildings so the closeness to the home is vital to be able to get to those very quickly. The other building is our Quarantine building which is used to isolate puppies/dogs that could be contagious or infectious. It is seldomly used but when needed, it is priceless. The other 3 portable buildings are used as a "Labor and Delivery" where pregnant moms come to deliver their puppies, retail space which services our e-commerce and serves as a handoff location for puppies, and a training/Zen building that is used for a quiet space for meetings, k9 massage, ultrasounds, etc. When I purchased these buildings, I was told I didn't need a building permit or wiring permit as they were already constructed and prewired. I understand now that I did need a wiring permit which I am happy to get.

I am in the process of added a PVC privacy fence around 2 sides of the kennel. This should cut down on the noise significantly as the dogs will not be able to see people and wildlife in the surrounding fields. We are also planting corn in the fields which will act as a buffer.

Seventeen years ago, I started building this business completely unaware of the success it would have. The changes have all been by the advice and recommendations of the Dept of Agriculture and our veterinarian. I didn't see the portable buildings as an expansion. They improve the functionality of the services I was already provided. In the course of seventeen years, it was never my intention to be big but to be good.

I request is that this be heard by the Board of Commissioners on August 24th as I will be out of the country.

Pictures are included.

Regards,

Holly Crumley

Holly Crumley

120 Magnolia place

Homer , Ga.

I am here today to establish the usage of property at 8730 Forrester Rd. Lula.

Rewind 17 years ago. I was here for the very same thing only I had nothing but a paper with the drawing of a building for a commercial dog kennel. What I have realized over this 17 years is the footprint of the

Building would not be the footprint of the business I was about to pour 17 years of my life into.

I believe if I'm correct that the narrative was based on a brochure I had printed of services I was intending to provide that were in line with what you would expect a kennel to offer plus some specialized services (k9 massage). The hours of operation. And I believe I said that my intention was to board 40 dogs as I had 40 Suites.

I had exercise, let out and training areas that were uncovered and the surface was sod.

Now let me tell you my journey to get where I am today.

My intention was to build a place where people could leave there dogs and feel they were safe and

Given the best of care. The first problem..... sod is not a good surface for letouts exercise and training. It cannot be cleaned properly and dog like to dig it up. So little by little I replaced those let out surfaces

with concrete

Next problem concrete creates heat. My first big issue. I could not keep the kennel below 87 degrees. I I had 4 commercial Air-condition units working .That is not healthy to people or animals. My obligation was to find a solution. I began to put porches over all areas with windows or doors. Pictures 1 thru 13 . I even porched the inside of the building and

Put in a split unit. I planted trees for long term shade. Some of the let out areas had to be taken in and window Air conditions put in. You will see that in the pictures I have included as well. I bought several portable garages (also pictured) The portable garages covered some of my let out areas.

I bought my first portable shed from the same fellow that sold me my portable garage. He figured this was a perfect fit as it came built and pre wired and did not require any permits. I had no reason not to believe him as he sold these all day everyday.

I needed a quiet space for k9 massage. Yes that's a thing. I have had a k9 massage therapist since I opened. I have included the current therapist credentials. Plus we are lucky to be able to have specialist come to do clinics. Veterinary Cardiologist, veterinary ophthalmologist even though this building stays empty 90% of the time its great when we need it.

My second shed came as a result of an older gentleman getting knocked down by an overzealous goldendoodle while in the lobby filling out paperwork. The lobby was just to small and now it was a hazard as all check in came through the lobby. I have included a picture . Its very small ! We also

removed all the collars, leashes, dog toys, ect to this portable lobby and decided our best recourse was to do e commerce www.everythingspaniel.com Someone is in that building maybe 4 hours per week.

The Department of Agriculture and my vet put me under pressure to have a quarantine building . I never was on board but a portable shed was definitely the answer if I had to have one. This building had to be isolated for all other dogs and people and when it was used for quarantine . It was to be used if I had a dog that got sick in case it might be infectious or contagious. This would keep my patrons safe . I used it for that purpose 4 times in 8 years. It is on the residential side not used for storage.

Shed #4 took the space of my living room and is used for whelping and rearing of puppies.

Shed #5 we use for the puppy building. It has a incubator , oxygen concentrator and meds for that occasional unlucky puppy that needs round the clock care. Picture included

I have never considered any of these things expansion. In my mind expansion would have been a brick and mortar building (a new wing) to house more boarding dogs. I just thought I was modifying in order to keep my staff and the dogs safe.

After our last meeting I became more mindful of one of my neighbors. Katie Askew, she did not like to walk down her driveway and see the kennel , so we put up a privacy fence and Katie wanted a buffer for noise so we planted corn all around the kennel instead of alfalfa .

The property is now 2 separate parcels and we have reproposed the 2 sheds on the residential side so that the house residential and the other piece of the property is commercial.

I have included a screen shot of a conversation with Katie the day following the BOC meeting. You will see that Katie was not cross with me personally , she just was afraid that the land around her would be a subdivision .

I reached out to all my neighbors via text to make sure that my improvements had helped . I have included the screen shots of our conversations. If you look up Hollys Bed and Biscuit in on Google you will find a 4.7 rating . I am inspected by Department of Agriculture, and American Kennel Club and my rating is excellent. I have a Hall county Business License . Ive included a copy. I believe we have a great track record. I believe we provide a valuable service to out community. Nothing I have done has created more traffic , impacted our environment in a negative way , or created a hardship for my community.

There have been no complaints in 17 years .

Moving forward I don't think my usage need to change just critiqued a bit.

I still want to be a boarding kennel and do all the things boarding kennels do. Boarding , training , grooming. Selling a few retail items. include Pet sales.

My hours need to be a little different. 8 to 6 Monday Tuesday, Thursday , Friday

Wednesday 8 to 12

Saturday 8 to 12

Sunday 3 to 5

Seeking approval for the following.

Keep awnings, porches, porte-cocheres and existing covered let out ,training and exercise areas as is. Theres were necessitated by Dept of Agriculture and by the advise of my veterinarian. Some of the areas

Were covered and insulated for better temperature control .

Keep the portable sheds as they help with bio security and they are nice to look at. They give the campus a village look.

HOLISTIC ANIMAL STUDIES

Angel's Animals, LLC

CERTIFIED CANINE MYO-MANIPULATIVE FUNCTIONAL THERAPIST

In recognition of completing the training, examinations and case studies to earn certification in the Angel's Animals technique

Stasha Bell

Certification # 1102

January 20th, 2021

ANGEL'S ANIMALS CERTIFICATION

DR. ANGELIQUE BARBARA, FOUNDER AND PRESIDENT

Georgia De[illegible]griculture
Animal Protection Division
19 Martin Luther King Jr. Dr. SW
Atlanta, GA 30334
agr.georgia.gov

PET DEALER LICENSE

This license enables the above business to operate in the State of Georgia as a pet dealer subject of the Laws of and the Rules and Regulations promulgated by the Commissioner of Agriculture, thereunder.
This license is subject to revocation by the Commissioner of Agriculture for violation [illegible] Georgia laws, or the R Regulations promulgated by the Commissioner of Agriculture.

License Number:

36-36105159

HOLLY CRUMLEY, INC.
8730 Forrester Rd
Lula GA 30554

Date Issued:

9/14/2022

Expiration Date:

10/31/2023

License Fee: $20

This License Is Not Transferable and Must Be Posted At All Times In A Prominent Business Locat

BUS-0027087

2023

Date:

HALL COUNTY

BUSINESS LICENSE

2023

Acco

EFFECTIVE BEGINNING DATE OF BUSINESS 01/3

Owner: HOLLY CRUMLEY
Holly Crumley, Inc

'MLEY, INC
3730 FORRESTER ROAD
.ULA, GA 30554
:mployees: 8

usiness ype: BOARDING KENNEL, PET SALES, PET GROOMING, GENERAL MERCHANDISE SALES - NEW ITEMS ONLY

Comments: No additional structures authorized by this Permit

Holly Crumley, Inc
8730 FORRESTER RD
LULA, GA 30554

HALL COUNTY
GEORGIA

A license is granted in unincorporated Hall County for period ending December 31, 2023 subject to compliance with the provision of the Business Occupation Tax Code carrying on the business as listed hereon.

Brandi Sm

Licensing Director or Official

NOT TRANSFERABLE - DISPLAY IN A CONS ..OUS PLACE

Georgia Department of Agriculture
Animal Protection Division
19 Martin Luther King Jr. Dr. SW
Atlanta, GA 30334
agr.georgia.gov

KENNEL LICENSE

This license enables the above business to operate in the State of Georgia as a kennel subject of the Laws of Georgia, and the Rules and Regulations promulgated by the Commissioner of Agriculture, thereunder.
This license is subject to revocation by the Commissioner of Agriculture for violation of the Georgia laws, or the Rules and Regulations promulgated by the Commissioner of Agriculture.

License Number:
34-3497947

Date Issued:
6/16/2022

Expiration Date:
9/30/2023

HOLLY'S BED & BISCUIT INN
8730 Forrester Rd
Lula GA 30554

License Type: Capacity for 41 to 80 pets

This License Is Not Transferable and Must Be Posted At All Times In A Prominent Business Loca

SUBDIVIDE SURVEY FOR:
STEVEN M. CRUMLEY & HOLLY V. CRUMLEY
& REGINALD COCHRAN

THIS BLOCK IS RESERVED FOR THE CLERK OF THE SUPERIOR COURT

HALL COUNTY GEORGIA

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

T 770.531.6809 | F 770.531.3902

DIRECTOR
Srikanth Yamala

PLANNING AND DEVELOPMENT DIRECTOR
Randi Doveton

Hall County Government
COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PLANNING AND DEVELOPMENT

April 19, 2023

Steven & Holly Crumley
8730 Forrester Road
Lula, GA 30554

Dear Property Owner:

On April 17, 2023 the Hall County Planning Commission voted to approve, with conditions your application for **8730 Forrester Road | Variance |** for a road frontage variance from 50 feet to 0 feet on a 9.5± acre tract located on the east side of Forrester Road at approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 | **Proposed use: subdivide property |** Commission District 3 | **Steven & Holly Crumley, applicants.**

Conditions:

1. *No further subdivision of the two newly created parcels shall be allowed.*
2. *No expansion of the commercial kennel or its services shall be allowed. If expansion has occurred that is not included in the 2007 approval, the applicant shall submit a conditional use request to bring the commercial kennel operations into compliance.*
3. *No residential dwelling may be added to the tract containing the commercial kennel.*
4. *The following note shall be placed on the plat of record: "Purchaser understands that to the extent that the property is accessed through the current common access driveway, and non-exclusive perpetual easement, the current common access driveway is not maintained by Hall County, does not meet Hall County's common driveway standards, and may not be accessible to emergency vehicles."*
5. *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."*
6. *Standard Hall County platting procedures shall be followed to include the plat by Patton Land Surveying, LLC dated March 1, 2023.*
7. *All conditions of approval shall be included on any plat created for the property.*

The Planning Commission's decision on this item will be the final action taken **unless appealed.** The Planning Commission's decision regarding the above request **may be appealed** to the Hall County Board of Commissioners by filing an application and **appropriate appeal fee** with the Hall County Planning Department within five working days of the date of the Planning Commission's decision.

www.hallcounty.org

If appealed, the above-referenced request will be heard by the Hall County Board of Commissioners at a public hearing on **Tuesday, April 25, 2023 at 6:00 p.m.** at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Approval of your application by the Board is valid for one year. Failure to obtain the proper permits and/or licenses and proceed with the building, occupancy or establishment of business within that time will result in the Board's approval becoming null and void.

Please remember that removal of all Public Notice signs posted on the property is your responsibility and should be removed within five (5) working days following the Planning Commission's decision.

If you have any questions, please call this office.

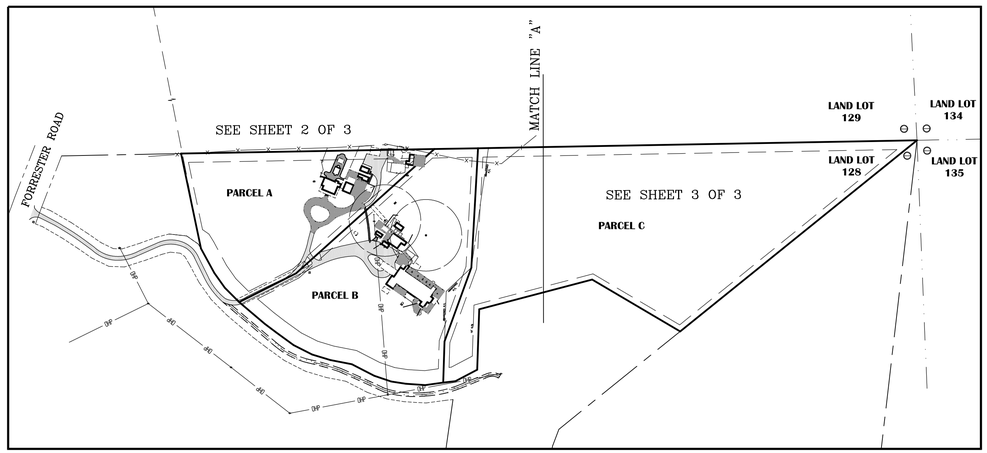
Sincerely,

Randi Doveton
Director

/ad

VICINITY MAP
(NOT TO SCALE)

NORTH



INDEX SHEET
(SCALE 1"=200')

ZONING AND BUILDING SETBACKS (S/B):

INFORMATION PROVIDED BY HALL COUNTY G.I.S.
WEB SITE LOCATED AT: http://gis.hallcounty.org/Public/WebPages/Map/FundyViewer.aspx

CURRENT HALL COUNTY ZONING:
AR-IV – AGRICULTURAL RESIDENTIAL IV

BUILDING SETBACKS:
FRONT: 40' FROM RIGHT-OF-WAY LINE OR 65' FROM CENTERLINE ROAD (WHICHEVER IS GREATER)
SIDE: 15' FROM PROPERTY LINE
REAR: 25' FROM PROPERTY LINE

REFERENCES:

1. DEED BOOK 3547, PAGES 198 & 199
2. DEED BOOK 2014, PAGES 23 & 24
3. DEED BOOK 7536, PAGES 340-342
4. DEED BOOK 8940, PAGES 264-267
5. DEED BOOK 7149, PAGES 706-712
6. DEED BOOK 3155, PAGE 229
7. PLAT SLIDE 685, PAGE 185A
A. SURVEY PREPARED BY FARLEY-COLLINS ASSOCIATES FOR REGINALD COCHRAN, JOB #5345, DATED JULY 23RD, 1993.
B. SURVEY PREPARED BY FARLEY-COLLINS ASSOCIATES FOR FREEMAN OLIVER & MARY OLIVER, JOB #5345, DATED JULY 23RD, 1993.
C. SURVEY PREPARED BY FARLEY-COLLINS ASSOCIATES FOR SHERYL ASKEW, JOB #5345, DATED JULY 23RD, 1993.

AREAS:
PARCEL A: 3.93 ACRES
PARCEL B: 5.57 ACRES
PARCEL C: 10.07 ACRES

WATER SERVICE BY:
INDIVIDUAL WELLS

SEWER SERVICE BY:
ON SITE SEPTIC MANAGEMENT SYSTEMS

LEGEND:

- A.I.F. – ANGLE IRON FOUND
- A.F. – AXLE FOUND
- C.M.F. – CONCRETE MONUMENT FOUND
- A.M.F. – ALUMINUM MONUMENT FOUND
- C.T.F. – CRIMP TOP PIN FOUND
- R.B.F. – REBAR FOUND (SEE DRAWING FOR SIZE)
- O.T.F. – OPEN TOP FOUND (SEE DRAWING FOR SIZE)
- I.P.F. – IRON PIN FOUND
- P.K.N.F. – PARKER KALON NAIL FOUND
- F.X. – X-CUT FOUND
- N.F. – NAIL FOUND
- R.F. – ROCK FOUND
- R.R.F. – RAILROAD SPIKE FOUND
- T.F. – TACK FOUND
- P.K.N.S. – PARKER KALON NAIL SET
- R.B.S. – 1/2" REBAR SET & CAP STAMPED "LSF 1029"
- C.M.S. – CONCRETE MONUMENT SET
- N.S. – NAIL SET
- C.P. – CALCULATED POINT
- D.I. – DROP INLET
- J.B. – JUNCTION BOX
- W.I. – WIER INLET
- Y.I. – YARD INLET
- C.V. – CABLE TV VAULT
- C.R. – CABLE RISER
- T.R. – TELEPHONE RISER
- T.V. – TELEPHONE VAULT
- T.P. – TELEPHONE POLE
- T.M.H. – TELEPHONE MANHOLE
- U.T.B. – UNDERGROUND TELEPHONE BOX
- A.C. – AIR CONDITIONER
- P.B. – POWER TRANSFORMER BOX
- E.P.B. – ELECTRIC PULL BOX
- E.M. – ELECTRIC METER
- P.P. – POWER POLE
- F.L. – FLOOD LIGHT
- S.P. – SERVICE POLE
- L.P. – LIGHT POLE
- G.W. – GUY WIRE
- G.P. – GUY ANCHOR POLE
- E.S. – ELECTRIC SERVICE
- W.M. – WATER METER
- W.V. – WATER VALVE
- F.H. – FIRE HYDRANT
- F.D.C. – FIRE DEPARTMENT CONNECTION
- I.C.V. – IRRIGATION CONTROL VALVE
- W.P. – WELL POINT
- S.P.G. – WATER SPIGOT
- B.O. – WATER BLOW OFF
- B.F.P. – WATER BACKFLOW PREVENTER
- SPK – SPRINKLER
- C.O. – SANITARY CLEANOUT
- S.S.M.H. – SANITARY SEWER MANHOLE
- G.V. – SANITARY GATE VALVE
- G.T. – GREASE TRAP
- U.M. – UNKNOWN TYPE MANHOLE
- GAS – GAS VALVE
- G.M. – GAS METER
- P.R. – PROPANE TANK
- F.P. – FLAG POLE
- T.S.P. – TRAFFIC SIGNAL POLE
- T.S.B. – TRAFFIC SIGNAL BOX
- M.W. – MONITORING WELL
- S.H. – SPRING HEAD
- B.P. – BOLLARD POST
- S.N.L. – TRAFFIC SIGN
- H.C.P. – HANDICAP PARKING
- B.M. – BENCHMARK
- M.B. – MAILBOX
- H.C.R. – HANDICAP RAMP
- A.H. – ACCESS HATCH
- R.L. – ROOF LINE
- E.P. – EDGE OF PAVEMENT
- B.C. – BACK OF CURB
- S.W.C.B. – SINGLE WING CATCH BASIN
- D.W.C.B. – DOUBLE WING CATCH BASIN
- I.E. – INVERT ELEVATION
- EL. – ELEVATION
- C.M.P. – CORRUGATED METAL PIPE
- R.C.P. – REINFORCED CONCRETE PIPE
- B.C.C.M.P. – BITUMINOUS COATED CORRUGATED PIPE
- H.D.P.E. – HIGH DENSITY POLYETHYLENE PIPE
- P.V.C. – POLYVINYL CHLORIDE PIPE
- D.I.P. – DUCTILE IRON PIPE
- R.W. – RETAINING WALL
- —T— – BURIED TELEPHONE LINE
- —\— – OVERHEAD TELEPHONE LINE
- —W— – BURIED WATER MAIN
- —SS— – BURIED SEWER LINE
- —G— – BURIED GAS LINE
- —E— – BURIED ELECTRIC LINE
- —TV— – BURIED CABLE TV
- —o— – CHAIN LINK FENCE
- —□— – WOOD FENCE
- —×— – WIRE FENCE
- —◇— – METAL FENCE
- —OHP— – OVERHEAD POWER LINES
- —•— – TRAFFIC SIGNAL LINE
- ⊂⊃ – FENCE GATE
- P/L – PROPERTY LINE
- R/W – RIGHT-OF-WAY
- N/F – NOW OR FORMERLY
- ℄ – CENTERLINE
- INTX – INTERSECTION
- R – CURVE RADIUS
- L – CURVE ARC LENGTH
- Δ – CURVE CENTRAL ANGLE
- C BRG – CHORD BEARING
- C DIST – CHORD DISTANCE
- L.L. – LAND LOT
- N – NORTHING COORDINATE
- E – EASTING COORDINATE
- S/B – SETBACK
- P.O.B. – POINT OF BEGINNING
- P.O.C. – POINT OF COMMENCEMENT
- G.D.O.T. – GEORGIA DEPARTMENT OF TRANSPORTATION
- STA. – STATION
- SQ. FT. – SQUARE FEET
- ⟷ – CONTINUOUS OWNERSHIP
- ⊕ – BUILDING HEIGHT LOCATION
- 25.5 – BUILDING HEIGHT (FROM GROUND TO ROOF PEAK)
- X 25.52 – SPOT ELEVATION
- – CONCRETE
- – WOOD DECKING
- – GRAVEL
- – ASPHALT
- – PAVERBRICK

SURVEYOR'S NOTES:

1. THIS SURVEY WAS PREPARED ON THE GEORGIA STATE PLANE COORDINATE SYSTEM, TRANSVERSE MERCATOR PROJECTION, WEST ZONE, NORTH AMERICAN DATUM OF 1983\2007 ADJUSTMENT. THE SCALE FACTOR FOR THIS SITE IS: 0.999921264. (GRID DISTANCE\SCALE FACTOR=GROUND DISTANCE). ALL COORDINATES SHOWN HEREON ARE GRID COORDINATES UNLESS OTHERWISE STATED.

2. THIS SURVEY COMPLIES WITH BOTH THE RULES OF THE GEORGIA BOARD OF REGULATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE OFFICIAL CODE OF GEORGIA ANNOTATED (OCGA) 15-6-67 AS AMENDED BY HB76 (2017).

3. CONVENTIONAL EQUIPMENT USED FOR MEASUREMENT WAS A TOPCON PS 103. GPS EQUIPMENT USED FOR MEASUREMENT WAS A CHAMPION TKO GNSS RECEIVER USING REALTIME KINEMATIC OBSERVATIONS PROCESSED THROUGH THE EGPS NETWORK.

4. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 25,102 FEET AND AN ANGULAR CLOSURE OF 00'00'03" PER ANGLE POINT, AND WAS ADJUSTED USING LEAST SQUARES RULE. FIELD PARTY D.C. & D.T.

5. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE AS FOLLOWS:

PARCEL "A" – WITHIN ONE FOOT IN 588,006 FEET.
PARCEL "B" – WITHIN ONE FOOT IN 330,214 FEET.
PARCEL "C" – WITHIN ONE FOOT IN 290,886 FEET.

6. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF TITLE REVIEW AND IS SUBJECT TO ANY RESERVATIONS, RESTRICTIONS, RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

7. THIS PLAT OF SURVEY IS FOR THE EXCLUSIVE USE OF THE PARTIES LISTED UNDER THE CAPTION "SURVEY FOR" ANY THIRD PARTY USE TO BE AT THEIR OWN RISK.

8. THE FIELD SURVEY WAS CONDUCTED ON JANUARY 27TH-31ST, FEBRUARY 17TH & 20TH, 2023.

HALL COUNTY PLAT NOTES:

1. ANY STREAM OR STATE WATER LOCATED ON THIS PROPERTY MAY BE SUBJECT TO A 50 FEET UNDISTURBED NATURAL VEGETATIVE BUFFER AND A 75 FEET IMPERVIOUS SURFACE SETBACK MEASURED FROM THE POINT OF WRESTED VEGETATION (HALL COUNTY CODE § 8.170.070).

2. IF PROPERTY IS LOCATED IN THE NORTH OCONEE WATERSHED DISTRICT, THEN ADDITIONAL STREAM BUFFERS AND IMPERVIOUS SETBACKS MAY BE REQUIRED FOR COMPLIANCE. (HALL COUNTY CODE § 17.225.040).

3. THIS PROPERTY IS NOT LOCATED WITHIN A FLOOD HAZARD AREA AS PER FIRM FLOOD INSURANCE RATE MAP OF HALL COUNTY, GA. COMMUNITY PANEL NO. 13046 0105 G, EFFECTIVE DATE: APRIL 4TH, 2018. THIS OPINION IS NOT A CERTIFICATION OF FLOOD HAZARD STATUS, BUT IS AN INTERPRETATION OF THE REFERENCED MAP AND PUBLIC DATA. IF THE EXACT LOCATION OR ELEVATIONS OF THE FLOOD HAZARD BOUNDARIES ARE NECESSARY, A MORE DETAILED STUDY MAY BE NEEDED. THIS FIRM ASSUMES NO RESPONSIBILITY OR LIABILITY FOR THE ACCURACY OF THE REFERENCED MAP OR PUBLIC DATA.

4. THIS PROPERTY OR A PORTION THEREOF IS NOT LOCATED IN THE HALL COUNTY STUDIED FLOOD ZONE PER HALL COUNTY GIS.

5. IF RESIDENTIAL PROPERTY IS SUBDIVIDED INTO SEVEN LOTS OR MORE WITH ALL LOTS ACCESSING EXISTING HALL COUNTY, GEORGIA ROADS, THEN STORMWATER MANAGEMENT IS REQUIRED FOR COMPLIANCE. (HALL COUNTY CODE § 8.180.160)

6. ALL DRIVEWAYS MUST MEET HALL COUNTY DRIVEWAY REGULATIONS PER CODE § 12.40.

7. ALL LAND DISTURBANCE OVER ONE ACRE SHALL REQUIRE AN EROSION SEDIMENTATION POLLUTION CONTROL PLAN.

SURVEYOR'S CERTIFICATION:

GEORGIA REGISTERED PROFESSIONAL No. 2647 LAND SURVEYOR CHRIS M. PATTON

HALL COUNTY SURVEYOR

AS REQUIRED BY SUBSECTION (D) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

03/01/2023
CHRIS M. PATTON, GA. R.L.S. #2647 DATE:

REGISTERED PROFESSIONAL LAND SURVEYORS

P.O. BOX 256
GAINESVILLE, GA. 30503
PHONE: (770) 532-6492
www.pattonsurveying.com

LAND SURVEYING FIRM
CERTIFICATE OF AUTHORIZATION
NUMBER LSF 001029

PATTON LAND SURVEYING, LLC

No.	DATE	DESCRIPTION
1	05-03-2023	ADDED VARIANCE LETTER AND NEW DEEDS
2	05-18-2023	ADDED DIMENSIONS PER COUNTY COMMENTS

COMPUTATIONS BY: C.K.
SURVEYED BY: D.C. & D.W.
DRAFTED BY: C.K.
CHECKED BY: C.P.

SUBDIVIDE SURVEY FOR:
STEVEN M. CRUMLEY & HOLLY V. CRUMLEY & REGINALD COCHRAN
– LOCATED IN –
LAND LOT 128
12TH LAND DISTRICT
HALL COUNTY, GEORGIA

REVISIONS

SHEET NUMBER:
1 of 3

SCALE: N/A
SURVEY DATE: 02/20/2023
PLAT DATE: 03/01/2023

22-199.dwg
JN. 22-199

THIS BLOCK IS RESERVED FOR THE CLERK OF THE SUPERIOR COURT

GRID NORTH

POINT OF COMMENCEMENT
P.K.N.S.
N:1630979.58
E:2432305.91

PROPERTY TIE:
S 11°07'55" E 2197.97'
(FROM THE CENTERLINE INTERSECTION OF FORRESTER ROAD & OLIVER MILL ROAD)

– N/F –
REGINALD COCHRAN
(NO DEED INFORMATION AVAILABLE)

WIRE FENCE (CROSSES P/L)

1/2" R.B.F.

FENCE LINE (1.8' SOUTH OF 1/2" R.B.F.)

P/L

ZONED PCPD
ZONED AR-IV

APPROXIMATE LAND LOT LINE

N 88°58'12" E 708.00'

6.6'

8.4'

COVERED CONCRETE

8.8'

CARPORT (OVER P/L 8.6')

8.6'

11.3'

20'X28' CARPORT OVER ASPHALT

3.4'

ASPHALT (OVER P/L)

DOG PINS (TYPICAL)

1/2" R.B.S.

N 88°58'12" E 122.10'

N 88°58'12" E 28.84'

3/8" R.B.F.

WIRE FENCE (CROSSES P/L)

N 88°57'20" E 1197.93'

25' S/B

32.8'

44.4'

4' WIRE FENCE

ABANDONED P/L

CONCRETE POOL EQUIPMENT PAD

POOL

HOT TUB

12.8'

10.6'

13'X20' WOOD BUILDING

14'X24 WOOD BUILDING

STEPS

17.2'

4.7'

CONCRETE DOG PINS (TO BE REMOVED)

METAL BUILDING "TO BE REMOVED"

15' S/B

231.19'

20.5'X22' CARPORT OVER CONCRETE

CONCRETE DRIVEWAY

5.8'

30.8'

38.5'

24.4'

10.5'

8.6'

COVERED PORCH

WALL

STEPS

10.0'

24'X27' WOOD GARAGE

31.9'

PARCEL "A"

– N/F –
STEVEN M. CRUMLEY & HOLLY V. CRUMLEY
(DEED BOOK 3547, PAGES 198 & 199)
(SURVEY REFERENCE "A")

CONCRETE DRIVEWAY

PLANTED MEDIAN

PROPOSED 10' WATER LINE EASEMENT

100' WELL RADIUS (NO SEPTIC)

COVERED CONCRETE

13'X24 WOOD BUILDING

44.7'

11.5' ASPHALT DRIVEWAY

S 48°02'45" W 519.79'

1.5' CONCRETE WALK

WOOD GAZEBO

STEP

R.L.

30.0'

48.0'

11.4'

17.4'X20' WOOD BUILDING

3" CONCRETE WALK

ASPHALT PARKING

9'X20' WOOD BUILDING

WOOD DECK

COVERED PORTECOCHERE

10.9'

13.0'

8.8'

1 STORY METAL BUILDING WITH KENNELS

83.5'

83.6'

18.2'

20.0'

14.9'

13'x20' CARPORT

5' CHAIN LINK FENCE (TYPICAL)

ABANDONED P/L

48.7'

69.7'

60.3'

S 75°18'07" W 326.53'

1/2" R.B.F.

– N/F –
GERRAN GILMER SYFAN, AS EXECUTOR OF THE ESTATE OF REGINOLD COCHRAN
(DEED BOOK 9299, PAGES 461–463)

MATCH LINE "A" (SEE SHEET 3 OF 3)

FORRESTER ROAD
(80' WIDE PUBLIC RIGHT-OF-WAY)

– N/F –
JOSHUA DAVID MILLER & ROXIE DANIELLE MILLER
(DEED BOOK 7536, PAGES 340–342)
(SURVEY REFERENCE "B")

1/2" R.B.F.

N 17°57'01" W 271.11'

15' S/B

POINT OF BEGINNING
(1/2" R.B.F.)

40' S/B

N 28°24'08" W 77.83'

11' ASPHALT DRIVEWAY

S 63°09'11" W 178.16'

P.K.N.S.

BUSINESS SIGN

40.0'

ASPHALT DRIVEWAY

PROPOSED 20' INGRESS & EGRESS EASEMENT

50' INGRESS & EGRESS EASEMENT
(DEED BOOK 3547, PAGES 198 & 199)

PARCEL "B"

– N/F –
STEVEN M. CRUMLEY & HOLLY V. CRUMLEY
(DEED BOOK 3547, PAGES 198 & 199)
(SURVEY REFERENCE "A")

239.6'

214.3'

(TIE LINE)
N 01°49'49" E
140.00'

S 19°54'40" W 219.46'

S 01°52'35" W 114.83'

1/2" R.B.F.

3/8" R.B.F.

S 62°20'26" W 68.74'

S 03°14'24" W 334.25'

(TIE LINE)
N 08°07'33" E 337.63'

PARCEL "C"

– N/F –
REGINALD COCHRAN
(DEED BOOK 2014, PAGES 23 & 24)
(SURVEY REFERENCE "A")

S 01°15'03" W 169.02'

1/2" R.B.S.

(TIE LINE)
N 46°36'10" E
83.15'

– N/F –
STEVEN M. CRUMLEY & HOLLY V. CRUMLEY
(DEED BOOK 9299, PAGES 464–466)

LINE	BEARING	DISTANCE
L1	N 45°06'08" W	56.64'
L2	N 35°14'36" W	50.79'
L3	S 82°00'03" W	50.49'
L4	N 86°25'12" W	54.18'
L5	N 80°55'34" W	41.80'
L6	N 71°24'30" W	49.95'
L7	N 62°47'14" W	70.65'
L8	N 78°52'11" W	60.88'
L9	N 73°27'08" W	53.03'
L10	N 62°54'56" W	58.45'
L11	N 54°04'15" W	59.15'
L12	N 52°50'14" W	39.91'
L13	N 49°44'00" W	45.49'
L14	N 49°48'56" W	49.32'
L15	S 83°24'23" W	34.38'

50' 0' 50' 100' 150'
GRAPHIC SCALE – 1 INCH = 50 FEET

REGISTERED PROFESSIONAL LAND SURVEYORS

P.O. BOX 256
GAINESVILLE, GA. 30503
PHONE: (770) 532-6492
www.pattonsurveying.com

LAND SURVEYING FIRM
CERTIFICATE OF AUTHORIZATION
NUMBER LSF 001029

PATTON
LAND SURVEYING, LLC

COMPUTATIONS BY: C.K.
SURVEYED BY: D.C. & D.W.
DRAFTED BY: C.K.
CHECKED BY: C.P.

SUBDIVIDE SURVEY FOR:
STEVEN M. CRUMLEY & HOLLY V. CRUMLEY & REGINALD COCHRAN
– LOCATED IN –
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2 of 3
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PLAT DATE: 03/01/2023
22-199.dwg
JN. 22-199

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GRID NORTH

MATCH LINE "A" (SEE SHEET 3 OF 3)

– N/F –
REGINALD COCHRAN
(NO DEED INFORMATION AVAILABLE)

ZONED PCFD
ZONED AR-IV

ZONED AR-IV
ZONED PCFD

APPROXIMATE LAND LOT LINE

N 88°57'20" E 1197.93'

25' S/B

25' S/B

LL 129

LL 134

1/2" R.B.S.

LL 128

LL 135

APPROXIMATE LAND LOT LINE

P/L

– N/F –
BRIAN K. ROGERS & RHONDA K. ROGERS
(DEED BOOK 3155, PAGE 229)
(PLAT SLIDE 685, PAGE 185A)

PARCEL "C"

– N/F –
REGINALD COCHRAN
(DEED BOOK 2014, PAGES 23 & 24)
(SURVEY REFERENCE "A")

15' S/B

S 51°05'29" W 850.56'

1/2" R.B.F.
(N 03°21'09" W 0.67'
FROM 1/2" R.B.F.)

15' S/B

S 75°18'07" W 326.53'

1/2" R.B.S.

15' S/B

N 59°31'13" W 285.18'

– N/F –
BEAVER DAM POND, LLC
(DEED BOOK 7149, PAGES 706-712)

– N/F –
KATIE HELEN ASKEW
(DEED BOOK 8940, PAGES 264-267)
(SURVEY REFERENCE "C")

1/2" R.B.F.

3/8" R.B.F.
(S 81°28'18" E 2.84'
FROM 1/2" R.B.F.)

P/L

50' 0' 50' 100' 150'

GRAPHIC SCALE – 1 INCH = 50 FEET

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22-199.dwg

JN. 22-199

SUBDIVIDE SURVEY FOR:
STEVEN M. CRUMLEY & HOLLY V. CRUMLEY
& REGINALD COCHRAN

THIS BLOCK IS RESERVED FOR THE CLERK OF THE SUPERIOR COURT

HALL COUNTY GEORGIA

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

T 770.531.6809 | F 770.531.3902

DIRECTOR
Srikanth Yamala

PLANNING AND DEVELOPMENT DIRECTOR
Randi Doveton

Hall County Government
COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PLANNING AND DEVELOPMENT

April 19, 2023

Steven & Holly Crumley
8730 Forrester Road
Lula, GA 30554

Dear Property Owner:

On April 17, 2023 the Hall County Planning Commission voted to approve, with conditions your application for **8730 Forrester Road | Variance |** for a road frontage variance from 50 feet to 0 feet on a 9.5± acre tract located on the east side of Forrester Road at approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 | **Proposed use: subdivide property |** Commission District 3 | **Steven & Holly Crumley, applicants.**

Conditions:

1. *No further subdivision of the two newly created parcels shall be allowed.*
2. *No expansion of the commercial kennel or its services shall be allowed. If expansion has occurred that is not included in the 2007 approval, the applicant shall submit a conditional use request to bring the commercial kennel operations into compliance.*
3. *No residential dwelling may be added to the tract containing the commercial kennel.*
4. *The following note shall be placed on the plat of record: "Purchaser understands that to the extent that the property is accessed through the current common access driveway, and non-exclusive perpetual easement, the current common access driveway is not maintained by Hall County, does not meet Hall County's common driveway standards, and may not be accessible to emergency vehicles."*
5. *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."*
6. *Standard Hall County platting procedures shall be followed to include the plat by Patton Land Surveying, LLC dated March 1, 2023.*
7. *All conditions of approval shall be included on any plat created for the property.*

The Planning Commission's decision on this item will be the final action taken **unless appealed.** The Planning Commission's decision regarding the above request **may be appealed** to the Hall County Board of Commissioners by filing an application and **appropriate appeal fee** with the Hall County Planning Department within five working days of the date of the Planning Commission's decision.

www.hallcounty.org

If appealed, the above-referenced request will be heard by the Hall County Board of Commissioners at a public hearing on **Tuesday, April 25, 2023 at 6:00 p.m.** at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Approval of your application by the Board is valid for one year. Failure to obtain the proper permits and/or licenses and proceed with the building, occupancy or establishment of business within that time will result in the Board's approval becoming null and void.

Please remember that removal of all Public Notice signs posted on the property is your responsibility and should be removed within five (5) working days following the Planning Commission's decision.

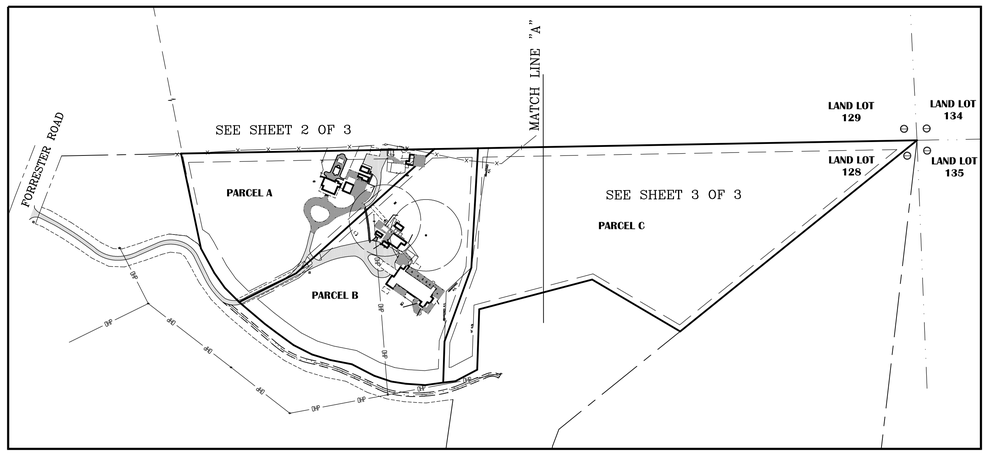
If you have any questions, please call this office.

Sincerely,

Randi Doveton
Director

/ad

VICINITY MAP
(NOT TO SCALE)



INDEX SHEET
(SCALE 1"=200')

ZONING AND BUILDING SETBACKS (S/B):

INFORMATION PROVIDED BY HALL COUNTY G.I.S.
WEB SITE LOCATED AT: http://gis.hallcounty.org/Public/WebPages/Map/FundyViewer.aspx

CURRENT HALL COUNTY ZONING:
AR-IV – AGRICULTURAL RESIDENTIAL IV

BUILDING SETBACKS:
FRONT: 40' FROM RIGHT-OF-WAY LINE OR 65' FROM CENTERLINE ROAD (WHICHEVER IS GREATER)
SIDE: 15' FROM PROPERTY LINE
REAR: 25' FROM PROPERTY LINE

REFERENCES:

1. DEED BOOK 3547, PAGES 198 & 199
2. DEED BOOK 2014, PAGES 23 & 24
3. DEED BOOK 7536, PAGES 340-342
4. DEED BOOK 8940, PAGES 264-267
5. DEED BOOK 7149, PAGES 706-712
6. DEED BOOK 3155, PAGE 229
7. PLAT SLIDE 685, PAGE 185A
A. SURVEY PREPARED BY FARLEY-COLLINS ASSOCIATES FOR REGINALD COCHRAN, JOB #5345, DATED JULY 23RD, 1993.
B. SURVEY PREPARED BY FARLEY-COLLINS ASSOCIATES FOR FREEMAN OLIVER & MARY OLIVER, JOB #5345, DATED JULY 23RD, 1993.
C. SURVEY PREPARED BY FARLEY-COLLINS ASSOCIATES FOR SHERYL ASKEW, JOB #5345, DATED JULY 23RD, 1993.

AREAS:
PARCEL A: 3.93 ACRES
PARCEL B: 5.57 ACRES
PARCEL C: 10.07 ACRES

WATER SERVICE BY:
INDIVIDUAL WELLS

SEWER SERVICE BY:
ON SITE SEPTIC MANAGEMENT SYSTEMS

LEGEND:

- A.I.F. – ANGLE IRON FOUND
- A.F. – AXLE FOUND
- C.M.F. – CONCRETE MONUMENT FOUND
- A.M.F. – ALUMINUM MONUMENT FOUND
- C.T.F. – CRIMP TOP PIN FOUND
- R.B.F. – REBAR FOUND (SEE DRAWING FOR SIZE)
- O.T.F. – OPEN TOP FOUND (SEE DRAWING FOR SIZE)
- I.P.F. – IRON PIN FOUND
- P.K.N.F. – PARKER KALON NAIL FOUND
- F.X. – X-CUT FOUND
- N.F. – NAIL FOUND
- R.F. – ROCK FOUND
- R.R.F. – RAILROAD SPIKE FOUND
- T.F. – TACK FOUND
- P.K.N.S. – PARKER KALON NAIL SET
- R.B.S. – 1/2" REBAR SET & CAP STAMPED "LSF 1029"
- C.M.S. – CONCRETE MONUMENT SET
- N.S. – NAIL SET
- C.P. – CALCULATED POINT
- D.I. – DROP INLET
- J.B. – JUNCTION BOX
- W.I. – WIER INLET
- Y.I. – YARD INLET
- C.V. – CABLE TV VAULT
- C.R. – CABLE RISER
- T.R. – TELEPHONE RISER
- T.V. – TELEPHONE VAULT
- T.P. – TELEPHONE POLE
- T.M.H. – TELEPHONE MANHOLE
- U.T.B. – UNDERGROUND TELEPHONE BOX
- A.C. – AIR CONDITIONER
- P.B. – POWER TRANSFORMER BOX
- E.P.B. – ELECTRIC PULL BOX
- E.M. – ELECTRIC METER
- P.P. – POWER POLE
- F.L. – FLOOD LIGHT
- S.P. – SERVICE POLE
- L.P. – LIGHT POLE
- G.W. – GUY WIRE
- G.P. – GUY ANCHOR POLE
- E.S. – ELECTRIC SERVICE
- W.M. – WATER METER
- W.V. – WATER VALVE
- F.H. – FIRE HYDRANT
- F.D.C. – FIRE DEPARTMENT CONNECTION
- I.C.V. – IRRIGATION CONTROL VALVE
- W.P. – WELL POINT
- S.P.G. – WATER SPIGOT
- B.O. – WATER BLOW OFF
- B.F.P. – WATER BACKFLOW PREVENTER
- SPK – SPRINKLER
- C.O. – SANITARY CLEANOUT
- S.S.M.H. – SANITARY SEWER MANHOLE
- G.V. – SANITARY GATE VALVE
- G.T. – GREASE TRAP
- U.M. – UNKNOWN TYPE MANHOLE
- GAS – GAS VALVE
- G.M. – GAS METER
- P.R. – PROPANE TANK
- F.P. – FLAG POLE
- T.S.P. – TRAFFIC SIGNAL POLE
- T.S.B. – TRAFFIC SIGNAL BOX
- M.W. – MONITORING WELL
- S.H. – SPRING HEAD
- B.P. – BOLLARD POST
- S.N.L. – TRAFFIC SIGN
- H.C.P. – HANDICAP PARKING
- B.M. – BENCHMARK
- M.B. – MAILBOX
- H.C.R. – HANDICAP RAMP
- A.H. – ACCESS HATCH
- R.L. – ROOF LINE
- E.P. – EDGE OF PAVEMENT
- B.C. – BACK OF CURB
- S.W.C.B. – SINGLE WING CATCH BASIN
- D.W.C.B. – DOUBLE WING CATCH BASIN
- I.E. – INVERT ELEVATION
- EL. – ELEVATION
- C.M.P. – CORRUGATED METAL PIPE
- R.C.P. – REINFORCED CONCRETE PIPE
- B.C.C.M.P. – BITUMINOUS COATED CORRUGATED PIPE
- H.D.P.E. – HIGH DENSITY POLYETHYLENE PIPE
- P.V.C. – POLYVINYL CHLORIDE PIPE
- D.I.P. – DUCTILE IRON PIPE
- R.W. – RETAINING WALL
- —T— – BURIED TELEPHONE LINE
- —\— – OVERHEAD TELEPHONE LINE
- —W— – BURIED WATER MAIN
- —SS— – BURIED SEWER LINE
- —G— – BURIED GAS LINE
- —E— – BURIED ELECTRIC LINE
- —TV— – BURIED CABLE TV
- —o—— – CHAIN LINK FENCE
- —□—— – WOOD FENCE
- —×—— – WIRE FENCE
- —◇—— – METAL FENCE
- —OHP— – OVERHEAD POWER LINES
- —•—•— – TRAFFIC SIGNAL LINE
- – FENCE GATE
- P/L – PROPERTY LINE
- R/W – RIGHT-OF-WAY
- N/F – NOW OR FORMERLY
- ℄ – CENTERLINE
- INTX – INTERSECTION
- R – CURVE RADIUS
- L – CURVE ARC LENGTH
- Δ – CURVE CENTRAL ANGLE
- C BRG – CHORD BEARING
- C DIST – CHORD DISTANCE
- L.L. – LAND LOT
- N – NORTHING COORDINATE
- E – EASTING COORDINATE
- S/B – SETBACK
- P.O.B. – POINT OF BEGINNING
- P.O.C. – POINT OF COMMENCEMENT
- G.D.O.T. – GEORGIA DEPARTMENT OF TRANSPORTATION
- STA. – STATION
- SQ. FT. – SQUARE FEET
- ⟷ – CONTINUOUS OWNERSHIP
- ⌖ – BUILDING HEIGHT LOCATION
- 25.5' – BUILDING HEIGHT (FROM GROUND TO ROOF PEAK)
- X 25.52 – SPOT ELEVATION
- – CONCRETE
- – WOOD DECKING
- – GRAVEL
- – ASPHALT
- – PAVERBRICK

SURVEYOR'S CERTIFICATION:

GEORGIA REGISTERED PROFESSIONAL No. 2647 LAND SURVEYOR CHRIS M. PATTON

HALL COUNTY SURVEYOR

AS REQUIRED BY SUBSECTION (D) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

Chris M. Patton — 03/01/2023

CHRIS M. PATTON, GA. R.L.S. #2647 — DATE:

SURVEYOR'S NOTES:

1. THIS SURVEY WAS PREPARED ON THE GEORGIA STATE PLANE COORDINATE SYSTEM, TRANSVERSE MERCATOR PROJECTION, WEST ZONE, NORTH AMERICAN DATUM OF 1983\2007 ADJUSTMENT. THE SCALE FACTOR FOR THIS SITE IS: 0.999921264. (GRID DISTANCE\SCALE FACTOR=GROUND DISTANCE). ALL COORDINATES SHOWN HEREON ARE GRID COORDINATES UNLESS OTHERWISE STATED.

2. THIS SURVEY COMPLIES WITH BOTH THE RULES OF THE GEORGIA BOARD OF REGULATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE OFFICIAL CODE OF GEORGIA ANNOTATED (OCGA) 15-6-67 AS AMENDED BY HB76 (2017).

3. CONVENTIONAL EQUIPMENT USED FOR MEASUREMENT WAS A TOPCON PS 103. GPS EQUIPMENT USED FOR MEASUREMENT WAS A CHAMPION TKO GNSS RECEIVER USING REALTIME KINEMATIC OBSERVATIONS PROCESSED THROUGH THE EGPS NETWORK.

4. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 25,102 FEET AND AN ANGULAR CLOSURE OF 00'00'03" PER ANGLE POINT, AND WAS ADJUSTED USING LEAST SQUARES RULE. FIELD PARTY D.C. & D.T.

5. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE AS FOLLOWS:

PARCEL "A" – WITHIN ONE FOOT IN 588,006 FEET.
PARCEL "B" – WITHIN ONE FOOT IN 330,214 FEET.
PARCEL "C" – WITHIN ONE FOOT IN 290,886 FEET.

6. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF TITLE REVIEW AND IS SUBJECT TO ANY RESERVATIONS, RESTRICTIONS, RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

7. THIS PLAT OF SURVEY IS FOR THE EXCLUSIVE USE OF THE PARTIES LISTED UNDER THE CAPTION "SURVEY FOR" ANY THIRD PARTY USE TO BE AT THEIR OWN RISK.

8. THE FIELD SURVEY WAS CONDUCTED ON JANUARY 27TH-31ST, FEBRUARY 17TH & 20TH, 2023.

HALL COUNTY PLAT NOTES:

1. ANY STREAM OR STATE WATER LOCATED ON THIS PROPERTY MAY BE SUBJECT TO A 50 FEET UNDISTURBED NATURAL VEGETATIVE BUFFER AND A 75 FEET IMPERVIOUS SURFACE SETBACK MEASURED FROM THE POINT OF WRESTED VEGETATION (HALL COUNTY CODE § 8.170.070).

2. IF PROPERTY IS LOCATED IN THE NORTH OCONEE WATERSHED DISTRICT, THEN ADDITIONAL STREAM BUFFERS AND IMPERVIOUS SETBACKS MAY BE REQUIRED FOR COMPLIANCE. (HALL COUNTY CODE § 17.225.040).

3. THIS PROPERTY IS NOT LOCATED WITHIN A FLOOD HAZARD AREA AS PER FIRM FLOOD INSURANCE RATE MAP OF HALL COUNTY, GA. COMMUNITY PANEL NO. 13046 0105 G, EFFECTIVE DATE: APRIL 4TH, 2018. THIS OPINION IS NOT A CERTIFICATION OF FLOOD HAZARD STATUS, BUT IS AN INTERPRETATION OF THE REFERENCED MAP AND PUBLIC DATA. IF THE EXACT LOCATION OR ELEVATIONS OF THE FLOOD HAZARD BOUNDARIES ARE NECESSARY, A MORE DETAILED STUDY MAY BE NEEDED. THIS FIRM ASSUMES NO RESPONSIBILITY OR LIABILITY FOR THE ACCURACY OF THE REFERENCED MAP OR PUBLIC DATA.

4. THIS PROPERTY OR A PORTION THEREOF IS NOT LOCATED IN THE HALL COUNTY STUDIED FLOOD ZONE PER HALL COUNTY GIS.

5. IF RESIDENTIAL PROPERTY IS SUBDIVIDED INTO SEVEN LOTS OR MORE WITH ALL LOTS ACCESSING EXISTING HALL COUNTY, GEORGIA ROADS, THEN STORMWATER MANAGEMENT IS REQUIRED FOR COMPLIANCE. (HALL COUNTY CODE § 8.180.160)

6. ALL DRIVEWAYS MUST MEET HALL COUNTY DRIVEWAY REGULATIONS PER CODE § 12.40.

7. ALL LAND DISTURBANCE OVER ONE ACRE SHALL REQUIRE AN EROSION SEDIMENTATION POLLUTION CONTROL PLAN.

REGISTERED PROFESSIONAL LAND SURVEYORS

P.O. BOX 256
GAINESVILLE, GA. 30503
PHONE: (770) 532-6492
www.pattonsurveying.com

LAND SURVEYING FIRM
CERTIFICATE OF AUTHORIZATION
NUMBER LSF 001029

PATTON LAND SURVEYING, LLC

COMPUTATIONS BY: C.K.
SURVEYED BY: D.C. & D.W.
DRAFTED BY: C.K.
CHECKED BY: C.P.

SUBDIVIDE SURVEY FOR:
STEVEN M. CRUMLEY & HOLLY V. CRUMLEY & REGINALD COCHRAN
– LOCATED IN –
LAND LOT 128
12TH LAND DISTRICT
HALL COUNTY, GEORGIA

REVISIONS

No.	DATE	DESCRIPTION
1	05-03-2023	ADDED VARIANCE LETTER AND NEW DEEDS

SHEET NUMBER:
1 of 3

SCALE: N/A
SURVEY DATE: 02/20/2023
PLAT DATE: 03/01/2023

22-199.dwg
JN. 22-199

THIS BLOCK IS RESERVED FOR THE CLERK OF THE SUPERIOR COURT

GRID NORTH

POINT OF COMMENCEMENT
P.K.N.S.
N:1630979.58
E:2432305.91

PROPERTY TIE:
S 11°07'55" E 2197.97'
(FROM THE CENTERLINE INTERSECTION OF FORRESTER ROAD & OLIVER MILL ROAD)

– N/F –
REGINALD COCHRAN
(NO DEED INFORMATION AVAILABLE)

WIRE FENCE (CROSSES P/L)

1/2" R.B.F.

FENCE LINE (1.8' SOUTH OF 1/2" R.B.F.)

P/L

ZONED PCPD
ZONED AR-IV

APPROXIMATE LAND LOT LINE

N 88°58'12" E 708.00'

6.6'

8.4'

COVERED CONCRETE

8.8'

11.3'

CARPORT (OVER P/L 8.6')

8.6'

20'X28' CARPORT OVER ASPHALT

3.4'

ASPHALT (OVER P/L)

DOG PINS (TYPICAL)

1/2" R.B.S.

N 88°58'12" E 28.84'

3/8" R.B.F.

WIRE FENCE (CROSSES P/L)

N 88°57'20" E 1197.93'

N 88°58'12" E 122.10'

32.8'

44.4'

25' S/B

4' WIRE FENCE

ABANDONED P/L

– N/F –
GERRAN GILMER SYFAN, AS EXECUTOR OF THE ESTATE OF REGINOLD COCHRAN
(DEED BOOK 9299, PAGES 461–463)

MATCH LINE "A" (SEE SHEET 3 OF 3)

FORRESTER ROAD
(80' WIDE PUBLIC RIGHT-OF-WAY)

– N/F –
JOSHUA DAVID MILLER & ROXIE DANIELLE MILLER
(DEED BOOK 7536, PAGES 340–342)
(SURVEY REFERENCE "B")

N 17°57'01" W 271.11'

15' S/B

POINT OF BEGINNING
(1/2" R.B.F.)

N 28°24'08" W 77.83'

40' S/B

11' ASPHALT DRIVEWAY

S 63°09'11" W 178.16'

ASPHALT DRIVEWAY

PROPOSED 20' INGRESS & EGRESS EASEMENT

BUSINESS SIGN

40.0'

P.K.N.S.

50' INGRESS & EGRESS EASEMENT
(DEED BOOK 3547, PAGES 198 & 199)

PARCEL "A"

– N/F –
STEVEN M. CRUMLEY & HOLLY V. CRUMLEY
(DEED BOOK 3547, PAGES 198 & 199)
(SURVEY REFERENCE "A")

CONCRETE POOL EQUIPMENT PAD

POOL

HOT TUB

13'X12' WOOD BUILDING

14'X24' WOOD BUILDING

STEPS

CONCRETE DOG PINS (TO BE REMOVED)

17.2'

4.7'

METAL BUILDING "TO BE REMOVED"

15' S/B

231.19'

20.5'X22' CARPORT OVER CONCRETE

CONCRETE DRIVEWAY

COVERED PORCH

WALL

STEPS

24'X27' WOOD GARAGE

PLANTED MEDIAN

PROPOSED 10' WATER LINE EASEMENT

100' WELL RADIUS (NO SEPTIC)

COVERED CONCRETE

13'X24' WOOD BUILDING

11.5' ASPHALT DRIVEWAY

S 48°02'45" W 519.79'

1.5' CONCRETE WALK

WOOD GAZEBO

STEP

3' CONCRETE WALK

ASPHALT PARKING

9'X20' WOOD BUILDING

14'X20' WOOD BUILDING

WOOD DECK

COVERED PORTECOCHERE

COVERED CONCRETE

CONCRETE

1 STORY BUILDING WITH KENNELS

83.5'

83.6'

18.2'

13'x20' CARPORT

5' CHAIN LINK FENCE (TYPICAL)

239.6'

214.3'

(TIE LINE) N 01°49'49" E 140.00'

ABANDONED P/L

PARCEL "B"

– N/F –
STEVEN M. CRUMLEY & HOLLY V. CRUMLEY
(DEED BOOK 3547, PAGES 198 & 199)
(SURVEY REFERENCE "A")

PARCEL "C"

– N/F –
REGINALD COCHRAN
(DEED BOOK 2014, PAGES 23 & 24)
(SURVEY REFERENCE "A")

S 03°14'24" W 334.25'

(TIE LINE) N 08°07'33" E 337.63'

15' S/B

1/2" R.B.S.

(TIE LINE) N 46°36'07" E 46.70'

– N/F –
STEVEN M. CRUMLEY & HOLLY V. CRUMLEY
(DEED BOOK 9299, PAGES 464–466)

ABANDONED P/L

S 75°18'07" W 326.53'

1/2" R.B.F.

– N/F –
KATIE HELEN ASKEW
(DEED BOOK 8940, PAGES 264–267)
(SURVEY REFERENCE "C")

S 19°34'40" W 218.48'

69.7'

60.3'

S 01°52'35" W 114.83'

S 01°15'03" W 169.02'

40' S/B

3/8" R.B.F.

1/2" R.B.F.

S 62°20'26" W 68.74'

LINE	BEARING	DISTANCE
L1	N 45°06'08" W	56.64'
L2	N 35°14'36" W	50.79'
L3	S 82°00'03" W	50.49'
L4	N 86°25'12" W	54.18'
L5	N 80°55'34" W	41.80'
L6	N 71°24'30" W	49.95'
L7	N 62°47'14" W	70.65'
L8	N 78°52'11" W	60.88'
L9	N 73°27'08" W	53.03'
L10	N 62°54'56" W	58.45'
L11	N 54°04'15" W	59.15'
L12	N 52°50'14" W	39.91'
L13	N 49°44'00" W	45.49'
L14	N 49°48'56" W	49.32'
L15	S 83°24'23" W	34.38'

50' 0' 50' 100' 150'
GRAPHIC SCALE – 1 INCH = 50 FEET

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PHONE: (770) 532-6492
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COMPUTATIONS BY: C.K.
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SUBDIVIDE SURVEY FOR:
STEVEN M. CRUMLEY & HOLLY V. CRUMLEY & REGINALD COCHRAN
– LOCATED IN –
LAND LOT 128
12TH LAND DISTRICT
HALL COUNTY, GEORGIA

REVISIONS

No.	DATE	DESCRIPTION
1	05-03-2023	ADDED VARIANCE LETTER AND NEW DEEDS

SHEET NUMBER:
2 of 3
SCALE: 1" = 50'
SURVEY DATE: 02/20/2023
PLAT DATE: 03/01/2023
22-199.dwg
JN. 22-199

THIS BLOCK IS RESERVED FOR THE CLERK OF THE SUPERIOR COURT

GRID NORTH

MATCH LINE "A" (SEE SHEET 3 OF 3)

– N/F –
REGINALD COCHRAN
(NO DEED INFORMATION AVAILABLE)

ZONED PCFD
ZONED AR-IV

ZONED AR-IV
ZONED PCFD

APPROXIMATE LAND LOT LINE

N 88°57'20" E 1197.93'

25' S/B

25' S/B

L.L. 129

L.L. 134

L.L. 128

L.L. 135

1/2" R.B.S.

APPROXIMATE LAND LOT LINE

P/L

– N/F –
BRIAN K. ROGERS & RHONDA K. ROGERS
(DEED BOOK 3155, PAGE 229)
(PLAT SLIDE 685, PAGE 185A)

PARCEL "C"

– N/F –
REGINALD COCHRAN
(DEED BOOK 2014, PAGES 23 & 24)
(SURVEY REFERENCE "A")

15' S/B

S 51°05'29" W 850.56'

1/2" R.B.F.
(N 03°21'09" W 0.67'
FROM 1/2" R.B.F.)

15' S/B

S 75°18'07" W 326.53'

1/2" R.B.S.

15' S/B

N 59°31'13" W 285.18'

– N/F –
KATIE HELEN ASKEW
(DEED BOOK 8940, PAGES 264–267)
(SURVEY REFERENCE "C")

1/2" R.B.F.

3/8" R.B.F.
(S 81°28'18" E 2.84'
FROM 1/2" R.B.F.)

P/L

– N/F –
BEAVER DAM POND, LLC
(DEED BOOK 7149, PAGES 706–712)

50' 0' 50' 100' 150'

GRAPHIC SCALE – 1 INCH = 50 FEET

REGISTERED PROFESSIONAL
LAND SURVEYORS

P.O. BOX 256
GAINESVILLE, GA. 30503
PHONE: (770) 532–6492
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LAND SURVEYING FIRM
CERTIFICATE OF AUTHORIZATION
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PATTON
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COMPUTATIONS BY: C.K.
SURVEYED BY: D.C. & D.W.
DRAFTED BY: C.K.
CHECKED BY: C.P.

SUBDIVIDE SURVEY FOR:

STEVEN M. CRUMLEY & HOLLY V. CRUMLEY & REGINALD COCHRAN

– LOCATED IN –

LAND LOT 128
12TH LAND DISTRICT
HALL COUNTY, GEORGIA

REVISIONS

No.	DATE	DESCRIPTION
1	05-03-2023	ADDED VARIANCE LETTER AND NEW DEEDS

SHEET NUMBER:

3 of 3

SCALE: 1" = 50'

SURVEY DATE: 02/20/2023

PLAT DATE: 03/01/2023

22-199.dwg

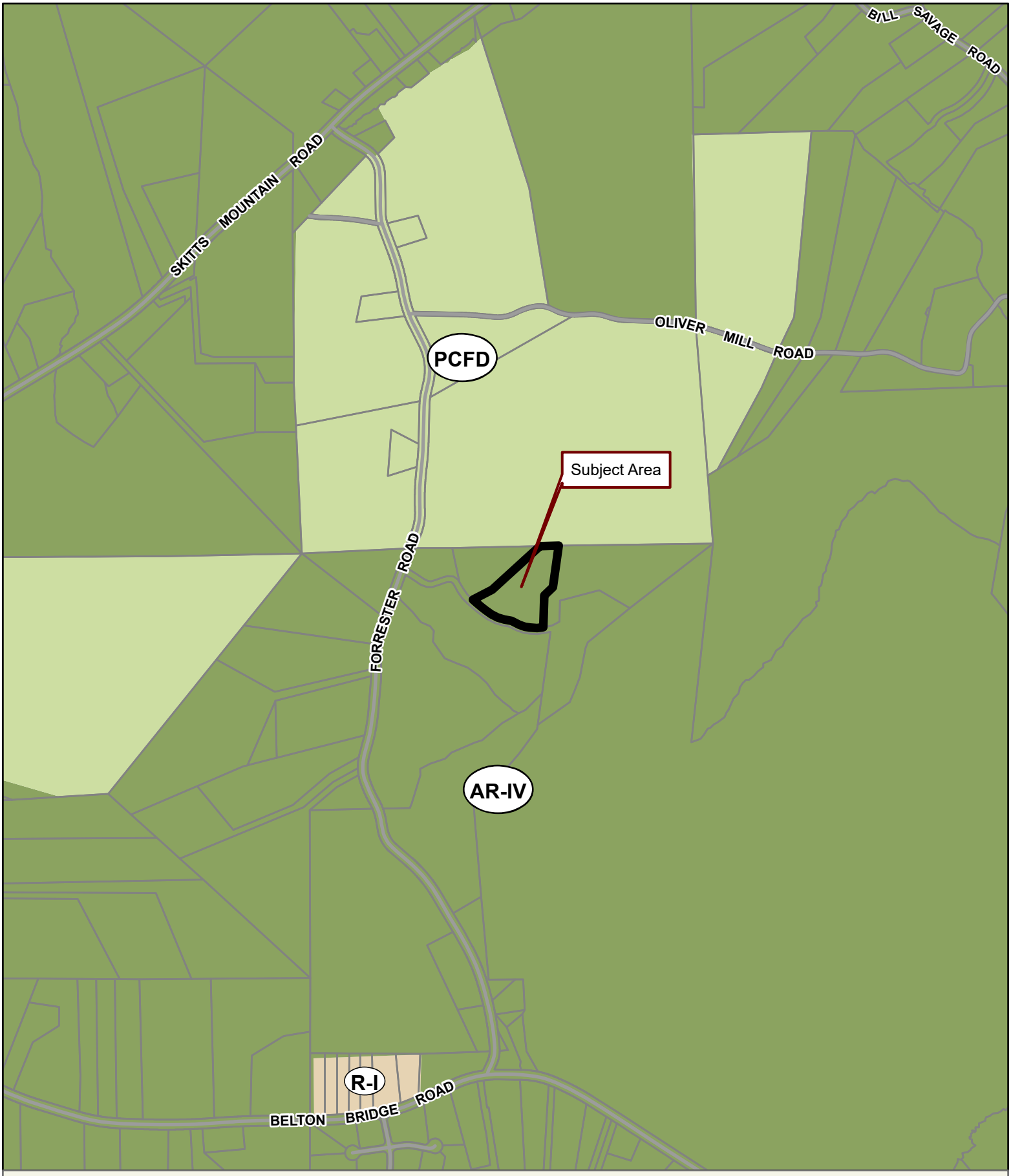
JN. 22-199

Applicant: STEVEN & HOLLY CRUMLEY
Tax Parcel #: 12128 000009 (PT.)
Location: 8730 FORRESTER ROAD, LULA, GA 30554
Commission District 3 **PC Mtg. Date: 10/2/23**

0 75 150 300
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N



Applicant: STEVEN & HOLLY CRUMLEY
Tax Parcel #: 12128 000009 (PT.)
Location: 8730 FORRESTER ROAD, LULA, GA 30554
Commission District 3 **PC Mtg. Date: 10/2/23**

0 250 500 1,000
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N

Applicant: STEVEN & HOLLY CRUMLEY
Tax Parcel #: 12128 000009 (PT.)
Location: 8730 FORRESTER ROAD, LULA, GA 30554
Commission District 3 **PC Mtg. Date: 10/2/23**

0 75 150 300
Feet

Zoning Boundary
City Limits
Subject Area

N

Watch your Head!! 6'8"

For the comfort
of our guests
and your safety,
please look but
don't touch

Visitors This Way
For the comfort of our guests and your safety, please look but don't touch

Hisense

EEK!
New

EEK!
Nebulizer
puppybaker

EEK!
BROODER.ICU
Intensive Care Unit
Intensive Care Unit
puppy

PUPPY CUL
by Miss L

Mom Dad		All	Born	Exp	Had	Alive		Dead
Cinderella\ Bobby		5/2	5/4	4-5	3	2		
Winslet\ Banjo		5/5	4/30	6	7	2		
Gemma\ Harry		4/30	4/27	5	6	6		
Shiloh\ Harry		4/25	4/19	8	8	5		
Osin / Banjo		5/15		5				
Sweets\ Gabe		4/30		8				

TC4Y

MD

OUT

Autonics

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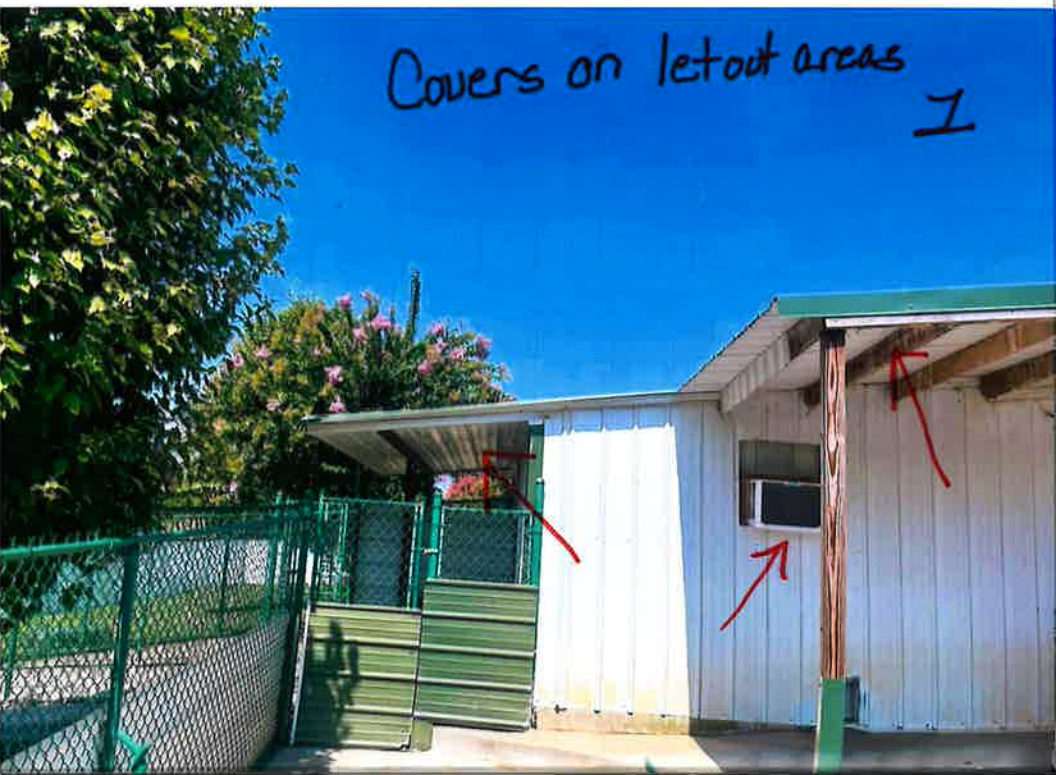
PUSH


Covers on letout areas
I

#2

#3

Privacy fence #4

Portable garage for covered lettuts
#5

#6
Covered
Letouts

#7

#8

#9

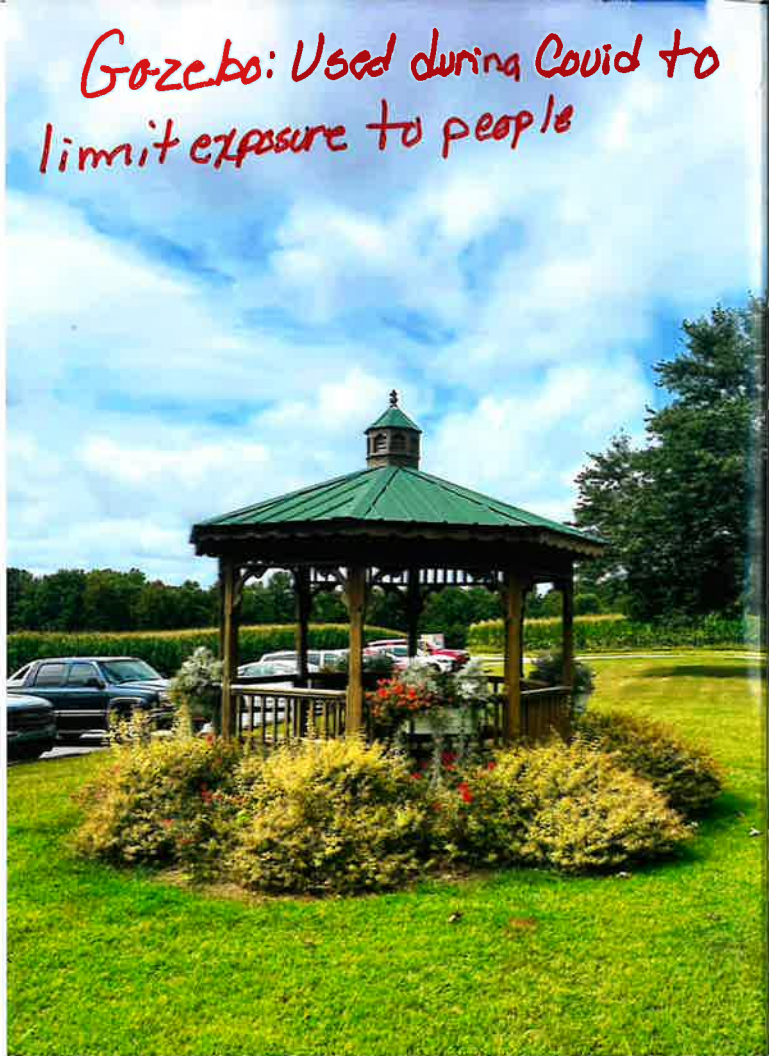
Covered
letouts

Portable garage
Sun shade

Porch over door

Porch over let outs

Lobby / Everything spanicl
e-commerce


Gazebo: Used during Covid to limit exposure to people

Car Shed

New

Quarantine
Now storage b U
or residential
property

Inside covered
area

Side
Covered
area

Inside split unit

Inside Covered
area
IM
CLEAN

Covers on Letout exercise acer

ennel/driveway

ennel driveway

Katie Askew
driveway
PRIVATE
NO PROPERTY
TRESPASSING

Katie Askew
driveway
PRIVATE
NO PROPERTY
TRESPASSING

Anael Dominguez (CDI: Planning)

From: Emily McGahee (Environmental Health)
Sent: Thursday, August 31, 2023 4:53 PM
To: Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning); Beth Garmon (CDI: Planning)
Cc: Chad Harper (Environmental Health); Kelly Hairston (Environmental Health)
Subject: HCPC Tentative Agenda 10.2.23

Please find Environmental Health comments below:

Items 1A-C, 8730 Forrester Road, Crumley: No comment.

Item 2, 4057 Sargent Circle, Drees: All proposed structures must meet all residential permitting requirements and/or required setbacks to existing septic system. Area for a feasible, full conventional recovery system must be available for the number of bedrooms requested. Existing system evaluation and/or septic system modification may be required for system serving existing home on property. Level 3 Soil Evaluation will be required prior to application if existing septic system will not be used. Any abandoned well shall be properly closed as per Water Well Standards Act by a certified well driller.

Items 3A&B, 812 Atlanta Hwy, Murillo: Connecting to Public sewer. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled.

Item 4, 2122/0 Browns Bridge Road, Duran: No comment. Public sewer.

Item 5, 3321 Montvale Drive, Milne: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. Further determination will be made during the plat review process. All proposed plats must be submitted to the Hall County Plat Review Team for review and approval prior to submittal to Clerk of Courts for recordation.

Item 6, 3902/0 Belmont Hwy, Simpson: 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/modification may be required after review of business plan.

Item 7, 0/4611/4627 Guth Road, 4561/4613 J. M. Turk, 4590/4601/4610 Stanley, Kappler: The entire development (all pods) must be developed on sewer. No onsite sewage management systems to be permitted by Environmental Health. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled.

Items 8 and 9, 6777/6804 Spout Springs, Walker Anderson Homes: Public sewer. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled.

Item 10, Code Amendment: No comment.

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)
https://www.hallcounty.org/192/Environmental-Health (County Website & Forms)

Anael Dominguez (CDI: Planning)

From: Chavers, Veronica E <VChavers@dot.ga.gov>
Sent: Friday, August 25, 2023 10:51 AM
To: Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning)
Subject: RE: Tentative Planning Agenda for October 2, 2023

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.

See comments in red, below.

Veronica Chavers
D1TO Civil Engineer 3

Georgia Department of Transportation

District 1 Traffic Operations
1475 Jesse Jewell Pkwy
Suite 100
Gainesville, GA, 30501
770.533.8488 office

From: Anael Dominguez (CDI: Planning) <adominguez@hallcounty.org>
Sent: Thursday, August 24, 2023 12:20 PM
Subject: Tentative Planning Agenda for October 2, 2023

Good afternoon –

Here is the Tentative Agenda and Maps for the **Monday, October 2, 2023** 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, August 31st.** Email comments to Randi (rdoveton@hallcounty.org) and Ana (adominguez@hallcounty.org).

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – September 18, 2023
N
NEW BUSINESS

1. (A) **8730 Forrester Road | Use Subject to County Commission Approval** | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) | **Proposed use: expansion of commercial kennel** | ** Commission District 3 | **Steven & Holly Crumley, applicants.**

(B) **8730 Forrester Road | Variance** | from 17.240.060 to reduce the setback for commercial kennels from 200 feet to 48 feet | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: commercial kennel structures** | ** Commission District 3 | **Steven & Holly Crumley, applicants.**
(C) **8730 Forrester Road | Variance** | from 17.240.060 to reduce the setback for commercial kennels from 200 feet to 44 feet | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: commercial kennel structures** | ** Commission District 3 | **Steven & Holly Crumley, applicants.** **No GDOT coordination required**

4057 Sargent Circle | Variance | from 17.240.010 to reduce the front yard setback from 55 feet from centerline to 41 feet from centerline on a 0.85± acre parcel located on the east side of Sargent Circle approximately 210 feet from its intersection with Cochran Road | Zoned R-I; Tax Parcel 10120 000071 | **Proposed Use: single-family residence** | * Commission District 2 | **Dennis Drees, Applicant** **No GDOT coordination required**

2.

3. (A) **812 Atlanta Highway | Use Subject to Planning Commission Approval |** on a 0.25± acre parcel located on the west side of Atlanta Highway at its intersection with Conner Street | Zoned H-B, Tax Parcel 00127 002001 | **Proposed Use: expansion of a non-conforming use |** * Commission District 4 **| Robert Murillo, applicant.** **GDOT coordination required for any encroachment onto the right-of-way**

   (B) **812 Atlanta Highway | Variance** | from 17.240.010 to reduce the front yard setback from 55 feet from centerline to 14 feet from centerline of road on a 0.25± acre parcel located on the west side of Atlanta Highway at its intersection with Conner Street | Zoned H-B, Tax Parcels 00127 002001 | **Proposed Use: residential addition** | * Commission District 4 **| Robert Murillo, applicant.** **GDOT coordination required for any encroachment onto the right-of-way**

4. **2122 & 0 Browns Bridge Road | Use Subject to County Commission Approval |** on a 1.708± acre tract located on the west side of Browns Bridge Road, approximately 62 feet from its intersection with Hilton Drive | Zoned H-B / GCOD; Tax Parcel 00122 001021 & 001031B | **Proposed use: used vehicle sales lot |** ** Commission District 4 **| Antonio Duran, applicant.** **GDOT coordination required for access on SR 369/ Browns Bridge Rd**

5. **3321 Montvale Drive | Use Subject to County Commission Approval |** on a 7.88± acre tract located on the south side of Montvale Drive, at its intersection with Manor Ridge | Zoned R-I & AR-III; Tax Parcel 10046 000015 **| Proposed use: 4-lot subdivision |** ** Commission District 2 **| Zachary Lewis Boyd Milne, applicant.** **No GDOT coordination required**

6. **3902 & 0 Belmont Highway | Rezone |** from Agricultural Residential IV (AR-IV) to Planned Industrial Development (PID) /GCOD on 15.75± acres located on the southeastern side of Belmont Highway, approximately 1,780 feet north of its intersection with Mountain Creek Road | Zoned AR-IV, Tax Parcels: 15013 000017B and 000074 (pt.) **| Proposed Use: truck parking and office|** ** Commission District 3 **| Gus E. Simpson, applicant.** **GDOT coordination required**

7. **0, 4611,4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road | Rezone |** from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on 117.31± acres located on the east side of J M Turk Road at its intersection with Guth Road | Zoned AR-III; Tax Parcels 15043 000027, 000109, 000128, 000201 & 15044 000035, 000035B, 000043, 000100, 000127 **| Proposed Use: 324 lot residential development |** ** Commission District 1 **| Thompson O'Brien Kappler & Nasuti PC, applicant.** **No GDOT coordination required**

8. **6777 and 6804 Spout Springs Road | Rezone |** from Agricultural Residential III (AR-III) and Planned Residential Development (PRD) to Planned Residential Development (PRD) on a combined 22.88± acres located on the west side of Spout Springs Road, approximately 100 feet from its intersection with Lancaster Crossing | Zoned AR-III & PRD; Tax Parcels 15042 000018 and 000140 (pt.) **| Proposed Use: 95-unit townhome development |** ** Commission District 1 **| Walker Anderson Homes, applicant.** **No GDOT coordination required**

9. **6804 Spout Springs Road | Amend Condition of PRD |** on a 20.37± acre parcel located on the west side of Spout Springs Road, at its intersection with Lancaster Crossing | Zoned PRD; Tax Parcels 15042 000018 **| Proposed Use: 95-unit townhome development |** ** Commission District 1 **| Walker Anderson Homes, applicant.** **No GDOT coordination required**

10. **Public Hearing to Amend sections 17.410,** Standards for Telecommunication Antennas and Towers, and 17.412,Standards for Small Wireless Facilities Placed in the County Right-of-Way, Title 17 of the Official Code of Hall County, Georgia; to repeal conflicting ordinances and resolutions; and for other purposes. **** | Hall County Planning Staff, applicant.** **No 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 30 days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing Thursday, November 9, 2023 at 6:00 p.m. at the Hall County Government Center, 2nd 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, November 9, 2023. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,
Ana Dominguez
Planning Commission Clerk
Hall County Community Development and Infrastructure
(770) 531-6810 | www.hallcounty.org

HALL COUNTY
GEORGIA
We have it all in Hall

Human trafficking impacts every corner of the globe, including our state and local communities. Georgia DOT is committed to end human trafficking in Georgia through education enabling its employees and the public to recognize the signs of human trafficking and how to react in order to help make a change. To learn more about the warning signs of human trafficking, visit https://doas.ga.gov/human-resources-administration/human-trafficking-awareness. To report any suspicious activity, call the Georgia Human Trafficking Hotline at 866-363-4842. Let's band together to end human trafficking in Georgia.

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

DIRECTOR
Srikanth Yamala

PUBLIC WORKS AND
UTILITIES DIRECTOR
Bill Nash, P.E.

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PUBLIC WORKS AND UTILITIES

M E M O R A N D U M

To: Randi Doveton, Director of Planning and Development

From: Bill Nash, Director of Public Works and Utilities

Date: August 31, 2023

Subject: October 2, 2023 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the October 2, 2023 meeting. Upon review, we provide the following comments.

1. (A) **8730 Forrester Road | Use Subject to County Commission Approval** | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: expansion of commercial kennel** | ** Commission District 3 **| Steven & Holly Crumley, applicants.**
   (B) **8730 Forrester Road | Variance** | from 17.240.060 to reduce the setback for commercial kennels from 200 feet to 48 feet | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: commercial kennel structures** | ** Commission District 3 | **Steven & Holly Crumley, applicants.**
   (C) **8730 Forrester Road | Variance** | from 17.240.060 to reduce the setback for commercial kennels from 200 feet to 44 feet | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: commercial kennel structures** | ** Commission District 3 | **Steven & Holly Crumley, applicants.**

   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:** No Comment
   c. **Utilities:** No Comment

2. **4057 Sargent Circle | Variance |** from 17.240.010 to reduce the front yard setback from 55 feet from centerline to 41 feet from centerline on a 0.85± acre parcel located on the east side of Sargent Circle approximately 210 feet from its intersection with Cochran Road | Zoned R-I; Tax Parcel 10120 000071 | **Proposed Use: single-family residence** | * Commission District 2 **| Dennis Drees, Applicant**

   a. **Engineering:** No Comment
   b. **Traffic:** No Comment
   c. **Utilities:** No Comment

3. (A) **812 Atlanta Highway | Use Subject to Planning Commission Approval |** on a 0.25± acre parcel located on the west side of Atlanta Highway at its intersection with Conner Street | Zoned H-B, Tax Parcel 00127 002001 |

Proposed Use: expansion of a non-conforming use | * Commission District 4 **| Robert Murillo, applicant.**
(B) **812 Atlanta Highway | Variance** | from 17.240.010 to reduce the front yard setback from 55 feet from centerline to 14 feet from centerline of road on a 0.25± acre parcel located on the west side of Atlanta Highway at its intersection with Conner Street | Zoned H-B, Tax Parcels 00127 002001 | **Proposed Use: residential addition** | * Commission District 4 | **Robert Murillo, applicant.**

a. **Engineering:** No Comment
b. **Traffic:** No Comment
c. **Utilities:** No Comment

4. **2122 & 0 Browns Bridge Road | Use Subject to County Commission Approval |** on a 1.708± acre tract located on the west side of Browns Bridge Road, approximately 62 feet from its intersection with Hilton Drive | Zoned H-B / GCOD; Tax Parcel 00122 001021 & 001031B | **Proposed use: used vehicle sales lot |** ** Commission District 4 **| Antonio Duran, 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 stream buffer and impervious setback from wrested vegetation not centerline of stream.
FEMA and Hall County studied Flood plains present on site.
b. **Traffic:** Improvements along Baker Lane and Baker Circle may be required
c. **Utilities:** No sewer available

5. **3321 Montvale Drive | Use Subject to County Commission Approval |** on a 7.88± acre tract located on the south side of Montvale Drive, at its intersection with Manor Ridge | Zoned R-I & AR-III; Tax Parcel 10046 000015 **| Proposed use: 4-lot subdivision |** ** Commission District 2 **| Zachary Lewis Boyd Milne, applicant.**

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 Comment
c. **Utilities:** No Comment

6. **3902 & 0 Belmont Highway | Rezone |** from Agricultural Residential IV (AR-IV) to Planned Industrial Development (PID) /GCOD on 15.75± acres located on the southeastern side of Belmont Highway, approximately 1,780 feet north of its intersection with Mountain Creek Road | Zoned AR-IV, Tax Parcels: 15013 000017B and 000074 (pt.) **| Proposed Use: truck parking and office|** ** Commission District 3 **| Gus E. Simpson, 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 stream buffer and impervious setback from wrested vegetation not centerline of stream.
b. **Traffic:** Access must be approved/permitted by GDOT
c. **Utilities:** No Comment

7. **0, 4611,4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road | Rezone |** from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on 117.31± acres located on the east side of J M Turk Road at its intersection with Guth Road | Zoned AR-III; Tax Parcels 15043 000027, 000109, 000128, 000201 & 15044 000035, 000035B, 000043, 000100, 000127 **| Proposed Use: 324 lot residential development |** ** Commission District 1 **| Thompson O'Brien Kappler & Nasuti PC, applicant.**

a. Engineering: No dead end streets
Show stream buffer and impervious setback from wrested vegetation not centerline of stream
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: A left turn lane and decel lane will be required for the entrance.
Any required roadway improvements will be the financial responsibility of the developer
A cul-de-sac should be provided for Guth Road at the proposed end of county maintenance

c. Utilities: No sanitary sewer in area.

8. **6777 and 6804 Spout Springs Road | Rezone |** from Agricultural Residential III (AR-III) and Planned Residential Development (PRD) to Planned Residential Development (PRD) on a combined 22.88± acres located on the west side of Spout Springs Road, approximately 100 feet from its intersection with Lancaster Crossing | Zoned AR-III & PRD; Tax Parcels 15042 000018 and 000140 (pt.) **| Proposed Use: 95-unit townhome development |** ** Commission District 1 **| Walker Anderson Homes, 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 stream buffer and impervious setback from wrested vegetation not centerline of stream
Current layout provided for zoning does not meet Hall County Road standards
No on-street parking on public right-of-way.
Floodplain present on site

b. Traffic: will need to coordinate entrance design and location with Hall County Engineering with regards to Spout Springs Road Phase 2 Widening.

c. Utilities: Sewer required off-site easement
Must extend 30 feet sanitary sewer to up stream proposed line.

9. **6804 Spout Springs Road | Amend Condition of PRD |** on a 20.37± acre parcel located on the west side of Spout Springs Road, at its intersection with Lancaster Crossing | Zoned PRD; Tax Parcels 15042 000018 **| Proposed Use: 95-unit townhome development |** ** Commission District 1 **| Walker Anderson Homes, 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 stream buffer and impervious setback from wrested vegetation not centerline of stream
Current layout provided for zoning does not meet Hall County Road standards
No on-street parking on public right-of-way.
Floodplain present on site

b. **Traffic:** will need to coordinate entrance design and location with Hall County Engineering with regards to Spout Springs Road Phase 2 Widening.
c. **Utilities:** Sewer required off-site easement
Must extend 30 feet sanitary sewer to up stream proposed line.

10. **Public Hearing to Amend sections 17.410,** Standards for Telecommunication Antennas and Towers, and 17.412,Standards for Small Wireless Facilities Placed in the County Right-of-Way, Title 17 of the Official Code of Hall County, Georgia; to repeal conflicting ordinances and resolutions; and for other purposes. **** | Hall County Planning Staff, applicant.**

a. **Engineering:** No Comment
b. **Traffic:** No Comment
c. **Utilities:** No Comment

Anael Dominguez (CDI: Planning)

From: John Hornick (Fire Services)
Sent: Tuesday, August 29, 2023 9:12 AM
To: Anael Dominguez (CDI: Planning)
Cc: Randi Doveton (CDI: Planning); Michael Vieira (Fire Services); John Tucker (Fire Services)
Subject: Fire Comments

Monday, October 2, 2023 Hall County Planning Commission Meeting.

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   Hall County Fire Marshal's Comments:
   New owner will be required to pass a life safety inspection conducted by the Hall County Fire Marshal's Office for all buildings open to the public, a passing life safety inspection is required for a business license.

Regards,

John Hornick, NPQ Fire Service Plans Examiner 1
Lieutenant, Hall County Fire Rescue
Hall County Government
Main: 770-531-6838 | Cell: 404-597-0083
Website: www.Hallcounty.org

02014
0021

original deed for sale from Askew to Cochran with permanent perpetual easement consisting of 9.825 Acres

8730 Forrester Rd

Form No. 214 WARRANTY DEED (Long Form)

21

STATE OF GEORGIA, County of Hall

THIS INDENTURE, Made this 12th day of January in the Year of Our Lord One Thousand Nine Hundred and Ninety-Three between WALLACE J. ASKEW, SR. of the State of Georgia and County of Hall of the first part, and REGINALD COCHRAN of the State of Georgia and County of Hall of the second part.

WITNESSETH: That the said part y of the first part, for and in consideration of the sum of Seventeen Thousand Seven Hundred Three & 30/100 ------ Dollars, in hand paid, at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, ha s granted, bargained, sold and conveyed, and by these presents do es grant, bargain, sell and convey unto the said part y of the second part, his heirs and assigns, all that tract or parcel of land

All that tract and parcel of land situate, lying and being in Land Lot 128 of the 12th Land District of Hall County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin corner on the Oliver and Cochran property line, at a point 333.91 feet east of the right-of-way of Forrester Road, and on the original land lot line dividing Land Lots 128 and 129; thence, S 89-09-00 E, to a point on said line, a distance of 973 feet, more or less; thence, S 09-55-00 W, 658.07 feet to an iron pin corner on the Sheryl Askew line; thence, in a general northwesterly direction along said line, as follows: S 85-24-24 W, 34.47 feet to a point; thence, S 84-05-37 W, 50.56 feet to a point; thence, 84-31-32 W, 54.16 feet to a point; thence, N 79-01-54 W, 41.80 feet to a point; thence, N 69-30-50 W, 49.95 feet to a point; thence, N 64-53-34 W, 70.65 feet to a point; thence, N 76-58-31 W, 60.88 feet to a point; thence, N 71-33-28 W, 53.03 feet to a point; thence, N 61-01-16 W, 58.45 feet to a point; thence, N 72-10-35 W, 59.15 feet to a point; thence, 50-56-34 W, 39.91 feet to a point; thence, N 47-50-20 W, 45.49 feet to a point; thence, N 47-55-16 W, 49.32 feet to a point; thence, N 43-12-28 W, 56.64 feet to a point; thence, N 33-20-26 W, 50.79 feet to a point; thence, N 26-19-47 W, 56.63 feet to a point; thence, N 28-32-41 W, 21.19 feet to an iron pin corner on the Oliver property line; thence, N 09-54-03 W, 271.11 feet to the point of beginning. Said tract containing 9.825 acres, as shown by a plat prepared by Farley-Collins Associates, and dated 7-23-93.

Also conveyed to grantee is a permanent perpetual easement for the purpose of ingress and egress to the use and enjoyment of the 50-foot-wide driveway leading from Forrester Road to the property of Sheryl Askew, and bounded by property of Mary and Freeman Oliver and Reginald Cochran.

HALL COUNTY, Georgia
Real Estate Transfer Tax
Paid $ 12.70
Date August 17, 1993
DWIGHT S. WOOD
Clerk of Superior Court
By Mesquite Deputy Clerk

https://search.gsccca.org/Imaging/HTML5Viewer.aspx?id=15528267&key1=2014&key2=21&county=69&countyname=HALL&userid=800759&appid=4 1/1

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 party of the second part, his heirs and assigns, forever, in Fee Simple.

AND THE SAID party of the first part, for himself, and his heirs, executors and administrators, will warrant and forever defend the right and title to the above described property, unto the said party of the second part, his heirs and assigns, against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal, the day and year above written.

Signed, sealed and delivered in presence of:

Witness — WALLACE J. ASKEW, SR. (Seal)

(Seal)

(Seal)

Notary Public Date: 8-17-93

My Commission Expires 4-14-95

(AFFIX SEAL)

WARRANTY DEED
(Long Form)

FROM

WALLACE J. ASKEW, SR.

TO

Mail:
REGINALD COCHRAN
8825 Forrester Rd.
Lula, Ga. 30554

GEORGIA, County of Hall

Clerk's Office, Superior Court

Filed for Record at 12:30 o'clock P.M. August 17, 1993.

Recorded in Deed Book 2014 Folio 21-22 August 18, 1993

Dwight S. Wood, Clerk

Pd. Tax ck# 2127
" Rec'ding - ck# 133

https://search.gsccca.org/Imaging/HTML5Viewer.aspx?id=15528267&key1=2014&key2=21&county=69&countyname=HALL&userid=800759&appid=4 1/1

Now cochran subdived "land locked property" to Now consist of 9.499 Acres and sold to crumley.

83547
0198

000198

HALL COUNTY, Georgia
Real Estate Transfer Tax
Paid $ 52.30
Date 8/25/99
DWIGHT S. WOOD
Clerk Superior Court
By BB

Georgia, Hall County, Clerk Superior Court
Filed in office, this 25 day of Aug.
19 99 at 4:04 P. m. Recorded in
Book 3547 Page(s) 198-199
this 26 day of Aug 19 99
DWIGHT S. WOOD, CLERK, by BB

2807, 4068

Return to: File: 027774
T. Treadwell Syfan
Stewart, Melvin & Frost, LLP
P. O. Box 3280
Gainesville, Georgia 30503

WARRANTY DEED

9.499 Acres from Cochran to Crumley, Added Words "NON-Exclusive" ON 2nd Page.

GEORGIA, COUNTY OF HALL.

THIS INDENTURE, made this 20th day of August in the Year of Our Lord One Thousand Nine Hundred and Ninety-Nine between **REGINALD COCHRAN** of the State of Georgia and County of Hall (hereinafter called "GRANTOR"), and **STEVEN M. CRUMLEY AND HOLLY V. CRUMLEY** of the State of Georgia and County of Hall (hereinafter called "GRANTEE"),

WITNESSETH: That the said **GRANTOR**, for and in consideration of the sum of TEN DOLLARS ($10.00) 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.

By acceptance of this deed the Grantees agree to assume and comply with the agricultural or timberland property covenant agreement recorded in Deed Book 3243, page 340, Hall County Deed Records.

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.

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 his hand and seal, the day and year above written.

SEE NEXT PAGE

Signed, sealed and delivered
in presence of:

T. Treadwell Syfan
Unofficial Witness

Reginald Cochran (SEAL)
REGINALD COCHRAN

Virginia L. Lynn
Notary Public
_____ County, Georgia

My Commission Expires:

(SEAL)

VIRGINIA L. LYNN NOTARY PUBLIC HALL COUNTY GEORGIA EXPIRES APRIL 10, 2003

https://search.gsccca.org/Imaging/HTML5Viewer.aspx?id=3888580&key1=3547&key2=198&county=69&countyname=HALL&userid=800759&appid=4 1/1

000199

EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 128, 12th District, Hall County, Georgia, and being that certain 9.499 acre tract shown on plat of survey of the property of Reginald Cochran, dated July 23, 1993, revised August 9, 1999, prepared by Farley-Collins Associates, Registered Surveyors, and said property being more particularly described as follows:

BEGINNING at an iron pin set on the original land lot line dividing Land Lots 128 and 129, said pin being located 333.91 feet East along said land lot line from the intersection of said land lot line with the Eastern right-of-way of Forrester Road, and running thence along said land lot line South 88 degrees 30 minutes 15 seconds East 858.89 feet to a point; thence South 10 degrees 39 minutes 30 seconds West 337.62 feet to a point; thence South 49 degrees 9 minutes 6 seconds West 96.7 feet to a point; thence South 4 degrees 22 minutes 14 seconds West 255 feet to a point; thence along the Northern right-of-way of a driveway easement containing a 10-foot wide gravel drive South 84 degrees 44 minutes 22 seconds West 50.56 feet to a point; thence North 83 degrees 52 minutes 47 seconds West 54.16 feet to a point; thence North 78 degrees 23 minutes 09 seconds West 41.80 feet to a point; thence North 68 degrees 52 minutes 05 seconds West 49.95 feet to a point; thence North 60 degrees 14 minutes 49 seconds West 70.65 feet to a point; thence North 76 degrees 19 minutes 46 seconds West 60.88 feet to a point; thence North 70 degrees 54 minutes 43 seconds West 53.03 feet to a point; thence North 60 degrees 22 minutes 31 seconds West 58.45 feet to a point; thence North 51 degrees 31 minutes 50 seconds West 59.15 feet to a point; thence North 50 degrees 17 minutes 49 seconds West 39.91 feet to a point; thence North 47 degrees 11 minutes 35 seconds West 45.49 feet to a point; thence North 47 degrees 16 minutes 31 seconds West 49.32 feet to a point; thence North 42 degrees 33 minutes 43 seconds West 56.64 feet to a point; thence North 32 degrees 41 minutes 41 seconds West 50.79 feet to a point; thence North 25 degrees 41 minutes 02 seconds West 56.63 feet to a point; thence North 27 degrees 53 minutes 56 seconds West 21.19 feet to an iron pin corner on the Oliver property line; thence North 09 degrees 15 minutes 18 seconds West 271.11 feet to the point of beginning.

* Also conveyed to Grantee is a permanent perpetual non-exclusive easement for the purpose of ingress and egress to use and enjoyment of a gravel driveway, said easement being 50 feet in width and leading from Forrester Road to the property of Cheryl Askew, as shown on said plat of survey. Said easement is the same easement conveyed in Warranty Deed from Wallace J. Askew, Sr. to Reginald Cochran, dated August 17, 1993, recorded in Deed Book 2014, pages 21-22, Hall County Deed Records.

Said easement is the same easement conveyed in Warranty Deed from Wallace J. Askew Sr. to Reginald (AKA) Reggy Cochran dated Aug 17 1993

Wording is changed from original deed, to now include "non-exclusive"

SEE NEXT PAGE

https://search.gsccca.org/Imaging/HTML5Viewer.aspx?id=3888580&key1=3547&key2=198&county=69&countyname=HALL&userid=800760&appid=4

000341

2015 JOSH & Roxy
Began to Build their house;
They also pay
my water bill
and, I am happy
they are
my neighbor.

Exhibit "A" (Page 1 of 2)

All that tract or parcel of land lying and being in Land Lot 128 of the 12th Land District of Hall County, Georgia, and being more particularly described as follows:

Beginning at an iron pin corner located on the Sheryl Askew property line and on the east Right-of-way of Forrester Road, thence, northeasterly along said right-of-way a distance of 153 84 feet to an iron pin corner located on the dividing line between Land Lots 128 and 129, thence, along the original land lot line, S 89-09-00 E, 333.91 feet to an iron pin corner, thence, S 09-54-03 E, 271.11 feet to an iron pin located on the Sheryl Askew property line, thence, in a westerly direction as follows: N 28-32-41 W, 14 76 feet to a point; thence, N 52-59-11 W, 39 42 feet to a point, thence, N 81-54-48 W, 49.71 feet to a point, thence, S 77-36-14 W, 35.40 feet to a point, thence, S 72-05-38 W, 49.70 feet to a point; thence, S 74-07-47 W, 53 05 feet to a point, thence, N 85-48-11 W, 24.23 feet to a point; thence, N 62-07-17 W, 37.60 feet to a point, thence N 53-34-17 W, 45.43 feet to a point, thence, N 54-41-52 W, 55.53 feet to a point; thence, N 58-03-43 W, 67 36 feet to a point, thence, N 66-50-56 W, 26 02 feet to the point of beginning Said tract containing 2 022, as shown on a plat prepared by Farley-Collins Associates, dated July 23, 1993.

Being the same property described as Tract 1 in Deed Book 2014, pages 18-20, Hall County Georgia Deed Records.

Also conveyed is a permanent perpetual easement for the purpose of ingress and egress to the use and enjoyment of the 50 feet wide driveway leading from Forrester Road to the property of Sheryl Askew, and bounded by property of Mary and Freeman Oliver and Reginald Cochran.

Property is conveyed together with and subject to any covenants, easements and restrictions affecting or applicable to said property.

NO - NON-EXCLUSIVE

This property holds same easement as what Crumley's should Be - for ingress, Egress, Not NON-exclusive to Allow to Be opened to Public

Hall County GIS

3/23/2023, 1:46:56 PM

Counties
LakeLanier
BUFORD
GAINESVILLE
OAKWOOD
Roads
GA_MajorWater
Citylimits
CLERMONT
GILLSVILLE
RESTHAVEN
Local
CedarCreekRes
BRASELTON
FLOWERY BRANCH
LULA

1:1,128

0 0.01 0.01 0.03 mi

0 0.01 0.03 0.05 km

Esri, HERE, Garmin, INCREMENT P, NGA, USGS, Hall County GIS

Esri, HERE, Garmin, INCREMENT P, NGA, USGS | Hall County GIs | Gainesville-Hall County GIS | NOAA/NOS/OCS nowCOAST, NOAA/NWS and NOAA/OAR/NSSL | Earthstar Geographics | Acknowledgment of the Federal Railroad Administration (FRA) and the

- 2010 -

Hall County GIS

- 2021 -

3/23/2023, 1:47:54 PM

Counties
GA_MajorWater
CedarCreekRes
LakeLanier
Citylimits
BRASELTON
BUFORD
CLERMONT
FLOWERY BRANCH
GAINESVILLE
GILLSVILLE
LULA
OAKWOOD
RESTHAVEN
Roads
Local

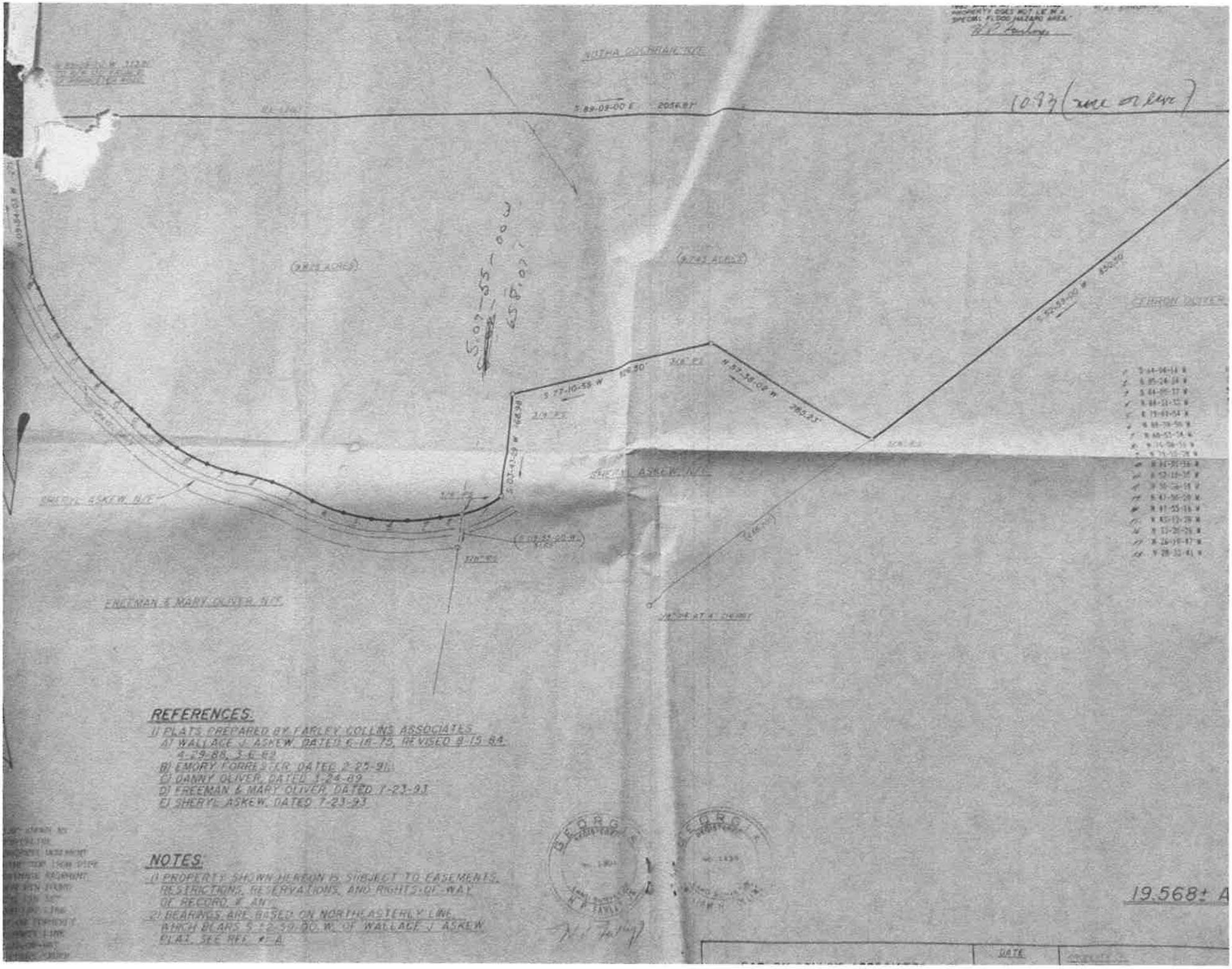
1:1,128

0 0.01 0.01 0.03 mi

0 0.01 0.03 0.05 km

Esri, HERE, Garmin, INCREMENT P, NGA, USGS, Hall County GIS

Esri, HERE, Garmin, INCREMENT P, NGA, USGS | Hall County GIs | Gainesville-Hall County GIS | NOAA/NOS/OCS nowCOAST, NOAA/NWS and NOAA/OAR/NSSL | Earthstar Geographics | Acknowledgment of the Federal Railroad Administration (FRA) and the



REFERENCES:

1) PLATS PREPARED BY FARLEY COLLINS ASSOCIATES
   A) WALLACE J. ASKEW, DATED 6-18-79, REVISED 8-15-84, 4-29-88, 3-6-92
   B) EMORY FORRESTER, DATED 2-25-91
   C) DANNY OLIVER, DATED 1-24-89
   D) FREEMAN & MARY OLIVER, DATED 7-23-93
   E) SHERYL ASKEW, DATED 7-23-93

NOTES:

1) PROPERTY SHOWN HEREON IS SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, AND RIGHTS-OF-WAY OF RECORD, IF ANY.
2) BEARINGS ARE BASED ON NORTHEASTERLY LINE, WHICH BEARS S 12-39-00 W, OF WALLACE J. ASKEW PLAT, SEE REF # A

Cars from camera March 31 - April 16th
this was After Holly moved
to my knowledge she moved on the weekend of
(spring break) March 11th

10 1

March 31st - 49 cars including delivery + mail
April 1st — 17 cars
April 2nd — 21 Cars
April 3rd — 29 Cars
April 4th — 35 cars
April 5th — 24 cars

262

April 13th — 14 cars
April 14th — 35 cars
April 15th — 20 cars
Yesterday April 16 — 18 Cars

In Rural area this is a lot of traffic I bet even the person reading this has been down my driveway

March 14 - 7 Cars
March 22 - 7 Cars
March 23 - 30 cars
March 24 - 39 Cars
March 25 - 23
March 26 — 17
March 27 - 39
March 28 - 33
March 29 - 27
March 30 - 31
April 6 — 37
April 7 - 30
April 8 - 29
April 9 - 9
April 10 - 18

25

Do 25 cars come down a normal Driveway even a "Dog Kennel" wouldn't have this much Traffic.

376

average of 25.52
26 cars

this was

My name is Kathryn Askew, I live at 8720 Forrester rd. Lula Ga. My family moved here from Dublin Ga. in 1984, to help my gradpa with his chicken farm and feild crops. I was five and my brother was eleven years old. We as a family all worked the farm, wile my father attended college at the University of Georgia, for his Doctorate in education. My mother also attended the University of Georgia, and soon became a first grade teacher at Wauka Mt. Elem school.

In the eairly nineties my father became a professor, a doctor of education at Georgia College, in Milledgeville GA, to teach teachers. So we as a family decided we were going to buy a house in middle GA. We decided to sell to our neighbor Reggie Cochran land. We trusted Reggie so, we gifted him an easement. Reggie promissed my father he would only use it for Agriculture. We bought a house in middle ga., Our house at 8720 would be our summer home. My fathe started commuting back and forth. My father would come home on weekends.

The seperation was very hard on the family. We stayed here because my mother wanted my brother and I to finish school. My mother also loved her job teaching children how to read. She was a teacher of excellence at Wauka Mt elem. School.

In 1995 my father was commuting home and ran off road on Hwy. 52 five miles from Home, He was pronounced deceased at the scene, we as fam were all devastated. My father wasn't a ordinary man, He was very important to everyone who knew him and everyone he came in contact with, His students truly love him. There is a tree dedicated and named Wally's Tree in Lockerly Arboretum, he enjoyed teaching in nature.

My mother was strong, but so, so hurt, we all were, We had to sell the house in Milledgeville ga., This all left my poor mama with to kid to raise in their rebellious teenage years that had just lost their father tragically.

A few years of agony passed, just to be told that now my mother was dying of liver disease, and I was to take care of her, so I did and it was good we had our time,

but she couldn't go on without her husband. there was a green house dedicated in her honor at Wauka Mt. Elem. that is in use to this day. Still teaching Children Aggricut-ur

During the battle of live disease is when Reggie Cochran sold the land we had previously sold to him with the gifted easment to steven and Holly V. Crumley.

The plat of land 8730 has only existed since it was filed and sold in 1999. When the land was soled in was in a agricultural timber covenant agreement. We spoke against even the house going there. Our land / driveway has become a commercial road with a estimate/guess of 26 to 30 cars entering and exiting everyday.

When I was growing up my father would walk the land with me expressing his loves for animals and nature, teaching me things, He even built the house My brother his daughter and I live in. He always walked the driveway with me. The view was beautiful, and most of my memories are of use walking and talking on my driveway. Unfortunely When you do go for a walk its loud dogs barking halfway and traffic on the other half. We barely even walk it anymore

Dear Gregg Doc, 4-18-23

because I feel it is dangerous. I feel very used, sad, depressed about all of this. I feel these people took advantage of a broken family. This is our property and we pay the taxes and love this land. We have to see this every day

I hope this letter touches your heart I love this land and I consider it my famlies home for generations to come. I feel like the gifted easement has been totally taken adrantage ~~off~~ the only one enjoying this gifted easement is Holly's bed and buscuit inn, Cavaliers by Crumley, Ruffon Birds and Everything Spaniel plus puppy transpotation. I leave this in Gods hands with great hope that the Board of Commissions will help me so this doesn't happen to someone else, Because it set a precedence for the north Hall distric

Thankyou so much for your Time

The Askew family

Kathryn Askew

Sheryl Askew Pettis

James Askew

Kathryn Askew

Sheryl Pettis

James ASKEW

THIS IS A LETTER MY MUM WROTE IN 1999 SHE WAS SUFFERING FROM LIVER DISEASE SHE WROTE THIS TO A JUDGE / LAWYER IN OUR Family

November 16, 1990

Johnny,

Great to talk to you. A lot of time has passed since I have seen you. Hope your family is doing well. Would love to see the girls and Hannah. Hope time has been nicer to you than it has to me. Can't believe how "gray" and "wrinkled" I have become.

As Daddy has mentioned to you, I am in the middle of a situation about which I feel very confused. I feel that I may be being taken advantage of. I realized that all zoning laws are different in different counties, but I will try to explain. In August of 1993, Wally and I sold some land to purchase the house in Milledgeville. Wally's dad also sold property. In the surveying and setting up of all the plots, Wally then had the remaining property put in my name. The situation that was created was that due to the fact that my property would be landlocked, a tract of land was created whereby my nine acres of land would also include a fifty foot driveway that would go to Forrester Road, thus creating the fifty foot frontage necessary for all property. My driveway is almost half a mile long. All of these transactions took place on the same day including the transference of the property to my name. (Recording the documents) I was never aware of a "permanent easement". I was also told that Mr. Cochran and Mr. Oliver would be able to use the driveway for maintenance of the field and cow pasture. My well is also in the middle of the cow pasture purchased by Freeman Oliver

so I was given water rights which are explained in the enclosed document. I have also enclosed the plat, so maybe this will not be so difficult to figure out. Now to the present. I was informed in August that Mr. Cochran was going to sell the field on the right side of my driveway to Steve Crumley and that they would then used my driveway for their property. They are planning to build a house on this propertyl changing it from agricultural to residential use. The tract of land that he sold them, approximately nine acres is landlocked. Mr. Cochran has additional property next to the property he purchased next to the property we sold him. However, he did not want to use any of his land. He would "arrange" things so they would be able to use my driveway. I was very upset about this and contacted my lawyer here, only to have him tell me that a permanent easement had been set up at the time of the selling of the property in 1993 and that there was nothing I could do. However, being aware of new zoning laws in Hall County --no one can sell or build on property that does not have fifty foot frontage, not sure about sell, but definitely not build. I did feel, however, that I was not being treated totally fair, so decided then to begin investigating myself. After several telephone calls, I ended up talking to the "head of zoning in Hall County, (Shuler) His first response to me was that my name sounded familiar. I explained my situation to him, and the said he would investigate and call me back the next day with a complete story on my situation. I thought his was rather strange considering he is such a busy person. He did, however, call me back the next day. He began his explanation with the fact that he and the lawyers had spent the last three

weeks"sweating" over my situation as to where the plot of land under consideration was a buildable plot. He said that it was decided it was. Even though the tract is land locked, my driveway would serve as the way for them to be able to build their house. He further explained to me that due to the fact that the 9 acre track of land had not been incorporated into Mr. Cochran's original land and was left isolated because it had an easement, it was a buildable lot. In Hall County now property can't be sold with frontage access. Also, I have great difficulty understanding how an easement can be sold. Also, what has come to light is that when Mr. Cochran bought the land, that land that was next to the track that we sold him actually belonged to Notha Cochran. This created a totally land locked area of land.

Another area of concern that has recently come to light is the fact that the recording of the sale of all these properties and the transfer of our property to me all took place on the same day. Also, even in the description of the land that was sold by Wally's dad, I am listed as the owner. I never signed any document giving a permanent easement to anyone. I am listed as the owner of the land. I feel very uncomfortable about the entire situation. Something is not right. Because I am possibly uninformed in this area as far as the law is concerned, because I am female, (there is a tremendous amount of discrimination of all types in this area) and because of the fact that all these men are very wealthy I feel something is very wrong. This is my land. I pay the taxes

things have been done without my permission. I am very angry. Any advice or direction would greatly be appreciated. I hope to be in Dublin soon. If I did not have to go through Milledgeville it would be alot easier. Times still get extremely difficult for us. I keep waiting for the peak; so far it won't come. Situation like this one make it very difficult. It's difficult making decision all alone. There's no one to blame but me when they're wrong ones. Oh, well, enough of giving myself a hard time. Hope to see you real soon.

Hello, my name is James Aske. I do not want to allow the property at 8730 Forrester Rd to be split and sold ~~to two different people or companies~~. The easement wording was changed on the Crumleys easement , it is not non- exclusive it is a permanent perpetual easement the word non exclusive was added. When I look outside my home I see a giant building , when I walk outside all I hear is dogs , non stop barking. Anytime I drive down my driveway I see about 15 cars parked in the parking lot , and almost every time run into someone coming or going from the business. I fear my Grand child will never get to walk the driveway to even catch the bus. I fear the noise , the traffic and even the size of this building will continue to be more and more because it has already in the last 10 years. Please don't let this happen. Please help us. Thank you

In 2007 Hall County approved 8730 Forrester Rd. for a Commercial Kennel, which is allowed under uses permitted in AR-IV upon Boc approval (17.120.040 N).

17.20.620. - Kennel, commercial.

"Commercial kennel" means any place in or at which more than four adult dogs (or cats) are kept for the purpose of sale, boarding, care, breeding or training and for which any fee is charged. A commercial kennel shall be located on not less than five acres of land in the residential zoning districts. The raising of four or fewer adult dogs (or cats) would be inherently allowed in all residential zones that allow a commercial kennel.

17.290.030. - Prohibited uses.

A. The keeping, breeding, or training of any animals or fowl for monetary gain or profit shall be deemed a commercial business and is expressly prohibited in all residential districts except where such operations may qualify as a home occupation.

17.20.560. - Home occupation.

"Home occupation" means an occupation or profession conducted entirely within a dwelling and which is carried on by an occupant thereof and which is clearly incidental and secondary to the use of the dwelling for residential dwelling purposes. There is no access by the public. A home occupation is designed to be less restrictive than a home office but more restrictive than a residential business in regard to access by the public, size, visibility, number of employees and types of business. Conditions for a home occupation are listed in chapter 17.210.

17.20.920. - Residential business.

"Residential business" means an occupation or profession conducted within a dwelling, and which is carried on by an occupant thereof and which is clearly incidental and secondary to the use of the dwelling for residential dwelling purposes. The business may require access by the public. The residential business is designed to be less restrictive than a home office or home occupation but more restrictive than a rural business in regard to access by the public, size, visibility, number of employees and types of business. Planning commission approval is required in accordance with the conditions outlined in section 17.350.130.

17.20.960. - Rural business.

"Rural business" means an occupation or profession conducted within a dwelling, an accessory structure or outside and which is carried on by a resident of that property and which is clearly incidental and secondary to the use of the property for residential dwelling purposes. The rural business is designed to be less restrictive than a home office, home occupation or residential business in regard to access by the public, size, visibility, number of employees and types of business. Planning commission approval is required for a rural business in accordance with the conditions outlined in section 17.350.140.

According to Randi Doveton (head of planning and zoning), Brandi Smith (supervisor of business license division), and many other employees at the planning office, the Commercial Kennel at 8730 Forrester Rd. is Not a Home Occupation, it is Not a Residential Business, or a Rural Business. When asked, "well what is it "? We were told we would need to see the Occupation Permit to see what it is. That Occupation Permit is one for a Commercial Business. Somehow this makes the commercial kennel at 8730 Forrester Rd (that should fall under guidelines for home occupation, residential business, or rural business) to be viewed as a Commercial Property. The regulations for a Home Occupation, Residential Business, or Rural Business would keep someone from establishing and developing a commercial business on a residential parcel, and then deciding once it would deemed profitable enough, divide and sell said property as a Commercial Business, because in each case, according to hall county ordinances "the business shall be valid only as long as the original principal practitioner resides in the dwelling, is conducting the business and has a current business license". These ordinances are put in place to lead, guide, direct and Protect the citizens of Hall County and should be fully enforced to do so.

provided at 10-2-23 PC meeting

PT-61 (Rev. 2/18) To be filed in **HALL COUNTY** **PT-61 069-2023-006421**

SECTION A – SELLER'S INFORMATION (Do not use agent's information)			SECTION C – TAX COMPUTATION	
SELLER'S LAST NAME: Crumley	FIRST NAME: Steven	MIDDLE: M.	Exempt Code If no exempt code enter NONE	Deed Confirming Title Already Vested
MAILING ADDRESS (STREET & NUMBER): 120 Magnolia Place			1. Actual Value of consideration received by seller Complete Line 1A if actual value unknown	$0.00
CITY, STATE / PROVINCE / REGION, ZIP CODE, COUNTRY: Homer, GA 30547 USA	DATE OF SALE: 9/14/2023		1A. Estimated fair market value of Real and Personal property	$900,000.00
SECTION B – BUYER'S INFORMATION (Do not use agent's information)			2. Fair market value of Personal Property only	$0.00
BUYER'S LAST NAME: Durham	FIRST NAME: Sarah	MIDDLE:	3. Amount of liens and encumbrances not removed by transfer	$0.00
MAILING ADDRESS (Must use buyer's address for tax billing & notice purposes): 8730 Forrester Road			4. Net Taxable Value (Line 1 or 1A less Lines 2 and 3)	$0.00
CITY, STATE / PROVINCE / REGION, ZIP CODE, COUNTRY: Lula, GA 30554 USA	Check Buyers Intended Use ( ) Residential ( ) Commercial ( ) Agricultural ( ) Industrial		5. TAX DUE at .10 per $100 or fraction thereof (Minimum $1.00)	$0.00

SECTION D – PROPERTY INFORMATION (Location of Property (Street, Route, Hwy, etc.))					
HOUSE NUMBER & EXTENSION (ex 285A): 8730	PRE-DIRECTION, STREET NAME AND TYPE, POST DIRECTION: Forrester Road				SUITE NUMBER:
COUNTY: HALL	CITY (IF APPLICABLE):		MAP & PARCEL NUMBER: 12128000009		ACCOUNT NUMBER:
TAX DISTRICT:	GMD:	LAND DISTRICT: 12	ACRES: 3.93	LAND LOT: 128	SUB LOT & BLOCK:

SECTION E – RECORDING INFORMATION (Official Use Only)				
DATE:	DEED BOOK: 9369	DEED PAGE: 252	PLAT BOOK:	PLAT PAGE:

ADDITIONAL BUYERS
Durham, Austin

PLEASE RETURN TO:
CARL S. FREE
ATTORNEY AT LAW
P.O. BOX 884
CLEVELAND, GA 30528
FILE # 23-105

eFiled and eRecorded
DATE: 06/06/2023
TIME: 9:59 AM
DEED BOOK: 9315
PAGE: 760 - 761
FILING FEES: $25.00
TRANSFER TAX: $560.00
PARTICIPANT ID: 1491131756
PT61: 069-2023-003742
RECORDED BY: NB
CLERK: Charles Baker, C.S.C
Hall County, GA

LIMITED WARRANTY DEED

JOINTLY FOR LIFE WITH REMAINDER TO SURVIVOR

STATE OF GEORGIA
COUNTY OF WHITE

THIS INDENTURE, made this 5th day of June in the year of our Lord Two Thousand Twenty-Three (2023), between **Steven M. Crumley** and **Holly V. Crumley**, Grantors, and **Sarah Durham** and **Austin Durham**, Grantees,

WITNESSETH, that the said Grantors for and in consideration of TEN DOLLARS ($10.00) AND OTHER VALUABLE CONSIDERATIONS in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency whereof is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the Grantees, for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion; the following described real estate:

Map and Parcel No. 12139-000009 (portion of)

All that tract or parcel of land lying and being in Land Lot 128 of the 12th Land District of Hall County, Georgia, being "Tract A", containing 3.93 acres, more or less, as shown on a plat of survey prepared by Chris M. Patton, G.R.L.S., under date of March 1, 2023 and recorded in Plat Book 883, Page 302-304, Office of the Clerk of Superior Court of Hall County, Georgia. The description of said property shown on said plat of survey is incorporated herein by reference for a more complete description thereof.

ALSO CONVEYED AND SUBJECT TO a permanent perpetual non-exclusive easement for ingress and egress from Forrester Road to the subject property, via the proposed 20' ingress/egress easement as shown on the above referenced plat of survey.

Subject to restrictions, reservations, easements and rights of way of record, if any.

https://search.gsccca.org/Imaging/HTML5Viewer.aspx?id=83625177&key1=9315&key2=760&county=69&countyname=HALL&userid=800759&appid=4 1/1

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 Grantees, their heirs and assigns, forever in fee simple.

AND THE SAID Grantors, for their heirs, executors and administrators, will warrant and forever defend the right and title to the above-described property, unto the said Grantees, their heirs and assigns, against the claims of all persons owning, holding or claiming by, through or under the Grantors.

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 Grantors have hereunto set their hands and affixed their seals the day and year above written.

Signed, sealed and delivered
in the presence of:

Witness

Notary Public
My Commission Expires:

CARL S FRE
NOTARY PUBLIC
WHITE COUNTY
GEORGIA
EXPIRES
Jun. 30, 2024

(SEAL)
Steven M. Crumley, Grantor

(SEAL)
Holly V. Crumley, Grantor

https://search.gsccca.org/Imaging/HTML5Viewer.aspx?id=83625177&key1=9315&key2=760&county=69&countyname=HALL&userid=800759&appid=4 1/1

EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 128 of the 12th Land District of Hall County, Georgia, being "Tract A", containing 3.93 acres, more or less, as shown on a plat of survey prepared by Chris M. Patton, G.R.L.S., under date of March 1, 2023 and recorded in Plat Book 883, Page 302-304, Office of the Clerk of Superior Court of Hall County, Georgia. The description of said property shown on said plat of survey is incorporated herein by reference for a more complete description thereof.

ALSO CONVEYED AND SUBJECT TO a permanent perpetual non-exclusive easement for ingress and egress from Forrester Road to the subject property, via the proposed 20' ingress/egress easement as shown on the recorded plat of survey.

Subject to restrictions, reservations, easements and rights of way of record, if any.

SD

ZONING NOTICE

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

APPLICANT: STEVEN & HOLLY CRUMLEY

REQUEST: USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR COMMERCIAL KENNEL EXPANSION IN AR-IV

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION
Date: Oct. 2, 2023
Time: 5:15 p.m.

&

COUNTY COMMISSION
Date: Nov. 9, 2023
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 WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: STEVEN & HOLLY CRUMLEY

REQUEST: VARY SETBACKS FROM 200 FT TO 48 FT & 44 FT FOR COMMERCIAL KENNEL STRUCTURES

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION
Date: Oct. 2, 2023
Time: 5:15 p.m.

&

COUNTY COMMISSION
Date: Nov. 9, 2023
Time: 6:00 p.m.

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

FOR MORE INFORMATION CALL: (770) 531-6809

AGENDA ITEM

Planning and Development

REPORT TO: **Work Session (11/06/23)**

REPORT TO: **Voting Meeting (11/09/23)**

ITEM NO: 630/2023

SUBJECT: **8730 Forrester Road | Variance |** from 17.240.060 to reduce the setback for commercial kennels from 200 feet to 48 feet | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: commercial kennel structures |** Commission District 3 **| Steven & Holly Crumley, applicants.**

Meetings:

Work Session Date: 11/06/23 **Voting Meeting Date:** 11/09/23

Executive Summary:

Presenter: RD

Recommendation:

Approval.

Conditions:

1. Any and all further expansion of the facility or kennel activity will be subject to further review and approval of the Board of Commissioners, and appropriate permits obtained upon approval.
2. No residential dwelling may be added to the parcel where the commercial kennel is located.
3. The business shall maintain the fencing and planted buffer as described in the applicant's statement.
4. The applicant will pursue retroactive building permits for all buildings measuring more than sixteen feet in length and width.

Purpose of Request:

8730 Forrester Road | Variance | from 17.240.060 to reduce the setback for commercial kennels from 200 feet to 48 feet | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) | **Proposed use: commercial kennel structures** | Commission District 3 | **Steven & Holly Crumley, applicants.**

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:

Submit	Approve	Attorney	Administration
AD	RD	WLI	CR
Clerk			
JR			

Attachments:

Board Memo
Recommendation Report
Application
Narrative
Updated Site Plan
Original Site Plan
Maps
Property Images
Environmental Health Comments
GDOT Comments
Public Works Comments
Fire Comments
Public Comment
Notice Sign Photo

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435

GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR
Srikanth Yamala

PLANNING AND DEVELOPMENT
DIRECTOR
Randi Doveton

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PLANNING AND DEVELOPMENT

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

From: Randi Doveton, Director of Planning & Development

Date: October 23, 2023

Subject: **8730 Forrester Road | Variance** | from 17.240.060 to reduce the setback for commercial kennels from 200 feet to 48 feet | on a 5.57± acre tract **| Proposed use: commercial kennel structures | Steven & Holly Crumley, applicants.**

8730 Forrester Road | Variance | from 17.240.060 to reduce the setback for commercial kennels from 200 feet to 44 feet | on a 5.57± acre tract **| Proposed use: commercial kennel structures | Steven & Holly Crumley, applicants.**

The request before you is the application of Steven & Holly Crumley for a Variance from 17.240.060 to reduce the setback for commercial kennels from 200 feet to 48 feet and 44 feet to allow commercial kennel structures. This item is located within Commission District 3.

At their October 2, 2023 meeting, the Hall County Planning Commission voted to recommend approval with four (4) conditions of both requests **(3-2, Pilcher & Sosebee opposed).**

There was **one (1) comment submitted** in advance of the Planning Commission meeting and **two (2) people spoke during the public hearing.**

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

Planning Commission Conditions:

1. Any and all further expansion of the facility or kennel activity will be subject to further review and approval of the Board of Commissioners, and appropriate permits obtained upon approval.
2. No residential dwelling may be added to the parcel where the commercial kennel is located.

3. The business shall maintain the fencing and planted buffer as described in the applicant's statement.
4. The applicant will pursue retroactive building permits for all buildings measuring more than sixteen feet in length and width.

HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT

Applicant.....Holly Crumley

Request.....**(A)** Use Subject to County Commission Approval |17.120.040 expansion of a commercial kennel
(B) Variance | 17.240.060 to reduce the setback for commercial kennels from 200 feet to 48 feet
(C) Variance | 17.240.060 to reduce the setback for commercial kennels from 200 feet to 44 feet

Proposed Use.....**(A)** Expansion of a commercial kennel
(B) Setback variance for commercial kennel structures
(C) Setback variance for commercial kennel structures

Size.....5.57± acres

Zoning.....Agricultural Residential IV (AR-IV, 17.120)

Location.....**8730 Forrester Road** | Tax Parcel 12128 000009 (pt.)

Commission District.....Three

Planning Commission Date.....October 2, 2023

Staff Recommendation..... **(A) (B) and (C) Approval with conditions,** as the proposed use is consistent with the Rural future land use classification in the Comprehensive Plan.

Planning Commission Recommendation.....**(A) Approval, with conditions**
Vote: 4-1 (Sosebee opposed)
(B) Approval, with conditions
Vote: 3-2 (Pilcher & Sosebee opposed)
(C) Approval, with conditions
Vote: 3-2 (Pilcher & Sosebee opposed)

(A)(B)(C) Conditions:

1. Any and all further expansion of the facility or kennel activity will be subject to further review and approval of the Board of Commissioners, and appropriate permits obtained upon approval.
2. No residential dwelling may be added to the parcel where the commercial kennel is located.

3. The business shall maintain the fencing and planted buffer as described in the applicant's statement.
4. The applicant will pursue retroactive building permits for all buildings measuring more than sixteen feet in length and width.

Public Forum:

Virginia Martin, Gainesville, spoke in opposition. Concerns were access to the driveway easement, amount of dogs, approval process, and property owners.

Kathryn Askew, 8720 Forrester Road, Lula, spoke in opposition. Concerns were the driveway, breeding, and approval process.

Summary Analysis

The applicant is requesting a **(A)** Use Subject to County Commission Approval for the expansion of an existing commercial kennel within a 5.57± acre lot zoned Agricultural Residential IV (AR-IV, 17.120). Concurrent to this request, the applicant is seeking relief from the conditions of 17.240.060 that require commercial kennel structures to conform with a 200-foot setback from adjacent properties. The applicant is requesting a reduction in the required setbacks **(B)** from 200 feet to 48 feet, and **(C)** from 200 feet to 44 feet for existing kennel structures.

The applicant is seeking these requests retroactively. The submitted site plan reflects current conditions of the property, including setback lines. The commercial kennel was originally approved, with conditions, by the Board of Commissioners on August 23, 2007. One of the conditions of the 2007 conditional use permit required "any expansion of the facility or kennel activity would be subject to further review and approval" by the Board of Commissioners. On November 5, 2007, the Hall County Planning Commission approved a retroactive setback variance for a 42 foot by 118 foot kennel, which was constructed without a building permit.

Since then, the commercial kennel has been expanded beyond the original approval through the addition of kennel-related structures and outdoor facilities, resulting in these requests. While minor additions or adjustments to the site may be permissible, the addition of additional structures and facilities is beyond what would be considered minor. This expansion has included the installation of four (4) structures, covered concrete play areas, and associated fencing added without Board approval. The expansion and needed variances were discovered earlier in 2023 when the applicant was granted approval to subdivide the property, separating the commercial kennel from the residential uses on the property.

The applicant has stated the installation of additional buildings and improved surfaces has been for the sole purpose of broadening and improving business offerings, including canine massage therapy, quarantine, emergency care, and e-commerce inventory storage. The applicant also explains that many of these improvements have been required by the Department of Agriculture and at the recommendation of the applicant's veterinarian. These expansions, and new internal property line dividing the kennel from the residential property, have led to the applicant requesting relief from the 200-foot setback requirement for commercial kennel structures and outdoor runs (17.240.060).

Specifically, the expansion brings the kennel facilities within 48 feet of the eastern property line and 44 feet of the western property line, variance requests **(B)** and **(C)**, respectively.

As part of the application, the applicant is requesting two (2) variances from the setback requirements for commercial kennels established in 17.240.060. Specifically, the applicant is requesting relief from the following requirement, if the application, as presented, is approved:

- **(B)** Required 200 foot setback from the property line for the keeping of dogs and cats from the property line as found in 17.240.060
    - The applicant is requesting to reduce the setback to 48 feet along tax parcel 12128 000009, (Parcel "A") in order to bring the existing commercial kennel facilities into compliance.
- **(C) Required** 200 foot setback from the property line for the keeping of dogs and cats from the property line as found in 17.240.060
    - The applicant is requesting to reduce the setback to 44 feet along tax parcel 12128 000007 (Parcel "C") in order to bring the existing commercial kennel facilities into compliance.

Based on the future land-use plan, staff finds the *requested use consistent* with the Rural future land use classification of the in the Comprehensive Plan. The primary future land uses within the "Rural" Character Area, which includes agriculture and low-density residential uses. The intention is to preserve agriculture and the rural character of this area.

Zoning Analysis

(A) Use Subject to County Commission Approval | expansion of a commercial kennel within the Agricultural Residential IV district 17.120.040

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 and development of adjacent and nearby property; **Yes, the proposed use is suitable in view of the use and development of adjacent and nearby property, though the use is slightly more intensive than traditional agricultural and residential uses in the area. Many adjacent properties host low-intensity agricultural uses. It should be noted, the commercial kennel is an existing use and the current request is to being into compliance the expansion and noncompliance with setback standards.**
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The zoning proposal should not adversely affect the existing use or usability of adjacent or nearby properties as the kennel is existing and the expansion is being considered retroactively.**
3. Whether the property to be affected by the zoning proposal has reasonable economic use as currently zoned. **The subject property is zoned Agricultural Residential IV (AR-IV, 17.120) and is developed with a single-family residence and a commercial kennel. The commercial kennel was established in 2007.**

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; **No, the proposed use should not cause an excessive or burdensome use of existing streets, transportation facilities, or utilities.**

5. Whether the zoning proposal is in conformity with the policy and intent of the land use plan; **Yes, the requested zoning designation is consistent with the future land use classification of Rural in the Comprehensive Plan, but at a higher intensity.**

6. The extent to which property values are diminished by the existing zoning restrictions; **Staff has not identified that the existing property values have been impacted by the existing zoning.**

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 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.**

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 site has been developed with a residential building since at least 2000, per Property Tax records.**

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; **There are no known changing conditions affecting the use or development of the property.**

11. Whether the change would create an isolated district unrelated to the surrounding districts; **The current request is to retroactively expand a conditional use and the underlying Agricultural Residential IV (AR-IV, 17.120) will remain unchanged. All neighboring parcels are zoned similarly, or are a Planned Commercial Farm District (PCFD, 17.180.100).**

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.**

13. Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood; **The proposed use is not out of scale with the needs of the county as a whole. This establishment provides dog boarding services, which are important to the community and promote the well-being of dogs.**

14. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **Commercial kennel are subject to county commission approval and are not permitted by right in any zoning district, so it would be impossible to find a district in which this use is inherently permitted.**

15. Whether the need for rezoning could be handled instead by a variance request to the [Planning Commission]; **No, the request could not be handled alternatively as a variance as the requested use requires conditional use approval in the underlying Agricultural Residential IV district (AR-IV, 17.120).**

16. Whether there would be an ecological or pollution impact resulting from major modifications to the land if the request is granted; **There are no significant changes proposed to the site that should have an ecological or pollution impact.**

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 evidence to indicate a mistake was made in the original zoning of the property.**

(B) and (C) Variance | 17.240.060 to reduce the required setback for commercial kennels in Agricultural Residential IV (AR-IV, 17.120).

Section 17.420.070, appeals and modifications states that "if substantial modifications or changes are necessary, any person, firm, group or organization may apply for relief from the requirements set forth in this chapter to the Hall County Planning Commission, unless otherwise specified in this chapter."

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); **There do not appear to be extraordinary or exceptional conditions pertaining to the subject property.**

2. The application of the requirements of this Title 17 to this particular piece of property would create an unusual hardship; **The applicant would have to make modify the site, removing several concrete enclosures and existing building.**

3. Such conditions are peculiar to the particular piece of property involved and are not common to other properties in the neighborhood; **No, the conditions are not peculiar to the subject parcel but the result of the use of the property.**

4. Such conditions are not the result of any actions of the property owner; **the site has been developed as a commercial kennel by the applicant, who failed to follow proper procedures regarding the expansion of the commercial kennel, which may have prevented the need for variances.**

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. **Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of Title 17.**

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. **The proposal meets the requirement. The 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]. **The applicant has submitted a statement and site plan but did not specifically address the criteria listed in 17.380.060.C.**

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**. The submitted site plan is drawn to scale and includes the necessary details to assess the request.**

C. For any application for a slow rate land treatment system (see chapter 17.20), the following additional requirements apply. **This standard is not applicable as the site will be served by an onsite septic system.**

D. 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. **As there are not 100 or more residential dwelling units proposed this question is not applicable.**

Development Support and Constraints – Departmental / Agency Comments

Hall County Environmental Health
In an email dated August 31, 2023, Emily McGahee stated “No comment.”

Hall County Fire Marshal
In an email dated August 29, 2023, John Hornick, NPQ Fire Inspector 1, Plans Review Lieutenant stated “New owner will be required to pass a life safety inspection conducted by the Hall County Fire Marshal’s Office for all buildings open to the public, a passing life safety inspection is required for a business license.”

Hall County Public Works and Utilities

In a memo dated August 31, 2023, Bill Nash, Director of Public Works and Utilities, provided the following comments:

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:
No comment.

Utilities
No comment.

Georgia Department of Transportation
In an email dated August 25, 2023, Veronica Chavers, D1TO Traffic Operations Civil Engineer 3, provided the following comments:

"No GDOT coordination required."

- **Excerpts from the minutes of the October 2, 2023 meeting**

Applicant's Presentation:

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

Holly Crumley, 120 Magnolia Way, Homer, presented the request.

Rebuttal

The applicant stated that when dogs are sold they are dropped off, not picked up at the property. The applicant stated that they added a privacy fence as well as planting corn for screening.

Public Forum:

Virginia Martin, Gainesville, spoke in opposition. Concerns were access to the driveway easement, amount of dogs, approval process, and property owners.

Kathryn Askew, 8720 Forrester Road, Lula, spoke in opposition. Concerns were the driveway, breeding, and approval process.

Planning Commission Comments:

Mr. Hunt questioned if the applicant was just bringing the property into compliance. The applicant stated that was correct. Ms. Pilcher stated there should be a condition to restrict the further construction on the property.

A

***Motion:* A motion to approve, with conditions was made by Mr. Hunt and seconded by Mr. Varner. Vote: 4-1 (Sosebee opposed)**

Conditions:

1. Any and all further expansion of the facility or kennel activity will be subject to further review and approval of the Board of Commissioners, and appropriate permits obtained upon approval.
2. No residential dwelling may be added to the parcel where the commercial kennel is located.
3. The business shall maintain the fencing and planted buffer as described in the applicant's statement.
4. The applicant will pursue retroactive building permits for all buildings measuring more than sixteen feet in length and width.

B
***Motion:* A motion to approve, with conditions was made by Mr. Hunt and seconded by Mr. Varner. Vote: 3-2 (Pilcher & Sosebee opposed)**

Conditions:

1. Any and all further expansion of the facility or kennel activity will be subject to further review and approval of the Board of Commissioners, and appropriate permits obtained upon approval.
2. No residential dwelling may be added to the parcel where the commercial kennel is located.
3. The business shall maintain the fencing and planted buffer as described in the applicant's statement.
4. The applicant will pursue retroactive building permits for all buildings measuring more than sixteen feet in length and width.

C
***Motion:* A motion to approve, with conditions was made by Mr. Hunt and seconded by Mr. Varner. Vote: 3-2 (Pilcher & Sosebee opposed)**

Conditions:

1. Any and all further expansion of the facility or kennel activity will be subject to further review and approval of the Board of Commissioners, and appropriate permits obtained upon approval.
2. No residential dwelling may be added to the parcel where the commercial kennel is located.
3. The business shall maintain the fencing and planted buffer as described in the applicant's statement.
4. The applicant will pursue retroactive building permits for all buildings measuring more than sixteen feet in length and width.

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

HALL COUNTY
GEORGIA
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CONDITIONAL USE APPLICATION

Applicant (Name & Mailing Address)
Holly Crumley
8730 Forrester Rd
Lula GA 30554
Phone 678.316.4519
Email Address crumleyholly@bellsouth.net

Property Owner (Name & Mailing Address)
Holly Crumley
8730 Forrester Rd
Lula GA 30554
Phone 678.316.4519
Email Address crumleyholly@bellsouth.net

Proposed Use revise 2007 conditional use

Contact Person (Name & Mailing Address)
SAME
Phone
Email Address
Tax Parcel Number
Location Address 8730 Forrester Rd, Lula, GA 30554

Status of Applicant
☒ Owner
☐ Option to Purchase
☐ Area Resident
☐ Other

Requested Action
Permissive Use:
☐ HCPC ☒ HCC
Fee:$ 400
Receipt #:
Check #: 5618
Zoning: AR-1V
Acreage 9.50

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

Sign Holly V Crumley Date: 5/12/23

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: 5/17/2023
Taken by: Katie M
Tentative Planning Commission Date: July 3, 23
Tentative County Commission Date: Aug 21, 23 (per req.)
County Commission District: 3

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AUTHORIZATION OF PROPERTY OWNERS

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

Name of owner(s) Holly Crumley

Address 8730 Forrester Rd
Lula GA 30554

Phone Number 678·316·4519

Name of applicant(s) Holly Crumley

Address 8730 Forrester Rd
Lula GA 30554

Phone Number 678·316·4519

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) Holly V. Crumley

Personally appeared before me
Cindy L. West

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

Cindy L. West
Notary Public

5/12/23
Date

Cindy L West
NOTARY PUBLIC
Hall County, GEORGIA
My Commission Expires 07/09/2026

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HALL COUNTY
GEORGIA

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: Holly V. Turnley **Date:** 5/12/23

Applicant's/Owner's Name (Printed): _____

Notary Public
Hall County, Georgia
My Commission Expires 07/28/2026

Revised December 2019

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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: _____ **Date:** 5/12/23

Applicant's/Owner's Name (Printed): Kelly V. Loomley

Narrative
Holly Crumley
8730 Forrester Rd
Lula, Ga 30554

Seeking approval to modify the conditions and the usage for the commercial kennel as stated in the 2007 approval for the business.

Seeking approval for the following:
Keep awnings, porches, porte-cocheres, and existing covered let out and exercise areas as is. (These were necessitated by the Dept. of Agriculture and my veterinarian). Let out areas were covered and insulated and wall units were installed for better temperature control.

I would like to keep the tiny houses/portable buildings. These were added to allow separation for bio-security per veterinarian 's request. The proximity of two of the buildings located near the house is pertinent to the functionally. Sometimes puppies require round the clock care and our ICU units are located in one of the buildings so the closeness to the home is vital to be able to get to those very quickly. The other building is our Quarantine building which is used to isolate puppies/dogs that could be contagious or infectious. It is seldomly used but when needed, it is priceless. The other 3 portable buildings are used as a "Labor and Delivery" where pregnant moms come to deliver their puppies, retail space which services our e-commerce and serves as a handoff location for puppies, and a training/Zen building that is used for a quiet space for meetings, k9 massage, ultrasounds, etc. When I purchased these buildings, I was told I didn't need a building permit or wiring permit as they were already constructed and prewired. I understand now that I did need a wiring permit which I am happy to get.

I am in the process of added a PVC privacy fence around 2 sides of the kennel. This should cut down on the noise significantly as the dogs will not be able to see people and wildlife in the surrounding fields. We are also planting corn in the fields which will act as a buffer.

Seventeen years ago, I started building this business completely unaware of the success it would have. The changes have all been by the advice and recommendations of the Dept of Agriculture and our veterinarian. I didn't see the portable buildings as an expansion. They improve the functionality of the services I was already provided. In the course of seventeen years, it was never my intention to be big but to be good.

I request is that this be heard by the Board of Commissioners on August 24th as I will be out of the country.

Pictures are included.

Regards,

Holly Crumley

Holly Crumley

120 Magnolia place

Homer , Ga.

I am here today to establish the usage of property at 8730 Forrester Rd. Lula.

Rewind 17 years ago. I was here for the very same thing only I had nothing but a paper with the drawing of a building for a commercial dog kennel. What I have realized over this 17 years is the footprint of the

Building would not be the footprint of the business I was about to pour 17 years of my life into.

I believe if I'm correct that the narrative was based on a brochure I had printed of services I was intending to provide that were in line with what you would expect a kennel to offer plus some specialized services (k9 massage). The hours of operation. And I believe I said that my intention was to board 40 dogs as I had 40 Suites.

I had exercise, let out and training areas that were uncovered and the surface was sod.

Now let me tell you my journey to get where I am today.

My intention was to build a place where people could leave there dogs and feel they were safe and

Given the best of care. The first problem..... sod is not a good surface for letouts exercise and training. It cannot be cleaned properly and dog like to dig it up. So little by little I replaced those let out surfaces

with concrete

Next problem concrete creates heat. My first big issue. I could not keep the kennel below 87 degrees. I I had 4 commercial Air-condition units working .That is not healthy to people or animals. My obligation was to find a solution. I began to put porches over all areas with windows or doors. Pictures 1 thru 13 . I even porched the inside of the building and

Put in a split unit. I planted trees for long term shade. Some of the let out areas had to be taken in and window Air conditions put in. You will see that in the pictures I have included as well. I bought several portable garages (also pictured) The portable garages covered some of my let out areas.

I bought my first portable shed from the same fellow that sold me my portable garage. He figured this was a perfect fit as it came built and pre wired and did not require any permits. I had no reason not to believe him as he sold these all day everyday.

I needed a quiet space for k9 massage. Yes that's a thing. I have had a k9 massage therapist since I opened. I have included the current therapist credentials. Plus we are lucky to be able to have specialist come to do clinics. Veterinary Cardiologist, veterinary ophthalmologist even though this building stays empty 90% of the time its great when we need it.

My second shed came as a result of an older gentleman getting knocked down by an overzealous goldendoodle while in the lobby filling out paperwork. The lobby was just to small and now it was a hazard as all check in came through the lobby. I have included a picture . Its very small ! We also

removed all the collars, leashes, dog toys, ect to this portable lobby and decided our best recourse was to do e commerce www.everythingspaniel.com Someone is in that building maybe 4 hours per week.

The Department of Agriculture and my vet put me under pressure to have a quarantine building . I never was on board but a portable shed was definitely the answer if I had to have one. This building had to be isolated for all other dogs and people and when it was used for quarantine . It was to be used if I had a dog that got sick in case it might be infectious or contagious. This would keep my patrons safe . I used it for that purpose 4 times in 8 years. It is on the residential side not used for storage.

Shed #4 took the space of my living room and is used for whelping and rearing of puppies.

Shed #5 we use for the puppy building. It has a incubator , oxygen concentrator and meds for that occasional unlucky puppy that needs round the clock care. Picture included

I have never considered any of these things expansion. In my mind expansion would have been a brick and mortar building (a new wing) to house more boarding dogs. I just thought I was modifying in order to keep my staff and the dogs safe.

After our last meeting I became more mindful of one of my neighbors. Katie Askew, she did not like to walk down her driveway and see the kennel , so we put up a privacy fence and Katie wanted a buffer for noise so we planted corn all around the kennel instead of alfalfa .

The property is now 2 separate parcels and we have reproposed the 2 sheds on the residential side so that the house residential and the other piece of the property is commercial.

I have included a screen shot of a conversation with Katie the day following the BOC meeting. You will see that Katie was not cross with me personally , she just was afraid that the land around her would be a subdivision .

I reached out to all my neighbors via text to make sure that my improvements had helped . I have included the screen shots of our conversations. If you look up Hollys Bed and Biscuit in on Google you will find a 4.7 rating . I am inspected by Department of Agriculture, and American Kennel Club and my rating is excellent. I have a Hall county Business License . Ive included a copy. I believe we have a great track record. I believe we provide a valuable service to out community. Nothing I have done has created more traffic , impacted our environment in a negative way , or created a hardship for my community.

There have been no complaints in 17 years .

Moving forward I don't think my usage need to change just critiqued a bit.

I still want to be a boarding kennel and do all the things boarding kennels do. Boarding , training , grooming. Selling a few retail items. include Pet sales.

My hours need to be a little different. 8 to 6 Monday Tuesday, Thursday , Friday

Wednesday 8 to 12

Saturday 8 to 12

Sunday 3 to 5

Seeking approval for the following.

Keep awnings, porches, porte-cocheres and existing covered let out ,training and exercise areas as is. Theres were necessitated by Dept of Agriculture and by the advise of my veterinarian. Some of the areas

Were covered and insulated for better temperature control .

Keep the portable sheds as they help with bio security and they are nice to look at. They give the campus a village look.

HOLISTIC ANIMAL STUDIES

Angel's Animals, LLC

CERTIFIED CANINE MYO-MANIPULATIVE FUNCTIONAL THERAPIST

In recognition of completing the training, examinations and case studies to earn certification in the Angel's Animals technique

Stasha Bell

Certification # 1102

January 20th, 2021

ANGEL'S ANIMALS CERTIFICATION

DR. ANGELIQUE BARBARA, FOUNDER AND PRESIDENT

Georgia De[illegible]griculture
Animal Protection Division
19 Martin Luther King Jr. Dr. SW
Atlanta, GA 30334
agr.georgia.gov

PET DEALER LICENSE

This license enables the above business to operate in the State of Georgia as a pet dealer subject of the Laws of and the Rules and Regulations promulgated by the Commissioner of Agriculture, thereunder.
This license is subject to revocation by the Commissioner of Agriculture for violation [illegible] Georgia laws, or the R Regulations promulgated by the Commissioner of Agriculture.

License Number:

36-36105159

HOLLY CRUMLEY, INC.
8730 Forrester Rd
Lula GA 30554

Date Issued:

9/14/2022

Expiration Date:

10/31/2023

License Fee: $20

This License Is Not Transferable and Must Be Posted At All Times In A Prominent Business Locat

BUS-0027087

2023

Date:

HALL COUNTY

BUSINESS LICENSE

2023

Acco

EFFECTIVE BEGINNING DATE OF BUSINESS 01/3

Owner: HOLLY CRUMLEY
Holly Crumley, Inc

'MLEY, INC
3730 FORRESTER ROAD
.ULA, GA 30554
:mployees: 8

usiness ype: BOARDING KENNEL, PET SALES, PET GROOMING, GENERAL MERCHANDISE SALES - NEW ITEMS ONLY

Comments: No additional structures authorized by this Permit

Holly Crumley, Inc
8730 FORRESTER RD
LULA, GA 30554

HALL COUNTY
GEORGIA

A license is granted in unincorporated Hall County for period ending December 31, 2023 subject to compliance with the provision of the Business Occupation Tax Code carrying on the business as listed hereon.

Brandi Sm

Licensing Director or Official

NOT TRANSFERABLE - DISPLAY IN A CONS ..OUS PLACE

Georgia Department of Agriculture
Animal Protection Division
19 Martin Luther King Jr. Dr. SW
Atlanta, GA 30334
agr.georgia.gov

KENNEL LICENSE

This license enables the above business to operate in the State of Georgia as a kennel subject of the Laws of Georgia, and the Rules and Regulations promulgated by the Commissioner of Agriculture, thereunder.
This license is subject to revocation by the Commissioner of Agriculture for violation of the Georgia laws, or the Rules and Regulations promulgated by the Commissioner of Agriculture.

License Number:
34-3497947

Date Issued:
6/16/2022

Expiration Date:
9/30/2023

HOLLY'S BED & BISCUIT INN
8730 Forrester Rd
Lula GA 30554

License Type: Capacity for 41 to 80 pets

This License Is Not Transferable and Must Be Posted At All Times In A Prominent Business Loca

SUBDIVIDE SURVEY FOR:
STEVEN M. CRUMLEY & HOLLY V. CRUMLEY
& REGINALD COCHRAN

THIS BLOCK IS RESERVED FOR THE CLERK OF THE SUPERIOR COURT

HALL COUNTY GEORGIA

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

T 770.531.6809 | F 770.531.3902

DIRECTOR
Srikanth Yamala

PLANNING AND DEVELOPMENT DIRECTOR
Randi Doveton

Hall County Government
COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PLANNING AND DEVELOPMENT

April 19, 2023

Steven & Holly Crumley
8730 Forrester Road
Lula, GA 30554

Dear Property Owner:

On April 17, 2023 the Hall County Planning Commission voted to approve, with conditions your application for **8730 Forrester Road | Variance |** for a road frontage variance from 50 feet to 0 feet on a 9.5± acre tract located on the east side of Forrester Road at approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 | **Proposed use: subdivide property |** Commission District 3 | **Steven & Holly Crumley, applicants.**

Conditions:

1. *No further subdivision of the two newly created parcels shall be allowed.*
2. *No expansion of the commercial kennel or its services shall be allowed. If expansion has occurred that is not included in the 2007 approval, the applicant shall submit a conditional use request to bring the commercial kennel operations into compliance.*
3. *No residential dwelling may be added to the tract containing the commercial kennel.*
4. *The following note shall be placed on the plat of record: "Purchaser understands that to the extent that the property is accessed through the current common access driveway, and non-exclusive perpetual easement, the current common access driveway is not maintained by Hall County, does not meet Hall County's common driveway standards, and may not be accessible to emergency vehicles."*
5. *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."*
6. *Standard Hall County platting procedures shall be followed to include the plat by Patton Land Surveying, LLC dated March 1, 2023.*
7. *All conditions of approval shall be included on any plat created for the property.*

The Planning Commission's decision on this item will be the final action taken **unless appealed.** The Planning Commission's decision regarding the above request **may be appealed** to the Hall County Board of Commissioners by filing an application and **appropriate appeal fee** with the Hall County Planning Department within five working days of the date of the Planning Commission's decision.

www.hallcounty.org

If appealed, the above-referenced request will be heard by the Hall County Board of Commissioners at a public hearing on **Tuesday, April 25, 2023 at 6:00 p.m.** at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Approval of your application by the Board is valid for one year. Failure to obtain the proper permits and/or licenses and proceed with the building, occupancy or establishment of business within that time will result in the Board's approval becoming null and void.

Please remember that removal of all Public Notice signs posted on the property is your responsibility and should be removed within five (5) working days following the Planning Commission's decision.

If you have any questions, please call this office.

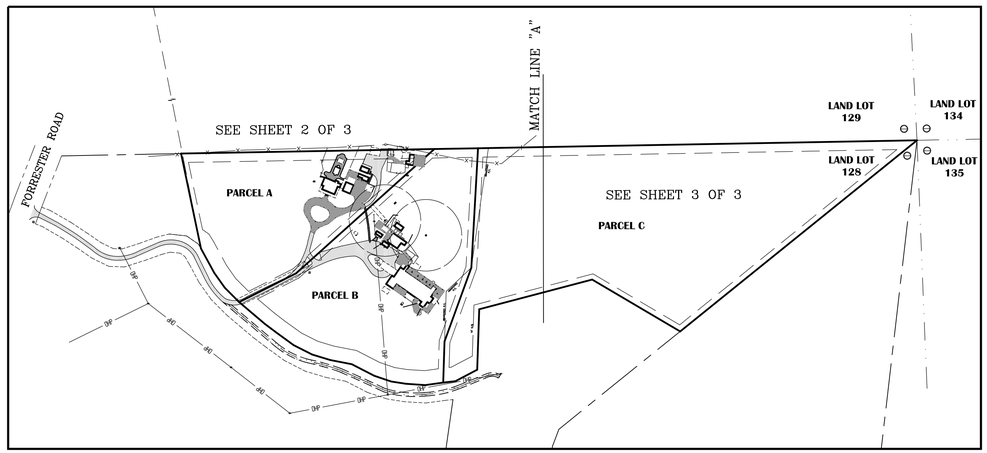
Sincerely,

Randi Doveton
Director

/ad

VICINITY MAP
(NOT TO SCALE)

NORTH



INDEX SHEET
(SCALE 1"=200')

ZONING AND BUILDING SETBACKS (S/B):

INFORMATION PROVIDED BY HALL COUNTY G.I.S.
WEB SITE LOCATED AT: http://gis.hallcounty.org/Public/WebPages/Map/FundyViewer.aspx

CURRENT HALL COUNTY ZONING:
AR-IV – AGRICULTURAL RESIDENTIAL IV

BUILDING SETBACKS:
FRONT: 40' FROM RIGHT-OF-WAY LINE OR 65' FROM CENTERLINE ROAD (WHICHEVER IS GREATER)
SIDE: 15' FROM PROPERTY LINE
REAR: 25' FROM PROPERTY LINE

REFERENCES:

1. DEED BOOK 3547, PAGES 198 & 199
2. DEED BOOK 2014, PAGES 23 & 24
3. DEED BOOK 7536, PAGES 340-342
4. DEED BOOK 8940, PAGES 264-267
5. DEED BOOK 7149, PAGES 706-712
6. DEED BOOK 3155, PAGE 229
7. PLAT SLIDE 685, PAGE 185A
A. SURVEY PREPARED BY FARLEY-COLLINS ASSOCIATES FOR REGINALD COCHRAN, JOB #5345, DATED JULY 23RD, 1993.
B. SURVEY PREPARED BY FARLEY-COLLINS ASSOCIATES FOR FREEMAN OLIVER & MARY OLIVER, JOB #5345, DATED JULY 23RD, 1993.
C. SURVEY PREPARED BY FARLEY-COLLINS ASSOCIATES FOR SHERYL ASKEW, JOB #5345, DATED JULY 23RD, 1993.

AREAS:
PARCEL A: 3.93 ACRES
PARCEL B: 5.57 ACRES
PARCEL C: 10.07 ACRES

WATER SERVICE BY:
INDIVIDUAL WELLS

SEWER SERVICE BY:
ON SITE SEPTIC MANAGEMENT SYSTEMS

LEGEND:

- A.I.F. – ANGLE IRON FOUND
- A.F. – AXLE FOUND
- C.M.F. – CONCRETE MONUMENT FOUND
- A.M.F. – ALUMINUM MONUMENT FOUND
- C.T.F. – CRIMP TOP PIN FOUND
- R.B.F. – REBAR FOUND (SEE DRAWING FOR SIZE)
- O.T.F. – OPEN TOP FOUND (SEE DRAWING FOR SIZE)
- I.P.F. – IRON PIN FOUND
- P.K.N.F. – PARKER KALON NAIL FOUND
- F.X. – X-CUT FOUND
- N.F. – NAIL FOUND
- R.F. – ROCK FOUND
- R.R.F. – RAILROAD SPIKE FOUND
- T.F. – TACK FOUND
- P.K.N.S. – PARKER KALON NAIL SET
- R.B.S. – 1/2" REBAR SET & CAP STAMPED "LSF 1029"
- C.M.S. – CONCRETE MONUMENT SET
- N.S. – NAIL SET
- C.P. – CALCULATED POINT
- D.I. – DROP INLET
- J.B. – JUNCTION BOX
- W.I. – WIER INLET
- Y.I. – YARD INLET
- C.V. – CABLE TV VAULT
- C.R. – CABLE RISER
- T.R. – TELEPHONE RISER
- T.V. – TELEPHONE VAULT
- T.P. – TELEPHONE POLE
- T.M.H. – TELEPHONE MANHOLE
- U.T.B. – UNDERGROUND TELEPHONE BOX
- A.C. – AIR CONDITIONER
- P.B. – POWER TRANSFORMER BOX
- E.P.B. – ELECTRIC PULL BOX
- E.M. – ELECTRIC METER
- P.P. – POWER POLE
- F.L. – FLOOD LIGHT
- S.P. – SERVICE POLE
- L.P. – LIGHT POLE
- G.W. – GUY WIRE
- G.P. – GUY ANCHOR POLE
- E.S. – ELECTRIC SERVICE
- W.M. – WATER METER
- W.V. – WATER VALVE
- F.H. – FIRE HYDRANT
- F.D.C. – FIRE DEPARTMENT CONNECTION
- I.C.V. – IRRIGATION CONTROL VALVE
- W.P. – WELL POINT
- S.P.G. – WATER SPIGOT
- B.O. – WATER BLOW OFF
- B.F.P. – WATER BACKFLOW PREVENTER
- SPK – SPRINKLER
- C.O. – SANITARY CLEANOUT
- S.S.M.H. – SANITARY SEWER MANHOLE
- G.V. – SANITARY GATE VALVE
- G.T. – GREASE TRAP
- U.M. – UNKNOWN TYPE MANHOLE
- GAS – GAS VALVE
- G.M. – GAS METER
- P.R. – PROPANE TANK
- F.P. – FLAG POLE
- T.S.P. – TRAFFIC SIGNAL POLE
- T.S.B. – TRAFFIC SIGNAL BOX
- M.W. – MONITORING WELL
- S.H. – SPRING HEAD
- B.P. – BOLLARD POST
- S.N.L. – TRAFFIC SIGN
- H.C.P. – HANDICAP PARKING
- B.M. – BENCHMARK
- M.B. – MAILBOX
- H.C.R. – HANDICAP RAMP
- A.H. – ACCESS HATCH
- R.L. – ROOF LINE
- E.P. – EDGE OF PAVEMENT
- B.C. – BACK OF CURB
- S.W.C.B. – SINGLE WING CATCH BASIN
- D.W.C.B. – DOUBLE WING CATCH BASIN
- I.E. – INVERT ELEVATION
- EL. – ELEVATION
- C.M.P. – CORRUGATED METAL PIPE
- R.C.P. – REINFORCED CONCRETE PIPE
- B.C.C.M.P. – BITUMINOUS COATED CORRUGATED PIPE
- H.D.P.E. – HIGH DENSITY POLYETHYLENE PIPE
- P.V.C. – POLYVINYL CHLORIDE PIPE
- D.I.P. – DUCTILE IRON PIPE
- R.W. – RETAINING WALL
- —T— – BURIED TELEPHONE LINE
- —\— – OVERHEAD TELEPHONE LINE
- —W— – BURIED WATER MAIN
- —SS— – BURIED SEWER LINE
- —G— – BURIED GAS LINE
- —E— – BURIED ELECTRIC LINE
- —TV— – BURIED CABLE TV
- —o— – CHAIN LINK FENCE
- —□— – WOOD FENCE
- —×— – WIRE FENCE
- —◇— – METAL FENCE
- —OHP— – OVERHEAD POWER LINES
- —•— – TRAFFIC SIGNAL LINE
- ⊂⊃ – FENCE GATE
- P/L – PROPERTY LINE
- R/W – RIGHT-OF-WAY
- N/F – NOW OR FORMERLY
- ℄ – CENTERLINE
- INTX – INTERSECTION
- R – CURVE RADIUS
- L – CURVE ARC LENGTH
- Δ – CURVE CENTRAL ANGLE
- C BRG – CHORD BEARING
- C DIST – CHORD DISTANCE
- L.L. – LAND LOT
- N – NORTHING COORDINATE
- E – EASTING COORDINATE
- S/B – SETBACK
- P.O.B. – POINT OF BEGINNING
- P.O.C. – POINT OF COMMENCEMENT
- G.D.O.T. – GEORGIA DEPARTMENT OF TRANSPORTATION
- STA. – STATION
- SQ. FT. – SQUARE FEET
- ⟷ – CONTINUOUS OWNERSHIP
- ⊕ – BUILDING HEIGHT LOCATION
- 25.5 – BUILDING HEIGHT (FROM GROUND TO ROOF PEAK)
- X 25.52 – SPOT ELEVATION
- – CONCRETE
- – WOOD DECKING
- – GRAVEL
- – ASPHALT
- – PAVERBRICK

SURVEYOR'S NOTES:

1. THIS SURVEY WAS PREPARED ON THE GEORGIA STATE PLANE COORDINATE SYSTEM, TRANSVERSE MERCATOR PROJECTION, WEST ZONE, NORTH AMERICAN DATUM OF 1983\2007 ADJUSTMENT. THE SCALE FACTOR FOR THIS SITE IS: 0.999921264. (GRID DISTANCE\SCALE FACTOR=GROUND DISTANCE). ALL COORDINATES SHOWN HEREON ARE GRID COORDINATES UNLESS OTHERWISE STATED.

2. THIS SURVEY COMPLIES WITH BOTH THE RULES OF THE GEORGIA BOARD OF REGULATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE OFFICIAL CODE OF GEORGIA ANNOTATED (OCGA) 15-6-67 AS AMENDED BY HB76 (2017).

3. CONVENTIONAL EQUIPMENT USED FOR MEASUREMENT WAS A TOPCON PS 103. GPS EQUIPMENT USED FOR MEASUREMENT WAS A CHAMPION TKO GNSS RECEIVER USING REALTIME KINEMATIC OBSERVATIONS PROCESSED THROUGH THE EGPS NETWORK.

4. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 25,102 FEET AND AN ANGULAR CLOSURE OF 00'00'03" PER ANGLE POINT, AND WAS ADJUSTED USING LEAST SQUARES RULE. FIELD PARTY D.C. & D.T.

5. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE AS FOLLOWS:

PARCEL "A" – WITHIN ONE FOOT IN 588,006 FEET.
PARCEL "B" – WITHIN ONE FOOT IN 330,214 FEET.
PARCEL "C" – WITHIN ONE FOOT IN 290,886 FEET.

6. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF TITLE REVIEW AND IS SUBJECT TO ANY RESERVATIONS, RESTRICTIONS, RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

7. THIS PLAT OF SURVEY IS FOR THE EXCLUSIVE USE OF THE PARTIES LISTED UNDER THE CAPTION "SURVEY FOR" ANY THIRD PARTY USE TO BE AT THEIR OWN RISK.

8. THE FIELD SURVEY WAS CONDUCTED ON JANUARY 27TH-31ST, FEBRUARY 17TH & 20TH, 2023.

HALL COUNTY PLAT NOTES:

1. ANY STREAM OR STATE WATER LOCATED ON THIS PROPERTY MAY BE SUBJECT TO A 50 FEET UNDISTURBED NATURAL VEGETATIVE BUFFER AND A 75 FEET IMPERVIOUS SURFACE SETBACK MEASURED FROM THE POINT OF WRESTED VEGETATION (HALL COUNTY CODE § 8.170.070).

2. IF PROPERTY IS LOCATED IN THE NORTH OCONEE WATERSHED DISTRICT, THEN ADDITIONAL STREAM BUFFERS AND IMPERVIOUS SETBACKS MAY BE REQUIRED FOR COMPLIANCE. (HALL COUNTY CODE § 17.225.040).

3. THIS PROPERTY IS NOT LOCATED WITHIN A FLOOD HAZARD AREA AS PER FIRM FLOOD INSURANCE RATE MAP OF HALL COUNTY, GA. COMMUNITY PANEL NO. 13046 0105 G, EFFECTIVE DATE: APRIL 4TH, 2018. THIS OPINION IS NOT A CERTIFICATION OF FLOOD HAZARD STATUS, BUT IS AN INTERPRETATION OF THE REFERENCED MAP AND PUBLIC DATA. IF THE EXACT LOCATION OR ELEVATIONS OF THE FLOOD HAZARD BOUNDARIES ARE NECESSARY, A MORE DETAILED STUDY MAY BE NEEDED. THIS FIRM ASSUMES NO RESPONSIBILITY OR LIABILITY FOR THE ACCURACY OF THE REFERENCED MAP OR PUBLIC DATA.

4. THIS PROPERTY OR A PORTION THEREOF IS NOT LOCATED IN THE HALL COUNTY STUDIED FLOOD ZONE PER HALL COUNTY GIS.

5. IF RESIDENTIAL PROPERTY IS SUBDIVIDED INTO SEVEN LOTS OR MORE WITH ALL LOTS ACCESSING EXISTING HALL COUNTY, GEORGIA ROADS, THEN STORMWATER MANAGEMENT IS REQUIRED FOR COMPLIANCE. (HALL COUNTY CODE § 8.180.160)

6. ALL DRIVEWAYS MUST MEET HALL COUNTY DRIVEWAY REGULATIONS PER CODE § 12.40.

7. ALL LAND DISTURBANCE OVER ONE ACRE SHALL REQUIRE AN EROSION SEDIMENTATION POLLUTION CONTROL PLAN.

SURVEYOR'S CERTIFICATION:

GEORGIA REGISTERED PROFESSIONAL No. 2647 LAND SURVEYOR CHRIS M. PATTON

HALL COUNTY SURVEYOR

AS REQUIRED BY SUBSECTION (D) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

03/01/2023
CHRIS M. PATTON, GA. R.L.S. #2647 DATE:

REGISTERED PROFESSIONAL LAND SURVEYORS

P.O. BOX 256
GAINESVILLE, GA. 30503
PHONE: (770) 532-6492
www.pattonsurveying.com

LAND SURVEYING FIRM
CERTIFICATE OF AUTHORIZATION
NUMBER LSF 001029

PATTON LAND SURVEYING, LLC

No.	DATE	DESCRIPTION
1	05-03-2023	ADDED VARIANCE LETTER AND NEW DEEDS
2	05-18-2023	ADDED DIMENSIONS PER COUNTY COMMENTS

COMPUTATIONS BY: C.K.
SURVEYED BY: D.C. & D.W.
DRAFTED BY: C.K.
CHECKED BY: C.P.

SUBDIVIDE SURVEY FOR:
STEVEN M. CRUMLEY & HOLLY V. CRUMLEY & REGINALD COCHRAN
– LOCATED IN –
LAND LOT 128
12TH LAND DISTRICT
HALL COUNTY, GEORGIA

REVISIONS

SHEET NUMBER:
1 of 3

SCALE: N/A
SURVEY DATE: 02/20/2023
PLAT DATE: 03/01/2023

22-199.dwg
JN. 22-199

THIS BLOCK IS RESERVED FOR THE CLERK OF THE SUPERIOR COURT

GRID NORTH

POINT OF COMMENCEMENT
P.K.N.S.
N:1630979.58
E:2432305.91

PROPERTY TIE:
S 11°07'55" E 2197.97'
(FROM THE CENTERLINE INTERSECTION OF FORRESTER ROAD & OLIVER MILL ROAD)

– N/F –
REGINALD COCHRAN
(NO DEED INFORMATION AVAILABLE)

WIRE FENCE (CROSSES P/L)

1/2" R.B.F.

FENCE LINE (1.8' SOUTH OF 1/2" R.B.F.)

P/L

ZONED PCPD
ZONED AR-IV

APPROXIMATE LAND LOT LINE

N 88°58'12" E 708.00'

6.6'

8.4'

COVERED CONCRETE

8.8'

CARPORT (OVER P/L 8.6')

8.6'

11.3'

20'X28' CARPORT OVER ASPHALT

3.4'

ASPHALT (OVER P/L)

DOG PINS (TYPICAL)

1/2" R.B.S.

N 88°58'12" E 122.10'

N 88°58'12" E 28.84'

3/8" R.B.F.

WIRE FENCE (CROSSES P/L)

N 88°57'20" E 1197.93'

25' S/B

32.8'

44.4'

4' WIRE FENCE

ABANDONED P/L

CONCRETE POOL EQUIPMENT PAD

POOL

HOT TUB

12.8'

10.6'

13'X20' WOOD BUILDING

14'X24 WOOD BUILDING

STEPS

17.2'

4.7'

CONCRETE DOG PINS (TO BE REMOVED)

METAL BUILDING "TO BE REMOVED"

15' S/B

231.19'

20.5'X22' CARPORT OVER CONCRETE

CONCRETE DRIVEWAY

5.8'

30.8'

38.5'

24.4'

10.5'

8.6'

COVERED PORCH

WALL

STEPS

10.0'

24'X27' WOOD GARAGE

31.9'

PARCEL "A"

– N/F –
STEVEN M. CRUMLEY & HOLLY V. CRUMLEY
(DEED BOOK 3547, PAGES 198 & 199)
(SURVEY REFERENCE "A")

CONCRETE DRIVEWAY

PLANTED MEDIAN

PROPOSED 10' WATER LINE EASEMENT

100' WELL RADIUS (NO SEPTIC)

COVERED CONCRETE

13'X24 WOOD BUILDING

44.7'

11.5' ASPHALT DRIVEWAY

S 48°02'45" W 519.79'

1.5' CONCRETE WALK

WOOD GAZEBO

STEP

R.L.

30.0'

48.0'

11.4'

17.4'X20' WOOD BUILDING

3" CONCRETE WALK

ASPHALT PARKING

9'X20' WOOD BUILDING

WOOD DECK

COVERED PORTECOCHERE

10.9'

13.0'

8.8'

1 STORY METAL BUILDING WITH KENNELS

83.5'

83.6'

18.2'

20.0'

14.9'

13'x20' CARPORT

5' CHAIN LINK FENCE (TYPICAL)

ABANDONED P/L

48.7'

69.7'

60.3'

S 75°18'07" W 326.53'

1/2" R.B.F.

– N/F –
GERRAN GILMER SYFAN, AS EXECUTOR OF THE ESTATE OF REGINOLD COCHRAN
(DEED BOOK 9299, PAGES 461–463)

MATCH LINE "A" (SEE SHEET 3 OF 3)

FORRESTER ROAD
(80' WIDE PUBLIC RIGHT-OF-WAY)

– N/F –
JOSHUA DAVID MILLER & ROXIE DANIELLE MILLER
(DEED BOOK 7536, PAGES 340–342)
(SURVEY REFERENCE "B")

1/2" R.B.F.

N 17°57'01" W 271.11'

15' S/B

POINT OF BEGINNING
(1/2" R.B.F.)

40' S/B

N 28°24'08" W 77.83'

11' ASPHALT DRIVEWAY

S 63°09'11" W 178.16'

P.K.N.S.

BUSINESS SIGN

40.0'

ASPHALT DRIVEWAY

PROPOSED 20' INGRESS & EGRESS EASEMENT

50' INGRESS & EGRESS EASEMENT
(DEED BOOK 3547, PAGES 198 & 199)

PARCEL "B"

– N/F –
STEVEN M. CRUMLEY & HOLLY V. CRUMLEY
(DEED BOOK 3547, PAGES 198 & 199)
(SURVEY REFERENCE "A")

239.6'

214.3'

(TIE LINE)
N 01°49'49" E
140.00'

S 19°54'40" W 219.46'

S 01°52'35" W 114.83'

1/2" R.B.F.

3/8" R.B.F.

S 62°20'26" W 68.74'

S 03°14'24" W 334.25'

(TIE LINE)
N 08°07'33" E 337.63'

PARCEL "C"

– N/F –
REGINALD COCHRAN
(DEED BOOK 2014, PAGES 23 & 24)
(SURVEY REFERENCE "A")

S 01°15'03" W 169.02'

1/2" R.B.S.

(TIE LINE)
N 46°36'10" E
83.15'

– N/F –
STEVEN M. CRUMLEY & HOLLY V. CRUMLEY
(DEED BOOK 9299, PAGES 464–466)

LINE	BEARING	DISTANCE
L1	N 45°06'08" W	56.64'
L2	N 35°14'36" W	50.79'
L3	S 82°00'03" W	50.49'
L4	N 86°25'12" W	54.18'
L5	N 80°55'34" W	41.80'
L6	N 71°24'30" W	49.95'
L7	N 62°47'14" W	70.65'
L8	N 78°52'11" W	60.88'
L9	N 73°27'08" W	53.03'
L10	N 62°54'56" W	58.45'
L11	N 54°04'15" W	59.15'
L12	N 52°50'14" W	39.91'
L13	N 49°44'00" W	45.49'
L14	N 49°48'56" W	49.32'
L15	S 83°24'23" W	34.38'

50' 0' 50' 100' 150'
GRAPHIC SCALE – 1 INCH = 50 FEET

REGISTERED PROFESSIONAL LAND SURVEYORS

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LAND SURVEYING FIRM
CERTIFICATE OF AUTHORIZATION
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PATTON
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COMPUTATIONS BY: C.K.
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DRAFTED BY: C.K.
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SUBDIVIDE SURVEY FOR:
STEVEN M. CRUMLEY & HOLLY V. CRUMLEY & REGINALD COCHRAN
– LOCATED IN –
LAND LOT 128
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HALL COUNTY, GEORGIA

REVISIONS

No.	DATE	DESCRIPTION
1	05-03-2023	ADDED VARIANCE LETTER AND NEW DEEDS
2	05-18-2023	ADDED DIMENSIONS PER COUNTY COMMENTS

SHEET NUMBER:
2 of 3
SCALE: 1" = 50'
SURVEY DATE: 02/20/2023
PLAT DATE: 03/01/2023
22-199.dwg
JN. 22-199

THIS BLOCK IS RESERVED FOR THE CLERK OF THE SUPERIOR COURT

GRID NORTH

MATCH LINE "A" (SEE SHEET 3 OF 3)

– N/F –
REGINALD COCHRAN
(NO DEED INFORMATION AVAILABLE)

ZONED PCFD
ZONED AR-IV

ZONED AR-IV
ZONED PCFD

APPROXIMATE LAND LOT LINE

N 88°57'20" E 1197.93'

25' S/B

25' S/B

LL 129

LL 134

1/2" R.B.S.

LL 128

LL 135

APPROXIMATE LAND LOT LINE

P/L

– N/F –
BRIAN K. ROGERS & RHONDA K. ROGERS
(DEED BOOK 3155, PAGE 229)
(PLAT SLIDE 685, PAGE 185A)

PARCEL "C"

– N/F –
REGINALD COCHRAN
(DEED BOOK 2014, PAGES 23 & 24)
(SURVEY REFERENCE "A")

15' S/B

S 51°05'29" W 850.56'

1/2" R.B.F.
(N 03°21'09" W 0.67'
FROM 1/2" R.B.F.)

15' S/B

S 75°18'07" W 326.53'

1/2" R.B.S.

15' S/B

N 59°31'13" W 285.18'

– N/F –
BEAVER DAM POND, LLC
(DEED BOOK 7149, PAGES 706-712)

– N/F –
KATIE HELEN ASKEW
(DEED BOOK 8940, PAGES 264-267)
(SURVEY REFERENCE "C")

1/2" R.B.F.

3/8" R.B.F.
(S 81°28'18" E 2.84'
FROM 1/2" R.B.F.)

P/L

50' 0' 50' 100' 150'

GRAPHIC SCALE – 1 INCH = 50 FEET

REGISTERED PROFESSIONAL
LAND SURVEYORS

P.O. BOX 256
GAINESVILLE, GA. 30503
PHONE: (770) 532-6492
www.pattonsurveying.com

LAND SURVEYING FIRM
CERTIFICATE OF AUTHORIZATION
NUMBER LSF 001029

PATTON
LAND SURVEYING, LLC

COMPUTATIONS BY: C.K.
SURVEYED BY: D.C. & D.W.
DRAFTED BY: C.K.
CHECKED BY: C.P.

SUBDIVIDE SURVEY FOR:

STEVEN M. CRUMLEY & HOLLY V. CRUMLEY & REGINALD COCHRAN

– LOCATED IN –

LAND LOT 128
12TH LAND DISTRICT
HALL COUNTY, GEORGIA

REVISIONS

No.	DATE	DESCRIPTION
1	05-03-2023	ADDED VARIANCE LETTER AND NEW DEEDS
2	05-18-2023	ADDED DIMENSIONS PER COUNTY COMMENTS

SHEET NUMBER:

3 of 3

SCALE: 1" = 50'

SURVEY DATE: 02/20/2023

PLAT DATE: 03/01/2023

22-199.dwg

JN. 22-199

SUBDIVIDE SURVEY FOR:
STEVEN M. CRUMLEY & HOLLY V. CRUMLEY
& REGINALD COCHRAN

THIS BLOCK IS RESERVED FOR THE CLERK OF THE SUPERIOR COURT

HALL COUNTY GEORGIA

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

T 770.531.6809 | F 770.531.3902

DIRECTOR
Srikanth Yamala

PLANNING AND DEVELOPMENT DIRECTOR
Randi Doveton

Hall County Government
COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PLANNING AND DEVELOPMENT

April 19, 2023

Steven & Holly Crumley
8730 Forrester Road
Lula, GA 30554

Dear Property Owner:

On April 17, 2023 the Hall County Planning Commission voted to approve, with conditions your application for **8730 Forrester Road | Variance |** for a road frontage variance from 50 feet to 0 feet on a 9.5± acre tract located on the east side of Forrester Road at approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 | **Proposed use: subdivide property |** Commission District 3 | **Steven & Holly Crumley, applicants.**

Conditions:

1. *No further subdivision of the two newly created parcels shall be allowed.*
2. *No expansion of the commercial kennel or its services shall be allowed. If expansion has occurred that is not included in the 2007 approval, the applicant shall submit a conditional use request to bring the commercial kennel operations into compliance.*
3. *No residential dwelling may be added to the tract containing the commercial kennel.*
4. *The following note shall be placed on the plat of record: "Purchaser understands that to the extent that the property is accessed through the current common access driveway, and non-exclusive perpetual easement, the current common access driveway is not maintained by Hall County, does not meet Hall County's common driveway standards, and may not be accessible to emergency vehicles."*
5. *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."*
6. *Standard Hall County platting procedures shall be followed to include the plat by Patton Land Surveying, LLC dated March 1, 2023.*
7. *All conditions of approval shall be included on any plat created for the property.*

The Planning Commission's decision on this item will be the final action taken **unless appealed.** The Planning Commission's decision regarding the above request **may be appealed** to the Hall County Board of Commissioners by filing an application and **appropriate appeal fee** with the Hall County Planning Department within five working days of the date of the Planning Commission's decision.

www.hallcounty.org

If appealed, the above-referenced request will be heard by the Hall County Board of Commissioners at a public hearing on **Tuesday, April 25, 2023 at 6:00 p.m.** at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Approval of your application by the Board is valid for one year. Failure to obtain the proper permits and/or licenses and proceed with the building, occupancy or establishment of business within that time will result in the Board's approval becoming null and void.

Please remember that removal of all Public Notice signs posted on the property is your responsibility and should be removed within five (5) working days following the Planning Commission's decision.

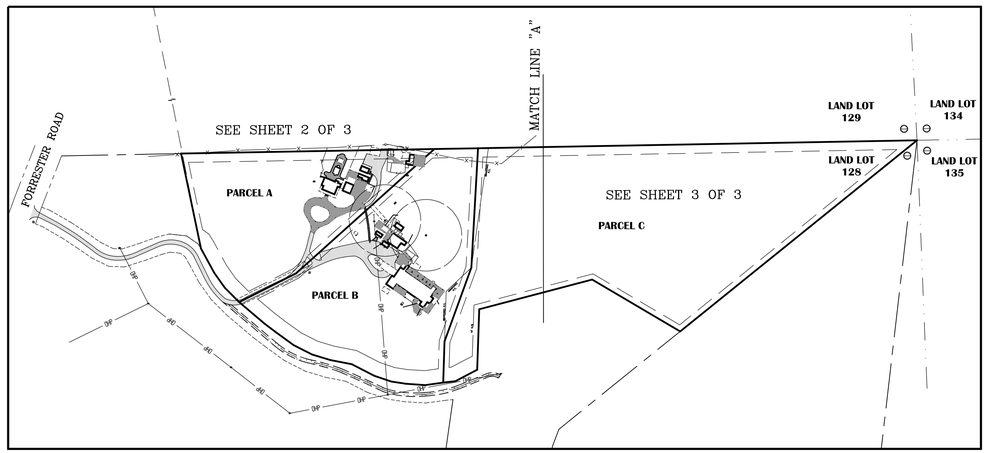
If you have any questions, please call this office.

Sincerely,

Randi Doveton
Director

/ad

VICINITY MAP
(NOT TO SCALE)



INDEX SHEET
(SCALE 1"=200')

ZONING AND BUILDING SETBACKS (S/B):

INFORMATION PROVIDED BY HALL COUNTY G.I.S.
WEB SITE LOCATED AT: http://gis.hallcounty.org/Public/WebPages/Map/FundyViewer.aspx

CURRENT HALL COUNTY ZONING:
AR-IV – AGRICULTURAL RESIDENTIAL IV

BUILDING SETBACKS:
FRONT: 40' FROM RIGHT-OF-WAY LINE OR 65' FROM CENTERLINE ROAD (WHICHEVER IS GREATER)
SIDE: 15' FROM PROPERTY LINE
REAR: 25' FROM PROPERTY LINE

REFERENCES:

1. DEED BOOK 3547, PAGES 198 & 199
2. DEED BOOK 2014, PAGES 23 & 24
3. DEED BOOK 7536, PAGES 340-342
4. DEED BOOK 8940, PAGES 264-267
5. DEED BOOK 7149, PAGES 706-712
6. DEED BOOK 3155, PAGE 229
7. PLAT SLIDE 685, PAGE 185A
A. SURVEY PREPARED BY FARLEY-COLLINS ASSOCIATES FOR REGINALD COCHRAN, JOB #5345, DATED JULY 23RD, 1993.
B. SURVEY PREPARED BY FARLEY-COLLINS ASSOCIATES FOR FREEMAN OLIVER & MARY OLIVER, JOB #5345, DATED JULY 23RD, 1993.
C. SURVEY PREPARED BY FARLEY-COLLINS ASSOCIATES FOR SHERYL ASKEW, JOB #5345, DATED JULY 23RD, 1993.

AREAS:
PARCEL A: 3.93 ACRES
PARCEL B: 5.57 ACRES
PARCEL C: 10.07 ACRES

WATER SERVICE BY:
INDIVIDUAL WELLS

SEWER SERVICE BY:
ON SITE SEPTIC MANAGEMENT SYSTEMS

LEGEND:

- A.I.F. – ANGLE IRON FOUND
- A.F. – AXLE FOUND
- C.M.F. – CONCRETE MONUMENT FOUND
- A.M.F. – ALUMINUM MONUMENT FOUND
- C.T.F. – CRIMP TOP PIN FOUND
- R.B.F. – REBAR FOUND (SEE DRAWING FOR SIZE)
- O.T.F. – OPEN TOP FOUND (SEE DRAWING FOR SIZE)
- I.P.F. – IRON PIN FOUND
- P.K.N.F. – PARKER KALON NAIL FOUND
- F.X. – X-CUT FOUND
- N.F. – NAIL FOUND
- R.F. – ROCK FOUND
- R.R.F. – RAILROAD SPIKE FOUND
- T.F. – TACK FOUND
- P.K.N.S. – PARKER KALON NAIL SET
- R.B.S. – 1/2" REBAR SET & CAP STAMPED "LSF 1029"
- C.M.S. – CONCRETE MONUMENT SET
- N.S. – NAIL SET
- C.P. – CALCULATED POINT
- D.I. – DROP INLET
- J.B. – JUNCTION BOX
- W.I. – WIER INLET
- Y.I. – YARD INLET
- C.V. – CABLE TV VAULT
- C.R. – CABLE RISER
- T.R. – TELEPHONE RISER
- T.V. – TELEPHONE VAULT
- T.P. – TELEPHONE POLE
- T.M.H. – TELEPHONE MANHOLE
- U.T.B. – UNDERGROUND TELEPHONE BOX
- A.C. – AIR CONDITIONER
- P.B. – POWER TRANSFORMER BOX
- E.P.B. – ELECTRIC PULL BOX
- E.M. – ELECTRIC METER
- P.P. – POWER POLE
- F.L. – FLOOD LIGHT
- S.P. – SERVICE POLE
- L.P. – LIGHT POLE
- G.W. – GUY WIRE
- G.P. – GUY ANCHOR POLE
- E.S. – ELECTRIC SERVICE
- W.M. – WATER METER
- W.V. – WATER VALVE
- F.H. – FIRE HYDRANT
- F.D.C. – FIRE DEPARTMENT CONNECTION
- I.C.V. – IRRIGATION CONTROL VALVE
- W.P. – WELL POINT
- S.P.G. – WATER SPIGOT
- B.O. – WATER BLOW OFF
- B.F.P. – WATER BACKFLOW PREVENTER
- SPK – SPRINKLER
- C.O. – SANITARY CLEANOUT
- S.S.M.H. – SANITARY SEWER MANHOLE
- G.V. – SANITARY GATE VALVE
- G.T. – GREASE TRAP
- U.M. – UNKNOWN TYPE MANHOLE
- GAS – GAS VALVE
- G.M. – GAS METER
- P.R. – PROPANE TANK
- F.P. – FLAG POLE
- T.S.P. – TRAFFIC SIGNAL POLE
- T.S.B. – TRAFFIC SIGNAL BOX
- M.W. – MONITORING WELL
- S.H. – SPRING HEAD
- B.P. – BOLLARD POST
- S.N.L. – TRAFFIC SIGN
- H.C.P. – HANDICAP PARKING
- B.M. – BENCHMARK
- M.B. – MAILBOX
- H.C.R. – HANDICAP RAMP
- A.H. – ACCESS HATCH
- R.L. – ROOF LINE
- E.P. – EDGE OF PAVEMENT
- B.C. – BACK OF CURB
- S.W.C.B. – SINGLE WING CATCH BASIN
- D.W.C.B. – DOUBLE WING CATCH BASIN
- I.E. – INVERT ELEVATION
- EL. – ELEVATION
- C.M.P. – CORRUGATED METAL PIPE
- R.C.P. – REINFORCED CONCRETE PIPE
- B.C.C.M.P. – BITUMINOUS COATED CORRUGATED PIPE
- H.D.P.E. – HIGH DENSITY POLYETHYLENE PIPE
- P.V.C. – POLYVINYL CHLORIDE PIPE
- D.I.P. – DUCTILE IRON PIPE
- R.W. – RETAINING WALL
- —T— – BURIED TELEPHONE LINE
- —\— – OVERHEAD TELEPHONE LINE
- —W— – BURIED WATER MAIN
- —SS— – BURIED SEWER LINE
- —G— – BURIED GAS LINE
- —E— – BURIED ELECTRIC LINE
- —TV— – BURIED CABLE TV
- —o—— – CHAIN LINK FENCE
- —□—— – WOOD FENCE
- —×—— – WIRE FENCE
- —◇—— – METAL FENCE
- —OHP— – OVERHEAD POWER LINES
- —•—•— – TRAFFIC SIGNAL LINE
- – FENCE GATE
- P/L – PROPERTY LINE
- R/W – RIGHT-OF-WAY
- N/F – NOW OR FORMERLY
- ℄ – CENTERLINE
- INTX – INTERSECTION
- R – CURVE RADIUS
- L – CURVE ARC LENGTH
- Δ – CURVE CENTRAL ANGLE
- C BRG – CHORD BEARING
- C DIST – CHORD DISTANCE
- L.L. – LAND LOT
- N – NORTHING COORDINATE
- E – EASTING COORDINATE
- S/B – SETBACK
- P.O.B. – POINT OF BEGINNING
- P.O.C. – POINT OF COMMENCEMENT
- G.D.O.T. – GEORGIA DEPARTMENT OF TRANSPORTATION
- STA. – STATION
- SQ. FT. – SQUARE FEET
- ⟷ – CONTINUOUS OWNERSHIP
- ⌖ – BUILDING HEIGHT LOCATION
- 25.5' – BUILDING HEIGHT (FROM GROUND TO ROOF PEAK)
- X 25.52 – SPOT ELEVATION
- – CONCRETE
- – WOOD DECKING
- – GRAVEL
- – ASPHALT
- – PAVERBRICK

SURVEYOR'S CERTIFICATION:

GEORGIA REGISTERED PROFESSIONAL No. 2647 LAND SURVEYOR CHRIS M. PATTON

HALL COUNTY SURVEYOR

AS REQUIRED BY SUBSECTION (D) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

Chris M. Patton — 03/01/2023

CHRIS M. PATTON, GA. R.L.S. #2647 — DATE:

SURVEYOR'S NOTES:

1. THIS SURVEY WAS PREPARED ON THE GEORGIA STATE PLANE COORDINATE SYSTEM, TRANSVERSE MERCATOR PROJECTION, WEST ZONE, NORTH AMERICAN DATUM OF 1983\2007 ADJUSTMENT. THE SCALE FACTOR FOR THIS SITE IS: 0.999921264. (GRID DISTANCE\SCALE FACTOR=GROUND DISTANCE). ALL COORDINATES SHOWN HEREON ARE GRID COORDINATES UNLESS OTHERWISE STATED.

2. THIS SURVEY COMPLIES WITH BOTH THE RULES OF THE GEORGIA BOARD OF REGULATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE OFFICIAL CODE OF GEORGIA ANNOTATED (OCGA) 15-6-67 AS AMENDED BY HB76 (2017).

3. CONVENTIONAL EQUIPMENT USED FOR MEASUREMENT WAS A TOPCON PS 103. GPS EQUIPMENT USED FOR MEASUREMENT WAS A CHAMPION TKO GNSS RECEIVER USING REALTIME KINEMATIC OBSERVATIONS PROCESSED THROUGH THE EGPS NETWORK.

4. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 25,102 FEET AND AN ANGULAR CLOSURE OF 00'00'03" PER ANGLE POINT, AND WAS ADJUSTED USING LEAST SQUARES RULE. FIELD PARTY D.C. & D.T.

5. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE AS FOLLOWS:

PARCEL "A" – WITHIN ONE FOOT IN 588,006 FEET.
PARCEL "B" – WITHIN ONE FOOT IN 330,214 FEET.
PARCEL "C" – WITHIN ONE FOOT IN 290,886 FEET.

6. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF TITLE REVIEW AND IS SUBJECT TO ANY RESERVATIONS, RESTRICTIONS, RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

7. THIS PLAT OF SURVEY IS FOR THE EXCLUSIVE USE OF THE PARTIES LISTED UNDER THE CAPTION "SURVEY FOR" ANY THIRD PARTY USE TO BE AT THEIR OWN RISK.

8. THE FIELD SURVEY WAS CONDUCTED ON JANUARY 27TH-31ST, FEBRUARY 17TH & 20TH, 2023.

HALL COUNTY PLAT NOTES:

1. ANY STREAM OR STATE WATER LOCATED ON THIS PROPERTY MAY BE SUBJECT TO A 50 FEET UNDISTURBED NATURAL VEGETATIVE BUFFER AND A 75 FEET IMPERVIOUS SURFACE SETBACK MEASURED FROM THE POINT OF WRESTED VEGETATION (HALL COUNTY CODE § 8.170.070).

2. IF PROPERTY IS LOCATED IN THE NORTH OCONEE WATERSHED DISTRICT, THEN ADDITIONAL STREAM BUFFERS AND IMPERVIOUS SETBACKS MAY BE REQUIRED FOR COMPLIANCE. (HALL COUNTY CODE § 17.225.040).

3. THIS PROPERTY IS NOT LOCATED WITHIN A FLOOD HAZARD AREA AS PER FIRM FLOOD INSURANCE RATE MAP OF HALL COUNTY, GA. COMMUNITY PANEL NO. 13046 0105 G, EFFECTIVE DATE: APRIL 4TH, 2018. THIS OPINION IS NOT A CERTIFICATION OF FLOOD HAZARD STATUS, BUT IS AN INTERPRETATION OF THE REFERENCED MAP AND PUBLIC DATA. IF THE EXACT LOCATION OR ELEVATIONS OF THE FLOOD HAZARD BOUNDARIES ARE NECESSARY, A MORE DETAILED STUDY MAY BE NEEDED. THIS FIRM ASSUMES NO RESPONSIBILITY OR LIABILITY FOR THE ACCURACY OF THE REFERENCED MAP OR PUBLIC DATA.

4. THIS PROPERTY OR A PORTION THEREOF IS NOT LOCATED IN THE HALL COUNTY STUDIED FLOOD ZONE PER HALL COUNTY GIS.

5. IF RESIDENTIAL PROPERTY IS SUBDIVIDED INTO SEVEN LOTS OR MORE WITH ALL LOTS ACCESSING EXISTING HALL COUNTY, GEORGIA ROADS, THEN STORMWATER MANAGEMENT IS REQUIRED FOR COMPLIANCE. (HALL COUNTY CODE § 8.180.160)

6. ALL DRIVEWAYS MUST MEET HALL COUNTY DRIVEWAY REGULATIONS PER CODE § 12.40.

7. ALL LAND DISTURBANCE OVER ONE ACRE SHALL REQUIRE AN EROSION SEDIMENTATION POLLUTION CONTROL PLAN.

REGISTERED PROFESSIONAL LAND SURVEYORS

P.O. BOX 256
GAINESVILLE, GA. 30503
PHONE: (770) 532-6492
www.pattonsurveying.com

LAND SURVEYING FIRM
CERTIFICATE OF AUTHORIZATION
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– LOCATED IN –
LAND LOT 128
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HALL COUNTY, GEORGIA

REVISIONS

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1	05-03-2023	ADDED VARIANCE LETTER AND NEW DEEDS

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1 of 3

SCALE: N/A
SURVEY DATE: 02/20/2023
PLAT DATE: 03/01/2023

22-199.dwg
JN. 22-199

THIS BLOCK IS RESERVED FOR THE CLERK OF THE SUPERIOR COURT

GRID NORTH

POINT OF COMMENCEMENT
P.K.N.S.
N:1630979.58
E:2432305.91

PROPERTY TIE:
S 11°07'55" E 2197.97'
(FROM THE CENTERLINE INTERSECTION OF FORRESTER ROAD & OLIVER MILL ROAD)

– N/F –
REGINALD COCHRAN
(NO DEED INFORMATION AVAILABLE)

WIRE FENCE (CROSSES P/L)

1/2" R.B.F.

FENCE LINE (1.8' SOUTH OF 1/2" R.B.F.)

P/L

ZONED PCPD
ZONED AR-IV

APPROXIMATE LAND LOT LINE

N 88°58'12" E 708.00'

6.6'

8.4'

COVERED CONCRETE

8.8'

11.3'

CARPORT (OVER P/L 8.6')

8.6'

20'X28' CARPORT OVER ASPHALT

3.4'

ASPHALT (OVER P/L)

DOG PINS (TYPICAL)

1/2" R.B.S.

N 88°58'12" E 28.84'

3/8" R.B.F.

WIRE FENCE (CROSSES P/L)

N 88°57'20" E 1197.93'

N 88°58'12" E 122.10'

32.8'

44.4'

25' S/B

4' WIRE FENCE

ABANDONED P/L

– N/F –
GERRAN GILMER SYFAN, AS EXECUTOR OF THE ESTATE OF REGINOLD COCHRAN
(DEED BOOK 9299, PAGES 461–463)

MATCH LINE "A" (SEE SHEET 3 OF 3)

FORRESTER ROAD
(80' WIDE PUBLIC RIGHT-OF-WAY)

– N/F –
JOSHUA DAVID MILLER & ROXIE DANIELLE MILLER
(DEED BOOK 7536, PAGES 340–342)
(SURVEY REFERENCE "B")

N 17°57'01" W 271.11'

15' S/B

POINT OF BEGINNING
(1/2" R.B.F.)

N 28°24'08" W 77.83'

40' S/B

11' ASPHALT DRIVEWAY

S 63°09'11" W 178.16'

ASPHALT DRIVEWAY

PROPOSED 20' INGRESS & EGRESS EASEMENT

BUSINESS SIGN

40.0'

P.K.N.S.

50' INGRESS & EGRESS EASEMENT
(DEED BOOK 3547, PAGES 198 & 199)

PARCEL "A"

– N/F –
STEVEN M. CRUMLEY & HOLLY V. CRUMLEY
(DEED BOOK 3547, PAGES 198 & 199)
(SURVEY REFERENCE "A")

CONCRETE POOL EQUIPMENT PAD

POOL

HOT TUB

13'X12' WOOD BUILDING

14'X24' WOOD BUILDING

STEPS

CONCRETE DOG PINS (TO BE REMOVED)

17.2'

4.7'

METAL BUILDING "TO BE REMOVED"

15' S/B

231.19'

20.5'X22' CARPORT OVER CONCRETE

CONCRETE DRIVEWAY

COVERED PORCH

WALL

STEPS

24'X27' WOOD GARAGE

PLANTED MEDIAN

PROPOSED 10' WATER LINE EASEMENT

100' WELL RADIUS (NO SEPTIC)

COVERED CONCRETE

13'X24' WOOD BUILDING

11.5' ASPHALT DRIVEWAY

S 48°02'45" W 519.79'

1.5' CONCRETE WALK

WOOD GAZEBO

STEP

3' CONCRETE WALK

ASPHALT PARKING

9'X20' WOOD BUILDING

14'X20' WOOD BUILDING

WOOD DECK

COVERED PORTECOCHERE

COVERED CONCRETE

CONCRETE

1 STORY BUILDING WITH KENNELS

83.5'

83.6'

18.2'

13'x20' CARPORT

5' CHAIN LINK FENCE (TYPICAL)

239.6'

214.3'

(TIE LINE) N 01°49'49" E 140.00'

ABANDONED P/L

PARCEL "B"

– N/F –
STEVEN M. CRUMLEY & HOLLY V. CRUMLEY
(DEED BOOK 3547, PAGES 198 & 199)
(SURVEY REFERENCE "A")

PARCEL "C"

– N/F –
REGINALD COCHRAN
(DEED BOOK 2014, PAGES 23 & 24)
(SURVEY REFERENCE "A")

S 03°14'24" W 334.25'

(TIE LINE) N 08°07'33" E 337.63'

15' S/B

1/2" R.B.S.

(TIE LINE) N 46°36'07" E 46.70'

– N/F –
STEVEN M. CRUMLEY & HOLLY V. CRUMLEY
(DEED BOOK 9299, PAGES 464–466)

ABANDONED P/L

S 75°18'07" W 326.53'

1/2" R.B.F.

– N/F –
KATIE HELEN ASKEW
(DEED BOOK 8940, PAGES 264–267)
(SURVEY REFERENCE "C")

S 19°34'40" W 218.48'

69.7'

60.3'

S 01°52'35" W 114.83'

S 01°15'03" W 169.02'

40' S/B

3/8" R.B.F.

1/2" R.B.F.

S 62°20'26" W 68.74'

LINE	BEARING	DISTANCE
L1	N 45°06'08" W	56.64'
L2	N 35°14'36" W	50.79'
L3	S 82°00'03" W	50.49'
L4	N 86°25'12" W	54.18'
L5	N 80°55'34" W	41.80'
L6	N 71°24'30" W	49.95'
L7	N 62°47'14" W	70.65'
L8	N 78°52'11" W	60.88'
L9	N 73°27'08" W	53.03'
L10	N 62°54'56" W	58.45'
L11	N 54°04'15" W	59.15'
L12	N 52°50'14" W	39.91'
L13	N 49°44'00" W	45.49'
L14	N 49°48'56" W	49.32'
L15	S 83°24'23" W	34.38'

50' 0' 50' 100' 150'
GRAPHIC SCALE – 1 INCH = 50 FEET

REGISTERED PROFESSIONAL LAND SURVEYORS

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GRID NORTH

MATCH LINE "A" (SEE SHEET 3 OF 3)

– N/F –
REGINALD COCHRAN
(NO DEED INFORMATION AVAILABLE)

ZONED PCFD
ZONED AR-IV

ZONED AR-IV
ZONED PCFD

APPROXIMATE LAND LOT LINE

N 88°57'20" E 1197.93'

25' S/B

25' S/B

L.L. 129

L.L. 134

L.L. 128

L.L. 135

1/2" R.B.S.

APPROXIMATE LAND LOT LINE

P/L

– N/F –
BRIAN K. ROGERS & RHONDA K. ROGERS
(DEED BOOK 3155, PAGE 229)
(PLAT SLIDE 685, PAGE 185A)

PARCEL "C"

– N/F –
REGINALD COCHRAN
(DEED BOOK 2014, PAGES 23 & 24)
(SURVEY REFERENCE "A")

15' S/B

S 51°05'29" W 850.56'

1/2" R.B.F.
(N 03°21'09" W 0.67'
FROM 1/2" R.B.F.)

15' S/B

S 75°18'07" W 326.53'

1/2" R.B.S.

15' S/B

N 59°31'13" W 285.18'

– N/F –
KATIE HELEN ASKEW
(DEED BOOK 8940, PAGES 264–267)
(SURVEY REFERENCE "C")

1/2" R.B.F.

3/8" R.B.F.
(S 81°28'18" E 2.84'
FROM 1/2" R.B.F.)

P/L

– N/F –
BEAVER DAM POND, LLC
(DEED BOOK 7149, PAGES 706–712)

50' 0' 50' 100' 150'

GRAPHIC SCALE – 1 INCH = 50 FEET

REGISTERED PROFESSIONAL
LAND SURVEYORS

P.O. BOX 256
GAINESVILLE, GA. 30503
PHONE: (770) 532–6492
www.pattonsurveying.com

LAND SURVEYING FIRM
CERTIFICATE OF AUTHORIZATION
NUMBER LSF 001029

PATTON
LAND SURVEYING, LLC

COMPUTATIONS BY: C.K.
SURVEYED BY: D.C. & D.W.
DRAFTED BY: C.K.
CHECKED BY: C.P.

SUBDIVIDE SURVEY FOR:

STEVEN M. CRUMLEY & HOLLY V. CRUMLEY & REGINALD COCHRAN

– LOCATED IN –

LAND LOT 128
12TH LAND DISTRICT
HALL COUNTY, GEORGIA

REVISIONS

No.	DATE	DESCRIPTION
1	05-03-2023	ADDED VARIANCE LETTER AND NEW DEEDS

SHEET NUMBER:

3 of 3

SCALE: 1" = 50'

SURVEY DATE: 02/20/2023

PLAT DATE: 03/01/2023

22-199.dwg

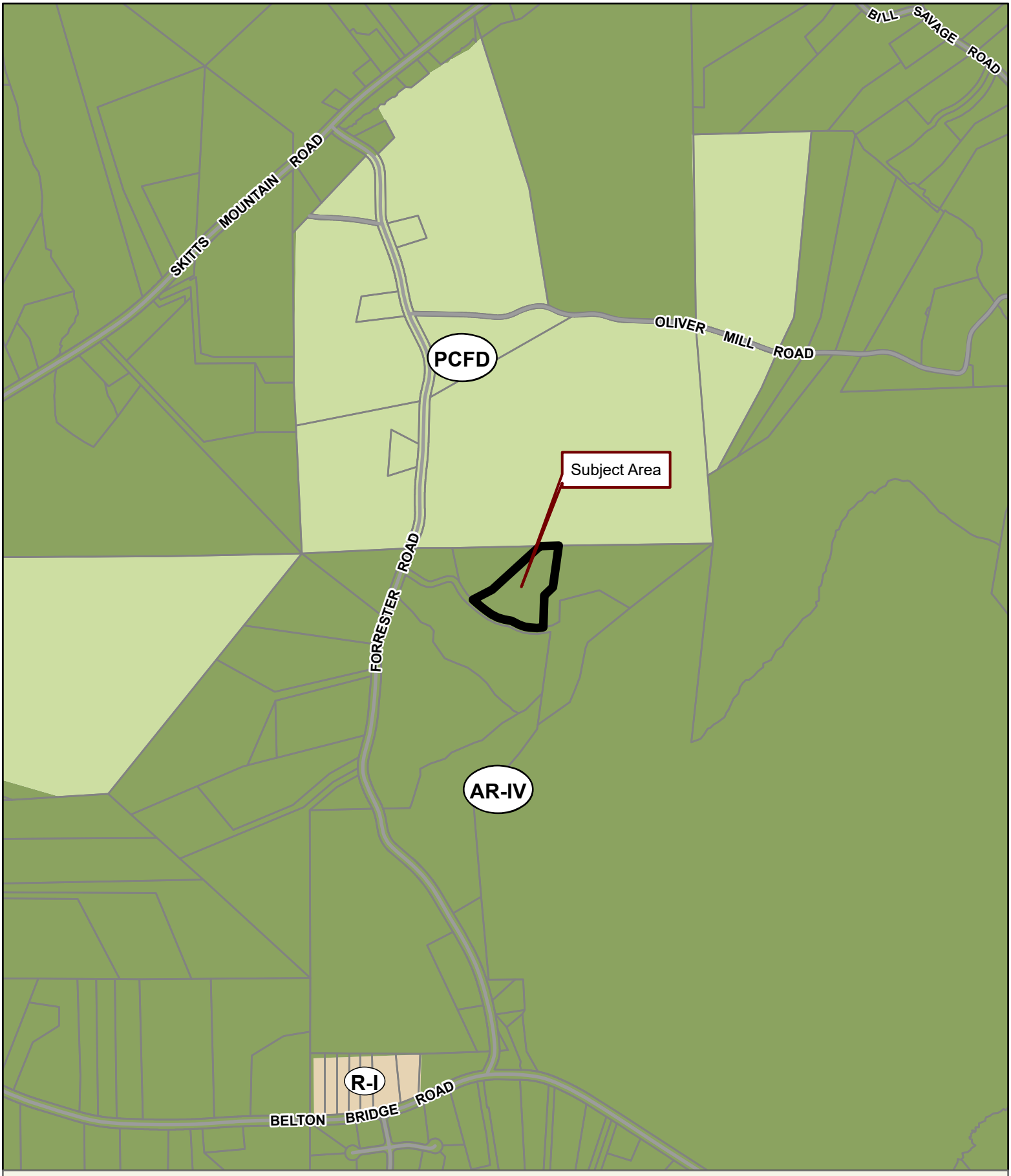
JN. 22-199

Applicant: STEVEN & HOLLY CRUMLEY
Tax Parcel #: 12128 000009 (PT.)
Location: 8730 FORRESTER ROAD, LULA, GA 30554
Commission District 3 **PC Mtg. Date: 10/2/23**

0 75 150 300
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N



Applicant: STEVEN & HOLLY CRUMLEY
Tax Parcel #: 12128 000009 (PT.)
Location: 8730 FORRESTER ROAD, LULA, GA 30554
Commission District 3 **PC Mtg. Date: 10/2/23**

0 250 500 1,000
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N

Applicant: STEVEN & HOLLY CRUMLEY
Tax Parcel #: 12128 000009 (PT.)
Location: 8730 FORRESTER ROAD, LULA, GA 30554
Commission District 3 **PC Mtg. Date: 10/2/23**

0 75 150 300
Feet

Zoning Boundary
City Limits
Subject Area

N

Watch your Head!! 6'8"

For the comfort
of our guests
and your safety,
please look but
don't touch

Visitors This Way
For the comfort of our guests and your safety, please look but don't touch

Hisense

EEK!
New

EEK!
Nebulizer
puppybaker

EEK!
BROODER.ICU
Intensive Care Unit
Intensive Care Unit
puppy

PUPPY CUL
by Miss L

Mom Dad		All	Born	Exp	Had	Alive		Dead
Cinderella\ Bobby		5/2	5/4	4-5	3	2		
Winslet\ Banjo		5/5	4/30	6	7	2		
Gemma\ Harry		4/30	4/27	5	6	6		
Shiloh\ Harry		4/25	4/19	8	8	5		
Osin / Banjo		5/15		5				
Sweets\ Gabe		4/30		8				

TC4Y

MD

OUT

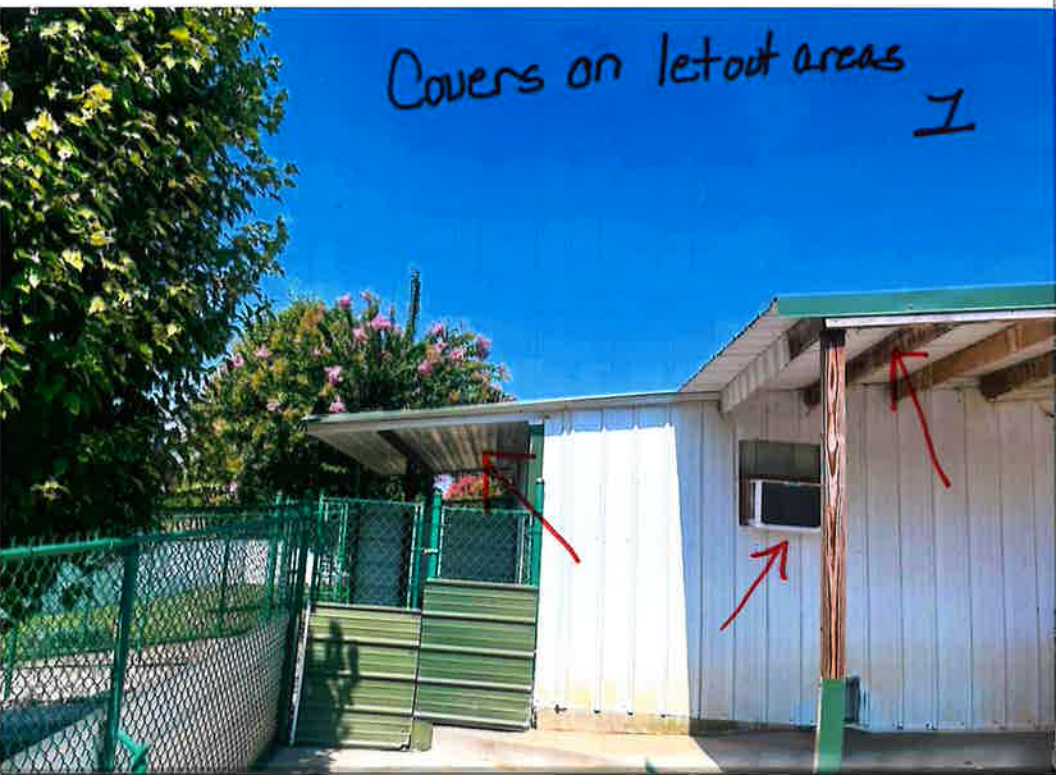
Autonics

simply saving puppies

puppywarmer®

www.puppywarmer.com

PUSH


Covers on letout areas
I

#2

#3

Privacy fence #4

Portable garage for covered lettuts
#5

#6
Covered
Letouts

#7

#8

#9

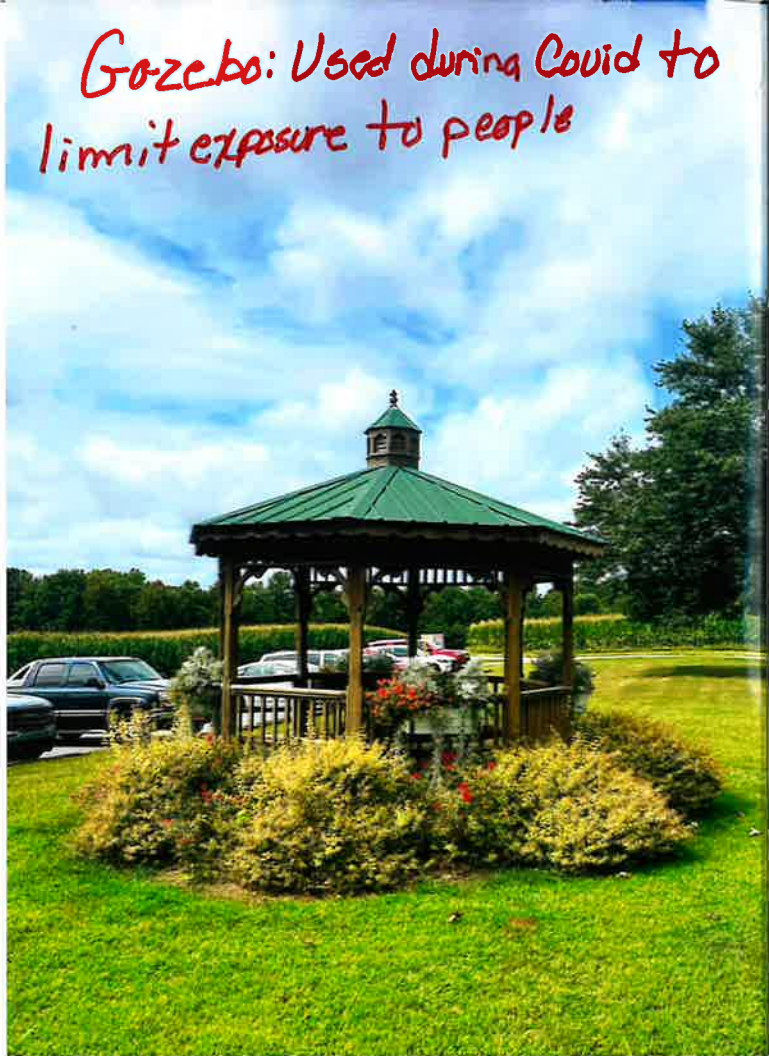
Covered
letouts

Portable garage
Sun shade

Porch over door

Porch over let outs

Lobby / Everything spanicl
e-commerce


Gazebo: Used during Covid to limit exposure to people

Car Shed

New

Quarantine
Now storage b U
or residential
property

Inside covered
area

Side
Covered
area

Inside split unit

Inside Covered
area
IM
CLEAN

Covers on Letout exercise acer

ennel/driveway

ennel driveway

Katie Askew
driveway
PRIVATE
NO PROPERTY
TRESPASSING

Katie Askew
driveway
PRIVATE
NO PROPERTY
TRESPASSING

Anael Dominguez (CDI: Planning)

From: Emily McGahee (Environmental Health)
Sent: Thursday, August 31, 2023 4:53 PM
To: Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning); Beth Garmon (CDI: Planning)
Cc: Chad Harper (Environmental Health); Kelly Hairston (Environmental Health)
Subject: HCPC Tentative Agenda 10.2.23

Please find Environmental Health comments below:

Items 1A-C, 8730 Forrester Road, Crumley: No comment.

Item 2, 4057 Sargent Circle, Drees: All proposed structures must meet all residential permitting requirements and/or required setbacks to existing septic system. Area for a feasible, full conventional recovery system must be available for the number of bedrooms requested. Existing system evaluation and/or septic system modification may be required for system serving existing home on property. Level 3 Soil Evaluation will be required prior to application if existing septic system will not be used. Any abandoned well shall be properly closed as per Water Well Standards Act by a certified well driller.

Items 3A&B, 812 Atlanta Hwy, Murillo: Connecting to Public sewer. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled.

Item 4, 2122/0 Browns Bridge Road, Duran: No comment. Public sewer.

Item 5, 3321 Montvale Drive, Milne: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. Further determination will be made during the plat review process. All proposed plats must be submitted to the Hall County Plat Review Team for review and approval prior to submittal to Clerk of Courts for recordation.

Item 6, 3902/0 Belmont Hwy, Simpson: 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/modification may be required after review of business plan.

Item 7, 0/4611/4627 Guth Road, 4561/4613 J. M. Turk, 4590/4601/4610 Stanley, Kappler: The entire development (all pods) must be developed on sewer. No onsite sewage management systems to be permitted by Environmental Health. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled.

Items 8 and 9, 6777/6804 Spout Springs, Walker Anderson Homes: Public sewer. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled.

Item 10, Code Amendment: No comment.

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)
https://www.hallcounty.org/192/Environmental-Health (County Website & Forms)

Anael Dominguez (CDI: Planning)

From: Chavers, Veronica E <VChavers@dot.ga.gov>
Sent: Friday, August 25, 2023 10:51 AM
To: Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning)
Subject: RE: Tentative Planning Agenda for October 2, 2023

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.

See comments in red, below.

Veronica Chavers
D1TO Civil Engineer 3

Georgia Department of Transportation

District 1 Traffic Operations
1475 Jesse Jewell Pkwy
Suite 100
Gainesville, GA, 30501
770.533.8488 office

From: Anael Dominguez (CDI: Planning) <adominguez@hallcounty.org>
Sent: Thursday, August 24, 2023 12:20 PM
Subject: Tentative Planning Agenda for October 2, 2023

Good afternoon –

Here is the Tentative Agenda and Maps for the **Monday, October 2, 2023** 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, August 31st.** Email comments to Randi (rdoveton@hallcounty.org) and Ana (adominguez@hallcounty.org).

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – September 18, 2023
N
NEW BUSINESS

1. (A) **8730 Forrester Road | Use Subject to County Commission Approval** | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) | **Proposed use: expansion of commercial kennel** | ** Commission District 3 | **Steven & Holly Crumley, applicants.**

(B) **8730 Forrester Road | Variance** | from 17.240.060 to reduce the setback for commercial kennels from 200 feet to 48 feet | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: commercial kennel structures** | ** Commission District 3 | **Steven & Holly Crumley, applicants.**
(C) **8730 Forrester Road | Variance** | from 17.240.060 to reduce the setback for commercial kennels from 200 feet to 44 feet | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: commercial kennel structures** | ** Commission District 3 | **Steven & Holly Crumley, applicants.** **No GDOT coordination required**

4057 Sargent Circle | Variance | from 17.240.010 to reduce the front yard setback from 55 feet from centerline to 41 feet from centerline on a 0.85± acre parcel located on the east side of Sargent Circle approximately 210 feet from its intersection with Cochran Road | Zoned R-I; Tax Parcel 10120 000071 | **Proposed Use: single-family residence** | * Commission District 2 | **Dennis Drees, Applicant** **No GDOT coordination required**

2.

3. (A) **812 Atlanta Highway | Use Subject to Planning Commission Approval |** on a 0.25± acre parcel located on the west side of Atlanta Highway at its intersection with Conner Street | Zoned H-B, Tax Parcel 00127 002001 | **Proposed Use: expansion of a non-conforming use |** * Commission District 4 **| Robert Murillo, applicant.** **GDOT coordination required for any encroachment onto the right-of-way**

   (B) **812 Atlanta Highway | Variance** | from 17.240.010 to reduce the front yard setback from 55 feet from centerline to 14 feet from centerline of road on a 0.25± acre parcel located on the west side of Atlanta Highway at its intersection with Conner Street | Zoned H-B, Tax Parcels 00127 002001 | **Proposed Use: residential addition** | * Commission District 4 **| Robert Murillo, applicant.** **GDOT coordination required for any encroachment onto the right-of-way**

4. **2122 & 0 Browns Bridge Road | Use Subject to County Commission Approval |** on a 1.708± acre tract located on the west side of Browns Bridge Road, approximately 62 feet from its intersection with Hilton Drive | Zoned H-B / GCOD; Tax Parcel 00122 001021 & 001031B | **Proposed use: used vehicle sales lot |** ** Commission District 4 **| Antonio Duran, applicant.** **GDOT coordination required for access on SR 369/ Browns Bridge Rd**

5. **3321 Montvale Drive | Use Subject to County Commission Approval |** on a 7.88± acre tract located on the south side of Montvale Drive, at its intersection with Manor Ridge | Zoned R-I & AR-III; Tax Parcel 10046 000015 **| Proposed use: 4-lot subdivision |** ** Commission District 2 **| Zachary Lewis Boyd Milne, applicant.** **No GDOT coordination required**

6. **3902 & 0 Belmont Highway | Rezone |** from Agricultural Residential IV (AR-IV) to Planned Industrial Development (PID) /GCOD on 15.75± acres located on the southeastern side of Belmont Highway, approximately 1,780 feet north of its intersection with Mountain Creek Road | Zoned AR-IV, Tax Parcels: 15013 000017B and 000074 (pt.) **| Proposed Use: truck parking and office|** ** Commission District 3 **| Gus E. Simpson, applicant.** **GDOT coordination required**

7. **0, 4611,4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road | Rezone |** from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on 117.31± acres located on the east side of J M Turk Road at its intersection with Guth Road | Zoned AR-III; Tax Parcels 15043 000027, 000109, 000128, 000201 & 15044 000035, 000035B, 000043, 000100, 000127 **| Proposed Use: 324 lot residential development |** ** Commission District 1 **| Thompson O'Brien Kappler & Nasuti PC, applicant.** **No GDOT coordination required**

8. **6777 and 6804 Spout Springs Road | Rezone |** from Agricultural Residential III (AR-III) and Planned Residential Development (PRD) to Planned Residential Development (PRD) on a combined 22.88± acres located on the west side of Spout Springs Road, approximately 100 feet from its intersection with Lancaster Crossing | Zoned AR-III & PRD; Tax Parcels 15042 000018 and 000140 (pt.) **| Proposed Use: 95-unit townhome development |** ** Commission District 1 **| Walker Anderson Homes, applicant.** **No GDOT coordination required**

9. **6804 Spout Springs Road | Amend Condition of PRD |** on a 20.37± acre parcel located on the west side of Spout Springs Road, at its intersection with Lancaster Crossing | Zoned PRD; Tax Parcels 15042 000018 **| Proposed Use: 95-unit townhome development |** ** Commission District 1 **| Walker Anderson Homes, applicant.** **No GDOT coordination required**

10. **Public Hearing to Amend sections 17.410,** Standards for Telecommunication Antennas and Towers, and 17.412,Standards for Small Wireless Facilities Placed in the County Right-of-Way, Title 17 of the Official Code of Hall County, Georgia; to repeal conflicting ordinances and resolutions; and for other purposes. **** | Hall County Planning Staff, applicant.** **No 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 30 days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing Thursday, November 9, 2023 at 6:00 p.m. at the Hall County Government Center, 2nd 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, November 9, 2023. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,
Ana Dominguez
Planning Commission Clerk
Hall County Community Development and Infrastructure
(770) 531-6810 | www.hallcounty.org

HALL COUNTY
GEORGIA
We have it all in Hall

Human trafficking impacts every corner of the globe, including our state and local communities. Georgia DOT is committed to end human trafficking in Georgia through education enabling its employees and the public to recognize the signs of human trafficking and how to react in order to help make a change. To learn more about the warning signs of human trafficking, visit https://doas.ga.gov/human-resources-administration/human-trafficking-awareness. To report any suspicious activity, call the Georgia Human Trafficking Hotline at 866-363-4842. Let's band together to end human trafficking in Georgia.

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

DIRECTOR
Srikanth Yamala

PUBLIC WORKS AND
UTILITIES DIRECTOR
Bill Nash, P.E.

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PUBLIC WORKS AND UTILITIES

M E M O R A N D U M

To: Randi Doveton, Director of Planning and Development

From: Bill Nash, Director of Public Works and Utilities

Date: August 31, 2023

Subject: October 2, 2023 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the October 2, 2023 meeting. Upon review, we provide the following comments.

1. (A) **8730 Forrester Road | Use Subject to County Commission Approval** | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: expansion of commercial kennel** | ** Commission District 3 **| Steven & Holly Crumley, applicants.**
   (B) **8730 Forrester Road | Variance** | from 17.240.060 to reduce the setback for commercial kennels from 200 feet to 48 feet | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: commercial kennel structures** | ** Commission District 3 | **Steven & Holly Crumley, applicants.**
   (C) **8730 Forrester Road | Variance** | from 17.240.060 to reduce the setback for commercial kennels from 200 feet to 44 feet | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: commercial kennel structures** | ** Commission District 3 | **Steven & Holly Crumley, applicants.**

   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:** No Comment
   c. **Utilities:** No Comment

2. **4057 Sargent Circle | Variance |** from 17.240.010 to reduce the front yard setback from 55 feet from centerline to 41 feet from centerline on a 0.85± acre parcel located on the east side of Sargent Circle approximately 210 feet from its intersection with Cochran Road | Zoned R-I; Tax Parcel 10120 000071 | **Proposed Use: single-family residence** | * Commission District 2 **| Dennis Drees, Applicant**

   a. **Engineering:** No Comment
   b. **Traffic:** No Comment
   c. **Utilities:** No Comment

3. (A) **812 Atlanta Highway | Use Subject to Planning Commission Approval |** on a 0.25± acre parcel located on the west side of Atlanta Highway at its intersection with Conner Street | Zoned H-B, Tax Parcel 00127 002001 |

Proposed Use: expansion of a non-conforming use | * Commission District 4 **| Robert Murillo, applicant.**
(B) **812 Atlanta Highway | Variance** | from 17.240.010 to reduce the front yard setback from 55 feet from centerline to 14 feet from centerline of road on a 0.25± acre parcel located on the west side of Atlanta Highway at its intersection with Conner Street | Zoned H-B, Tax Parcels 00127 002001 | **Proposed Use: residential addition** | * Commission District 4 | **Robert Murillo, applicant.**

a. **Engineering:** No Comment
b. **Traffic:** No Comment
c. **Utilities:** No Comment

4. **2122 & 0 Browns Bridge Road | Use Subject to County Commission Approval |** on a 1.708± acre tract located on the west side of Browns Bridge Road, approximately 62 feet from its intersection with Hilton Drive | Zoned H-B / GCOD; Tax Parcel 00122 001021 & 001031B | **Proposed use: used vehicle sales lot |** ** Commission District 4 **| Antonio Duran, 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 stream buffer and impervious setback from wrested vegetation not centerline of stream.
FEMA and Hall County studied Flood plains present on site.
b. **Traffic:** Improvements along Baker Lane and Baker Circle may be required
c. **Utilities:** No sewer available

5. **3321 Montvale Drive | Use Subject to County Commission Approval |** on a 7.88± acre tract located on the south side of Montvale Drive, at its intersection with Manor Ridge | Zoned R-I & AR-III; Tax Parcel 10046 000015 **| Proposed use: 4-lot subdivision |** ** Commission District 2 **| Zachary Lewis Boyd Milne, applicant.**

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 Comment
c. **Utilities:** No Comment

6. **3902 & 0 Belmont Highway | Rezone |** from Agricultural Residential IV (AR-IV) to Planned Industrial Development (PID) /GCOD on 15.75± acres located on the southeastern side of Belmont Highway, approximately 1,780 feet north of its intersection with Mountain Creek Road | Zoned AR-IV, Tax Parcels: 15013 000017B and 000074 (pt.) **| Proposed Use: truck parking and office|** ** Commission District 3 **| Gus E. Simpson, 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 stream buffer and impervious setback from wrested vegetation not centerline of stream.
b. **Traffic:** Access must be approved/permitted by GDOT
c. **Utilities:** No Comment

7. **0, 4611,4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road | Rezone |** from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on 117.31± acres located on the east side of J M Turk Road at its intersection with Guth Road | Zoned AR-III; Tax Parcels 15043 000027, 000109, 000128, 000201 & 15044 000035, 000035B, 000043, 000100, 000127 **| Proposed Use: 324 lot residential development |** ** Commission District 1 **| Thompson O'Brien Kappler & Nasuti PC, applicant.**

a. Engineering: No dead end streets
Show stream buffer and impervious setback from wrested vegetation not centerline of stream
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: A left turn lane and decel lane will be required for the entrance.
Any required roadway improvements will be the financial responsibility of the developer
A cul-de-sac should be provided for Guth Road at the proposed end of county maintenance

c. Utilities: No sanitary sewer in area.

8. **6777 and 6804 Spout Springs Road | Rezone |** from Agricultural Residential III (AR-III) and Planned Residential Development (PRD) to Planned Residential Development (PRD) on a combined 22.88± acres located on the west side of Spout Springs Road, approximately 100 feet from its intersection with Lancaster Crossing | Zoned AR-III & PRD; Tax Parcels 15042 000018 and 000140 (pt.) **| Proposed Use: 95-unit townhome development |** ** Commission District 1 **| Walker Anderson Homes, 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 stream buffer and impervious setback from wrested vegetation not centerline of stream
Current layout provided for zoning does not meet Hall County Road standards
No on-street parking on public right-of-way.
Floodplain present on site

b. Traffic: will need to coordinate entrance design and location with Hall County Engineering with regards to Spout Springs Road Phase 2 Widening.

c. Utilities: Sewer required off-site easement
Must extend 30 feet sanitary sewer to up stream proposed line.

9. **6804 Spout Springs Road | Amend Condition of PRD |** on a 20.37± acre parcel located on the west side of Spout Springs Road, at its intersection with Lancaster Crossing | Zoned PRD; Tax Parcels 15042 000018 **| Proposed Use: 95-unit townhome development |** ** Commission District 1 **| Walker Anderson Homes, applicant.**

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c. **Utilities:** Sewer required off-site easement
Must extend 30 feet sanitary sewer to up stream proposed line.

10. **Public Hearing to Amend sections 17.410,** Standards for Telecommunication Antennas and Towers, and 17.412,Standards for Small Wireless Facilities Placed in the County Right-of-Way, Title 17 of the Official Code of Hall County, Georgia; to repeal conflicting ordinances and resolutions; and for other purposes. **** | Hall County Planning Staff, applicant.**

a. **Engineering:** No Comment
b. **Traffic:** No Comment
c. **Utilities:** No Comment

Anael Dominguez (CDI: Planning)

From: John Hornick (Fire Services)
Sent: Tuesday, August 29, 2023 9:12 AM
To: Anael Dominguez (CDI: Planning)
Cc: Randi Doveton (CDI: Planning); Michael Vieira (Fire Services); John Tucker (Fire Services)
Subject: Fire Comments

Monday, October 2, 2023 Hall County Planning Commission Meeting.

1. (A) **8730 Forrester Road | Use Subject to County Commission Approval** | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: expansion of commercial kennel** | ** Commission District 3 **| Steven & Holly Crumley, applicants.**
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   Hall County Fire Marshal's Comments:
   New owner will be required to pass a life safety inspection conducted by the Hall County Fire Marshal's Office for all buildings open to the public, a passing life safety inspection is required for a business license.

Regards,

John Hornick, NPQ Fire Service Plans Examiner 1
Lieutenant, Hall County Fire Rescue
Hall County Government
Main: 770-531-6838 | Cell: 404-597-0083
Website: www.Hallcounty.org

02014
0021

original deed for sale from Askew to Cochran with permanent perpetual easement consisting of 9.825 Acres

8730 Forrester Rd

Form No. 214 WARRANTY DEED (Long Form)

21

STATE OF GEORGIA, County of Hall

THIS INDENTURE, Made this 12th day of January in the Year of Our Lord One Thousand Nine Hundred and Ninety-Three between WALLACE J. ASKEW, SR. of the State of Georgia and County of Hall of the first part, and REGINALD COCHRAN of the State of Georgia and County of Hall of the second part.

WITNESSETH: That the said part y of the first part, for and in consideration of the sum of Seventeen Thousand Seven Hundred Three & 30/100 ------ Dollars, in hand paid, at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, ha s granted, bargained, sold and conveyed, and by these presents do es grant, bargain, sell and convey unto the said part y of the second part, his heirs and assigns, all that tract or parcel of land

All that tract and parcel of land situate, lying and being in Land Lot 128 of the 12th Land District of Hall County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin corner on the Oliver and Cochran property line, at a point 333.91 feet east of the right-of-way of Forrester Road, and on the original land lot line dividing Land Lots 128 and 129; thence, S 89-09-00 E, to a point on said line, a distance of 973 feet, more or less; thence, S 09-55-00 W, 658.07 feet to an iron pin corner on the Sheryl Askew line; thence, in a general northwesterly direction along said line, as follows: S 85-24-24 W, 34.47 feet to a point; thence, S 84-05-37 W, 50.56 feet to a point; thence, 84-31-32 W, 54.16 feet to a point; thence, N 79-01-54 W, 41.80 feet to a point; thence, N 69-30-50 W, 49.95 feet to a point; thence, N 64-53-34 W, 70.65 feet to a point; thence, N 76-58-31 W, 60.88 feet to a point; thence, N 71-33-28 W, 53.03 feet to a point; thence, N 61-01-16 W, 58.45 feet to a point; thence, N 72-10-35 W, 59.15 feet to a point; thence, 50-56-34 W, 39.91 feet to a point; thence, N 47-50-20 W, 45.49 feet to a point; thence, N 47-55-16 W, 49.32 feet to a point; thence, N 43-12-28 W, 56.64 feet to a point; thence, N 33-20-26 W, 50.79 feet to a point; thence, N 26-19-47 W, 56.63 feet to a point; thence, N 28-32-41 W, 21.19 feet to an iron pin corner on the Oliver property line; thence, N 09-54-03 W, 271.11 feet to the point of beginning. Said tract containing 9.825 acres, as shown by a plat prepared by Farley-Collins Associates, and dated 7-23-93.

Also conveyed to grantee is a permanent perpetual easement for the purpose of ingress and egress to the use and enjoyment of the 50-foot-wide driveway leading from Forrester Road to the property of Sheryl Askew, and bounded by property of Mary and Freeman Oliver and Reginald Cochran.

HALL COUNTY, Georgia
Real Estate Transfer Tax
Paid $ 12.70
Date August 17, 1993
DWIGHT S. WOOD
Clerk of Superior Court
By Mesquite Deputy Clerk

https://search.gsccca.org/Imaging/HTML5Viewer.aspx?id=15528267&key1=2014&key2=21&county=69&countyname=HALL&userid=800759&appid=4 1/1

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 party of the second part, his heirs and assigns, forever, in Fee Simple.

AND THE SAID party of the first part, for himself, and his heirs, executors and administrators, will warrant and forever defend the right and title to the above described property, unto the said party of the second part, his heirs and assigns, against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal, the day and year above written.

Signed, sealed and delivered in presence of:

Witness — WALLACE J. ASKEW, SR. (Seal)

(Seal)

(Seal)

Notary Public Date: 8-17-93

My Commission Expires 4-14-95

(AFFIX SEAL)

WARRANTY DEED
(Long Form)

FROM

WALLACE J. ASKEW, SR.

TO

Mail:
REGINALD COCHRAN
8825 Forrester Rd.
Lula, Ga. 30554

GEORGIA, County of Hall

Clerk's Office, Superior Court

Filed for Record at 12:30 o'clock P.M. August 17, 1993.

Recorded in Deed Book 2014 Folio 21-22 August 18, 1993

Dwight S. Wood, Clerk

Pd. Tax ck# 2127
" Rec'ding - ck# 133

https://search.gsccca.org/Imaging/HTML5Viewer.aspx?id=15528267&key1=2014&key2=21&county=69&countyname=HALL&userid=800759&appid=4 1/1

Now cochran subdived "land locked property" to Now consist of 9.499 Acres and sold to crumley.

83547
0198

000198

HALL COUNTY, Georgia
Real Estate Transfer Tax
Paid $ 52.30
Date 8/25/99
DWIGHT S. WOOD
Clerk Superior Court
By BB

Georgia, Hall County, Clerk Superior Court
Filed in office, this 25 day of Aug.
19 99 at 4:04 P. m. Recorded in
Book 3547 Page(s) 198-199
this 26 day of Aug 19 99
DWIGHT S. WOOD, CLERK, by BB

2807, 4068

Return to: File: 027774
T. Treadwell Syfan
Stewart, Melvin & Frost, LLP
P. O. Box 3280
Gainesville, Georgia 30503

WARRANTY DEED

9.499 Acres from Cochran to Crumley, Added Words "NON-Exclusive" ON 2nd Page.

GEORGIA, COUNTY OF HALL.

THIS INDENTURE, made this 20th day of August in the Year of Our Lord One Thousand Nine Hundred and Ninety-Nine between **REGINALD COCHRAN** of the State of Georgia and County of Hall (hereinafter called "GRANTOR"), and **STEVEN M. CRUMLEY AND HOLLY V. CRUMLEY** of the State of Georgia and County of Hall (hereinafter called "GRANTEE"),

WITNESSETH: That the said **GRANTOR**, for and in consideration of the sum of TEN DOLLARS ($10.00) 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.

By acceptance of this deed the Grantees agree to assume and comply with the agricultural or timberland property covenant agreement recorded in Deed Book 3243, page 340, Hall County Deed Records.

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.

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 his hand and seal, the day and year above written.

SEE NEXT PAGE

Signed, sealed and delivered
in presence of:

T. Treadwell Syfan
Unofficial Witness

Reginald Cochran (SEAL)
REGINALD COCHRAN

Virginia L. Lynn
Notary Public
_____ County, Georgia

My Commission Expires:

(SEAL)

VIRGINIA L. LYNN NOTARY PUBLIC HALL COUNTY GEORGIA EXPIRES APRIL 10, 2003

https://search.gsccca.org/Imaging/HTML5Viewer.aspx?id=3888580&key1=3547&key2=198&county=69&countyname=HALL&userid=800759&appid=4 1/1

000199

EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 128, 12th District, Hall County, Georgia, and being that certain 9.499 acre tract shown on plat of survey of the property of Reginald Cochran, dated July 23, 1993, revised August 9, 1999, prepared by Farley-Collins Associates, Registered Surveyors, and said property being more particularly described as follows:

BEGINNING at an iron pin set on the original land lot line dividing Land Lots 128 and 129, said pin being located 333.91 feet East along said land lot line from the intersection of said land lot line with the Eastern right-of-way of Forrester Road, and running thence along said land lot line South 88 degrees 30 minutes 15 seconds East 858.89 feet to a point; thence South 10 degrees 39 minutes 30 seconds West 337.62 feet to a point; thence South 49 degrees 9 minutes 6 seconds West 96.7 feet to a point; thence South 4 degrees 22 minutes 14 seconds West 255 feet to a point; thence along the Northern right-of-way of a driveway easement containing a 10-foot wide gravel drive South 84 degrees 44 minutes 22 seconds West 50.56 feet to a point; thence North 83 degrees 52 minutes 47 seconds West 54.16 feet to a point; thence North 78 degrees 23 minutes 09 seconds West 41.80 feet to a point; thence North 68 degrees 52 minutes 05 seconds West 49.95 feet to a point; thence North 60 degrees 14 minutes 49 seconds West 70.65 feet to a point; thence North 76 degrees 19 minutes 46 seconds West 60.88 feet to a point; thence North 70 degrees 54 minutes 43 seconds West 53.03 feet to a point; thence North 60 degrees 22 minutes 31 seconds West 58.45 feet to a point; thence North 51 degrees 31 minutes 50 seconds West 59.15 feet to a point; thence North 50 degrees 17 minutes 49 seconds West 39.91 feet to a point; thence North 47 degrees 11 minutes 35 seconds West 45.49 feet to a point; thence North 47 degrees 16 minutes 31 seconds West 49.32 feet to a point; thence North 42 degrees 33 minutes 43 seconds West 56.64 feet to a point; thence North 32 degrees 41 minutes 41 seconds West 50.79 feet to a point; thence North 25 degrees 41 minutes 02 seconds West 56.63 feet to a point; thence North 27 degrees 53 minutes 56 seconds West 21.19 feet to an iron pin corner on the Oliver property line; thence North 09 degrees 15 minutes 18 seconds West 271.11 feet to the point of beginning.

* Also conveyed to Grantee is a permanent perpetual non-exclusive easement for the purpose of ingress and egress to use and enjoyment of a gravel driveway, said easement being 50 feet in width and leading from Forrester Road to the property of Cheryl Askew, as shown on said plat of survey. Said easement is the same easement conveyed in Warranty Deed from Wallace J. Askew, Sr. to Reginald Cochran, dated August 17, 1993, recorded in Deed Book 2014, pages 21-22, Hall County Deed Records.

Said easement is the same easement conveyed in Warranty Deed from Wallace J. Askew Sr. to Reginald (AKA) Reggy Cochran dated Aug 17 1993

Wording is changed from original deed, to now include "non-exclusive"

SEE NEXT PAGE

https://search.gsccca.org/Imaging/HTML5Viewer.aspx?id=3888580&key1=3547&key2=198&county=69&countyname=HALL&userid=800760&appid=4

000341

2015 JOSH & Roxy
Began to Build their house;
They also pay
my water bill
and, I am happy
they are
my neighbor.

Exhibit "A" (Page 1 of 2)

All that tract or parcel of land lying and being in Land Lot 128 of the 12th Land District of Hall County, Georgia, and being more particularly described as follows:

Beginning at an iron pin corner located on the Sheryl Askew property line and on the east Right-of-way of Forrester Road, thence, northeasterly along said right-of-way a distance of 153 84 feet to an iron pin corner located on the dividing line between Land Lots 128 and 129, thence, along the original land lot line, S 89-09-00 E, 333.91 feet to an iron pin corner, thence, S 09-54-03 E, 271.11 feet to an iron pin located on the Sheryl Askew property line, thence, in a westerly direction as follows: N 28-32-41 W, 14 76 feet to a point; thence, N 52-59-11 W, 39 42 feet to a point, thence, N 81-54-48 W, 49.71 feet to a point, thence, S 77-36-14 W, 35.40 feet to a point, thence, S 72-05-38 W, 49.70 feet to a point; thence, S 74-07-47 W, 53 05 feet to a point, thence, N 85-48-11 W, 24.23 feet to a point; thence, N 62-07-17 W, 37.60 feet to a point, thence N 53-34-17 W, 45.43 feet to a point, thence, N 54-41-52 W, 55.53 feet to a point; thence, N 58-03-43 W, 67 36 feet to a point, thence, N 66-50-56 W, 26 02 feet to the point of beginning Said tract containing 2 022, as shown on a plat prepared by Farley-Collins Associates, dated July 23, 1993.

Being the same property described as Tract 1 in Deed Book 2014, pages 18-20, Hall County Georgia Deed Records.

Also conveyed is a permanent perpetual easement for the purpose of ingress and egress to the use and enjoyment of the 50 feet wide driveway leading from Forrester Road to the property of Sheryl Askew, and bounded by property of Mary and Freeman Oliver and Reginald Cochran.

Property is conveyed together with and subject to any covenants, easements and restrictions affecting or applicable to said property.

NO - NON-EXCLUSIVE

This property holds same easement as what Crumley's should Be - for ingress, Egress, Not NON-exclusive to Allow to Be opened to Public

Hall County GIS

3/23/2023, 1:46:56 PM

Counties
LakeLanier
BUFORD
GAINESVILLE
OAKWOOD
Roads
GA_MajorWater
Citylimits
CLERMONT
GILLSVILLE
RESTHAVEN
Local
CedarCreekRes
BRASELTON
FLOWERY BRANCH
LULA

1:1,128

0 0.01 0.01 0.03 mi

0 0.01 0.03 0.05 km

Esri, HERE, Garmin, INCREMENT P, NGA, USGS, Hall County GIS

Esri, HERE, Garmin, INCREMENT P, NGA, USGS | Hall County GIs | Gainesville-Hall County GIS | NOAA/NOS/OCS nowCOAST, NOAA/NWS and NOAA/OAR/NSSL | Earthstar Geographics | Acknowledgment of the Federal Railroad Administration (FRA) and the

- 2010 -

Hall County GIS

- 2021 -

3/23/2023, 1:47:54 PM

Counties
GA_MajorWater
CedarCreekRes
LakeLanier
Citylimits
BRASELTON
BUFORD
CLERMONT
FLOWERY BRANCH
GAINESVILLE
GILLSVILLE
LULA
OAKWOOD
RESTHAVEN
Roads
Local

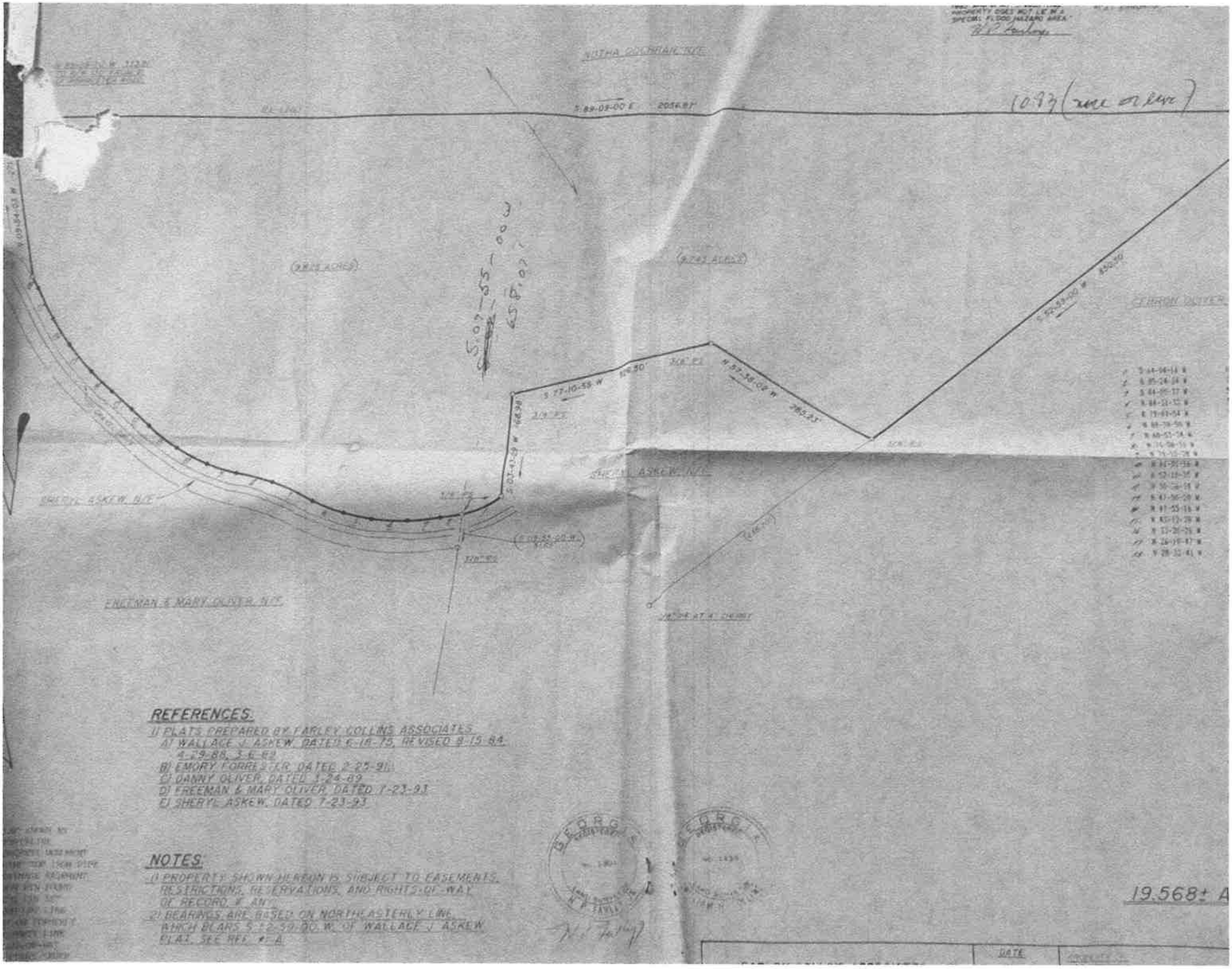
1:1,128

0 0.01 0.01 0.03 mi

0 0.01 0.03 0.05 km

Esri, HERE, Garmin, INCREMENT P, NGA, USGS, Hall County GIS

Esri, HERE, Garmin, INCREMENT P, NGA, USGS | Hall County GIs | Gainesville-Hall County GIS | NOAA/NOS/OCS nowCOAST, NOAA/NWS and NOAA/OAR/NSSL | Earthstar Geographics | Acknowledgment of the Federal Railroad Administration (FRA) and the



REFERENCES:

1) PLATS PREPARED BY FARLEY COLLINS ASSOCIATES
   A) WALLACE J. ASKEW, DATED 6-18-79, REVISED 8-15-84, 4-29-88, 3-6-92
   B) EMORY FORRESTER, DATED 2-25-91
   C) DANNY OLIVER, DATED 1-24-89
   D) FREEMAN & MARY OLIVER, DATED 7-23-93
   E) SHERYL ASKEW, DATED 7-23-93

NOTES:

1) PROPERTY SHOWN HEREON IS SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, AND RIGHTS-OF-WAY OF RECORD, IF ANY.
2) BEARINGS ARE BASED ON NORTHEASTERLY LINE, WHICH BEARS S 12-39-00 W, OF WALLACE J. ASKEW PLAT, SEE REF # A

Cars from camera March 31 - April 16th
this was After Holly moved
to my knowledge she moved on the weekend of
(spring break) March 11th

10 1

March 31st - 49 cars including delivery + mail
April 1st — 17 cars
April 2nd — 21 Cars
April 3rd — 29 Cars
April 4th — 35 cars
April 5th — 24 cars

262

April 13th — 14 cars
April 14th — 35 cars
April 15th — 20 cars
Yesterday April 16 — 18 Cars

In Rural area this is a lot of traffic I bet even the person reading this has been down my driveway

March 14 - 7 Cars
March 22 - 7 Cars
March 23 - 30 cars
March 24 - 39 Cars
March 25 - 23
March 26 — 17
March 27 - 39
March 28 - 33
March 29 - 27
March 30 - 31
April 6 — 37
April 7 - 30
April 8 - 29
April 9 - 9
April 10 - 18

25

Do 25 cars come down a normal Driveway even a "Dog Kennel" wouldn't have this much Traffic.

376

average of 25.52
26 cars

this was

My name is Kathryn Askew, I live at 8720 Forrester rd. Lula Ga. My family moved here from Dublin Ga. in 1984, to help my gradpa with his chicken farm and feild crops. I was five and my brother was eleven years old. We as a family all worked the farm, wile my father attended college at the University of Georgia, for his Doctorate in education. My mother also attended the University of Georgia, and soon became a first grade teacher at Wauka Mt. Elem school.

In the eairly nineties my father became a professor, a doctor of education at Georgia College, in Milledgeville GA, to teach teachers. So we as a family decided we were going to buy a house in middle GA. We decided to sell to our neighbor Reggie Cochran land. We trusted Reggie so, we gifted him an easement. Reggie promissed my father he would only use it for Agriculture. We bought a house in middle ga., Our house at 8720 would be our summer home. My fathe started commuting back and forth. My father would come home on weekends.

The seperation was very hard on the family. We stayed here because my mother wanted my brother and I to finish school. My mother also loved her job teaching children how to read. She was a teacher of excellence at Wauka Mt elem. School.

In 1995 my father was commuting home and ran off road on Hwy. 52 five miles from Home, He was pronounced deceased at the scene, we as fam were all devastated. My father wasn't a ordinary man, He was very important to everyone who knew him and everyone he came in contact with, His students truly love him. There is a tree dedicated and named Wally's Tree in Lockerly Arboretum, he enjoyed teaching in nature.

My mother was strong, but so, so hurt, we all were, We had to sell the house in Milledgeville ga., This all left my poor mama with to kid to raise in their rebellious teenage years that had just lost their father tragically.

A few years of agony passed, just to be told that now my mother was dying of liver disease, and I was to take care of her, so I did and it was good we had our time,

but she couldn't go on without her husband. there was a green house dedicated in her honor at Wauka Mt. Elem. that is in use to this day. Still teaching Children Aggricut-ur

During the battle of live disease is when Reggie Cochran sold the land we had previously sold to him with the gifted easment to steven and Holly V. Crumley.

The plat of land 8730 has only existed since it was filed and sold in 1999. When the land was soled in was in a agricultural timber covenant agreement. We spoke against even the house going there. Our land / driveway has become a commercial road with a estimate/guess of 26 to 30 cars entering and exiting everyday.

When I was growing up my father would walk the land with me expressing his loves for animals and nature, teaching me things, He even built the house My brother his daughter and I live in. He always walked the driveway with me. The view was beautiful, and most of my memories are of use walking and talking on my driveway. Unfortunely When you do go for a walk its loud dogs barking halfway and traffic on the other half. We barely even walk it anymore

Dear Gregg Doc, 4-18-23

because I feel it is dangerous. I feel very used, sad, depressed about all of this. I feel these people took advantage of a broken family. This is our property and we pay the taxes and love this land. We have to see this every day

I hope this letter touches your heart I love this land and I consider it my famlies home for generations to come. I feel like the gifted easement has been totally taken adrantage ~~off~~ the only one enjoying this gifted easement is Holly's bed and buscuit inn, Cavaliers by Crumley, Ruffon Birds and Everything Spaniel plus puppy transpotation. I leave this in Gods hands with great hope that the Board of Commissions will help me so this doesn't happen to someone else, Because it set a precedence for the north Hall distric

Thankyou so much for your Time

The Askew family

Kathryn Askew

Sheryl Askew Pettis

James Askew

Kathryn Askew

Sheryl Pettis

James ASKEW

THIS IS A LETTER MY MUM WROTE IN 1999 SHE WAS SUFFERING FROM LIVER DISEASE SHE WROTE THIS TO A JUDGE / LAWYER IN OUR Family

November 16, 1990

Johnny,

Great to talk to you. A lot of time has passed since I have seen you. Hope your family is doing well. Would love to see the girls and Hannah. Hope time has been nicer to you than it has to me. Can't believe how "gray" and "wrinkled" I have become.

As Daddy has mentioned to you, I am in the middle of a situation about which I feel very confused. I feel that I may be being taken advantage of. I realized that all zoning laws are different in different counties, but I will try to explain. In August of 1993, Wally and I sold some land to purchase the house in Milledgeville. Wally's dad also sold property. In the surveying and setting up of all the plots, Wally then had the remaining property put in my name. The situation that was created was that due to the fact that my property would be landlocked, a tract of land was created whereby my nine acres of land would also include a fifty foot driveway that would go to Forrester Road, thus creating the fifty foot frontage necessary for all property. My driveway is almost half a mile long. All of these transactions took place on the same day including the transference of the property to my name. (Recording the documents) I was never aware of a "permanent easement". I was also told that Mr. Cochran and Mr. Oliver would be able to use the driveway for maintenance of the field and cow pasture. My well is also in the middle of the cow pasture purchased by Freeman Oliver

so I was given water rights which are explained in the enclosed document. I have also enclosed the plat, so maybe this will not be so difficult to figure out. Now to the present. I was informed in August that Mr. Cochran was going to sell the field on the right side of my driveway to Steve Crumley and that they would then used my driveway for their property. They are planning to build a house on this propertyl changing it from agricultural to residential use. The tract of land that he sold them, approximately nine acres is landlocked. Mr. Cochran has additional property next to the property he purchased next to the property we sold him. However, he did not want to use any of his land. He would "arrange" things so they would be able to use my driveway. I was very upset about this and contacted my lawyer here, only to have him tell me that a permanent easement had been set up at the time of the selling of the property in 1993 and that there was nothing I could do. However, being aware of new zoning laws in Hall County --no one can sell or build on property that does not have fifty foot frontage, not sure about sell, but definitely not build. I did feel, however, that I was not being treated totally fair, so decided then to begin investigating myself. After several telephone calls, I ended up talking to the "head of zoning in Hall County, (Shuler) His first response to me was that my name sounded familiar. I explained my situation to him, and the said he would investigate and call me back the next day with a complete story on my situation. I thought his was rather strange considering he is such a busy person. He did, however, call me back the next day. He began his explanation with the fact that he and the lawyers had spent the last three

weeks"sweating" over my situation as to where the plot of land under consideration was a buildable plot. He said that it was decided it was. Even though the tract is land locked, my driveway would serve as the way for them to be able to build their house. He further explained to me that due to the fact that the 9 acre track of land had not been incorporated into Mr. Cochran's original land and was left isolated because it had an easement, it was a buildable lot. In Hall County now property can't be sold with frontage access. Also, I have great difficulty understanding how an easement can be sold. Also, what has come to light is that when Mr. Cochran bought the land, that land that was next to the track that we sold him actually belonged to Notha Cochran. This created a totally land locked area of land.

Another area of concern that has recently come to light is the fact that the recording of the sale of all these properties and the transfer of our property to me all took place on the same day. Also, even in the description of the land that was sold by Wally's dad, I am listed as the owner. I never signed any document giving a permanent easement to anyone. I am listed as the owner of the land. I feel very uncomfortable about the entire situation. Something is not right. Because I am possibly uninformed in this area as far as the law is concerned, because I am female, (there is a tremendous amount of discrimination of all types in this area) and because of the fact that all these men are very wealthy I feel something is very wrong. This is my land. I pay the taxes

things have been done without my permission. I am very angry. Any advice or direction would greatly be appreciated. I hope to be in Dublin soon. If I did not have to go through Milledgeville it would be alot easier. Times still get extremely difficult for us. I keep waiting for the peak; so far it won't come. Situation like this one make it very difficult. It's difficult making decision all alone. There's no one to blame but me when they're wrong ones. Oh, well, enough of giving myself a hard time. Hope to see you real soon.

Hello, my name is James Aske. I do not want to allow the property at 8730 Forrester Rd to be split and sold ~~to two different people or companies~~. The easement wording was changed on the Crumleys easement , it is not non- exclusive it is a permanent perpetual easement the word non exclusive was added. When I look outside my home I see a giant building , when I walk outside all I hear is dogs , non stop barking. Anytime I drive down my driveway I see about 15 cars parked in the parking lot , and almost every time run into someone coming or going from the business. I fear my Grand child will never get to walk the driveway to even catch the bus. I fear the noise , the traffic and even the size of this building will continue to be more and more because it has already in the last 10 years. Please don't let this happen. Please help us. Thank you

In 2007 Hall County approved 8730 Forrester Rd. for a Commercial Kennel, which is allowed under uses permitted in AR-IV upon Boc approval (17.120.040 N).

17.20.620. - Kennel, commercial.

"Commercial kennel" means any place in or at which more than four adult dogs (or cats) are kept for the purpose of sale, boarding, care, breeding or training and for which any fee is charged. A commercial kennel shall be located on not less than five acres of land in the residential zoning districts. The raising of four or fewer adult dogs (or cats) would be inherently allowed in all residential zones that allow a commercial kennel.

17.290.030. - Prohibited uses.

A. The keeping, breeding, or training of any animals or fowl for monetary gain or profit shall be deemed a commercial business and is expressly prohibited in all residential districts except where such operations may qualify as a home occupation.

17.20.560. - Home occupation.

"Home occupation" means an occupation or profession conducted entirely within a dwelling and which is carried on by an occupant thereof and which is clearly incidental and secondary to the use of the dwelling for residential dwelling purposes. There is no access by the public. A home occupation is designed to be less restrictive than a home office but more restrictive than a residential business in regard to access by the public, size, visibility, number of employees and types of business. Conditions for a home occupation are listed in chapter 17.210.

17.20.920. - Residential business.

"Residential business" means an occupation or profession conducted within a dwelling, and which is carried on by an occupant thereof and which is clearly incidental and secondary to the use of the dwelling for residential dwelling purposes. The business may require access by the public. The residential business is designed to be less restrictive than a home office or home occupation but more restrictive than a rural business in regard to access by the public, size, visibility, number of employees and types of business. Planning commission approval is required in accordance with the conditions outlined in section 17.350.130.

17.20.960. - Rural business.

"Rural business" means an occupation or profession conducted within a dwelling, an accessory structure or outside and which is carried on by a resident of that property and which is clearly incidental and secondary to the use of the property for residential dwelling purposes. The rural business is designed to be less restrictive than a home office, home occupation or residential business in regard to access by the public, size, visibility, number of employees and types of business. Planning commission approval is required for a rural business in accordance with the conditions outlined in section 17.350.140.

According to Randi Doveton (head of planning and zoning), Brandi Smith (supervisor of business license division), and many other employees at the planning office, the Commercial Kennel at 8730 Forrester Rd. is Not a Home Occupation, it is Not a Residential Business, or a Rural Business. When asked, "well what is it "? We were told we would need to see the Occupation Permit to see what it is. That Occupation Permit is one for a Commercial Business. Somehow this makes the commercial kennel at 8730 Forrester Rd (that should fall under guidelines for home occupation, residential business, or rural business) to be viewed as a Commercial Property. The regulations for a Home Occupation, Residential Business, or Rural Business would keep someone from establishing and developing a commercial business on a residential parcel, and then deciding once it would deemed profitable enough, divide and sell said property as a Commercial Business, because in each case, according to hall county ordinances "the business shall be valid only as long as the original principal practitioner resides in the dwelling, is conducting the business and has a current business license". These ordinances are put in place to lead, guide, direct and Protect the citizens of Hall County and should be fully enforced to do so.

provided at 10-2-23 PC meeting

PT-61 (Rev. 2/18) To be filed in **HALL COUNTY** **PT-61 069-2023-006421**

SECTION A – SELLER'S INFORMATION (Do not use agent's information)			SECTION C – TAX COMPUTATION	
SELLER'S LAST NAME: Crumley	FIRST NAME: Steven	MIDDLE: M.	Exempt Code If no exempt code enter NONE	Deed Confirming Title Already Vested
MAILING ADDRESS (STREET & NUMBER): 120 Magnolia Place			1. Actual Value of consideration received by seller Complete Line 1A if actual value unknown	$0.00
CITY, STATE / PROVINCE / REGION, ZIP CODE, COUNTRY: Homer, GA 30547 USA	DATE OF SALE: 9/14/2023		1A. Estimated fair market value of Real and Personal property	$900,000.00
SECTION B – BUYER'S INFORMATION (Do not use agent's information)			2. Fair market value of Personal Property only	$0.00
BUYER'S LAST NAME: Durham	FIRST NAME: Sarah	MIDDLE:	3. Amount of liens and encumbrances not removed by transfer	$0.00
MAILING ADDRESS (Must use buyer's address for tax billing & notice purposes): 8730 Forrester Road			4. Net Taxable Value (Line 1 or 1A less Lines 2 and 3)	$0.00
CITY, STATE / PROVINCE / REGION, ZIP CODE, COUNTRY: Lula, GA 30554 USA	Check Buyers Intended Use ( ) Residential ( ) Commercial ( ) Agricultural ( ) Industrial		5. TAX DUE at .10 per $100 or fraction thereof (Minimum $1.00)	$0.00

SECTION D – PROPERTY INFORMATION (Location of Property (Street, Route, Hwy, etc.))					
HOUSE NUMBER & EXTENSION (ex 285A): 8730	PRE-DIRECTION, STREET NAME AND TYPE, POST DIRECTION: Forrester Road				SUITE NUMBER:
COUNTY: HALL	CITY (IF APPLICABLE):		MAP & PARCEL NUMBER: 12128000009		ACCOUNT NUMBER:
TAX DISTRICT:	GMD:	LAND DISTRICT: 12	ACRES: 3.93	LAND LOT: 128	SUB LOT & BLOCK:

SECTION E – RECORDING INFORMATION (Official Use Only)				
DATE:	DEED BOOK: 9369	DEED PAGE: 252	PLAT BOOK:	PLAT PAGE:

ADDITIONAL BUYERS
Durham, Austin

PLEASE RETURN TO:
CARL S. FREE
ATTORNEY AT LAW
P.O. BOX 884
CLEVELAND, GA 30528
FILE # 23-105

eFiled and eRecorded
DATE: 06/06/2023
TIME: 9:59 AM
DEED BOOK: 9315
PAGE: 760 - 761
FILING FEES: $25.00
TRANSFER TAX: $560.00
PARTICIPANT ID: 1491131756
PT61: 069-2023-003742
RECORDED BY: NB
CLERK: Charles Baker, C.S.C
Hall County, GA

LIMITED WARRANTY DEED

JOINTLY FOR LIFE WITH REMAINDER TO SURVIVOR

STATE OF GEORGIA
COUNTY OF WHITE

THIS INDENTURE, made this 5th day of June in the year of our Lord Two Thousand Twenty-Three (2023), between **Steven M. Crumley** and **Holly V. Crumley**, Grantors, and **Sarah Durham** and **Austin Durham**, Grantees,

WITNESSETH, that the said Grantors for and in consideration of TEN DOLLARS ($10.00) AND OTHER VALUABLE CONSIDERATIONS in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency whereof is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the Grantees, for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion; the following described real estate:

Map and Parcel No. 12139-000009 (portion of)

All that tract or parcel of land lying and being in Land Lot 128 of the 12th Land District of Hall County, Georgia, being "Tract A", containing 3.93 acres, more or less, as shown on a plat of survey prepared by Chris M. Patton, G.R.L.S., under date of March 1, 2023 and recorded in Plat Book 883, Page 302-304, Office of the Clerk of Superior Court of Hall County, Georgia. The description of said property shown on said plat of survey is incorporated herein by reference for a more complete description thereof.

ALSO CONVEYED AND SUBJECT TO a permanent perpetual non-exclusive easement for ingress and egress from Forrester Road to the subject property, via the proposed 20' ingress/egress easement as shown on the above referenced plat of survey.

Subject to restrictions, reservations, easements and rights of way of record, if any.

https://search.gsccca.org/Imaging/HTML5Viewer.aspx?id=83625177&key1=9315&key2=760&county=69&countyname=HALL&userid=800759&appid=4 1/1

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 Grantees, their heirs and assigns, forever in fee simple.

AND THE SAID Grantors, for their heirs, executors and administrators, will warrant and forever defend the right and title to the above-described property, unto the said Grantees, their heirs and assigns, against the claims of all persons owning, holding or claiming by, through or under the Grantors.

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 Grantors have hereunto set their hands and affixed their seals the day and year above written.

Signed, sealed and delivered
in the presence of:

Witness

Notary Public
My Commission Expires:

CARL S FRE
NOTARY PUBLIC
WHITE COUNTY
GEORGIA
EXPIRES
Jun. 30, 2024

(SEAL)
Steven M. Crumley, Grantor

(SEAL)
Holly V. Crumley, Grantor

https://search.gsccca.org/Imaging/HTML5Viewer.aspx?id=83625177&key1=9315&key2=760&county=69&countyname=HALL&userid=800759&appid=4 1/1

EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 128 of the 12th Land District of Hall County, Georgia, being "Tract A", containing 3.93 acres, more or less, as shown on a plat of survey prepared by Chris M. Patton, G.R.L.S., under date of March 1, 2023 and recorded in Plat Book 883, Page 302-304, Office of the Clerk of Superior Court of Hall County, Georgia. The description of said property shown on said plat of survey is incorporated herein by reference for a more complete description thereof.

ALSO CONVEYED AND SUBJECT TO a permanent perpetual non-exclusive easement for ingress and egress from Forrester Road to the subject property, via the proposed 20' ingress/egress easement as shown on the recorded plat of survey.

Subject to restrictions, reservations, easements and rights of way of record, if any.

SD

ZONING NOTICE

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

APPLICANT: STEVEN & HOLLY CRUMLEY

REQUEST: USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR COMMERCIAL KENNEL EXPANSION IN AR-IV

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION
Date: Oct. 2, 2023
Time: 5:15 p.m.

&

COUNTY COMMISSION
Date: Nov. 9, 2023
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 WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: STEVEN & HOLLY CRUMLEY

REQUEST: VARY SETBACKS FROM 200 FT TO 48 FT & 44 FT FOR COMMERCIAL KENNEL STRUCTURES

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION
Date: Oct. 2, 2023
Time: 5:15 p.m.

&

COUNTY COMMISSION
Date: Nov. 9, 2023
Time: 6:00 p.m.

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

FOR MORE INFORMATION CALL: (770) 531-6809

AGENDA ITEM

Planning and Development

REPORT TO:	**Work Session (11/06/23)**
REPORT TO:	**Voting Meeting (11/09/23)**
ITEM NO:	626/2023
SUBJECT:	**3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Rezone |** from Agricultural Residential III (AR-III) and Planned Commercial Development (PCD) to Light Industrial (I-I) on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD (GCOD), Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 **| Proposed Use: boat/RV storage and an office/warehouse |** Commission District 3 | **Dutton Properties, applicant.**

Meetings:

Work Session Date: 11/06/23 **Voting Meeting Date:** 11/09/23

Executive Summary:

Presenter: RD
Recommendation:

Approval.

Conditions:

1. The development shall occur as depicted on the site plan dated September 29, 2023 and described in the updated project narrative dated September 29, 2023, modified for compliance with zoning conditions and Hall County regulations. Minor changes can be approved by the Planning Director, provided 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 from the Hall County development standards. No variances are granted as part of this request other than those listed herein.
2. The storage or disposal of junk material and construction debris on the subject property is prohibited. Any areas where junk or debris has been stored on the property shall be properly disposed of or stored in accordance with applicable regulations.
3. The development, including any signage, shall be subject to the standards of the Gateway Corridors Overlay District (GCOD, 17.420.050). No variances are granted from these standards.
4. The applicant shall coordinate and receive approval from the Georgia Department of Transportation for the site access and proposed location of the covered storage areas.
5. All parking and storage areas shall be paved with either asphalt or concrete.
6. The applicant shall be required to meet all applicable local, state, and/or federal regulations required as part of the land development process.
7. All conditions of zoning shall be made part of any plans created for the property.
8. The hours of operation for the self-storage facility shall be 6:00am-11:00pm, Monday through Sunday.
9. The roof material for the covered parking shall be standing seam architectural metal roof panels, with the color to be approved by the Planning and Development Director.
10. The 10,800 sq. ft. warehouse at the rear of the property as shown on the concept plan shall be allowed to utilize metal siding.

Purpose of Request:

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Rezone | from Agricultural Residential III (AR-III) and Planned Commercial Development (PCD) to Light Industrial (I-I) on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD (GCOD), Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 **| Proposed Use: boat/RV storage and an office/warehouse |** Commission District 3 | **Dutton Properties, 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:

Submit	Approve	Attorney	Administration
AD	RD	WLI	CR
Clerk			
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
Public Comments (Post Planning Commission Meeting)
Notice Sign Photos

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435

GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR
Srikanth Yamala

PLANNING AND DEVELOPMENT
DIRECTOR
Randi Doveton

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PLANNING AND DEVELOPMENT

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

From: Randi Doveton, Director of Planning & Development

Date: October 23, 2023

Subject: **3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Rezone** | from Agricultural Residential III (AR-III) and Planned Commercial Development (PCD)/ Gateway Corridors Overlay District (GCOD) to Light Industrial (I-I) / Gateway Corridors Overlay District (GCOD) on 20.16± acres | **Proposed Use: boat and RV storage and an office/warehouse** | **Dutton Properties, applicant.**

The request before you is the application of Dutton Properties to Rezone from Agricultural Residential III (AR-III) and Planned Commercial Development (PCD)/ Gateway Corridors Overlay District (GCOD) to Light Industrial (I-I) / Gateway Corridors Overlay District (GCOD) to allow a boat and RV storage and an office/warehouse. This item is located within Commission District 3.

At their October 2, 2023 meeting, the Hall County Planning Commission voted to recommend approval with ten (10) conditions **(4-1, Pilcher opposed)**.

There were **no comments submitted** in advance of the Planning Commission meeting and **seven (7) people spoke during the public hearing.**

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

Planning Commission Conditions:

1. The development shall occur as depicted on the site plan dated September 29, 2023 and described in the updated project narrative dated September 29, 2023, modified for compliance with zoning conditions and Hall County regulations. Minor changes can be approved by the Planning Director, provided 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 from the Hall County development

standards. No variances are granted as part of this request other than those listed herein.

2. The storage or disposal of junk material and construction debris on the subject property is prohibited. Any areas where junk or debris has been stored on the property shall be properly disposed of or stored in accordance with applicable regulations.
3. The development, including any signage, shall be subject to the standards of the Gateway Corridors Overlay District (GCOD, 17.420.050). No variances are granted from these standards.
4. The applicant shall coordinate and receive approval from the Georgia Department of Transportation for the site access and proposed location of the covered storage areas.
5. All parking and storage areas shall be paved with either asphalt or concrete.
6. The applicant shall be required to meet all applicable local, state, and/or federal regulations required as part of the land development process.
7. All conditions of zoning shall be made part of any plans created for the property.
8. The hours of operation for the self-storage facility shall be 6:00am-11:00pm, Monday through Sunday.
9. The roof material for the covered parking shall be standing seam architectural metal roof panels, with the color to be approved by the Planning and Development Director.
10. The 10,800 sq. ft. warehouse at the rear of the property as shown on the concept plan shall be allowed to utilize metal siding.

HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT

Applicant ..... Dutton Properties

Request ..... **(A)** Rezone from Agricultural Residential III (AR-III, 17.110) and Planned Commercial Development (PCD, 17.180.080) / Gateway Corridors Overlay District (GCOD, 17.420) to Light Industrial (I-I, 17.160) / Gateway Corridors Overlay District (GCOD, 17.420).
(B) Use Subject to County Commission Approval | 17.420.050. Outdoor storage
(C) Variance | 17.420.050.(C)(2) to reduce the required transitional buffer in Gateway Corridors Overlay District (GCOD, 17.420)

Proposed Use ..... **(A)** Boat and RV storage and an office/warehouse
(B) Outdoor storage within Gateway Corridors Overlay District (GCOD, 17.420)
(C) Reduce the required transitional buffer from 50 feet to 30 feet

Size ..... 20.16± acres

Zoning ..... Current Agricultural Residential III (AR-III, 17.110) and Planned Commercial Development (PCD, 17.180.080) / Gateway Corridors Overlay District (GCOD, 17.420) | Proposed Light Industrial (I-I, 17.160) and Gateway Corridors Overlay District (GCOD, 17.420).

Location ..... **3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive** | Tax Parcels 10144 000036, 000030, 000035, 000041, and 000029

Commission District ..... Three

Planning Commission Date ..... October 2, 2023

Staff Recommendation ..... **(A) and (B) Denial** as the proposed use is inconsistent with the Comprehensive Plan future

land use classification of Lake Area Residential.
(C) Denial of the requested variance from the transitional buffer requirements from 17.420.050.(C)(2) as the applicant has failed to demonstrate that hardship exist pursuant to the criteria of 2.60.030.

Planning Commission Recommendation…….. (A) Approval, with conditions
Vote: 4-1 (Pilcher opposed)
(B) Approval, with conditions
Vote: 4-1 (Pilcher opposed)
(C) Denial
Vote: 5-0

(A)& (B) Conditions:

1. The development shall occur as depicted on the site plan dated September 29, 2023 and described in the updated project narrative dated September 29, 2023, modified for compliance with zoning conditions and Hall County regulations. Minor changes can be approved by the Planning Director, provided 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 from the Hall County development standards. No variances are granted as part of this request other than those listed herein.
2. The storage or disposal of junk material and construction debris on the subject property is prohibited. Any areas where junk or debris has been stored on the property shall be properly disposed of or stored in accordance with applicable regulations.
3. The development, including any signage, shall be subject to the standards of the Gateway Corridors Overlay District (GCOD, 17.420.050). No variances are granted from these standards.
4. The applicant shall coordinate and receive approval from the Georgia Department of Transportation for the site access and proposed location of the covered storage areas.
5. All parking and storage areas shall be paved with either asphalt or concrete.
6. The applicant shall be required to meet all applicable local, state, and/or federal regulations required as part of the land development process.
7. All conditions of zoning shall be made part of any plans created for the property.
8. The hours of operation for the self-storage facility shall be 6:00am-11:00pm, Monday through Sunday.
9. The roof material for the covered parking shall be standing seam architectural metal roof panels, with the color to be approved by the Planning and Development Director.
10. The 10,800 sq. ft. warehouse at the rear of the property as shown on the concept plan shall be allowed to utilize metal siding.

Public Forum:

John Carter, 3432 Cleveland Highway, Gainesville, spoke in opposition. Concerns were property value, egress/ingress, traffic, hours of operation, grading, noise, clear cutting trees, lights, view, and buffer.

Dutch Sievert, 3420 Cleveland Highway, Gainesville, spoke in opposition. Concerns were property value, development placement, intense use, view, and traffic.

Petra Urban, 3418 Cleveland Hwy, Gainesville, spoke in opposition. Concerns were property value, zoning, traffic, and safety.

John Mallen, 4014 Donna Drive, Gainesville, spoke in opposition. Concerns were zoning, light pollution, traffic, and new highway.

Richard Prior, 3343 Nottingham Forest Dr, Gainesville, spoke in opposition. Concerns were traffic, safety, new highway, major residential area, and environmental impact.

Michael O'Chasey, 3340 Wilkerson Drive, Gainesville, spoke in opposition. Concerns were number of bays, traffic, number of boats on lake, traffic on the Little River, and safety.

Mark Kirves, 3338 Wilkerson Drive, Gainesville, spoke in opposition. Concerns were property value, traffic, and safety.

Summary Analysis

The applicant is requesting to **(A)** rezone 20.16± acres from Agricultural Residential III (AR-III, 17.110) and Planned Commercial Development (PCD, 17.180.080) to Light Industrial (I-I, 17.160) for the purpose of developing the site with a boat and RV storage business. Additionally, the applicant intends to use one of two existing residences on the property as a contractor's office. A 10,800 square foot warehouse building is proposed for storage of items related to the contractor's business. **(B)** Concurrent to this request is a Use Subject to County Commission Approval to permit outdoor storage within the Gateway Corridors Overlay District (GCOD, 17.420). The GCOD provides supplemental development standards for non-residential development (17.420.050.), and the applicant is requesting a **(C)** variance to reduce the required transitional buffer in the GCOD.

The submitted site plan shows an existing residence located to the north of the proposed site access. The submitted narrative states that the residence is registered as a historic place, and the intention is to preserve and renovate the structure for an office use. A 90-foot by 120-foot warehouse is proposed in the rear of the property, adjacent to the existing farm pond. Much of the remaining property is proposed to be utilized as covered or uncovered storage for boats and RVs, for a total of 483 storage spaces, access to which is gated. There is no information regarding the architectural style of the covered storage buildings, and it is unknown if the structure will be open sided or if it will be enclosed. The submitted narrative states that non-spill LED lighting will be used for the covered storage spots.

The breakdown is detailed in the following charts:

Uncovered Storage	
Area	Units
1	10
2	20
3	14
Total	**44**

Covered Storage	
Building	Units
A	63
B	90
C	49
D	58
E	60
F	38
G	20
H	33
I	28
Total	**439**
Combined Total	**483**

The canopy structures will be located a minimum of 100 feet from the centerline of Cleveland Highway, as required by 17.240.040, setbacks from arterial streets. The setback adjacent to Donna Drive is 50 feet. The proposed side and rear yard setbacks are each 20 feet, consistent with the setback requirements found in table 17.240.010 for the Light Industrial (I-I, 17.160) district.

The submitted site plan and narrative describe the proposed transitional buffers and landscaping standards for the development. The applicant is requesting relief from 17.420.050(C)(2)(c), transitional buffers, which requires where an industrial zoning district abuts property zoned for residential or agricultural use the transitional buffer shall be 50 feet. The applicant is requesting to reduce the transitional buffer along tax parcels 10143 000003, 10144 000029A, and a small portion of parcel 10144 000038 to 30 feet but is proposing to provide an enhanced buffer. It is unclear as to how the buffer will be enhanced, as the application does not provide those details. The entrance and frontage will be landscaped with a 6-foot-tall wrought iron style fence accented with brick columns every 200 feet and at the corners. Landscaping will be planted in front of this fence to further enhance the aesthetics and screen the project from the highway. Per the narrative, one monument sign, compliant with the sign ordinance, is proposed at the entrance on Cleveland Highway.

One (1) **variance** related to landscaped buffer requirements will be necessary if the site plan, as presented, is approved because the proposal does not meet the requirements.

- 50-foot landscaped buffer where a commercial zoning district abuts property zoned for residential use as found in 17.420.050(C)(2)(c).
    - *The applicant is requesting to reduce the transitional buffer along tax parcels10143 000003, 10144 000029A, and a small portion of parcel 10144 000038 from 50 feet to 30 feet and is proposing to provide an enhanced buffer for the reduction.*
        - *The applicant has not provided details as to how the buffer will be enhanced.*

Based on the future land-use plan, staff finds the *zoning request inconsistent* with the Lake Area Residential future land use classification in the Comprehensive Plan. This land use category is characterized by low-density residential development and neighborhoods. The intent of this land use category is to preserve established neighborhoods and create opportunities for permanent vacation residences similar in land use patterns to Residential Areas but at lower residential densities. Future development is envisioned to continue to be detached, single family homes at low densities in addition to less intensive agricultural uses that are found in the northwestern part of the land use classification.

Zoning Analysis

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:

(A) Rezone from Agricultural Residential III (AR-III, 17.110) and Planned Commercial Development (PCD, 17.180.080) / Gateway Corridors Overlay District (GCOD, 17.420) to Light Industrial (I-I, 17.160) / Gateway Corridors Overlay District (GCOD, 17.420) and

(B) Use Subject to County Commission Approval | 17.420.050. outdoor storage

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 rezoning and use of the property as boat and RV storage and an office/warehouse is inconsistent with the development pattern of nearby properties. To the south is an adjacent 13.43± acre parcel zoned Residential I (R-I, 17.60). To the north is a PCD-zoned property Planned Commercial Development (PCD, 17.180.080); this rezoning was approved in 1992 for a shopping center, but remains undeveloped. The remainder of the adjacent parcels on the subject side of the street are other Agricultural Residential III (AR-III, 17.110) properties.**

2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The proposed zoning classification of Light Industrial (I-I, 17.160) is inconsistent with the existing development along Cleveland Highway and could have an impact on nearby residential and agricultural parcels.**

3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; **Yes, the properties have reasonable economic use as currently zoned, from Agricultural Residential III (AR-III, 17.110) and Planned Commercial Development (PCD, 17.180.080), but the proposed business cannot occur as described without approval of the rezoning request to Light Industrial (I-I, 17.160).**

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 use should not cause an excessive or burdensome use of existing streets, transportation facilities, utilities, schools, police protection, fire protection public 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 parcels fall within the Lake Area Residential future land use category of the Comprehensive Plan. This land use category is characterized by low-density residential development and neighborhoods. The intent of this land use category is to preserve established neighborhoods and create opportunities for permanent vacation residences similar in land use patterns to Residential Areas but at lower residential densities. Future development is envisioned to continue to be detached, single family homes at low densities in addition to less intensive agricultural uses that are found in the northwestern part of the land use classification. The request to rezone the property is inconsistent with the future land use classification.**

6. The extent to which property values are diminished by the existing zoning restrictions; **Staff is unable to determine the extent to which property values are diminished by the existing zoning restrictions.**

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 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.**

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; **Aerial imagery shows that the property is primarily undeveloped, though there are various residential and/or agricultural structures located on the parcels. If approved, the existing residence located on 3419 Cleveland Highway will remain and serve as an office for the contractor's business.**

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; **GDOT plans for a future realignment of Cleveland Highway show that the subject property is anticipated to be affected.**

11. Whether the change would create an isolated district unrelated to the surrounding districts; **The rezoning of the property to Light Industrial (I-I, 17.160) would be a more intensive use than the existing Agricultural Residential III (AR-III, 17.110) and Planned Commercial Development (PCD, 17.180.080) classification and it would create an isolated district unrelated to the surrounding districts, as there is no I-I zoning established in the area.**

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.**

13. Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood; **The close proximity to Lake Lanier and recent residential growth within the City of**

Gainesville and the county may suggest there is a need for this sort of storage in this portion of the county.

14. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **There may be other industrially zoned properties in the county where the proposed use would be permitted without zoning action.**

15. Whether the need for rezoning could be handled instead by a variance request to the [planning commission]; **No, the request could not be handled instead by a variance as the proposed uses are not permitted within the Agricultural Residential III (AR-III, 17.110) or Planned Commercial Development (PCD, 17.180.080) districts.**

16. Whether there would be an ecological or pollution impact resulting from major modifications to the land if the request is granted; **Any land disturbance activities on the property shall be required to go through the land development permitting process, and as a result are subject to local, state, and federal regulations. As a result, there should not be an ecological or pollution impact resulting from any modification to the land if the request is granted.**

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.**

(C) Variance | 17.420.050.C.2 to reduce the required transitional buffer in Gateway Corridors Overlay District (GCOD, 17.420)

Section 17.420.070, appeals and modifications states that "if substantial modifications or changes are necessary, any person, firm, group or organization may apply for relief from the requirements set forth in this chapter to the Hall County Planning Commission, unless otherwise specified in this chapter."

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); **There does not appear to be extraordinary or exceptional conditions pertaining to the subject property. There are no physical characteristics of the property that would prevent the applicant from meeting the transitional buffer requirements as required by the Gateway Corridors Overlay District (GCOD, 17.420).**

2. The application of the requirements of this Title 17 to this particular piece of property would create an unusual hardship; **The applicant would have to make modification to the proposed site layout, to meet the transitional buffer requirements of the Gateway Corridors Overlay District (GCOD, 17.420). As a result, there may be a reduction in the number of covered storage spaces for the proposed development, though it is unlikely this would create an unusual hardship.**

3. Such conditions are peculiar to the particular piece of property involved and are not common to other properties in the neighborhood; **No, the conditions are not peculiar to the subject parcel but the result of the proposed use of the property.**

4. Such conditions are not the result of any actions of the property owner; **the proposed site layout has been proposed by the applicant.**

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. **Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of Title 17.**

17.380.050. - Submission requirements

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 the Hall County Planning Commission.**

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]. **The applicant has submitted a narrative and site plan but has not explicitly addressed the criteria listed in 17.350.120.**

   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**. The applicant submitted a site plan drawn to scale.**

C. For any application for a slow rate land treatment system (see chapter 17.20), the following additional requirements apply. **This standard is not applicable as the site will be served by an onsite septic system.**

D. 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. **As there are not 100 or more residential dwelling units proposed, this criteria is not applicable.**

Development Support and Constraints / Departmental Comments

Hall County Environmental Health

In an email dated August 18, 2023, Emily McGahee stated "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 Marshal

In an email dated August 18, 2023, John Hornick, NPQ Fire Inspector 1, Plans Review Lieutenant provided the following comments:

Additional fire hydrant(s) will be required to be installed inside the development to meet the International Fire Code requirement of Section 507.5.1 including state modification(s).

Hall County Public Works and Utilities

In a memo dated August 18, 2023, Bill Nash, Director of Public Works and Utilities, provided the following comments:

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 stream buffer and impervious setback from wrested vegetation not centerline of stream. Proposed GDOT project goes right through this parcel.

Traffic:

Permit from GDOT will be required for connection to Cleveland Highway.

Utilities

No sewer connection within feasible distance.

Georgia Department of Transportation

In an email dated August 15, 2023 from Veronica Chavers, D1TO Civil Engineer 3, she confirmed that the project will require GDOT coordination for access on Cleveland Highway.

- **Excerpts from the minutes of the October 2, 2023 meeting**

Applicant's Presentation:

Randi Doveton, Planning Director, presented a summary of the request. Ms. Doveton stated that due to the modification to the site plan the variance request is no longer applicable.

Ed Myers, 752 Chattahoochee Place, Gainesville, presented the request. The applicant explained the modified site plan and narrative. The applicant requested a variance for a metal building in the rear about

700 feet behind the state highway. The applicant stated that the hours of operation would be from 6:00 am to 12:00 am.

Rebuttal

The applicant stated that customers store their boats/RVs and let them sit there for a long time so there will not be a significant amount of traffic. The applicant stated that GDOT has had talks of widening the road but they have been in talks of the project for many years now. The applicant stated that they will install non-spill lights.

Public Forum:

John Carter, 3432 Cleveland Highway, Gainesville, spoke in opposition. Concerns were property value, egress/ingress, traffic, hours of operation, grading, noise, clear cutting trees, lights, view, and buffer.

Dutch Sievert, 3420 Cleveland Highway, Gainesville, spoke in opposition. Concerns were property value, development placement, intense use, view, and traffic.

Petra Urban, 3418 Cleveland Hwy, Gainesville, spoke in opposition. Concerns were property value, zoning, traffic, and safety.

John Mallen, 4014 Donna Drive, Gainesville, spoke in opposition. Concerns were zoning, light pollution, traffic, and new highway.

Richard Prior, 3343 Nottingham Forest Dr, Gainesville, spoke in opposition. Concerns were traffic, safety, new highway, major residential area, and environmental impact.

Michael O'Chasey, 3340 Wilkerson Drive, Gainesville, spoke in opposition. Concerns were number of bays, traffic, number of boats on lake, traffic on the Little River, and safety.

Mark Kirves, 3338 Wilkerson Drive, Gainesville, spoke in opposition. Concerns were property value, traffic, and safety.

Planning Commission Comments:

Mr. Braswell requested clarification on the fencing and landscaping. The applicant stated that they will install bushes and trees along the frontage as well as having a fence to help shield the view. Mr. Braswell questioned how access will be controlled. The applicant stated that it will be controlled electronically by a phone app. Mr. Hunt questioned if the applicant is willing to change the closing time to 11:00 pm. The applicant agreed. Mr. Hunt requested clarification on buffers. Mr. Braswell stated that the new narrative stated there will be a vinyl chain link fence around the entire perimeter. The applicant stated that was correct and it is for security purposes. Mr. Braswell stated that the updated site plan removed the need for uncovered parking towards the frontage. Ms. Pilcher stated that the speed limit poses a safety hazard for anyone coming in or out of the development.

A

***Motion:* A motion to approve, with conditions was made by Mr. Hunt and seconded by Mr. Varner. Vote: 4-1 (Pilcher opposed)**

Conditions:

1. The development shall occur as depicted on the site plan dated September 29, 2023 and described in the updated project narrative dated September 29, 2023, modified for compliance with zoning conditions and Hall County regulations. Minor changes can be approved by the Planning Director, provided 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 from the Hall County development standards. No variances are granted as part of this request other than those listed herein.
2. The storage or disposal of junk material and construction debris on the subject property is prohibited. Any areas where junk or debris has been stored on the property shall be properly disposed of or stored in accordance with applicable regulations.
3. The development, including any signage, shall be subject to the standards of the Gateway Corridors Overlay District (GCOD, 17.420.050). No variances are granted from these standards.
4. The applicant shall coordinate and receive approval from the Georgia Department of Transportation for the site access and proposed location of the covered storage areas.
5. All parking and storage areas shall be paved with either asphalt or concrete.
6. The applicant shall be required to meet all applicable local, state, and/or federal regulations required as part of the land development process.
7. All conditions of zoning shall be made part of any plans created for the property.
8. The hours of operation for the self-storage facility shall be 6:00am-11:00pm, Monday through Sunday.
9. The roof material for the covered parking shall be standing seam architectural metal roof panels, with the color to be approved by the Planning and Development Director.
10. The 10,800 sq. ft. warehouse at the rear of the property as shown on the concept plan shall be allowed to utilize metal siding.

B

Motion: ***A motion to approve, with conditions was made by Mr. Hunt and seconded by Mr. Varner. Vote: 4-1 (Pilcher opposed)***

Conditions:

1. The development shall occur as depicted on the site plan dated September 29, 2023 and described in the updated project narrative dated September 29, 2023, modified for compliance with zoning conditions and Hall County regulations. Minor changes can be approved by the Planning Director, provided 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 from the Hall County development standards. No variances are granted as part of this request other than those listed herein.
2. The storage or disposal of junk material and construction debris on the subject property is prohibited. Any areas where junk or debris has been stored on the property shall be properly disposed of or stored in accordance with applicable regulations.
3. The development, including any signage, shall be subject to the standards of the Gateway Corridors Overlay District (GCOD, 17.420.050). No variances are granted from these standards.
4. The applicant shall coordinate and receive approval from the Georgia Department of Transportation for the site access and proposed location of the covered storage areas.
5. All parking and storage areas shall be paved with either asphalt or concrete.
6. The applicant shall be required to meet all applicable local, state, and/or federal regulations required as part of the land development process.
7. All conditions of zoning shall be made part of any plans created for the property.

8. The hours of operation for the self-storage facility shall be 6:00am-11:00pm, Monday through Sunday.
9. The roof material for the covered parking shall be standing seam architectural metal roof panels, with the color to be approved by the Planning and Development Director.
10. The 10,800 sq. ft. warehouse at the rear of the property as shown on the concept plan shall be allowed to utilize metal siding.

C

Motion: ***A motion to deny was made by Mr. Hunt and seconded by Mr. Varner. Vote: 5-0***

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

HALL COUNTY GEORGIA
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ZONING APPLICATION

Applicant (Name & Mailing Address)

Dutton Properties
PO Box 908387
Gainesville, GA 30501

Phone 770-351-7565

Email Address glennjdutton@aol.com

Property Owner (Name & Mailing Address)

Glenn Dutton
PO Box 908387
Gainesville, GA 30501

Phone 770-351-7565

Email Address glennjdutton@aol.com

Proposed Use Boat & RV Storage & warehouse for contractor office

Contact Person (Name & Mailing Address)

Glenn Dutton
PO Box 908387
Gainesville, GA 30501

Phone 770-351-7565

Email Address glennjdutton@aol.com

Status of Applicant

- Owner
- Option to Purchase
- Area Resident
- Other

Requested Action

Existing Zoning: AR-III

Rezone to: I-1 (Light Industrial)

Fee:$ 1,500

Receipt #: 011257

Check #: _____

Tax Parcel Number 10144 000030 000041 000029 0000036 0000035

Acreage 20.16 Ac

Location Address 3419 3505 3405 3443 Cleveland Hwy 3906 Donna Drive

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

Sign _____ Date: 7/20/23

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: 7/21/23 Taken by: _____

Tentative Planning Commission Date: 9/18 Tentative County Commission Date: 10/26

County Commission District: 1

PLANNING AND DEVELOPMENT DEPARTMENT
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HALL COUNTY
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AUTHORIZATION OF PROPERTY OWNERS

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

Name of owner(s) Glenn Dutton

Address 3419 Cleveland Highway
Gainesville, GA 30506

Phone Number 770-351-7565

Name of applicant(s) Dutton Properties

Address PO Box 908387
Gainesville, GA 30501

Phone Number 770-351-7565

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)

Personally appeared before me

Glenn J. Dutton

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

Lisa Little
Notary Public Exp. 11-16-2024

7-20-23
Date

PLANNING AND DEVELOPMENT DEPARTMENT
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HALL COUNTY
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AUTHORIZATION OF PROPERTY OWNERS

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

Name of owner(s) Glenn Dutton

Address 3405 Cleveland Highway
Gainesville, GA 30506

Phone Number 770-351-7565

Name of applicant(s) Dutton Properties

Address PO Box 908387
Gainesville, GA 30501

Phone Number 770-351-7565

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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)

Personally appeared before me

[signature], owner Glenn J. Dutton

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

Lisa Little
Notary Public Exp. 11-16-2024

7-20-23
Date

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AUTHORIZATION OF PROPERTY OWNERS

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

Name of owner(s) Glenn Dutton

Address 3443 Cleveland Highway
Gainesville, GA 30506

Phone Number 770-351-7565

Name of applicant(s) Dutton Properties

Address PO Box 908387
Gainesville, GA 30501

Phone Number 770-351-7565

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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)

Personally appeared before me

Glenn J. Dutton

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

Lisa Little
Notary Public Exp 11-16-2024

7-20-23
Date

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AUTHORIZATION OF PROPERTY OWNERS

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

Name of owner(s) Glenn Dutton

Address 3505 Cleveland Highway
Gainesville, GA 30506

Phone Number 770 351-7565

Name of applicant(s) Dutton Properties

Address PO Box 908387
Gainesville, GA 30501

Phone Number 770-351-7565

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)

Personally appeared before me

Glenn J. Dutton

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

Lisa Little
Notary Public Exp 11-16-2024

7-20-23
Date

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AUTHORIZATION OF PROPERTY OWNERS

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

Name of owner(s) Tanner Dutton

Address 3906 Donna Drive
Gainesville, GA 30506

Phone Number 770-231-1905

Name of applicant(s) Dutton Properties

Address PO Box 908387
Gainesville, GA 30501

Phone Number 770-351-7565

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)

Personally appeared before me

Tanner Dutton

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

Lisa Latik
Notary Public Exp. 11-16-2024

7-20-23
Date

PLANNING AND DEVELOPMENT DEPARTMENT
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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 X

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:** 7/20/23

Applicant's/Owner's Name (Printed): Tanner Dutton

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Name of Official(s): _____ Office: _____

Dollar Amount: _____ Date of Contribution: _____

Applicant's/Owner's Signature: _____ **Date:** 7/20/23

Applicant's/Owner's Name (Printed): Glenn Dutton

Narrative
129 Boat & RV Storage
I-I Zoning

Existing Site Description

The proposed development consists of 5 existing parcels that total 20.16 acres. It is located on the western side of Cleveland Highway (S.R. 129) just north of the intersection with Donna Drive. The current zoning is AR-III. The surrounding adjacent properties are zoned AR III & PCD. There are 2 existing residential houses on the development. One is a house on the historic registry that will remain as part of the project. There is an existing farm pond that will remain on the site.

Proposed Development

The proposed property will be used for boat and RV storage and have a 10,800 s.f. warehouse for a contractor's office. Access will be controlled by an automated gate. A turnaround will be provided outside of the gate in case someone is not able to access and needs to leave. An existing historic home will remain as an office at the entrance to the development. Lighting will be LED non-spill fixtures under the canopy or attached to the structures.

One monument sign will be placed at the entrance on Cleveland Highway. All signs will comply with the current county sign requirements.

The entrance and frontage will be landscaped with a 6-foot-tall wrought iron style fence accented with brick columns every 100 feet and at the corners. Landscaping will be planted in front of this fence to further enhance the aesthetics and help screen the project from the highway. The remainder of the development will be surrounded by a black vinyl coated chain link fence for security purposes.

The proposed use will provide a low impact, low traffic use along the Cleveland Highway corridor and the surrounding residential properties.

The boat & RV storage will be a lake supportive land use as recommended by the county's Comprehensive Future Land Use Plan.

Storm Water Detention

Storm water will be detained in a combination of a proposed pond and infiltration trenches. The pond discharges into an existing farm pond which eventually flows into an existing creek along the western property line. The pond will comply with all current storm water regulations for Hall County.

Building Setbacks and Buffers

Front: 100' from centerline of Cleveland Highway
50' off Donna Drive r/w
Side & Rear: 20'

Buffers

50' Transition Buffer will be adjacent to all AR-III zoned properties.

Gateway Corridor Overlay District

Conditional Use Request

This application is requesting approval for outdoor storage use inside the Gateway Corridor Overlay District.

Building Materials

Boat & RV Canopy

The covered parking is proposed to be open on all side and will not have any walls as vehicles will be entering and exiting the units on all sides due to the angled parking. To mitigate the appearance from the street, a landscaped strip with wrought iron fencing and brick columns every 100 feet will provide a visual break between the street and the parked units. Trees and shrubs will be planted in front of the fence. This combination will provide an appealing external appearance to the facility.

Open sided parking with Landscaped frontage

Warehouse

Since the proposed warehouse is in the back of the development and is over 700 feet off of Cleveland Highway, the building will not be visible from the public road. This application is requesting to allow all the sides of the building be metal.

Frontage Style

Proposed frontage fence and landscaping

Narrative
129 Boat & RV Storage
I-I Zoning

Existing Site Description

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Storm water will be detained in a combination of a proposed pond and infiltration trenches. The pond discharges into an existing farm pond which eventually flows into an existing creek along the western property line. The pond will comply with all current storm water regulations for Hall County.

Building Setbacks and Buffers

Front: 100' from centerline of Cleveland Highway
50' off Donna Drive r/w

Side & Rear: 20'

Buffers

50' Buffer to adjacent to parcel 10144 000038 as shown on the Rezoning Plan on the south side of the development. This buffer is mostly covered by an existing farm pond that will remain on the property. This gives plenty of separation between the existing residential property.

A 50' – 30' Enhanced Buffer adjacent to Parcel 10144 000029A as shown on the south side of the Rezoning Plan will provide screening adjacent to the residential area.

A 30' Enhanced Buffer will be provided along the northern side adjacent to the AR-III property.

The western boundary will have a 50' Undisturbed Stream Buffer and a 75' Impervious Setback to buffer those adjacent properties.

Gateway Corridor Overlay District

Conditional Use Request

This application is requesting approval for outdoor storage use inside the Gateway Corridor Overlay District.

Buffer Reduction

This application is requesting a reduction of the transitional buffer on the northern and small strip of the southern property line that is adjacent it to the AR-III property as shown on the Rezoning Plan.

Frontage Style

Proposed frontage fence and landscaping

GENERAL NOTES:

1. TOTAL ACREAGE OF SITE = 20.16 AC.
2. CURRENT ZONING: AR–III;
   PROPOSED ZONING: I–I (LIGHT INDUSTRIAL)
3. SETBACKS:
   FRONT – 100' FROM CL CLEVELAND HWY
   FRONT – 50' DONNA DRIVE
   SIDE & REAR – 20'
4. 20' LANDSCAPED STRIP WITH FENCE ALONG ROAD FRONTAGE OF DEVELOPMENT.

CONDITIONAL USE SUBJECT TO BOARD APPROVAL:

1. OUTDOOR BOAT & RV STORAGE IN GATEWAY OVERLAY CORRIDOR.

COVERED STORAGE CHART	
BLDG	UNITS
A	66
B	90
C	55
D	58
E	60
F	38
G	20
H	30
I	28
TOTAL	445

UNCOVERED STORAGE CHART	
AREA	UNITS
1	14
TOTAL	14

N/F
STEVEN K JACKSON
PARCEL 10141 000075
ZONED AR–III

N/F
JOHN DAVID LIMINA
PARCEL 10141 000067
ZONED AR–III

N/F
KENNETH D SIMMONS
& JENIFER P. SIMMONS
PARCEL 10144 000038
ZONED AR–III

N/F
JOHN F MALLON &
NANCY E JOHNSON
PARCEL 10144 000029A
ZONED AR–III

N/F
HILDA ELIZABETH GILLELAND LEE &
LARRY CLYDE GILLELAND
PARCEL 10143 000003
ZONED AR–III

N/F
HILDA ELIZABETH GILLELAND LEE
PARCEL 10143 000193
ZONED PCD

CREEK
50' UNDISTURBED STREAM BUFFER
75' IMPERVIOUS SETBACK
EX POND
50' BUFFER
STORM WATER FACILITY
90'
Prop. Bldg
10,800 sf
120'x90'
120'
50' Transition Buffer
AR–III ZONING
PCD ZONING
Uncovered 1
BLACK VINYL COATED CHAIN LINK FENCE
20' SETBACK
PROP. DUMP STATION
UNIT I
UNIT E
UNIT D
UNIT C
UNIT B
UNIT A
UNIT H
UNIT G
UNIT F
48'
30'
40'
100' B/L
50' B/L
BLACK VINYL COATED CHAIN LINK FENCE
50' TRANSITION BUFFER
50' BUFFER
DONNA DRIVE (40' R/W)
WROUGHT IRON FENCE
GATE
Ex House to Remain as office
Ice Maker
20' LANDSCAPE STRIP
SR 129/CLEVELAND HWY (60' R/W)
MAGNETIC

GRAPHIC SCALE
60 0 30 60 120 240
(IN FEET)
1 inch = 60 ft.

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Seal

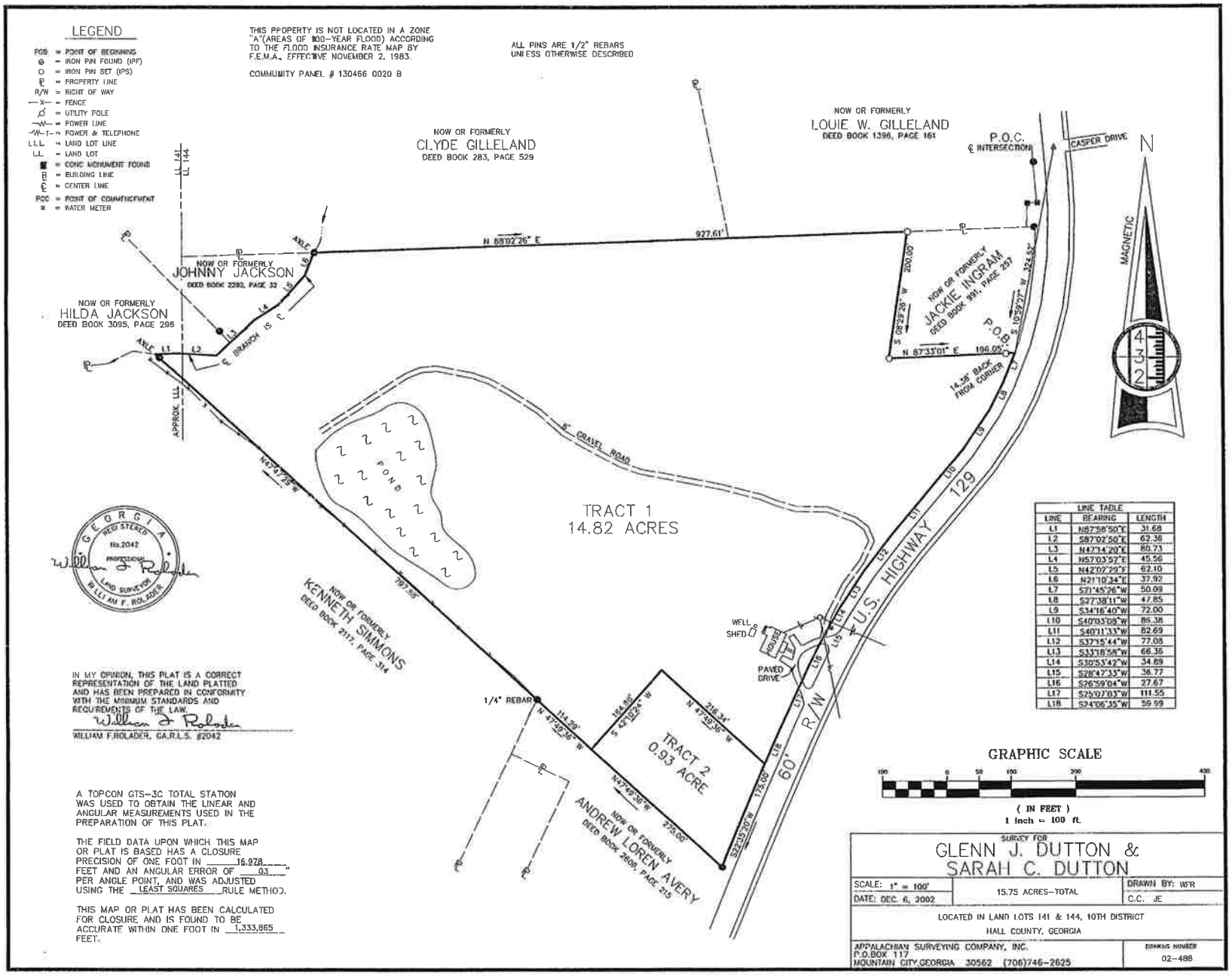
MYERS & CO.
civil engineers
P.O. BOX 634
GAINESVILLE, GA 30503
770–654–9172
ed@myers–and–co.com

Project Description
129 BOAT & RV STORAGE
HALL COUNTY, GEORGIA

DATE 8–1–23
JOB NO. 23–03
Sheet Title REZONING PLAN

Revisions

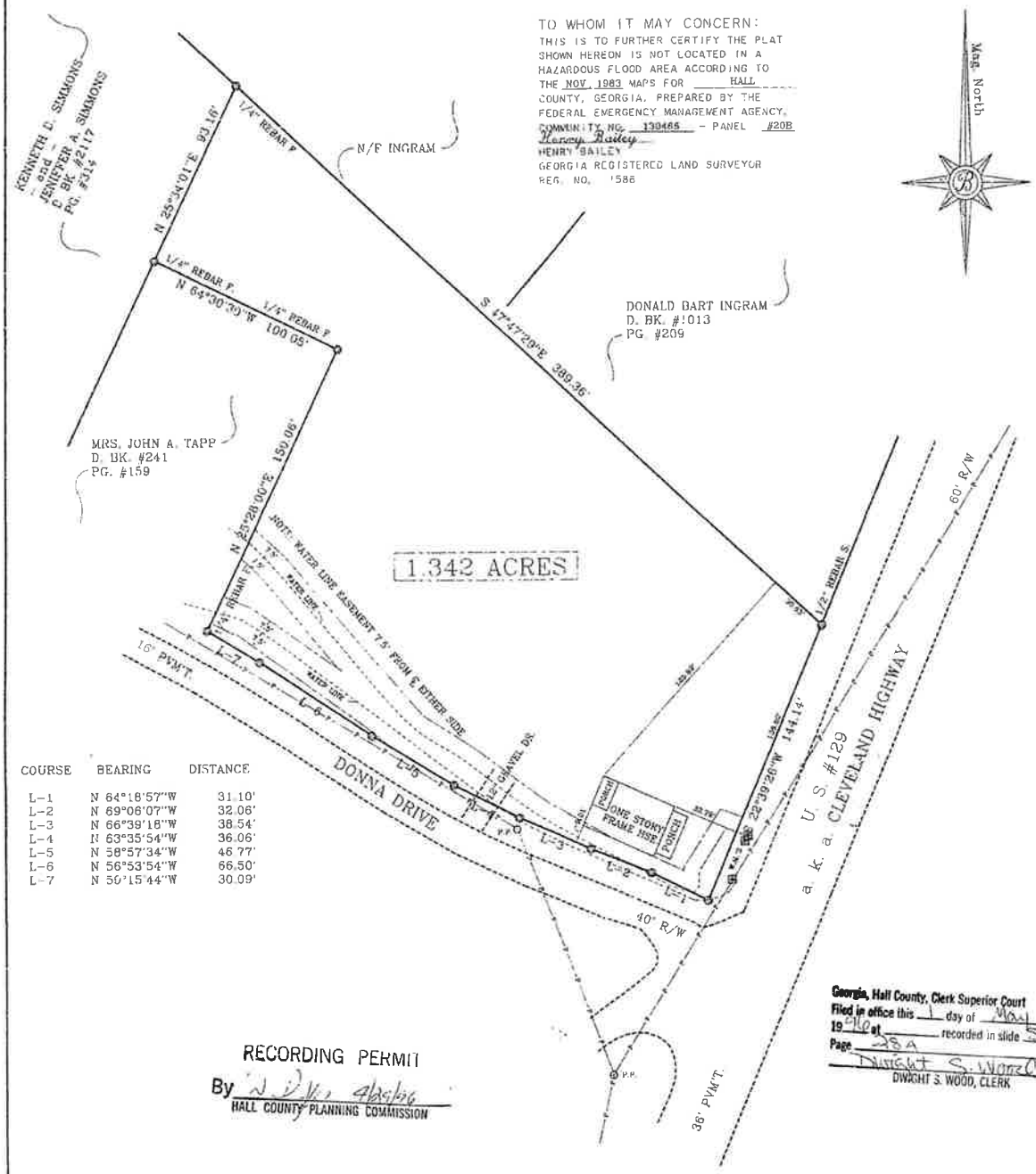
SHEET 1



LINE TABLE

LINE	BEARING	LENGTH
L1	N87°58'50"E	31.68
L2	S87°02'50"E	62.36
L3	N47°14'20"E	80.73
L4	N57°03'57"E	45.56
L5	N42°02'29"E	62.10
L6	N21°10'34"E	37.92
L7	S21°45'26"W	50.09
L8	S27°38'11"W	47.85
L9	S34°16'40"W	72.00
L10	S40°03'08"W	86.38
L11	S40°11'33"W	82.69
L12	S37°15'44"W	77.08
L13	S33°18'58"W	66.36
L14	S30°53'42"W	34.89
L15	S28°47'33"W	36.77
L16	S26°59'04"W	27.67
L17	S25°07'03"W	111.55
L18	S24°06'35"W	59.99

TO WHOM IT MAY CONCERN:
THIS IS TO FURTHER CERTIFY THE PLAT SHOWN HEREON IS NOT LOCATED IN A HAZARDOUS FLOOD AREA ACCORDING TO THE NOV. 1983 MAPS FOR HALL COUNTY, GEORGIA, PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, COMMUNITY NO. 130465 - PANEL #20B
Henry Bailey
HENRY BAILEY
GEORGIA REGISTERED LAND SURVEYOR
REG. NO. 1586



COURSE	BEARING	DISTANCE
L-1	N 64°18'57"W	31.10'
L-2	N 69°06'07"W	32.06'
L-3	N 66°39'18"W	38.54'
L-4	N 63°35'54"W	36.06'
L-5	N 58°57'34"W	46.77'
L-6	N 56°53'54"W	66.50'
L-7	N 50°15'44"W	30.09'

RECORDING PERMIT
By [signature] 4/29/96
HALL COUNTY PLANNING COMMISSION

Georgia, Hall County, Clerk Superior Court
Filed in office this 1 day of May
1996 at ____ recorded in slide 5A
Page 28A
Dwight S. Wood
DWIGHT S. WOOD, CLERK

: REFERENCES :
D. BK. #241 - PG. #159
D. BK. #264 - PG. #295
P. BK. #27 - PG. #252
P. BK. #121 - PG'S. #252 and #253
P. S. #312 - PG. #214A

SURVEYED BY:
HENRY BAILEY
P. O. BOX 286
GAINESVILLE, GEORGIA 30503-0286
PHONE: (770) 536-6425

40 0 40 80 120
GRAPHIC SCALE - FEET

THE ANGULAR AND LINEAR MEASUREMENT UPON WHICH THIS MAP OR PLAT IS BASED WAS PERFORMED WITH A TOPCON GTS - 3B ELECTRONIC DISTANCE METER AND A 100' STEEL TAPE, HAS AN ANGULAR ERROR OF 06.7" PER ANGLE POINT, A CLOSURE OF ONE FOOT IN 14,387 FEET AND WAS ADJUSTED USING THE COMPASS RULE. THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 72,528 FEET.

GEORGIA REGISTERED No. 1586 PROFESSIONAL LAND SURVEYOR HENRY BAILEY

SURVEY FOR:
ANDREW LOREN AVERY
WHELCHEL G.M.D. #570
LAND LOT #144 - 10th LAND DISRTICT
HALL COUNTY, GEORGIA
APRIL 29, 1996 - SCALE 1"= 40' 96-04-19

1700-992

LEGEND

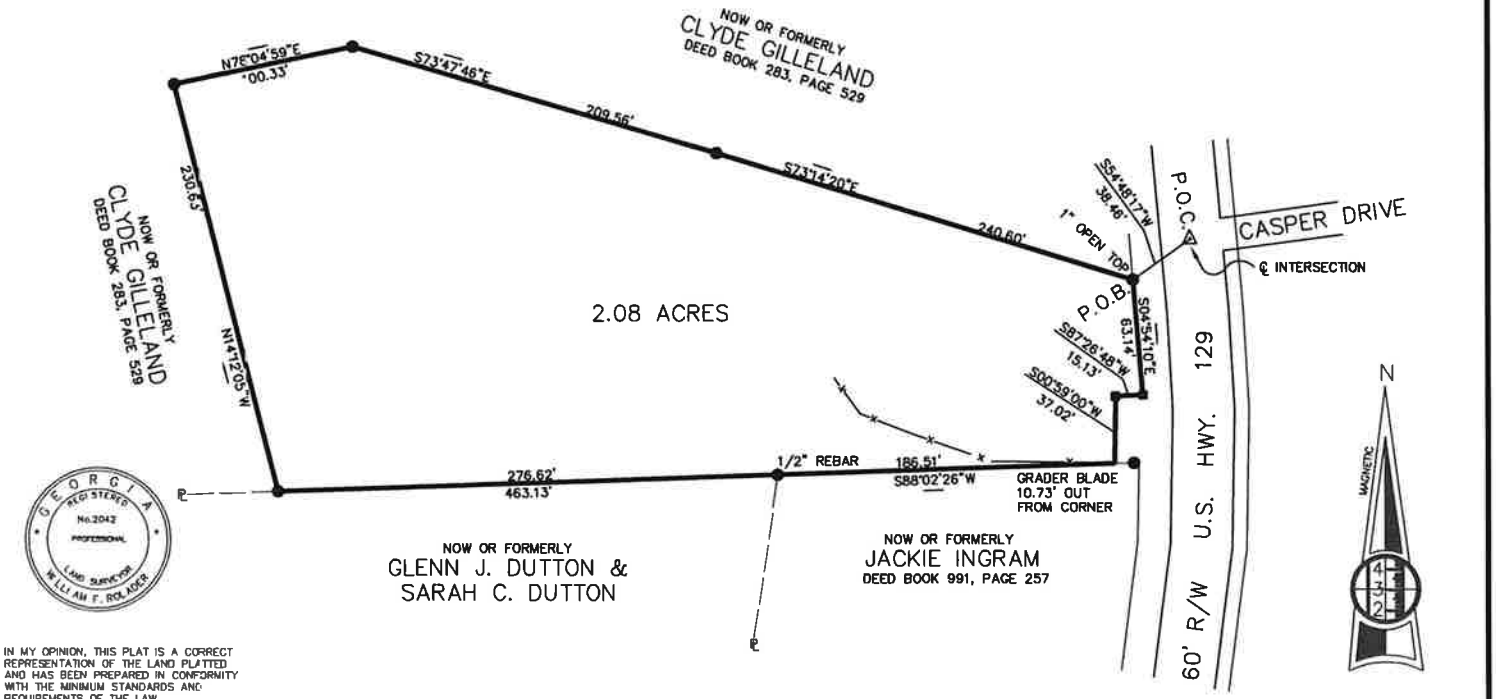
POB = POINT OF BEGINNING
⊕ = IRON PIN FOUND (IPF)
○ = IRON PIN SET (IPS)
℄ = PROPERTY LINE
R/W = RIGHT OF WAY
—x— = FENCE
= UTILITY POLE
—W— = POWER LINE
—W— T— = POWER & TELEPHONE
L.L.L. = LAND LOT LINE
L.L. = LAND LOT
= CONC MONUMENT FOUND
B = BUILDING LINE
℄ = CENTER LINE
POC = POINT OF COMMENCEMENT

THIS PROPERTY IS NOT LOCATED IN A ZONE "A"(AREAS OF 100-YEAR FLOOD) ACCORDING TO THE FLOOD INSURANCE RATE MAP BY F.E.M.A., EFFECTIVE NOVEMBER 2, 1983.

COMMUNITY PANEL # 130466 0020 B

ALL PINS ARE 1/2" ROD UNLESS OTHERWISE STATED.

REFERENCE: PLAT BOOK 138, PAGE 204



GEORGIA REGISTERED No.2042 PROFESSIONAL LAND SURVEYOR WILLIAM F. ROLADER

IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW.

WILLIAM F.ROLADER, GA.R.L.S. #2042

A TOPCON GTS-3C 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 HAS A CLOSURE PRECISION OF ONE FOOT IN 14,716 FEET AND AN ANGULAR ERROR OF C3 " PER ANGLE POINT, AND WAS ADJUSTED USING THE LEAST SQUARES RULE METHOD.

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 103,979 FEET.

GRAPHIC SCALE

60 0 30 60 120 240

(IN FEET)
1 inch = 60 ft.

SURVEY FOR
GLENN J. DUTTON &
SARAH C. DUTTON

SCALE: 1" = 60'	2.08 ACRES	DRAWN BY: WJR
DATE: MAY 20, 2003		C.C. WFR

LOCATED IN LAND LOT 144, 10TH DISTRICT
HALL COUNTY, GEORGIA

APPALACHIAN SURVEYING COMPANY, INC.
P.O.BOX 117
MOUNTAIN CITY,GEORGIA 30562 (706)746-2625

DRAWING NUMBER 03-225

GENERAL NOTES:

1. TOTAL ACREAGE OF SITE = 20.16 AC.
2. CURRENT ZONING: AR–III;
   PROPOSED ZONING: I–I (LIGHT INDUSTRIAL)
3. SETBACKS:
   FRONT – 100' FROM CL CLEVELAND HWY
   FRONT – 50' DONNA DRIVE
   SIDE & REAR – 20'
4. 20' LANDSCAPED BUFFER WITH FENCE ALONG ROAD FRONTAGE OF DEVELOPMENT.

CONDITIONAL USE SUBJECT TO BOARD APPROVAL:

1. OUTDOOR BOAT & RV STORAGE IN GATEWAY OVERLAY CORRIDOR.

COVERED STORAGE CHART	
BLDG	UNITS
A	63
B	90
C	49
D	58
E	60
F	38
G	20
H	33
I	28
TOTAL	439

UNCOVERED STORAGE CHART	
AREA	UNITS
1	10
2	20
3	14
TOTAL	44

N/F
STEVEN K JACKSON
PARCEL 10141 000075
ZONED AR–III

N/F
JOHN DAVID LIMINA
PARCEL 10141 000067
ZONED AR–III

N/F
KENNETH D SIMMONS
& JENIFER P. SIMMONS
PARCEL 10144 000038
ZONED AR–III

N/F
HILDA ELIZABETH GILLELAND LEE &
LARRY CLYDE GILLELAND
PARCEL 10143 000003
ZONED AR–III

N/F
JOHN F MALLON &
NANCY E JOHNSON
PARCEL 10144 000029A
ZONED AR–III

N/F
HILDA ELIZABETH GILLELAND LEE
PARCEL 10143 000193
ZONED PCD

50' UNDISTURBED STREAM BUFFER
75' IMPERVIOUS SETBACK
CREEK
EX POND
50' BUFFER
STORM WATER FACILITY
30' ENHANCED BUFFER
50' ENHANCED BUFFER
20' LANDSCAPE STRIP
30' Enhanced Buffer
20' SETBACK
PROP. DUMP STATION
GATE
Ex House to Remain as office
Ice Maker
MAGNETIC
DONNA DRIVE (40' R/W)
SR 129/CLEVELAND HWY (60' R/W)

Prop. Bldg
10,800 sf
120'x90'
90'
120'

UNIT I
UNIT E
UNIT D
UNIT C
UNIT B
UNIT A
UNIT H
UNIT G
UNIT F
Uncovered 1
Uncovered 2
Uncovered 3
48'
40'
30'
50' B/L
100' B/L

GRAPHIC SCALE
60 0 30 60 120 240
(IN FEET)
1 inch = 60 ft.

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Seal

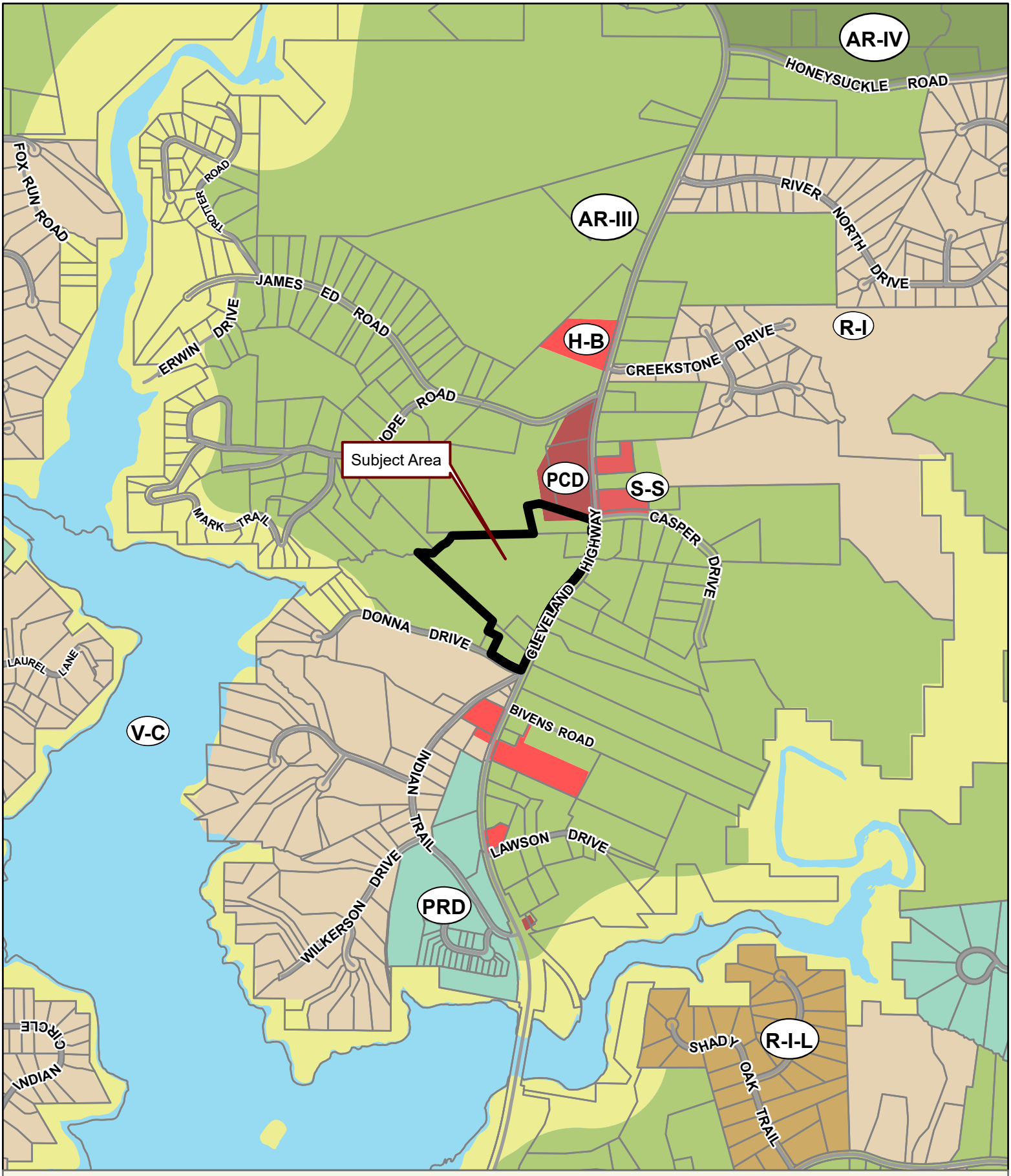
MYERS & CO.
civil engineers
P.O. BOX 634
GAINESVILLE, GA 30503
770–654–9172
ed@myers–and–co.com

Project Description
129 BOAT & RV STORAGE
HALL COUNTY, GEORGIA

DATE 8–1–23
JOB NO. 23–03
Sheet Title REZONING PLAN

Revisions

SHEET 1



Applicant: DUTTON PROPERTIES

Tax Parcel #: 10144 000036, 000030, 000035, 000041, & 000029

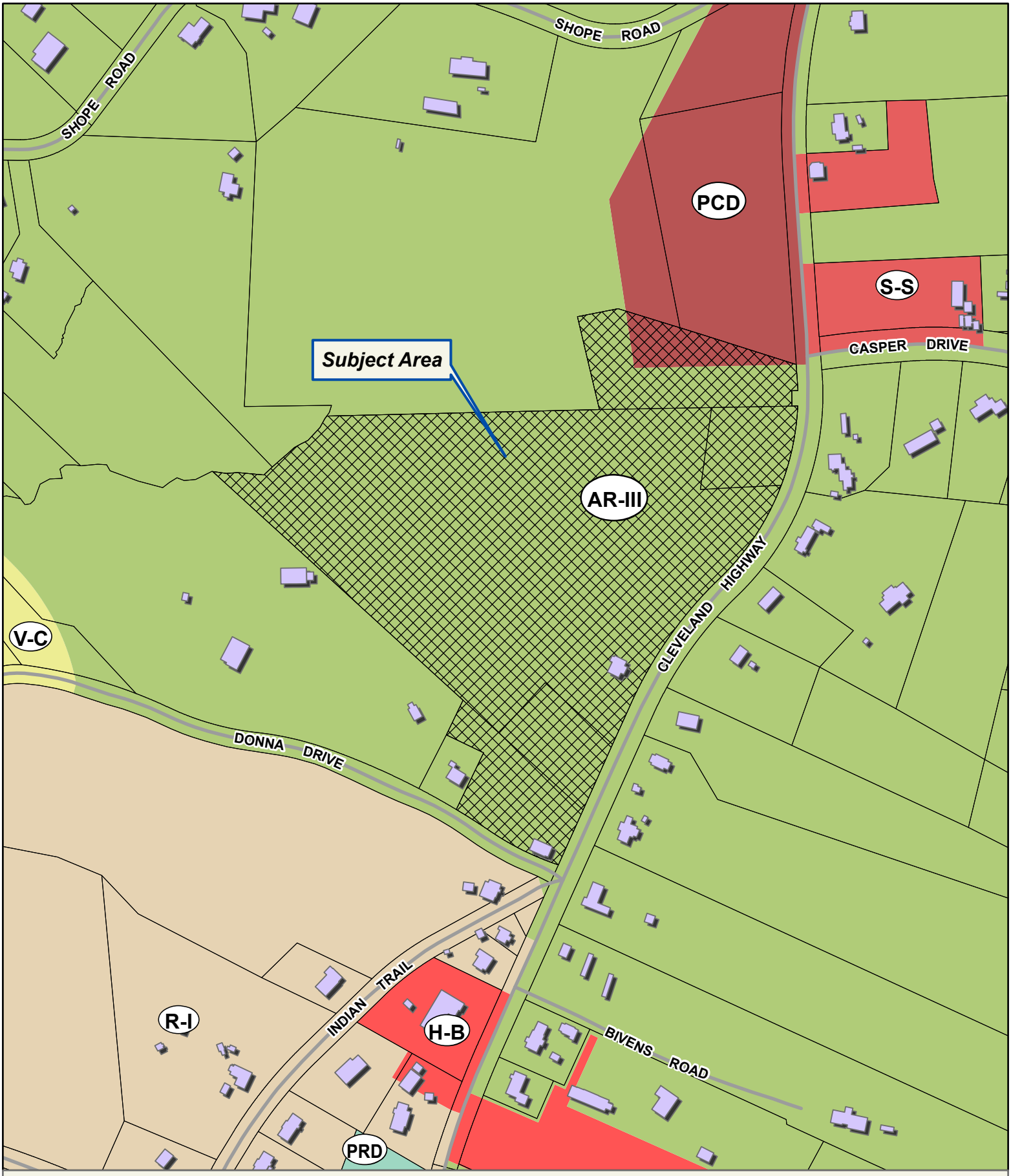
Location: 3405, 3419, 3443, 3505 CLEVELAND HWY &
3906 DONNA DRIVE GAINESVILLE, GA 30506

Commission District 3 **PC Mtg. Date: 09/18/23**

0 300 600 1,200
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N



Applicant: DUTTON PROPERTIES
Tax Parcel #: 10144 000036, 000030, 000035, 000041, & 000029
Location: 3405, 3419, 3443, 3505 CLEVELAND HWY &
3906 DONNA DRIVE GAINESVILLE, GA 30506
Commission District 3 **PC Mtg. Date: 09/18/23**

0 90 180 360
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N

Applicant: DUTTON PROPERTIES

Tax Parcel #: 10144 000036, 000030, 000035, 000041, & 000029

Location: 3405, 3419, 3443, 3505 CLEVELAND HWY &
3906 DONNA DRIVE GAINESVILLE, GA 30506

Commission District 3 **PC Mtg. Date: 09/18/23**

0 90 180 360
Feet

Zoning Boundary
City Limits
Subject Area

N

For Corr. WD see D.B. 1013 Pg. 207

Form No. 214 WARRANTY DEED (Long Form)

257

STATE OF GEORGIA, County of Hall

THIS INDENTURE, Made this 9th day of June in the Year of Our Lord One Thousand Nine Hundred and Eighty-Six (1986) between

SILAS LEON INGRAM

of the State of Georgia and County of Hall of the first part, and

JACKIE LEON INGRAM

of the State of Georgia and County of Hall of the second part.

WITNESSETH: That the said party of the first part, for and in consideration of the sum of DEED OF GIFT ---------- XXXXXX

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 party of the second part, his heirs and assigns, all that XXXXXXXXXXXXXXXXX certain tract and parcel of land lying and being in Land Lot 144, 10th District of Hall County, Georgia, and being 0.93 acres, more or less, as shown on a plat for Jackie Leon Ingram, prepared by H. G. Jarrard, Registered Land Surveyor, dated May 16, 1986, and filed for record in Plat Book _____, Page _____, of the Hall County Plat Records, said plat being incorporated herein by reference. Said property being more particularly described as follows:

BEGINNING at an iron pin located on the Westerly right of way of U. S. Highway 129 at a point 115 feet South of the intersection of said right of way with the centerline of Casper Drive Extended; thence, along said right of way South 00 32 West 57.66 feet; thence South 10 09 West 58.91 feet; thence South 15 56 West 50.97 feet; thence South 21 22 West 32.46 feet to an iron pin set on the Westerly right of way of U. S. Highway 129; thence South 89 38 35 West 200 feet along the property of grantor herein to an iron pin set; thence North 10 35 00 East 200 feet along the property of grantor herein to an iron pin set; thence South 89 52 00 East 200 feet to the point of beginning.

This being part of the property described in a Warranty Deed from the Executors of the Estate of Mrs. W. Harve Ingram to Silas Leon Ingram, filed for record December 8, 1967 in Deed Book 360, pages 45-46 of the Hall County Deed Records.

DEED PREPARATION ONLY WITHOUT TITLE EXAMINATION OR CERTIFICATION BY ATTORNEY.

HALL COUNTY, Georgia
Real Estate Transfer Tax
Paid $ -0-
Date June 10, 1986
DWIGHT S. WOOD
Clerk of Superior Court
By Kathy Lewis

Georgia, Hall County, Clerk Superior Court
Filed in office, this 10 day of June 1986 at 10:35 A.M. Recorded in Book 491 Page 257 this 11 day of June, 1986
Dwight S. Wood
DWIGHT S. WOOD, Clerk

Chrg Carey H. W. & Strabery

129 Boat & RV Storage

Legal Description:

All that tract or parcel of land lying and being in Land Lots 141 & 144, 10th Land District, Hall County, Georgia and being more particularly described as follows:

Beginning at the intersection of the centerlines of U.S. Highway 129 and Casper Drive as shown on multiple surveys;

Thence South 54 degrees 48 minutes 17 seconds West for a distance of 38.46 feet to the TRUE POINT OF BEGINNING on the northeastern corner;

Thence following U.S. Highway 129 the following courses:

Thence South 04 degrees 54 minutes 10 seconds East for a distance of 63.14 feet to a point;
Thence South 87 degrees 26 minutes 48 seconds West for a distance of 15.13 feet to a point;
Thence South 00 degrees 59 minutes 00 seconds West for a distance of 37.02 feet to a point;
Thence South 89 degrees 52 minutes East for a distance of 13.49 feet to a point;
Thence South 00 degrees 32 minutes West for a distance of 57.66 feet to a point;
Thence South 10 degrees 09 minutes West for a distance of 58.91 feet to a point;
Thence South 15 degrees 56 minutes West for a distance of 50.97 feet to a point;
Thence South 21 degrees 22 minutes West for a distance of 32.46 feet to a point;
Thence South 27 degrees 38 minutes 11 seconds West for a distance of 47.85 feet to a point;
Thence South 34 degrees 16 minutes 40 seconds West for a distance of 72.00 feet to a point;
Thence South 40 degrees 03 minutes 08 seconds West for a distance of 86.38 feet to a point;
Thence South 40 degrees 11 minutes 33 seconds West for a distance of 82.69 feet to a point;
Thence South 37 degrees 15 minutes 44 seconds West for a distance of 77.08 feet to a point;
Thence South 33 degrees 18 minutes 58 seconds West for a distance of 66.36 feet to a point;
Thence South 30 degrees 53 minutes 42 seconds West for a distance of 34.89 feet to a point;
Thence South 28 degrees 47minutes 33 seconds West for a distance of 36.77 feet to a point;
Thence South 26 degrees 59 minutes 04 seconds West for a distance of 27.67 feet to a point;
Thence South 25 degrees 07 minutes 03 seconds West for a distance of 111.55 feet to a point;
Thence South 24 degrees 06 minutes 35 seconds West for a distance of 59.99 feet to a point;
Thence South 22 degrees 35 minutes 20 seconds West for a distance of 175.00 feet to a point;
Thence South 22 degrees 39 minutes 26 seconds West for a distance of 144.14 feet to a point at the intersection of the northwestern right of way between U.S. Highway 129 and Donna Drive; Turning west along the right of way of Donna Drive;

Thence North 64 degrees 18 minutes 57 seconds West for a distance of 31.10 feet to a point;
Thence North 69 degrees 06 minutes 07 seconds West for a distance of 32.06 feet to a point;
Thence North 66 degrees 39 minutes 18 seconds West for a distance of 38.54 feet to a point;
Thence North 63 degrees 35 minutes 54 seconds West for a distance of 36.06 feet to a point;
Thence North 58 degrees 57 minutes 34 seconds West for a distance of 46.77 feet to a point;
Thence North 56 degrees 53 minutes 54 seconds West for a distance of 66.50 feet to a point;
Thence North 59 degrees 15 minutes 44 seconds West for a distance of 30.09 feet to a point;

Thence leaving Donna Drive the following courses:

Thence North 25 degrees 28 minutes 00 seconds East for a distance of 150.06 feet to a point;
Thence North 64 degrees 30 minutes 30 seconds West for a distance of 100.05 feet to a point;
Thence North 25 degrees 34 minutes 01 seconds East for a distance of 93.16 feet to a point;
Thence North 47 degrees 47 minutes 29 seconds West for a distance of 797.88 feet to a point;
Thence along a creek the following courses:
Thence North 87 degrees 58 minutes 50 seconds East for a distance of 31.68 feet to a point;
Thence South 87 degrees 02 minutes 50 seconds East for a distance of 62.36 feet to a point;
Thence North 57 degrees 03 minutes 57 seconds East for a distance of 45.56 feet to a point;
Thence North 42 degrees 02 minutes 29 seconds East for a distance of 62.10 feet to a point;
Thence North 21 degrees 10 minutes 34 seconds East for a distance of 37.92 feet to a point;

Thence leaving the creek the following course:
Thence North 88 degrees 02 minutes 26 seconds East for a distance of 741.10 feet to a point;

Thence North 41 degrees 12 minutes 05 seconds West for a distance of 230.63 feet to a point;
Thence North 78 degrees 04 minutes 59 seconds West for a distance of 100.33 feet to a point;
Thence South 73 degrees 47 minutes 46 seconds East for a distance of 209.56 feet to a point;
Thence South 73 degrees 14 minutes 20 seconds East for a distance of 240.60 feet to a point and said point being the TRUE POINT OF BEGINNING

Said property contains 20.16 acres more or less.

Anael Dominguez (CDI: Planning)

From: Emily McGahee (Environmental Health)
Sent: Friday, August 18, 2023 12:02 PM
To: Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning); Beth Garmon (CDI: Planning)
Cc: Kelly Hairston (Environmental Health); Chad Harper (Environmental Health)
Subject: HCPC Tentative Agenda 9.18.23

Item 1, 3922 Green Drive, Poole: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. This plat is currently under review by the Hall County Plat Review Team and Environmental Health can approve the subdivision plat of Lot 5 into 3 parcels as currently proposed. Any reconfigurations of currently submitted plat due to other county department requirements will require further review; additional requirements/fees may apply and approval of changes/reconfigurations is not implied.

Item 2, 3268 Whidby Road, Bazemore: Please note that Zoning approval does not imply approval from other county departments. All proposed structures must meet required setbacks to the existing septic system. An existing system evaluation will be required to verify setbacks and area available for full future repair of septic system. Due to age of existing septic system, it cannot be modified, only replaced. Replacement of existing septic system will require Level 3 soil evaluation and area available to relocate system and have full, feasible future repair of septic system. Application for an existing system evaluation and/or completion of additional requirements for Environmental Health does not guarantee approval.

Item 3, 5991 Circle Four Ranch, Loyd: Must meet all Environmental Health residential septic system permitting requirements.

Item 4, 7042 Baker Lane, Labovitz: Must meet all Environmental Health commercial septic system permitting requirements. A detailed business plan must be submitted to Hall County Environmental Health for review. Septic Permit OSC-7948 was issued on February 24, 2023 to accommodate a 36' x 60' barn with bathroom.

Item 5, 8545 Belton Bridge Road, Mallard View: No comment.

Items 6A-D, 3405/3419/3505 Cleveland Hwy/3906 Donna Drive, Dutton Properties: 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.

Item 7, 3302/3212 Antioch Campground Church/3446/3450/3456 Looper Lake Road: No comment. Public sewer.

Items 8A&B, 4053 Cleveland Hwy, Hunt: Non-domestic wastewater treatment and disposal must be permitted by EPD.

Items 9A-C, 1731 Friendship Road, Wilbanks: No comment. Public Sewer.

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)
https://www.hallcounty.org/192/Environmental-Health (County Website & Forms)

Anael Dominguez (CDI: Planning)

From: Chavers, Veronica E <VChavers@dot.ga.gov>
Sent: Tuesday, August 15, 2023 10:37 AM
To: Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning)
Subject: RE: Tentative Planning Agenda for September 18, 2023

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.

See comments below, in red.

Veronica Chavers
D1TO Civil Engineer 3

GDOT Georgia Department of Transportation

District 1 Traffic Operations
1475 Jesse Jewell Pkwy
Suite 100
Gainesville, GA, 30501
770.533.8488 office

From: Anael Dominguez (CDI: Planning) <adominguez@hallcounty.org>
Sent: Friday, August 11, 2023 10:52 AM
To: Becky Ruffner (Parks & Leisure) <bruffner@hallcounty.org>; Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>; Bill Nash (CDI: Public Works) <bnash@hallcounty.org>; Bill Schmid <weschmid@rochester-assoc.com>; Brandi Smith (CDI: Business License) <bsmith@hallcounty.org>; Brent Holloway (Parks and Leisure) <bholloway@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 (CDI: Planning) <estill@hallcounty.org>; Emily McGahee (Environmental Health) <emcgahee@hallcounty.org>; Frank Miller (CDI: Engineering) <fmiller@hallcounty.org>; Dykes, Jason <jdykes@dot.ga.gov>; Jason Skarda (CDI: Engineering) <jskarda@hallcounty.org>; Jeremy Wills (jeremy.wills@gainesvillega.gov) <jeremy.wills@gainesvillega.gov>; John Hornick (Fire Services) <jhornick@hallcounty.org>; Peevy, Jonathan <jpeevy@dot.ga.gov>; Karen Martinez (CDI: Public Works - Sewer) <kmartinez@hallcounty.org>; Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>; Kelly Hairston (Environmental Health) <khairston@hallcounty.org>; Matt Cox <matt.cox@hallco.org>; Michael Vieira (Fire Services) <mvieira@hallcounty.org>; Millie Perez (Community Development & Infrastructure) <mperez@hallcounty.org>; Nick Swafford <NSwafford@gainesvillega.gov>; Nicole Griffin (Tax Assessors) <nicole.griffin@hallcounty.org>; Pam Cravero <Pam.Cravero@hallco.org>; Niebauer, Parker J <PNiebauer@dot.ga.gov>; Randi Doveton (CDI: Planning) <rdoveton@hallcounty.org>; rich <rich@flowerybranchga.org>; Scott Puckett <spuckett@hallcounty.org>; Srikanth Yamala (CDI) <syamala@hallcounty.org>; Stephen Cain <troy.s.cain@usace.army.mil>; Steve Watson (Real Property) <rswatson@hallcounty.org>; Tammie Croy (CDI: Engineering) <tcroy@hallcounty.org>; Tracy Gilreath (Tax Assessors) <tgilreath@hallcounty.org>; Chavers, Veronica E <VChavers@dot.ga.gov>; Wanda Sutton (CDI: Engineering) <wsutton@hallcounty.org>; will schofield <will.schofield@hallco.org>
Subject: Tentative Planning Agenda for September 18, 2023

Good morning –

Here is the Tentative Agenda and Maps for the **Monday, September 18, 2023** 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 **Friday, August 18th.** Email comments to Randi (rdoveton@hallcounty.org) and Ana (adominguez@hallcounty.org).

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – September 5, 2023

OLD BUSINESS

1. **3922 Green Drive | Amend Conditions of R-I** | on a 16.00± acre parcel located on the south side of Green Drive at its intersection with Clarks Bridge Road | Zoned R-I, Tax Parcel 10156 000009| **Proposed Use: 9-lot subdivision** | ** Commission District 3 | **Larry Poole, applicant.** Requires GDOT coordination for driveway access on Clarks Bridge Rd.

NEW BUSINESS

1. **3268 Whidby Road | Variance** | 17.240.010 to reduce the right yard setback from 10 feet to 5 feet | on a 0.30± acre tract located on the north side of Whidby Road, approximately 1,815 feet from its intersection with Lanier Islands Parkway | Zoned V-C Tax Parcel 07330 004001D | **Proposed Use: detached garage** | * Commission District 2 | **Sheridan Bazemore, applicant.** No GDOT coordination required
2.
3. **5991 Circle Four Ranch | Use Subject to Planning Commission Approval** | 17.110.030. caretaker and/or employee residences | on a 3.03± acre tract located approximately 686 feet south of its intersection with Blackjack Road | Zoned AR-III; Tax Parcel 15048 000034C | **Proposed use: caretaker residence** | * Commission District 1 | **Greg Loyd, applicant.** No GDOT coordination required
4. **7042 Baker Lane | Use Subject to County Commission Approval** | 17.215.020. agri-entertainment | on a 31.02± acre tract located on the terminus of Baker Lane | Zoned AR-IV; Tax Parcel 12037 000003 | **Proposed use: agri-entertainment business** | ** Commission District 3 | **Laura Labovitz, applicant.** No GDOT coordination required
5. **8545 Belton Bridge Road | Amend Conditions of AR-IV** | on a 8.23± acre parcel located at the terminus of Pintail Court | Zoned AR-IV; Tax Parcel 12127 000001 | **Proposed Use: Amenity area** | ** Commission District 3 | **Mallard View Homeowners Association, applicant.** No GDOT coordination required
2. **(A) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Rezone** | from Agricultural Residential III (AR-III) and Planned Commercial Development (PCD)/ Gateway Corridors Overlay District (GCOD) to Light Industrial (I-I) / Gateway Corridors Overlay District (GCOD) on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | **Proposed Use: boat and RV storage and an office/warehouse** | ** Commission District 3 | **Dutton Properties, applicant.** Requires GDOT coordination for driveway access on Cleveland Hwy.
6.
3. **(B) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Use Subject to County Commission Approval** | 17.420.050. outdoor storage | on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | **Proposed Use: outdoor storage within Gateway Corridors Overlay District** | ** Commission District 3 | **Dutton Properties, applicant.** Requires GDOT coordination for driveway access on Cleveland Hwy.

4. **(D) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Variance**| 17.420.050.C.2 to reduce the required transitional buffer in Gateway Corridors Overlay District | on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | **Proposed Use: boat and RV storage and office/warehouse** | ** Commission District 3 | **Dutton Properties, applicant.** Requires GDOT coordination for driveway access on Cleveland Hwy.

7. **3302 and 3212 Antioch Campground Church and 3446, 3450, and 3456 Looper Lake Road | Rezone** | from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on 55.16± acres located on the south side of Antioch Campground Road at its intersection with Looper Lake Road | Zoned AR-III; Tax Parcels 10096 000006 (pt.), 000004, 000059, 000061, and 000062 | **Proposed Use: 108 unit single-family development** | ** Commission District 2 | **Carole Freeman, applicant.** No GDOT coordination required

8. **(A) 4053 Cleveland Highway | Rezone** | from Agriculture-Residential-III (AR-III) to Suburban-Shopping (S-S) / Gateway Corridors Overlay District (GCOD) on a 6.34± acre tract located on the west side of Cleveland Highway at its intersection with Jim Hood Road | Zoned AR-III; Tax Parcel 12025 000036 | **Proposed use: grocery store, convenience store with gas & restaurant** | ** Commission District 3 | **Donnie Hunt, applicant.** Requires GDOT coordination for driveway access on Cleveland Hwy.

   (B) 4053 Cleveland Highway| Use Subject to Planning Commission Approval | 17.140.020. shopping centers | on a 6.34± acre tract located on the west side of Cleveland Highway at its intersection with Jim Hood Road | Zoned AR-III; Tax Parcel 12025 000036 | **Proposed use: Shopping Center** | * Commission District 3 | **Donnie Hunt, applicant.** Requires GDOT coordination for driveway access on Cleveland Hwy.

9. **(A) 1731 Friendship Road | Rezone** | from Agricultural Residential IV (AR-IV) to Planned Commercial Development (PCD) / Gateway Corridors Overlay District (GCOD) on a 7.33± acre parcel located on the north side of Friendship Road, approximately 240 feet east of its intersection with Reunion Way | Zoned AR-IV; Tax Parcel 15041 000190 (pt.) | **Proposed Use: 185-unit multi-family development** | ** Commission District 1 | **Tim Wilbanks, applicant.** Requires GDOT coordination for driveway access on Friendship Rd
10. **(B) 1731 Friendship Road | Rezone** | from Agricultural Residential IV (AR-IV) to Highway Business (H-B) / Gateway Corridors Overlay District (GCOD) on a 2.72± acre parcel located on the north side of Friendship Road, approximately 240 feet east of its intersection with Reunion Way | Zoned AR-IV; Tax Parcel 15041 000190 (pt.) | **Proposed Use: permitted uses within H-B** | ** Commission District 1 | **Tim Wilbanks, applicant.** Requires GDOT coordination for driveway access on Friendship Rd

11. **(C) 1731 Friendship Road | Variance** | 17.420.050.C.2 to reduce the required transitional buffer in Gateway Corridors Overlay District | on a 10.04± acre parcel located on the north side of Friendship Road, approximately 240 feet east of its intersection with Reunion Way | Zoned AR-IV; Tax Parcel 15041 000190 | **Proposed Use: 185-unit multi-family development and permitted uses within H-B** | ** Commission District 1 | **Tim Wilbanks, applicant.** Requires GDOT coordination for driveway access on Friendship Rd

*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 30 days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing Thursday, October 26, 2023 at 6:00 p.m. at the Hall County Government Center, 2nd 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, October 26, 2023. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,
Ana Dominguez
Planning Commission Clerk
Hall County Community Development and Infrastructure
(770) 531-6810 | www.hallcounty.org

Human trafficking impacts every corner of the globe, including our state and local communities. Georgia DOT is committed to end human trafficking in Georgia through education enabling its employees and the public to recognize the signs of human trafficking and how to react in order to help make a change. To learn more about the warning signs of human trafficking, visit https://doas.ga.gov/human-resources-administration/human-trafficking-awareness. To report any suspicious activity, call the Georgia Human Trafficking Hotline at 866-363-4842. Let’s band together to end human trafficking in Georgia.

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

DIRECTOR
Srikanth Yamala

PUBLIC WORKS AND
UTILITIES DIRECTOR
Bill Nash, P.E.

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PUBLIC WORKS AND UTILITIES

M E M O R A N D U M

To: Randi Doveton, Director of Planning and Development

From: Bill Nash, Director of Public Works and Utilities

Date: August 18, 2023

Subject: September 18, 2023 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the September 18, 2023 meeting. Upon review, we provide the following comments.

1. **3922 Green Drive | Amend Conditions of R-I** | on a 16.00± acre parcel located on the south side of Green Drive at its intersection with Clarks Bridge Road | Zoned R-I, Tax Parcel 10156 000009| **Proposed Use: 9-lot subdivision** | ** Commission District 3 | **Larry Poole, applicant.**

   a. **Engineering:** As this subdivision is greater than 6 lots on an existing road a stormwater management report prepared by a professional engineer will be required.
   Show stream buffer and impervious setback from wrested vegetation not centerline of stream.
   b. **Traffic:** Permit will be required from GDOT for driveway connection to Clarks Bridge Road.
   c. **Utilities:** No sewer connection available in the area.

2. **3268 Whidby Road | Variance** | 17.240.010 to reduce the right yard setback from 10 feet to 5 feet | on a 0.30± acre tract located on the north side of Whidby Road, approximately 1,815 feet from its intersection with Lanier Islands Parkway | Zoned V-C Tax Parcel 07330 004001D | **Proposed Use: detached garage** | * Commission District 2 | **Sheridan Bazemore, applicant.**

   a. **Engineering:** No Comment
   b. **Traffic:** No Comment
   c. **Utilities:** No Comment

3. **5991 Circle Four Ranch | Use Subject to Planning Commission Approval** | 17.110.030. caretaker and/or employee residences | on a 3.03± acre tract located approximately 686 feet south of its intersection with Blackjack Road | Zoned AR-III; Tax Parcel 15048 000034C | **Proposed use: caretaker residence** | * Commission District 1 | **Greg Loyd, applicant.**

   a. **Engineering:** No Comment
   b. **Traffic:** No Comment
   c. **Utilities:** No Comment

4. **7042 Baker Lane | Use Subject to County Commission Approval** | 17.215.020. agri-entertainment | on a 31.02± acre tract located on the terminus of Baker Lane | Zoned AR-IV; Tax Parcel 12037 000003 | **Proposed use: agri-entertainment business** | ** Commission District 3 | **Laura Labovitz, 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 stream buffer and impervious setback from wrested vegetation not centerline of stream.
FEMA and Hall County studied Flood plains present on site.
b. **Traffic:** Improvements along Baker Lane and Baker Circle may be required
c. **Utilities:** No sewer available

5. **8545 Belton Bridge Road | Amend Conditions of AR-IV** | on a 8.23± acre parcel located at the terminus of Pintail Court | Zoned AR-IV; Tax Parcel 12127 000001 | **Proposed Use: Amenity area** | ** Commission District 3 | **Mallard View Homeowners Association, applicant.**

a. **Engineering:** No Comment
b. **Traffic:** No Comment
c. **Utilities:** No Comment

6. **(A) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Rezone** | from Agricultural Residential III (AR-III) and Planned Commercial Development (PCD)/ Gateway Corridors Overlay District (GCOD) to Light Industrial (I-I) / Gateway Corridors Overlay District (GCOD) on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | **Proposed Use: boat and RV storage and an office/warehouse** | ** Commission District 3 | **Dutton Properties, applicant. (B) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Use Subject to County Commission Approval** | 17.420.050. outdoor storage | on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | **Proposed Use: outdoor storage within Gateway Corridors Overlay District** | ** Commission District 3 | **Dutton Properties, applicant.**
(D) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | **Variance**| 17.420.050.C.2 to reduce the required transitional buffer in Gateway Corridors Overlay District | on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | **Proposed Use: boat and RV storage and office/warehouse** | ** Commission District 3 | **Dutton Properties, 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 stream buffer and impervious setback from wrested vegetation not centerline of stream.
Proposed GDOT project goes right through this parcel.
b. **Traffic:** Permit from GDOT will be required for connection to Cleveland Highway.
c. **Utilities:** No sewer connection within feasible distance

7. **3302 and 3212 Antioch Campground Church and 3446, 3450, and 3456 Looper Lake Road | Rezone** | from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on 55.16± acres located on the south side of Antioch Campground Road at its intersection with Looper Lake Road | Zoned AR-III; Tax Parcels 10096 000006 (pt.), 000004, 000059, 000061, and 000062 | **Proposed Use: 108 unit single-family development** | ** Commission District 2 | **Carole Freeman, applicant.**

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.
Show stream buffer and impervious setback from wrested vegetation not centerline of stream
Floodplain present on site.

b. **Traffic:** Traffic impact study hasn't been submitted
Improvements to Antioch Campground Road may be required.
Recommend a condition that all lots access internal subdivision roads only.
Applicant should verify that required intersection sight distance for proposed entrance can be achieved.

c. **Utilities:** City of Gainesville sewer district.

8. **(A) 4053 Cleveland Highway | Rezone** | from Agriculture-Residential-III (AR-III) to Suburban-Shopping (S-S) / Gateway Corridors Overlay District (GCOD) on a 6.34± acre tract located on the west side of Cleveland Highway at its intersection with Jim Hood Road | Zoned AR-III; Tax Parcel 12025 000036 | **Proposed use: grocery store, convenience store with gas & restaurant** | ** Commission District 3 | **Donnie Hunt, applicant.**
(B) 4053 Cleveland Highway| Use Subject to Planning Commission Approval | 17.140.020. shopping centers | on a 6.34± acre tract located on the west side of Cleveland Highway at its intersection with Jim Hood Road | Zoned AR-III; Tax Parcel 12025 000036 | **Proposed use: Shopping Center** | * Commission District 3 | **Donnie Hunt, 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 stream buffer and impervious setback from wrested vegetation not centerline of stream

b. **Traffic:** Permit from GDOT will be required for access from Cleveland Highway.

c. **Utilities:** No sewer connection within a feasible distance.

9. **(A) 1731 Friendship Road | Rezone** | from Agricultural Residential IV (AR-IV) to Planned Commercial Development (PCD) / Gateway Corridors Overlay District (GCOD) on a 7.33± acre parcel located on the north side of Friendship Road, approximately 240 feet east of its intersection with Reunion Way | Zoned AR-IV; Tax Parcel 15041 000190 (pt.) | **Proposed Use: 185-unit multi-family development** | ** Commission District 1 | **Tim Wilbanks, applicant.**
(B) 1731 Friendship Road | Rezone | from Agricultural Residential IV (AR-IV) to Highway Business (H-B) / Gateway Corridors Overlay District (GCOD) on a 2.72± acre parcel located on the north side of Friendship Road, approximately 240 feet east of its intersection with Reunion Way | Zoned AR-IV; Tax Parcel 15041 000190 (pt.) | **Proposed Use: permitted uses within H-B** | ** Commission District 1 | **Tim Wilbanks, applicant**.
(C) 1731 Friendship Road | Variance | 17.420.050.C.2 to reduce the required transitional buffer in Gateway Corridors Overlay District | on a 10.04± acre parcel located on the north side of Friendship Road, approximately 240 feet east of its intersection with Reunion Way | Zoned AR-IV; Tax Parcel 15041 000190 |

Proposed Use: 185-unit multi-family development and permitted uses within H-B | ** Commission District 1 | **Tim Wilbanks, 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 stream buffer and impervious setback from wrested vegetation not centerline of stream
b. **Traffic:** GDOT permit will be required for connection to Friendship Road.
c. **Utilities:** Hall County sewer district – sewer connection is within a feasible distance.

Anael Dominguez (CDI: Planning)

From: John Hornick (Fire Services)
Sent: Friday, August 18, 2023 2:46 PM
To: Anael Dominguez (CDI: Planning)
Cc: Randi Doveton (CDI: Planning)
Subject: Fire Comments

Monday, September 18, 2023 Hall County Planning Commission Meeting.

1. **(A) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Rezone** | from Agricultural Residential III (AR-III) and Planned Commercial Development (PCD)/ Gateway Corridors Overlay District (GCOD) to Light Industrial (I-I) / Gateway Corridors Overlay District (GCOD) on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | **Proposed Use: boat and RV storage and an office/warehouse** | ** Commission District 3 | **Dutton Properties, applicant.**

   Hall County Fire Marshal's Comments: Additional fire hydrant(s) will be required to be installed inside the development to meet the International Fire Code requirement of Section 507.5.1 including state modification(s)

   (B) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Use Subject to County Commission Approval | 17.420.050. outdoor storage | on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | **Proposed Use: outdoor storage within Gateway Corridors Overlay District** | ** Commission District 3 | **Dutton Properties, applicant.**
   (D) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Variance| 17.420.050.C.2 to reduce the required transitional buffer in Gateway Corridors Overlay District | on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | **Proposed Use: boat and RV storage and office/warehouse** | ** Commission District 3 | **Dutton Properties, applicant.**

   Hall County Fire Marshal's Comments: Additional fire hydrant(s) will be required to be installed inside the development to meet the International Fire Code requirement of Section 507.5.1 including state modification(s)

Regards,

John Hornick, NPQ Fire Service Plans Examiner 1
Lieutenant, Hall County Fire Rescue
Hall County Government
Main: 770-531-6838 | Cell: 404-597-0083
Website: www.Hallcounty.org

Print

Board of Commissioners Voting Meeting Comments - November 9, 2023 - Submission #83388

Date Submitted: 11/2/2023

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

First Name*

Amanda

Last Name*

McNair

Address1*

3475 Big View Rd

Address2

City*

Gainesville

State*

GA

Zip*

30506

Item for Comment*

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

Select from the list below which 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 do NOT agree with the proposal to rezone 3405,3419,3443,3505 of Cleveland Highway and 3906 of Donna Drive in Gainesville, GA from agricultural residential to light industrial. This is a residential section of Cleveland hwy that does not need to be changed to industrial. At the last planning meeting the planning staff did not recommend this to happen. All but one voted for this to happen. What is the point of the planning staff if they are not going to even take into consideration what was recommended. I am so sick and tired of all these commissioners that we vote into position that they do NOT take in to consideration of what the actual voters and residents of Hall County want. The way the property lays, they would have to clear cut the majority of the property to add a boat and rv storage plus his own "storage" warehouse for this personal construction equipment. I would like to know if an environmental impact statement study has been conducted? I am all for growth that benefits the county and community, but this is something that we do NOT need. This storage facility will add on extra traffic to the already busy 129. It take me at least 5 minutes in the morning and afternoon to turn left onto 129. I do NOT want for this time to be increased. Not only adding to traffic, it will cause accidents on this already congested part of 129. Speeding with a boat, construction equipment, and rv coming around the corner is not a good combination. There is a long range plan for Lake Lanier living and this does NOT fit the long range plan. In my opinion, someone is getting their pockets padded by getting this rezoning to happen. When the widening of 129 happens, the road will go right through the middle of said property.
If this happens, the I think all the homes in the surrounding area should get a significant property tax deduction because it will cause our home values to decrease. But I am sure that wont happen because the people we vote in do not care about the citizens of hall county, they only care about what benefits them. I have seen it happen first hand in south hall. They tell you one thing and then vote the other way. I'm sure this comment will not get read and was probably a waste of my time, but I had to at least try to stop something that is NOT needed. Please on Thursday November 9th, vote NO on the rezoning of 3405, 3419,3443, 3505 Cleveland Hwy and 3906 Donna drive.
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.

Follow-up Communication

amward33@yahoo.com

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

Print

Board of Commissioners Voting Meeting Comments - November 9, 2023 - Submission #83486

Date Submitted: 11/3/2023

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

First Name*

Eric

Last Name*

McNair

Address1*

3475 Big View Rd

Address2

City*

Gainesville

State*

Ga

Zip*

30506

Item for Comment*

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

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

Your Comments*

Good afternoon, I would like comment on the proposed rezoning of 3405, 3419, 3443, 3505 Cleveland Hwy and 3906 Donna Drive. The building of this proposed boat and RV storage with an office/warehouse will place an unnecessary and significant burden upon this already congested area. Questions I would like to have answered is has an environmental impact study been conducted, does this go along with the long range plan for Lake Lanier living and would you approve this if you or loved ones lived near the area wanting to be rezoned.

I really feel the owner of this property simply wants to get it rezoned (knowing a new road is possibly coming through) so they can reap the financial benefits of doing so without any regard for what it will do to the area.

Lastly why did the Planning Committee overrule the Planning Committee Staff's recommendation to deny the proposal?

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.

Follow-up Communication

mac1576@yahoo.com

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

Print

Board of Commissioners Voting Meeting Comments - November 9, 2023 - Submission #83378

Date Submitted: 11/2/2023

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

First Name*

JOHN

Last Name*

CIANCIOLO

Address1*

3438 Big View Road

Address2

City*

Gainesville

State*

GA

Zip*

30506

Item for Comment*

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

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

Your Comments*

Is the Commission certain that this is ready for a rezoning vote? The proposed outdoor storage facility would be bisected by the future path of a 4-lane US129. Thus, a storage facility in that location makes no sense. The rezoning should be delayed until a plausible use of the property is proposed.

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.

Follow-up Communication

jcianciolo47@yahoo.com

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

Print

Board of Commissioners Voting Meeting Comments - November 9, 2023 - Submission #83434

Date Submitted: 11/3/2023

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

First Name*

Ken

Last Name*

Coggins

Address1*

3471 Big View Road

Address2

City*

Gainesville

State*

Georgia

Zip*

30506

Item for Comment*

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

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

Your Comments*

Please do not approve this re-zoning. It will be an environmental problem. We do not need boat and RV storage. Storage places north and south of this area have rentals available. Grading of lots will damage shoreline management down to the lake.

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.

Follow-up Communication

cogginsk@bellsouth.net

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

Print

Board of Commissioners Work Session Comments - November 6, 2023 - Submission #83474

Date Submitted: 11/3/2023

Comments completed in the form below will be submitted into the record for the November 6, 2023 Work Session of the Hall County Board of Commissioners.

First Name*

Mary

Last Name*

Smith

Address1*

3342 NOTTINGHAM FOREST DR

Address2

City*

Gainesville

State*

GA

Zip*

30506

Your Comments*

Attached are scanned copies of original petitions for Hall County Residents Against Rezoning Project.

Please write your comments in the box above.

File Upload

Scan.pdf

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

Follow-up Communication

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

HALL COUNTY RESIDENTS AGAINST REZONING PROJECT

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive Rezone, Dutton Properties applicant

As residents and voters, we strongly oppose the proposed rezoning and development project of 20.16 acres along Cleveland Highway beginning at Donna Drive and extending north and including the 'rock house' which is registered as a historical site. If approved the developer's (Dutton Properties) request would rezone the current property from Agricultural Residential and Planned Commercial Development to Light Industrial with a planned RV and boat storage for 483 units, an office, and a 10,800 sq ft storage building for construction equipment.

The primary bases for our opposition include creation of an isolated industrial zone surrounded by our present residential and agricultural neighborhoods which will change the character of the area; negatively impact already heavy traffic; decrease property values; negatively impact environmentally sensitive areas and wildlife; and its non-conformity with the Hall County Comprehensive Plan especially the Lake Area Residential Future Land Use. The complete petition with further details will be transmitted to the Hall County Board of Commissioners for their 6 p.m. Nov 9 meeting open to the public at 2875 Browns Bridge Road, Gainesville. Please complete this petition by Nov 1st and return to your neighborhood representative. Also, please consider personally contacting The Board of Commissioners at 770-535-8288. Our district commissioner is Gregg Poole (District 3) and his phone number listed on the website is also 770-535-8288.

NAME	ADDRESS
Ronald Pike	3320 Wilkerson Dr Gainesville GA 30506
Diana Pike	3320 Wilkerson Dr. Gainesville GA 30506
Michael O'Shea	3342 Wilkerson Dr.
Sue O'Shea	" "

Print

Board of Commissioners Work Session Comments - November 6, 2023 - Submission #83475

Date Submitted: 11/3/2023

Comments completed in the form below will be submitted into the record for the November 6, 2023 Work Session of the Hall County Board of Commissioners.

First Name*

Mary

Last Name*

Smith

Address1*

3342 NOTTINGHAM FOREST DR

Address2

City*

Gainesville

State*

GA

Zip*

30506

Your Comments*

I am submitting scanned copies of petition documents separately. I cannot tell if it will accept multiple files from the one upload.

Please write your comments in the box above.

File Upload

IMG_20231103.pdf

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

Follow-up Communication

404-272-7273

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

HALL COUNTY RESIDENTS AGAINST REZONING PROJECT

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive Rezone, Dutton Properties applicant

As residents and voters, we strongly oppose the proposed rezoning and development project of 20.16 acres along Cleveland Highway beginning at Donna Drive and extending north and including the 'rock house' which is registered as a historical site. If approved the developer's (Dutton Properties) request would rezone the current property from Agricultural Residential and Planned Commercial Development to Light Industrial with a planned RV and boat storage for 483 units, an office, and a 10,800 sq ft storage building for construction equipment.

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NAME	ADDRESS
Stan Bornstein	3533 Wilkerson Dr 30506
Mark Kinnot	3338 Wilkerson Dr 30506
[illegible]	3338 Wilkerson Dr 30506
Angie M. Scott	3332 Wilkerson Dr. 30506
[illegible]	3332 Wilkerson Drive 30506

Print

Board of Commissioners Work Session Comments - November 6, 2023 - Submission #83476

Date Submitted: 11/3/2023

Comments completed in the form below will be submitted into the record for the November 6, 2023 Work Session of the Hall County Board of Commissioners.

First Name*

Mary

Last Name*

Smith

Address1*

3342 NOTTINGHAM FOREST DR

Address2

City*

Gainesville

State*

GA

Zip*

30506

Your Comments*

Scanned copies of petition.

Please write your comments in the box above.

File Upload

IMG_20231103.pdf

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

Follow-up Communication

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

HALL COUNTY RESIDENTS AGAINST REZONING PROJECT

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive Rezone, Dutton Properties applicant

As residents and voters, we strongly oppose the proposed rezoning and development project of 20.16 acres along Cleveland Highway beginning at Donna Drive and extending north and including the 'rock house' which is registered as a historical site. If approved the developer's (Dutton Properties) request would rezone the current property from Agricultural Residential and Planned Commercial Development to Light Industrial with a planned RV and boat storage for 483 units, an office, and a 10,800 sq ft storage building for construction equipment.

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NAME	ADDRESS
Peter Velardi	
Janine Velardi	3358 Wilkerson Drive
Tony Dean	3346 Wilkerson DR.
Deborah Dean	3346 Wilkerson Dr Gsvl, GA

Print

Board of Commissioners Work Session Comments - November 6, 2023 - Submission #83477

Date Submitted: 11/3/2023

Comments completed in the form below will be submitted into the record for the November 6, 2023 Work Session of the Hall County Board of Commissioners.

First Name*

Mary

Last Name*

Smith

Address1*

3342 NOTTINGHAM FOREST DR

Address2

City*

Gainesville

State*

GA

Zip*

30506

Your Comments*

Scanned copy of petitions. This should be 5 of 6 pages.

Please write your comments in the box above.

File Upload

IMG_20231103.pdf

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

Follow-up Communication

404-272-7273

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

HALL COUNTY RESIDENTS AGAINST REZONING PROJECT

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive Rezone, Dutton Properties applicant

As residents and voters, we strongly oppose the proposed rezoning and development project of 20.16 acres along Cleveland Highway beginning at Donna Drive and extending north and including the 'rock house' which is registered as a historical site. If approved the developer's (Dutton Properties) request would rezone the current property from Agricultural Residential and Planned Commercial Development to Light Industrial with a planned RV and boat storage for 483 units, an office, and a 10,800 sq ft storage building for construction equipment.

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NAME	ADDRESS
Robert Fisher	3306 Wilkerson Dr. Gainesville GA
[illegible]	3304 Wilkerson Dr. Gainesville, GA
Joy Snider	3302 Wilkerson Dr. Gainesville GA

Print

Board of Commissioners Work Session Comments - November 6, 2023 - Submission #83479

Date Submitted: 11/3/2023

Comments completed in the form below will be submitted into the record for the November 6, 2023 Work Session of the Hall County Board of Commissioners.

First Name*

Mary

Last Name*

Smith

Address1*

3342 NOTTINGHAM FOREST DR

Address2

City*

Gainesville

State*

GA

Zip*

30506

Your Comments*

Scanned copies of petition.

Please write your comments in the box above.

File Upload

IMG_20231103.pdf

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

Follow-up Communication

404-272-7273

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

HALL COUNTY RESIDENTS AGAINST REZONING PROJECT

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive Rezone, Dutton Properties applicant

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NAME	ADDRESS
Dr. Erin Lipp	Dept of Environmental Health Science, UGA, Athens
Dr. Anne Marie Zimeri	2016 Environmental Health Sci. Bldg. UGA Athens
Dr. Marlene C Black	Dept Environmental Hlth Sci, Univ GA, Athens, GA

Print

Board of Commissioners Work Session Comments - November 6, 2023 - Submission #83484

Date Submitted: 11/3/2023

Comments completed in the form below will be submitted into the record for the November 6, 2023 Work Session of the Hall County Board of Commissioners.

First Name*

Mary

Last Name*

Smith

Address1*

3342 NOTTINGHAM FOREST DR

Address2

City*

Gainesville

State*

GA

Zip*

30506

Your Comments*

Attached is a copy of an online petition with 101 signatures. I'm sorry that some of the names were cut short, we will try to have a complete copy of those names for by deadline on Monday.

Please write your comments in the box above.

File Upload

Online petition signers.pdf

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

Follow-up Communication

404-272-7273

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

HALL COUNTY RESIDENTS AGAINST REZONING PROJECT

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive Rezone, Dutton Properties applicant

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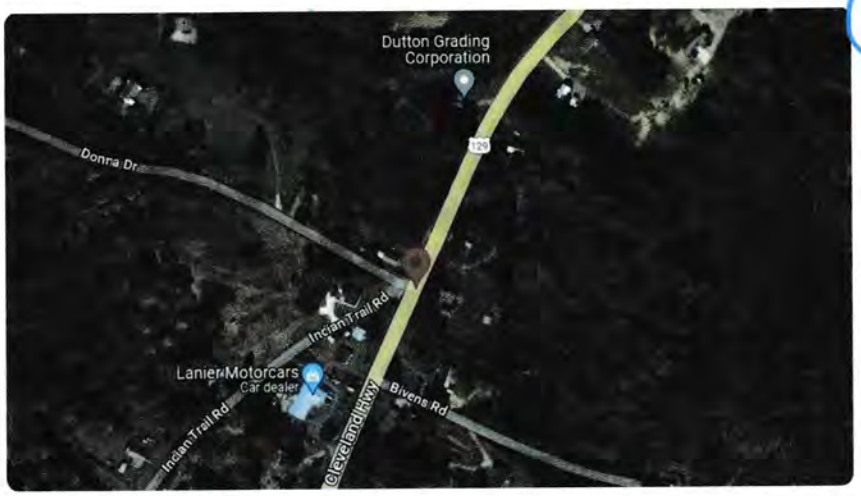
Please sign our petition to say NO to this rezoning and development project which may impact your property values, make traffic on Cleveland highway worse, negatively impact the environment of the forest area, contribute to water runoff pollution and much more. Every signature makes a difference! This QR code will take you right to our petition on change.org.

https://chng.it/cCbDZr6R54

PLEASE COME TO THE NOVEMBER 9th MEETING TO VOICE YOUR OPPOSITION TO THIS REZONING PROPOSAL!

PLEASE PLEASE SHARE THIS WITH ALL YOUR FRIENDS AND NEIGHBORS IN HALL COUNTY!!

Halt the Re-zoning of Agricultural Residential Property Near Lake Lanier



Started October 25, 2023

101 Signatures

200 Next Goal

73 people signed this week

Sign this petition

First name

Last name

Email

Gainesville, 30501
United States

Display my name and comment on this petition

Sign this petition

By signing, you accept Change.org's Terms of Service and Privacy Policy, and agree to receive occasional emails about campaigns on Change.org. You can unsubscribe at any time.

Why this petition matters

Started by Ken Coggins

I am a resident of Gainesville, GA, and I am deeply concerned about the proposed re-zoning of agricultural residential property near Lake Lanier in Hall County. This is not just a matter of land use; it's about preserving the character and quality of life in our community.

The proposal to change this property to industrial zoning threatens to disrupt our peaceful neighborhood. The increase in industrial activity will inevitably lead to heavier traffic, adding stress and danger to our daily commutes. Moreover, it could potentially decrease property values for those who have invested their lives into building homes here.

Beyond these immediate impacts on residents, there are broader environmental concerns at stake. The land around Lake Lanier is home to diverse wildlife and sensitive ecosystems that could be severely disrupted by industrial operations. According to data from the U.S Environmental Protection Agency (EPA), such changes can lead not only to habitat loss but also water pollution due to runoff from industrial sites.

We must consider what we stand to lose if this re-zoning goes ahead - not just as individual homeowners but as stewards of our local environment. We urge Hall County officials to reject this re-zoning proposal and preserve our agricultural residential lands for future generations.

Name	City	State	Postal Cod	Country	Signed On
Ken Coggir	Dacula	GA		US	########
Nancy Bab	Atlanta	GA	30312	US	########
Dennis But	Gainesville	GA	30506	US	########
John Riley	Gainesville	GA	30506	US	########
Terri Riley	Gainesville	GA	30507	US	########
Denise Ver	Gainesville	GA	30506	US	########
Mark Versl	Gainesville	GA	30506	US	########
Cole Pace	Gainesville	GA	30506	US	########
Eric McNai	Gainesville	GA	30506	US	########
Richard Ba	Gainesville	GA	30501	US	########
Mandy Mc	Gainesville	GA	30506	US	########
Emilee Pac	Gainesville	GA	30506	US	########
Paul Geert	Gainesville	GA	30506	US	########
Derrick Co	Gainesville	GA	30501	US	########
Mary Ann	Gainesville	GA	30504	US	########
Tracy Butt	Gainesville	GA	30506	US	########
Bret Logsd	Gainesville	GA	30506	US	########
Stacy Logs	Atlanta	GA	30312	US	########
Ediverto G	Panorama City		91402	US	########
John Cianc	Gainesville	GA	30504	US	########
Joshua Cur	Peterborough		PE7	US	########
Sahara Wh	Virginia Beach		23452	US	########
Raymond S	Gainesville	GA	30506	US	########
Nancy Aha	North Versailles		15137	US	########
Jon Inwoo	Brooklyn	NY	11226	US	########
Mike Bash	Buford	GA	30519	US	########
JodiAnne C	Flowery Br	GA	30542	US	########
Brandi Osb	Flowery Br	GA	30542	US	########
Annabelle	Greensboro		21639	US	########
Charles Sa	Gainesville	GA	30506	US	########
Dennis Gre	Orlando		32806	US	########
Scott Gree	Gainesville	GA	30506	US	########
Joh Flynn	Gainesville	GA	30501	US	########
Maia Saqu	Oswego		60543	US	########
Narvella T	Riverbank		95367	US	########
Rachel Lee	Gainesville		32605	US	########
ray [illegible]	Oak Park		60302	US	########
Aziza Gafu	Waltham		2453	US	########
Candy Fisc	Alton		62002	US	########
Taylor Hibl	Cincinnati		45241	US	########
Makara Cu	Fenton		48430	US	########
Kathleen H	Schwenksville		19473	US	########
Anon Y. M	Beaverton			US	########
Natalie Po	Raeford		28376	US	########
Sonic Son	Oroville		95966	US	########
pablo ruiz	burleson		76028	US	########

Anna Laidl	East Stroudsburg		18301	US	########
Erica Rosei	New York		10023	US	########
Lena Thom	Mokena		60448	US	########
Grady Davi	Gainesville	GA	30506	US	########
Diane Davi	Gainesville	GA	30506	US	########
Melisa Hoț	Orlando	FL	32808	US	########
Alex Weiss	Gainesville	GA	30506	US	########
Rosalee W	Gainesville	GA	30506	US	########
Clayton Sh	Gainesville	GA	30506	US	########
Russell We	Gainesville	GA	30506	US	########
Dana Vern	Gainesville	GA	30501	US	########
Baylee Tur	Gainesville	GA	30506	US	########
Addie Echc	Gainesville	GA	30506	US	########
Ann Gilles	Cleveland	GA	3o528	US	########
Tasha Low	Gainesville	GA	30506	US	########
Melissa Cl	Gainesville	GA	30506	US	########
Sharon Sm	Gainesville	GA	30506	US	########
Nancy Johi	Atlanta	GA	30303	US	########
Wes Turne	Gainesville	GA	30506	US	########
Ari Jay	Las Vegas		89111	US	########
Kim Jackso	Suwanee	GA	30024	US	########
George Jac	Gainesville	GA	30506	US	########
K Shakir	Roslyn	NY	11576	US	########
Onaiza Kha	Plainview	NY	11803	US	########
Erika Rikhi	Clermont		34711	US	########
Alexandria	Indianapolis		46254	US	########
Robert Sim	Gainesville	GA	30506	US	########
Dawn Simr	Gainesville	GA	30506	US	########
Christophe	Sanford		27330	US	########
Melvic Cos	Los Angele	CA	90060	US	########
Lee Burrell	Gainesville	GA	30306	US	########
Ethan Frec	Springfield		97477	US	########
John Mallo	Gainesville	GA	30506	US	########
Dedrick At	Birmingham		35205	US	########
Connie Haț	Wyckoff	NJ	7481	US	########
Austin Wai	Corvallis	OR	97330	US	########
Аминат Ас	Wilmington		19801	US	########
Kyah W.	Belleville		48111	US	########
Debra Kem	Lansing		48913	US	########
leen musta	Panama City		32405	US	########
Ibtisam Be	Houston	TX	77009	US	########
Ruben Koch (Student)				US	########
Zainab Ma	Clifton		7014	US	########
Michael Fr	Bronx	NY	10461	US	########
Christie Ca	Biloxi		39532	US	########
Nick Lambi	Lemont	IL	60439	US	########
Adam Kalu	Burleson		76028	US	########

Mandy Kur Claymont	19703 US	########

Print

Board of Commissioners Work Session Comments - November 6, 2023 - Submission #83487

Date Submitted: 11/3/2023

Comments completed in the form below will be submitted into the record for the November 6, 2023 Work Session of the Hall County Board of Commissioners.

First Name*

Mary

Last Name*

Smith

Address1*

3342 NOTTINGHAM FOREST DR

Address2

City*

Gainesville

State*

GA

Zip*

30506

Your Comments*

Attached is a document detailing the opposition of neighborhood to the application of Dutton Properties for Rezoning of property on Cleveland Hwy. Please note that page 7 of the document was intentionally left blank.

Please write your comments in the box above.

File Upload

Rezoning Hearing Combined TOC Txt 11-3-23 rmp mas.docx.pdf

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

Follow-up Communication

404-272-7273

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

OPPOSITION TO A REZONING OF SAID PROPERTY FROM AGRICULTURAL RESIDENTIAL AND PLANNED COMMERCIAL DEVELOPMENT TO LIGHT INDUSTRIAL AND SUBSEQUENT DEVELOPMENT OF BOAT AND RV STORAGE AND OFFICE/WAREHOUSE STORAGE FACILITY

Applicant for Rezoning of 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive by Dutton Properties

November 3, 2023

Submitted by the following on behalf of local residents:

Mark Kirves mkirves@plastekwerks.com

Michael O'Sheasy mtosheas@gmail.com

Richard Prior richard.prior@ung.edu

Mary Alice Smith smith.maryalice@gmail.com

OPPOSITION TO A REZONING OF SAID PROPERTY FROM AGRICULTURAL RESIDENTIAL AND PLANNED COMMERCIAL DEVELOPMENT TO LIGHT INDUSTRIAL AND SUBSEQUENT DEVELOPMENT OF BOAT AND RV STORAGE AND OFFICE/WAREHOUSE STORAGE FACILITY

Applicant for Rezoning of 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive by Dutton Properties

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- **E. Residential property values are likely to decrease……2**
- **F. Site plan for boat and RV storage and additionally office/warehouse……..3**
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COMMENTS PERTAINING TO THE HALL COUNTY PLANNING COMMISSION STAFF REPORT

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MAP 1. RESIDENTIAL AREA SURROUNDING PROPOSED REZONING AND POXIMITY TO LAKE LANIER

MAP 2. EFFECTS OF GDOT REALIGNMENT AND FOUR-LANING OF US129 ON THE REQUESTED REZONING

OPPOSITION TO A REZONING OF SAID PROPERTY FROM AGRICULTURAL RESIDENTIAL AND PLANNED COMMERCIAL DEVELOPMENT TO LIGHT INDUSTRIAL AND SUBSEQUENT DEVELOPMENT OF BOAT AND RV STORAGE AND OFFICE/WAREHOUSE STORAGE FACILITY

Applicant for Rezoning of 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive by Dutton Properties

October 30, 2023

We are residential homeowners surrounding and across Cleveland Highway from the said property. (See Map 1). We comprise approximately 100 taxpayers and voters. We voiced our opposition at the October 2, 2023, Planning Committee meeting. After a presentation by the Planning Committee Staff Report recommending DENIAL of this application and seven opposing witnesses were heard, our opposition was voted down, and a resolution was approved by the Planning Committee 4-1 "shortly" after hearing the witnesses.

However, the Planning Committee hearing did not abide by their own published procedures. After each of the seven witnesses were selected to be heard, they were constrained to a maximum of 3 minutes each. There were more citizens wishing to express their opposition but were not allowed to speak. This does not follow the procedures in the Hall County Planning Department's 'Application & Procedures' brochure: "The applicant and any other citizens concerned with the request are given an opportunity to speak during the hearing. After all comments are heard, the Planning Commission makes its decision." Please note there is no mention of a number of allowed witnesses nor duration.

We oppose the Planning Committee's recommendation for approval to rezone from agricultural residential and planned commercial development to light industrial zoning and placement of a "boat and RV storage and an office/warehouse" facility on the 20.16 acres of undeveloped land within the residential surroundings. We do so for the following reasons:

A. **This proposed Rezoning would place an unnecessary and significant burden upon the already congested Hwy 129 which is designated as a Gateway Corridor Overlay District leading into Gainesville as described in the Hall County Comprehensive Plan.** Traffic in this 1 mile stretch of 129 Cleveland Highway is already congested. Homeowners presently experience a wait time to enter north or south upon Cleveland Highway especially during rush hours in the morning and evening. With Gainesville's vital importance to the poultry industry, there are often truckloads of chickens being transported along this stretch as well as growing numbers of employees going back and forth from North Georgia to their worksites in Gainesville. The wait to enter the highway is much more extensive than it was a few years ago. For example, a resident of this area recently counted 17 cars coming south on Cleveland Highway that he had to await before turning right to enter this southern caravan to Gainesville – it would have been much more difficult to turn left to enter heading north.

B. **Additional traffic entering the highway and traveling upon it will invariably add to the number of accidents on this stretch of highway especially since this additional traffic will be composed in large part by trailed boats, RVs, and construction equipment**. This stretch of Cleveland Highway ends in a curving pattern onto the Bells Mill bridge over the east bank of the Little River. Several years ago, a truck load of chickens overturned before entering the bridge stopping traffic in both directions. This is not to suggest that even without an advent of the proposed facility there will be no accidents; it's merely to offer that the likelihood of increasing numbers of accidents will occur with an addition of relatively slow trailered boats, RVs, and construction equipment. Note there is presently (see next point of opposition) no relatively easy alternative to enter Gainesville from this section of North Georgia including traffic and EMS emergency vehicles from White, Lumpkin, Habersham and other counties which NGMC serves. **With NE Georgia Medical Center's designation as a Trauma I hospital** (Grady Hospital in Atlanta is the only other Trauma I hospital in Georgia**), EMS transport of trauma patients will likely be impacted.**

C. **There is currently a planned rerouting of this area of Hwy 129 by the Georgia DOT to change and improve this section (and beyond) of Cleveland Highway. The change and improvement will divide the Dutton property into two parcels**, one on each side of the new route of Hwy 129 (see Map 2). This GDOT change is forthcoming, and the rezoning may impair, alter, and cost considerably more to undergo if the proposed rezoning and development goes through as proposed. A review of the DOT site and planned rerouting view is attached to underscore its conflict with the said proposal.

D. **If the rezoning is approved, it would create an isolated district unrelated to surrounding districts, furthermore the GDOT planned rerouting of Hwy 129 and the dividing of this property by a 4-lane highway, will create two 'spot zones' of Light Industrial on opposite sides of the new highway surrounded by the currently zoned residential and agricultural properties.** In either case, it is undesirable to have an isolated district (Light Industrial) surrounded by unrelated districts (Agricultural Residential and Planned Commercial). The Planning Commission Staff Report specifically addresses this issue on page 6, Item 10 and 11 "…and it would create an isolated district unrelated to the surrounding districts, as there is no I-I zoning established in the area."

E. **Residential property values are likely to decrease from what they would otherwise be if the said proposal is approved.** It is difficult to envision a residential area value being anything but damaged by an adjacent property being rezoned "industrial". To emphasize this negative result on this community, at the 10/2/23 Planning

Committee meeting, an opposing resident tearfully asserted that she had recently taken out a 30-year mortgage on a home she purchased for her and her children along this stretch of Cleveland Highway and she feared that the property would now be worth less than her mortgage as a consequence of an acceptance of the said proposal. This rezoning would have a negative impact on individual citizens, taxpayers, and neighborhoods even if this proposed development results in greater Hall County taxes than presently collected for the 20.16 acres of undeveloped property.

F. **The site plan is for more than simply the use for boat and RV storage as it states additionally "…office/warehouse". The plan proposes a 10,000 square foot facility for construction equipment. The definition of Light Industrial in Hall County code for zoning includes "Any industry which does not cause injurious or obnoxious noise, vibrations, smoke, gas, fumes, odors, dust, fire hazards or other objectionable conditions."** We are naturally concerned about the boat and RV storage adherence to these requirements, but because the application is not clear about the use of the warehouse, we are additionally concerned that the construction business would include the large and obnoxious noise, smoke, gas fumes etc. The proposal does not state whether the owner of the facility may be planning for this new building to house construction equipment for another work purpose than simply the stated boat and RV storage; yet we hope this is not the case. The engineer for the proposal stated during the 10/2/23 hearing that they did not anticipate significant additional traffic congestion. However, even if accurate, with the many residences on Shope Road and the large mobile home park across Hwy 129 from the property that already incur significant traffic congestion, why not use a site further from the lake rather than this one with ever-growing residential development.

G. **The Planning Committee Staff report for this application recommended to DENY A, B and C of the proposal. We fully agree and support their recommendation which is detailed in their Report. Among their stated reasons which we firmly agree with are that this zoning request is not consistent with the Hall County Comprehensive Plan which specifically addresses the Lake Area Residential future land use classification.** One stated purpose of this category is "…to preserve established neighborhoods and create opportunities for permanent vacation residencies…" (page 4, Planning Committee Staff Report). Additionally, as staff states on page 5, issue 5, "The request to rezone the property is inconsistent with the future land use classification."

H. **Has an Environmental Impact Statement study been completed for this project? This area of proposed development is part of the territory of the Northern Long**

Eared Bat which is listed as Critically Endangered on the Federal list for Endangered Species. During summer, spring, and fall, The Northern Long Eared Bat depends on forested area for roosting sites underneath bark, in crevices and cavities of both dead and live trees. Destruction of the forest areas in its roosting and foraging territories will push this fragile species to the point of no return. Along with the Northern Long Eared Bat, Georgia DNS communicate that the Tricolored Bat is almost certainly at this site and is proposed to go on the endangered species list as well. The Northern Pine Snake and the Chattahoochee Crayfish are also of concern in this area. Elimination of habitat for these animals would have a devastating impact.

In addition, Eagles including Bald Eagles and numerous other wildlife including foxes, deer, ground hogs, raccoons, and numerous bird species have been sighted by neighbors surrounding this area, and it is likely that many occupy these 20 acres and the small pond on the property. At the Planning Committee meeting on 10/2/23, the engineer stated that the hill on the property would be cut down ostensibly to level the property. This would mean that most of the trees on the land would be cut down which would have devastating impacts on the area wildlife. Currently there are road kills of deer along highway 129 from this area and into Gainesville. As habitat for deer and other wildlife are removed, there will likely be more car accidents involving deer and other wildlife.

I. **Disruption of neighborhood. This community will contend with several years of disruption for the realignment of Hwy 129 Cleveland highway**. If this rezoning is approved, it will add more time of disruption including more traffic disruption and air pollution with the movement of land, cutting of trees and pavement of large areas to level the property for RV and boat storage as described at the Planning Committee meeting on Oct 2, 2023, all of which will decrease the desirability of this residential neighborhood and is inconsistent with the Hall County Comprehensive Plan and Lake Area Residential.

J. **Additional and still pertinent questions for opposing:**

a. Could **run-off water** carrying with it any spilled oil or fuel from the boats and transportation vehicles and from the added asphalt and concrete surface-covering enter the adjacent creek and subsequently enter and possibly contaminate and pollute Lake Lanier?
b. Could future use of the proposed plan be to **purchase abutting property** enabling dock-access to the lake? Will this increase the boat use of an already heavily used Little River area of Lake Lanier.

THE FOLLOWING COMMENTS PERTAIN TO THE HALL COUNTY PLANNING COMMISSION STAFF REPORT:

K. **Recommended Condition 4. "The applicant shall coordinate and receive approval from the Georgia Department of Transportation for the site access and proposed location of the covered storage areas." Even if such approval is provided, it says nothing to any additional cost thereby incurred and consequential to a GDOT approval which would have to be borne by taxpayers for this unnecessary rezoning project.** This is underscored by a statement within the Engineering section which says "Proposed GDOT project goes right through this project" and in fact appears to bifurcate the storage project such that two "spot zones" would be created with only residential agricultural and planned commercial zone areas surrounding them.

L. **Within the "Summary Analysis", it states "A 10,800 square foot warehouse building is proposed for storage items related to the contractor's business." Why must the contractor's other business activities and related transportation requirements such as equipment transportation along Cleveland Highway have to be done on this undeveloped, natural site close to Lake Lanier requested for boat and RV storage?** The same question is asked for item 9. Beneath "Zoning Analysis" regarding the "...office for the contractor's business".

M. **Under "Zoning Analysis" item 2. Staff asserts that the request "...could have an impact on nearby residential agricultural parcels." We wholeheartedly agree.** Additionally, this would create a type of spot zoning in which one industrial zone would be entirely surrounded by agricultural residential zoning begging the question as to whether there might be a movement later to encroach upon adjacent agricultural residential property to expand this industrial zone.

N. **Under "Zoning Analysis" item 4, Staff states "The proposed use should not cause an excessive or burdensome use of existing streets..." We strongly disagree and would like to see the traffic impact study to which the staff bases this assertion.**

O. **Under "Zoning Analysis" item 7. Staff report states "Staff is unable to comment on the impact of property values without a full market analysis." Staff suggests "Often it is difficult to determine the effect of a development on adjacent properties until the development is completed."** Needless to say, at that juncture it is too late to undo the development if a market analysis study indicates that it would have a negative impact on property values**. We suggest that a market analysis be conducted.** Could a large local residential realtor conduct such a study?

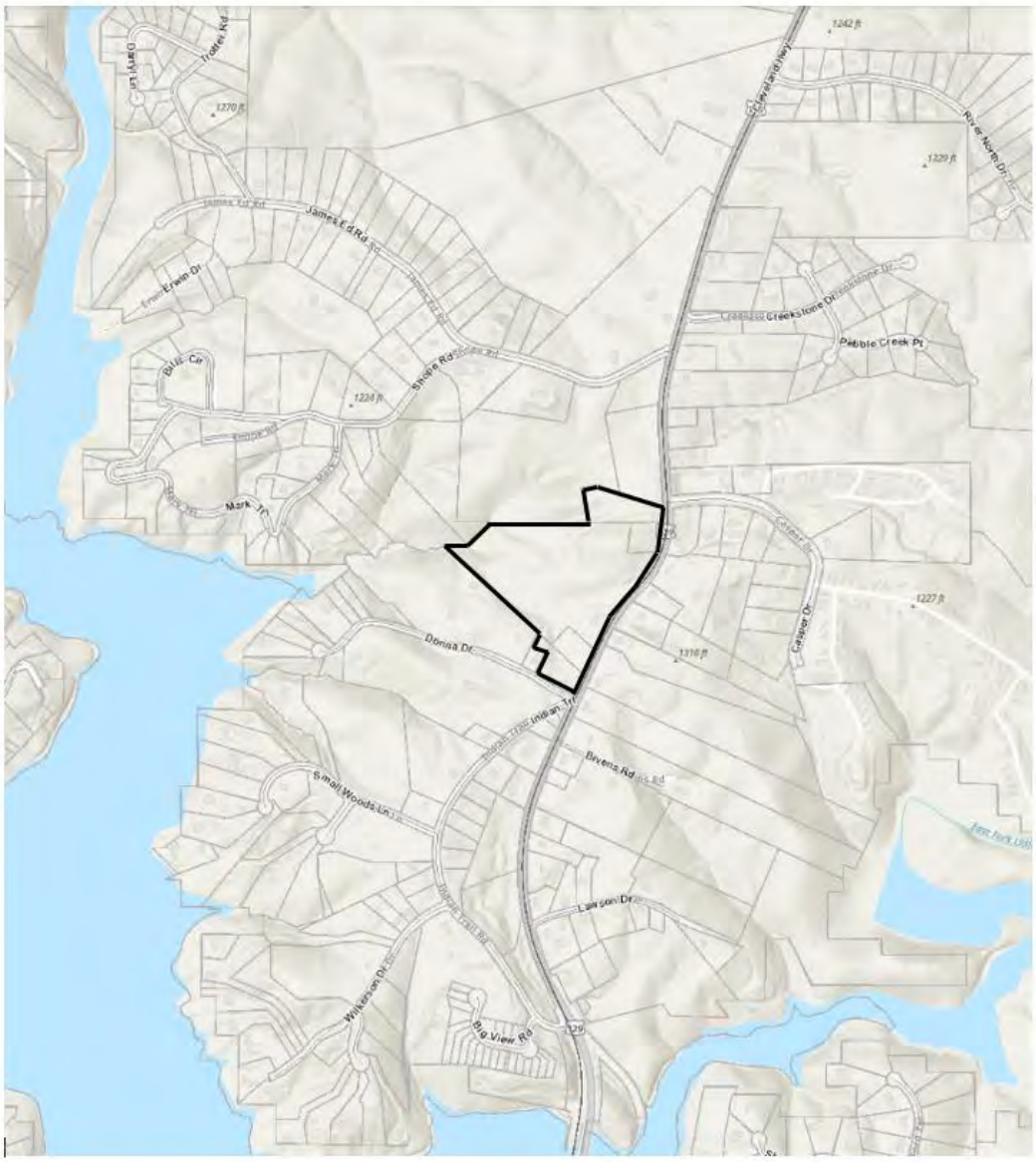
P. **"Zoning Analysis" item 10 which states "GDOT plans for a future realignment of Cleveland Highway show that the subject property is anticipated to be affected." This realignment will essentially cut through the widest part of the property (see attached site views).** GDOT has confirmed that this realignment is planned and approved. As stated above, this will create two smaller parcels on either side of Cleveland Hwy that would be surrounded by agricultural residential and planned commercial. We would hope that this would not cause additional harm to taxpayers and the neighborhood.

Q. **Under Zoning Analysis" item 13. Staff suggests that there may be a need for this sort of storage in this portion of the county and bases this suggestion upon residential growth within the City of Gainesville. This may or may not be a valid cause and effect**. It seems like a percent occupancy investigation of present storage facilities in the area is needed to justify this statement**.** Also, regardless of this issue, it fails to justify the need for the site to be used for the contractor's business and equipment requiring a 10,000 square foot building. **In addition, even if there's a need for more storage facilities, this does not justify locating the facility in a Lake Area Residential neighborhood as defined in the Comprehensive Plan for future growth of Hall County.**

R. **Under Submission requirements item D, Staff Report states "As there are not 100 or more residential dwelling units proposed this criteria is not applicable." The criteria relate to the requirement of a traffic impact study to be submitted prior to consideration of the application**. This Submission Requirement may strictly relate to the need for a traffic study due to "more residential dwellings" on the site. However, isn't it reasonable to assume that 483 trailered boats & RVs plus construction equipment could increase traffic as would 100 residential dwellings? Clearly, the addition of traffic from RVs, boat transports and construction equipment from storage would impact this already congested traffic area. We believe it could negatively impact the entire area.

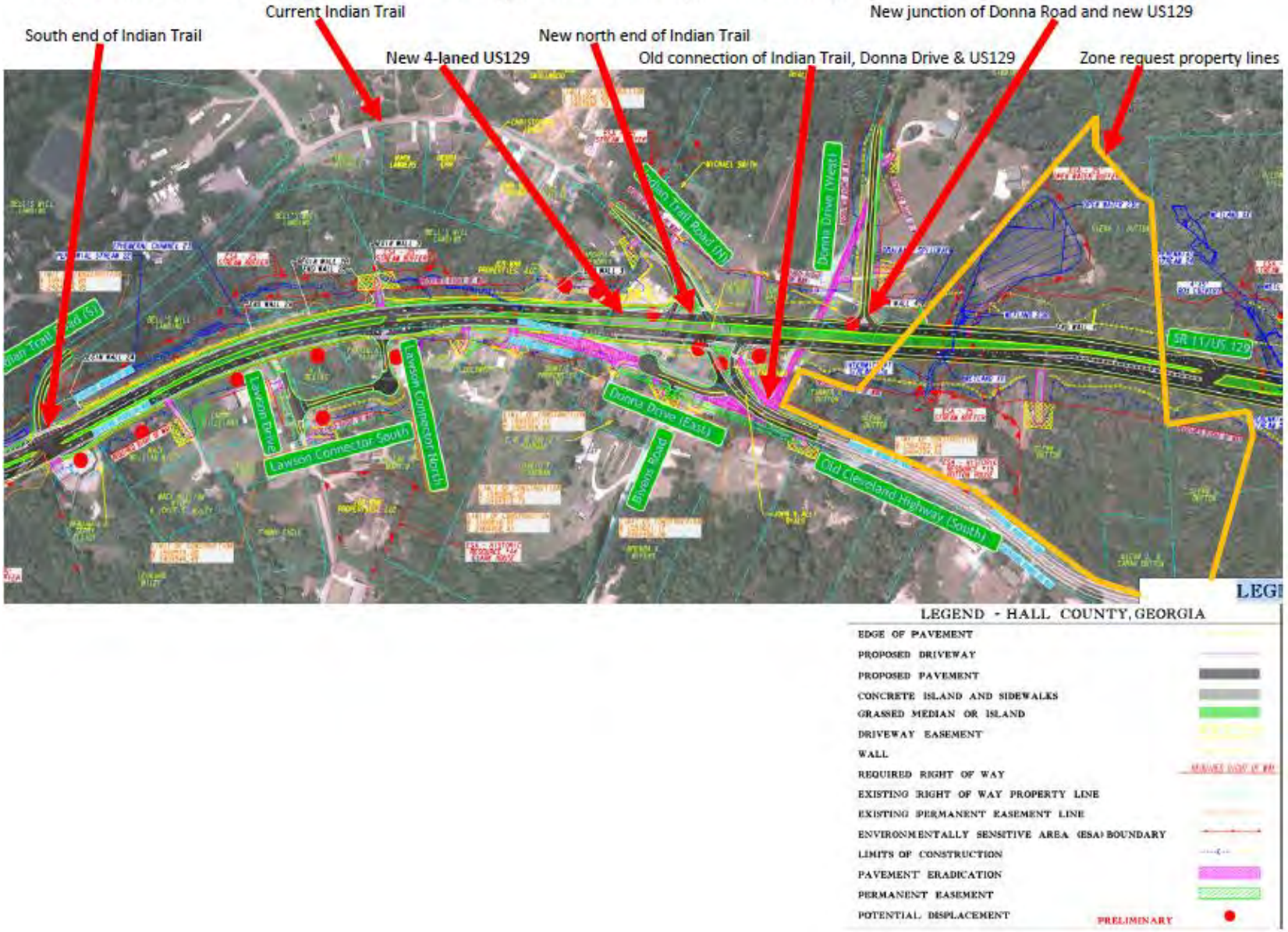
Rezoning to Light Industrial will place further complications for residents returning to their homes along Shope Road and its side streets (Mark Trail, Bills Circle, James Ed Drive, Trotter Road, Dairy Lane and Edwin Drive) whose only access to Hwy 129 Cleveland Hwy is on Shope Road. There are numerous residential homes off Shope Road which begins at Cleveland Highway and adjacent to or near the proposed zoning change. Presently when traveling north along Cleveland Highway out of Gainesville during the afternoon hours, it is common to sit in backup traffic for turning left onto Shope Road from Cleveland Highway. There is no turning lane for Shope road. This congestion will certainly get worse. **We respectively request that a traffic impact study be done for this application.**

MAP 1. RESIDENTIAL AREA SURROUNDING PROPOSED REZONING AND PROXIMITY TO LAKE LANIER



Source: Hall County Property Web App

Map 2: Effects of DGOT Realignment and Four-laning of US129 on the Requested Rezoning



Map source: GDOT (annotated by R. Prior)

Comments on map

1. The four-lane and rerouted US129 cuts through the middle of the property. The solid red line on each side of the new highway is the Required Right of Way for the new road.

2. Removing this right of way property takes a significant portion of the property in the rezoning request, meaning that the proposed plan is not feasible.

3. The Environmentally Sensitive Area (ESA) Boundary lines shown on the map also significantly affect the usability of the proposed use of the property.

4. The end of Donna Drive that currently junctions with the current path of US129 will be Subject to Pavement Eradication. The new Donna Drive junction to the new path of US129 means there will be no access from Donna Drive to either half of the property in question.

5. Access to the Historic Resource House will be from the old path of US129, and that house is also located within the Environmentally Sensitive Area (ESA) Boundary.

6. The wrought iron fence and landscaping discussed in the rezoning application to shelter the view of the property from the highway will have to be built on both sides of the new path of US129 as well as on the side of the old path of US129 adjacent to the property.

7. If the rezoning is approved, the property in question will effectively become two separate pieces of property, each with the new zoning and each needing a separate entrance onto both sides of the new US129. This would mean that two different, and unspecified at this point in time, businesses could be built without any further zoning changes. This could further cause negative undesirable impact on the surrounding community as well as causing more traffic problems in the area.

Print

Board of Commissioners Voting Meeting Comments - November 9, 2023 - Submission #83392

Date Submitted: 11/2/2023

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

First Name*

Nancy

Last Name*

Babcock

Address1*

3463 Big View Rd.

Address2

City*

Gainseville

State*

GA

Zip*

30506

Item for Comment*

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

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

Your Comments*

Please please vote NO on the rezoning project for Cleveland Hwy and Donna Drive in Gainesville. There are endangered species whose territory is in this area. Eliminating forest areas in these territories of extremely fragile and endangered species could contribute to irreparable harm to more than one species. Please see the attachment for more information and maps that show that the proposed property lies within endangered species territories. Thank you so so much for considering this important matter when voting on this proposal.

Please write your comments in the box above.

File Upload

Bat document.pdf

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

Follow-up Communication

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

Dear Hall County Commissioners,

I am writing you today to ask you to please vote "no" to a land rezoning proposal for 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive. Dutton Properties is the applicant for this project. If approved, Dutton Properties would rezone the current property from Agricultural Residential and planned Commercial Development to Light Industrial with a planned RV and boat storage for 483 units, and office and a 10,800 sq ft storage building for construction equipment. My understanding of the project after reading the plan submitted to Hall County, is that the forest area will be basically razed, the topography flattened, and a huge paved parking lot with a giant warehouse will be put on this property. While I have many objections to this project and why it is a bad idea for this area, I would like to give you my main objection today.

It has come to my attention that on the land for the proposed project, there is a critically endangered species called the Long Eared Northern Bat (the Northern Myotis) that may well occupy this area as its habitat. The Long Eared Northern Bat's existence is incredibly fragile and loss of more of its habitat territory would be devastating.

Except from federalregister.gov : "We, the U.S. Fish and Wildlife Service, propose to reclassify the northern long-eared bat (Myotis septentrionalis), a bat species found in all or portions of 37 U.S. States, the District of Columbia, and much of Canada, as an endangered species under the Endangered Species Act of 1973, as amended (Act)."

North Georgia, which includes the areas surrounding Lake Lanier is part of the Northern Long Eared Bat's territory in the United States. During the summer and portions of the fall and spring, northern long-eared bats may be found roosting singly or in colonies underneath bark, in cavities or in crevices of both live trees and snags, or dead trees in forested areas. Males and non-reproductive females may also roost in cooler places, like caves and mines. Northern long-eared bats seem to be flexible in selecting roosts, choosing roost trees based on suitability to retain bark or provide cavities or crevices. Northern long-eared bats use forested areas not only for roosting, but also for foraging and commuting between summer and winter habitat. Conditions that contribute to the loss of this species are summer habitat losses: Highway construction, commercial development, surface mining/forest conversion and wind facility construction. All of these forest changes permanently remove habitat, disturb or destroy hibernacula, and are activities prevalent in many areas of this bat's range. Summer habitat loss may result in longer flights between suitable roosting and foraging habitat, fragmentation of maternity colonies and direct injury or mortality.

Available evidence, including both winter and summer data, indicates northern long-eared bat abundance has and will continue to decline substantially under current demographic and stressor conditions.

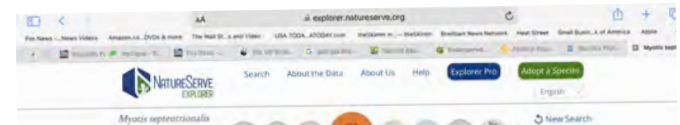
For the sake of this critically endangered species alone, I strongly believe that razing this forested area for the proposed industrial use is wrong and irresponsible to the ecosystems that depend on the forested area.

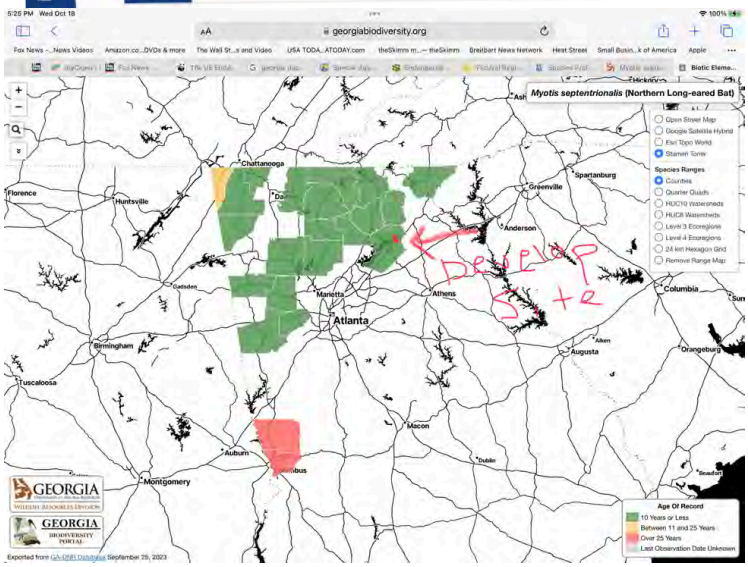
**In researching information on the Northern Long Eared Bat, I have been in contact with Katrina Morris, project manager of wildlife conservation in the Wildlife Resources Division of the Georgia Department of Natural Resources. In my communications with Ms. Morris, she has also informed me that in addition to the critically endangered Northern Long Eared Bat, they have records for a tricolored bat (Perimyotis subflavus) that is proposed for listing as federally endangered. The habitat for the tricolored bat is "almost certainly" (to quote Ms Morris) at that site for the proposed industrial development. Ms. Morris also stated there is a state threatened crayfish (the Cambaris howardi, or Chattahoochee Crayfish) and a snake species (the Pituophis melanoleucus, or Northern Pine Snake) that is of concern in that area.

****I sincerely ask you as commissioners who are charged with decisions that can save our critically endangered species, please do not allow this vital tract of land to become a parking lot with a giant warehouse for machinery that will leak oil and fuel onto the ground where rainwater runoff will drain into fragile water and ecosystems, and most importantly, create forest loss which will eliminate habitat for these endangered species. There are other areas in Hall County where such a development would be far better suited. Please, please, please vote NO to allowing this areas to be rezoned for industrial development.

Nancy Babcock
949-422-0403

(See below for Northern Long Eared Bat Territory)





Print

Board of Commissioners Work Session Comments - November 6, 2023 - Submission #83393

Date Submitted: 11/2/2023

Comments completed in the form below will be submitted into the record for the November 6, 2023 Work Session of the Hall County Board of Commissioners.

First Name*

Richard

Last Name*

Prior

Address1*

3342 NOTTINGHAM FOREST DR

Address2

City*

GAINESVILLE

State*

GA

Zip*

305064421

Your Comments*

I am uploading a document of a letter and a map document related to my letter

Please write your comments in the box above.

File Upload

US129 map.pdf

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

Follow-up Communication

richard.prior@ung.edu

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

Effects of the Planned Four-laning of US129 on the Requested Rezoning

South end of Indian Trail

Current Indian Trail

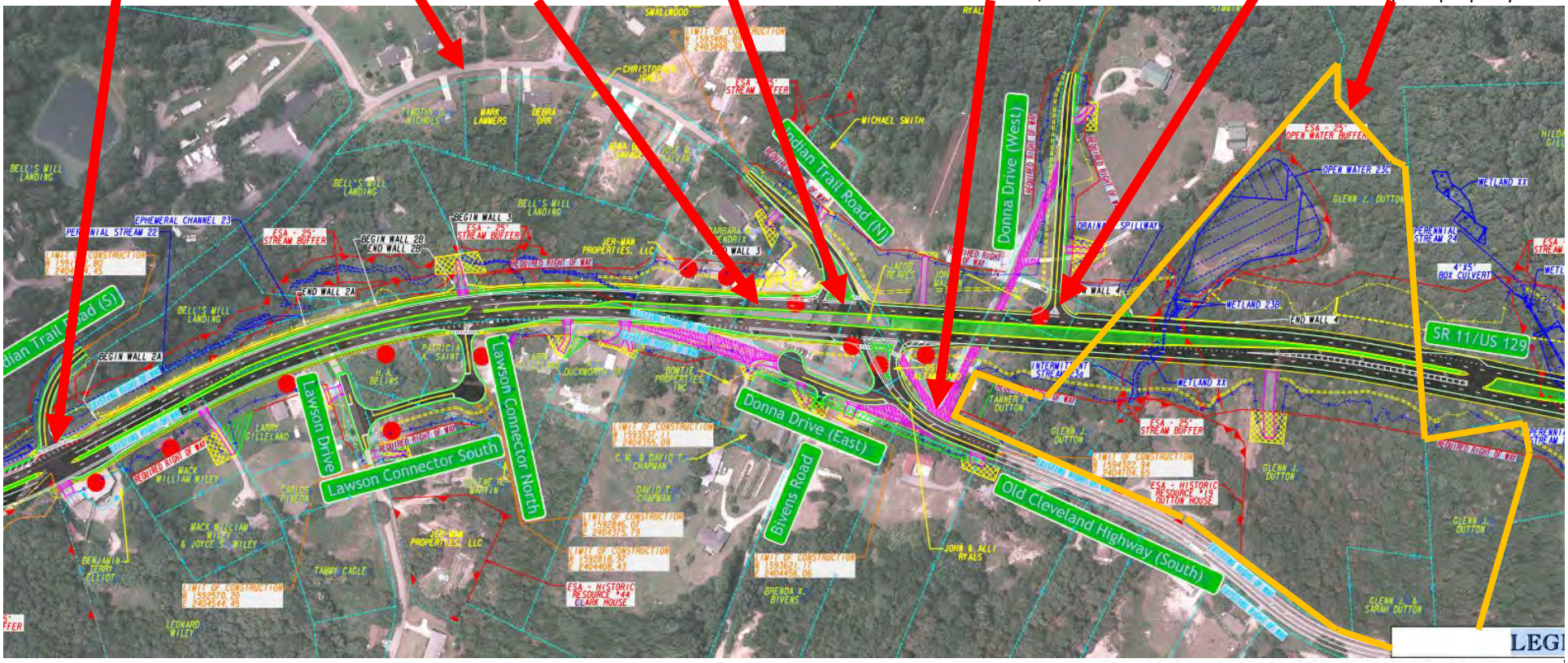
New 4-laned US129

New north end of Indian Trail

Old connection of Indian Trail, Donna Drive & US129

New junction of Donna Road and new US129

Zone request property lines



LEGEND - HALL COUNTY, GEORGIA

EDGE OF PAVEMENT	
PROPOSED DRIVEWAY	
PROPOSED PAVEMENT	
CONCRETE ISLAND AND SIDEWALKS	
GRASSED MEDIAN OR ISLAND	
DRIVEWAY EASEMENT	
WALL	
REQUIRED RIGHT OF WAY	REQUIRED RIGHT OF WAY
EXISTING RIGHT OF WAY PROPERTY LINE	
EXISTING PERMANENT EASEMENT LINE	
ENVIRONMENTALLY SENSITIVE AREA (ESA) BOUNDARY	
LIMITS OF CONSTRUCTION	
PAVEMENT ERADICATION	
PERMANENT EASEMENT	
POTENTIAL DISPLACEMENT	PRELIMINARY

Map source: GDOT (annotated by R. Prior)

Comments on map

1. The four-lane and rerouted US129 cuts through the middle of the property. The solid red line on each side of the new highway is the Required Right of Way for the new road.

2. Removing this right of way property takes a significant portion of the property in the rezoning request, meaning that the proposed plan is not feasible.

3. The Environmentally Sensitive Area (ESA) Boundary lines shown on the map also significantly affect the usability of the proposed use of the property.

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6. The wrought iron fence and landscaping discussed in the rezoning application to shelter the view of the property from the highway will have to be built on both sides of the new path of US129 as well as on the side of the old path of US129 adjacent to the property.

7. If the rezoning is approved, the property in question will effectively become two separate pieces of property, each with the new zoning and each needing a separate entrance onto both sides of the new US129. This would mean that two different, and unspecified at this point in time, businesses could be built without any further zoning changes. This could further cause negative undesirable impact on the surrounding community as well as causing more traffic problems in the area.

3342 Nottingham Forest Drive
Gainesville, GA 30506
November 1, 2023

Hall County Commission

I strongly oppose the requested rezoning by Dutton Properties of 5 parcels totaling 20.6 acres located on the western side of Cleveland Highway (US129) just north of the intersection of the highway with Donna Drive. This property and all surrounding parcels are currently zoned AR-III except for one parcel along Cleveland Highway just north of the proposed rezoning that is currently vacant and zoned PCD. The requested rezoning is clearly out of character and use of the surrounding properties. The Hall County Planning Commission staff evaluated the proposal and recommended against it in an extensive detailed report.

I attended the Hall Planning Commission meeting on October 2, 2023, when they approved the rezoning by a 4-1 vote. They first allowed a representative of the developer to speak for 10 minutes in favor of the rezoning. Then they allowed 7 persons each to speak for 3 minutes against the rezoning, despite that the Hall County Zoning Application Process and Procedures document specifically states that "after **all** comments are heard" the decision will be made. This clearly did not happen at the Planning Commission meeting. The 7 persons speaking against the proposal were randomly selected from hands raised in the audience with several persons beyond the seven denied a chance to speak against the proposal. After a response from the developer's representative, the vote was immediately taken with no real discussion or questions about the opposition to the proposal. It seemed to me that the discussions and decisions by the committee already been made before the public meeting.

There are numerous reasons that the rezoning is undesirable, including environmental, traffic volume and safety, the existing nature of the surrounding community, the principles of the Hall County Comprehensive Plan and other valid objections.

I want to specifically address a situation that is important and was not addressed in the rezoning application or in any discussion the Planning Commission at the meeting. The Georgia Department of Transportation (GDOT) has already planned and approved the 4-laning of a several mile section of Cleveland Highway (US129) that now passes adjacent to the requested rezoning property, The GDOT plan includes a re-routing of the highway that begins just south of that property. The re-routed 4-lane highway will cut through the middle of the property for which the rezoning is requested. That will make the plans for covered storage for 483 boats and RVs and the construction of a 10,800 square-foot storage building for construction equipment not feasible. Additionally, the rezoned property would be divided into two properties on opposite sides of the new 4-lane highway, both zoned light industrial. Who knows how those separate properties could then be used? A copy of the GDOT map that I have annotated for clarity is also submitted.

I and the others in this community all request that you do not approve this rezoning.

Sincerely,

Richard M. Prior

ZONING NOTICE

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

APPLICANT: DUTTON PROPERTIES

REQUEST:
VARIANCE TO REDUCE THE WIDTH OF THE TRANSITIONAL BUFFER REQUIRED IN GCOD

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION
Date: OCT 23 2023
Time: 5:15 P.M.

&

COUNTY COMMISSION
Date: NOV 9, 2023
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 WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY.

APPLICANT: DUTTON PROPERTIES

REQUEST: REZONE FROM AR-III & H-B TO I-1 FOR BOAT & RV STORAGE & AN OFFICE/WAREHOUSE

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION
Date: OCT 23, 2023
Time: 5:15 P.M.

&

COUNTY COMMISSION
Date: NOV 9, 2023
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 WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: DUTTON PROPERTIES

REQUEST: USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR OUTDOOR STORAGE IN GCOD.

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION
Date: OCT 23, 2023
Time: 5:15 P.M.

&

COUNTY COMMISSION
Date: NOV 9, 2023
Time: 6:00 P.M.

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

FOR MORE INFORMATION CALL: (770) 531-6809

Sep 20, 2023 15:00:34
3443 Cleveland Highway
Gainesville
Hall County
Georgia

NARROW ROAD
20 MPH

ZONING NOTICE

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

APPLICANT: DUTTON PROPERTIES

REQUEST: VARIANCE TO REDUCE THE WIDTH OF THE TRANSITIONAL BUFFER REQUIRED IN GCOD

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION Date: Oct 24, 2023 Time: 5:15 p.m.

&

COUNTY COMMISSION Date: Nov 9, 2023 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 WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: DUTTON PROPERTIES

REQUEST: USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR OUTDOOR STORAGE IN GCOD

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION Date: Oct 24, 2023 Time: 5:15p.m.

&

COUNTY COMMISSION Date: Nov 9, 2023 Time: 6:00p.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 WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY.

APPLICANT: DUTTON PROPERTIES

REQUEST: REZONE FROM AR-III & H-B TO H FOR BOAT & RV STORAGE & AN OFFICE/WAREHOUSE

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION Date: Oct 24, 2023 Time: 5:15p.m.

&

COUNTY COMMISSION Date: Nov 9, 2023 Time: 6:00p.m.

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

FOR MORE INFORMATION CALL: (770) 531-6809

Sep 20, 2023 14:48:41
3384 Cleveland Highway
Gainesville
Hall County
Georgia

ZONING NOTICE

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

APPLICANT: DUTTON PROPERTIES

REQUEST: VARIANCE TO REDUCE THE WIDTH OF THE TRANSITIONAL BUFFER REQUIRED IN GCOD

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION Date: OCT 3, 2023 Time: 5:15 P.M. & COUNTY COMMISSION Date: NOV 9, 2023 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 WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY.

APPLICANT: DUTTON PROPERTIES

REQUEST: REZONE FROM AR III & H B TO I-1 FOR BOAT & RV STORAGE & AN OFFICE / WAREHOUSE

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION Date: OCT 23, 2023 Time: 5:15 P.M. & COUNTY COMMISSION Date: NOV 9, 2023 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 WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: Dutton Properties

REQUEST: Use Subject To County Commission Approval For Outdoor Storage In GCOD

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION Date: OCT 24, 2023 Time: 5:15 P.M. & COUNTY COMMISSION Date: Nov 9, 2023 Time: 6:00 P.M.

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

FOR MORE INFORMATION CALL: (770) 531-6809

Sep 20, 2023 14:51:39
3405 Cleveland Highway
Gainesville
Hall County
Georgia

ZONING NOTICE

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

APPLICANT: DUTTON PROPERTIES

REQUEST: VARIANCE TO REDUCE THE WIDTH OF THE TRANSITIONAL BUFFER REQUIRED IN GCOD

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION Date: OCT 2, 2023 Time: 5:15 P.M.

&

COUNTY COMMISSION Date: 1 NOV 9, 2023 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 WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: DUTTON PROPERTIES

REQUEST: USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR OUTDOOR STORAGE IN GCOD.

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION Date: OCT 2, 2023 Time: 5:15 P.M.

&

COUNTY COMMISSION Date: NOV 9, 2023 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 WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY.

APPLICANT: DUTTON PROPERTIES

REQUEST: REZONE FROM AR-III & H-B TO H-1 FOR BOAT & RV STORAGE & AN OFFICE/WAREHOUSE

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION Date: OCT 2, 2023 Time: 5:15 PM

&

COUNTY COMMISSION Date: NOV 9 2023 Time: 6:00 P.M.

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

FOR MORE INFORMATION CALL (770) 531-6809

Sep 20, 2023 14:56:21
3419 Cleveland Highway
Gainesville
Hall County
Georgia

ZONING NOTICE

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

APPLICANT: DUTTON PROPERTIES

REQUEST:
VARIANCE TO REDUCE THE WIDTH OF THE TRANSITIONAL BUFFER REQUIRED IN GCOD

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION
Date: OCT 23 2023
Time: 5:15 P.M.

&

COUNTY COMMISSION
Date: NOV 9, 2023
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 WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY.

APPLICANT: DUTTON PROPERTIES

REQUEST: REZONE FROM AR-III & H-B TO I-1 FOR BOAT & RV STORAGE & AN OFFICE/WAREHOUSE

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION
Date: OCT 23, 2023
Time: 5:15 P.M.

&

COUNTY COMMISSION
Date: NOV 9, 2023
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 WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: DUTTON PROPERTIES

REQUEST: USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR OUTDOOR STORAGE IN GCOD.

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION
Date: OCT 23, 2023
Time: 5:15 P.M.

&

COUNTY COMMISSION
Date: NOV 9, 2023
Time: 6:00 P.M.

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

FOR MORE INFORMATION CALL: (770) 531-6809

Sep 20, 2023 15:00:34
3443 Cleveland Highway
Gainesville
Hall County
Georgia

AGENDA ITEM

Planning and Development

REPORT TO:	**Work Session (11/06/23)**
REPORT TO:	**Voting Meeting (11/09/23)**
ITEM NO:	627/2023
SUBJECT:	**3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Use Subject to County Commission Approval |** 17.420.050. outdoor storage | on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD (GCOD), Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 **| Proposed Use: outdoor storage within Gateway Corridors Overlay District |** Commission District 3 **| Dutton Properties, applicant.**

Meetings:

Work Session Date: 11/06/23 **Voting Meeting Date:** 11/09/23

Executive Summary:

Presenter: RD
Recommendation:

Approval

Conditions:

1. The development shall occur as depicted on the site plan dated September 29, 2023 and described in the updated project narrative dated September 29, 2023, modified for compliance with zoning conditions and Hall County regulations. Minor changes can be approved by the Planning Director, provided 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 from the Hall County development standards. No variances are granted as part of this request other than those listed herein.
2. The storage or disposal of junk material and construction debris on the subject property is prohibited. Any areas where junk or debris has been stored on the property shall be properly disposed of or stored in accordance with applicable regulations.
3. The development, including any signage, shall be subject to the standards of the Gateway Corridors Overlay District (GCOD, 17.420.050). No variances are granted from these standards.
4. The applicant shall coordinate and receive approval from the Georgia Department of Transportation for the site access and proposed location of the covered storage areas.
5. All parking and storage areas shall be paved with either asphalt or concrete.
6. The applicant shall be required to meet all applicable local, state, and/or federal regulations required as part of the land development process.
7. All conditions of zoning shall be made part of any plans created for the property.
8. The hours of operation for the self-storage facility shall be 6:00am-11:00pm, Monday through Sunday.
9. The roof material for the covered parking shall be standing seam architectural metal roof panels, with the color to be approved by the Planning and Development Director.
10. The 10,800 sq. ft. warehouse at the rear of the property as shown on the concept plan shall be allowed to utilize metal siding.

Purpose of Request:

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Use Subject to County Commission Approval | 17.420.050. outdoor storage | on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD (GCOD), Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | **Proposed Use: outdoor storage within Gateway Corridors Overlay District** | Commission District 3 | **Dutton Properties, 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:

Submit	Approve	Attorney	Administration
AD	RD	WLI	CR
Clerk			
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
Public Comments (Post Planning Commission Meeting)
Notice Sign Photos

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435

GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR
Srikanth Yamala

PLANNING AND DEVELOPMENT
DIRECTOR
Randi Doveton

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PLANNING AND DEVELOPMENT

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

From: Randi Doveton, Director of Planning & Development

Date: October 23, 2023

Subject: **3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Use Subject to County Commission Approval |** 17.420.050. outdoor storage | on 20.16± acres **| Proposed Use: outdoor storage within Gateway Corridors Overlay District| Dutton Properties, applicant.**

The request before you is the application of Dutton Properties for a Use Subject to County Commission Approval to allow outdoor storage within Gateway Corridors Overlay District. This item is located within Commission District 3.

At their October 2, 2023 meeting, the Hall County Planning Commission voted to recommend approval with ten (10) conditions **(4-1, Pilcher opposed)**.

There were **no comments submitted** in advance of the Planning Commission meeting and **seven (7) people spoke during the public hearing.**

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

Planning Commission Conditions:

1. The development shall occur as depicted on the site plan dated September 29, 2023 and described in the updated project narrative dated September 29, 2023, modified for compliance with zoning conditions and Hall County regulations. Minor changes can be approved by the Planning Director, provided 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 from the Hall County development standards. No variances are granted as part of this request other than those listed herein.
2. The storage or disposal of junk material and construction debris on the subject property is prohibited. Any areas where junk or debris has been

stored on the property shall be properly disposed of or stored in accordance with applicable regulations.

3. The development, including any signage, shall be subject to the standards of the Gateway Corridors Overlay District (GCOD, 17.420.050). No variances are granted from these standards.
4. The applicant shall coordinate and receive approval from the Georgia Department of Transportation for the site access and proposed location of the covered storage areas.
5. All parking and storage areas shall be paved with either asphalt or concrete.
6. The applicant shall be required to meet all applicable local, state, and/or federal regulations required as part of the land development process.
7. All conditions of zoning shall be made part of any plans created for the property.
8. The hours of operation for the self-storage facility shall be 6:00am-11:00pm, Monday through Sunday.
9. The roof material for the covered parking shall be standing seam architectural metal roof panels, with the color to be approved by the Planning and Development Director.
10. The 10,800 sq. ft. warehouse at the rear of the property as shown on the concept plan shall be allowed to utilize metal siding.

HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT

Applicant ..... Dutton Properties

Request ..... **(A)** Rezone from Agricultural Residential III (AR-III, 17.110) and Planned Commercial Development (PCD, 17.180.080) / Gateway Corridors Overlay District (GCOD, 17.420) to Light Industrial (I-I, 17.160) / Gateway Corridors Overlay District (GCOD, 17.420).
(B) Use Subject to County Commission Approval | 17.420.050. Outdoor storage
(C) Variance | 17.420.050.(C)(2) to reduce the required transitional buffer in Gateway Corridors Overlay District (GCOD, 17.420)

Proposed Use ..... **(A)** Boat and RV storage and an office/warehouse
(B) Outdoor storage within Gateway Corridors Overlay District (GCOD, 17.420)
(C) Reduce the required transitional buffer from 50 feet to 30 feet

Size ..... 20.16± acres

Zoning ..... Current Agricultural Residential III (AR-III, 17.110) and Planned Commercial Development (PCD, 17.180.080) / Gateway Corridors Overlay District (GCOD, 17.420) | Proposed Light Industrial (I-I, 17.160) and Gateway Corridors Overlay District (GCOD, 17.420).

Location ..... **3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive** | Tax Parcels 10144 000036, 000030, 000035, 000041, and 000029

Commission District ..... Three

Planning Commission Date ..... October 2, 2023

Staff Recommendation ..... **(A) and (B) Denial** as the proposed use is inconsistent with the Comprehensive Plan future

land use classification of Lake Area Residential.
(C) Denial of the requested variance from the transitional buffer requirements from 17.420.050.(C)(2) as the applicant has failed to demonstrate that hardship exist pursuant to the criteria of 2.60.030.

Planning Commission Recommendation…….. (A) Approval, with conditions
Vote: 4-1 (Pilcher opposed)
(B) Approval, with conditions
Vote: 4-1 (Pilcher opposed)
(C) Denial
Vote: 5-0

(A)& (B) Conditions:

1. The development shall occur as depicted on the site plan dated September 29, 2023 and described in the updated project narrative dated September 29, 2023, modified for compliance with zoning conditions and Hall County regulations. Minor changes can be approved by the Planning Director, provided 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 from the Hall County development standards. No variances are granted as part of this request other than those listed herein.
2. The storage or disposal of junk material and construction debris on the subject property is prohibited. Any areas where junk or debris has been stored on the property shall be properly disposed of or stored in accordance with applicable regulations.
3. The development, including any signage, shall be subject to the standards of the Gateway Corridors Overlay District (GCOD, 17.420.050). No variances are granted from these standards.
4. The applicant shall coordinate and receive approval from the Georgia Department of Transportation for the site access and proposed location of the covered storage areas.
5. All parking and storage areas shall be paved with either asphalt or concrete.
6. The applicant shall be required to meet all applicable local, state, and/or federal regulations required as part of the land development process.
7. All conditions of zoning shall be made part of any plans created for the property.
8. The hours of operation for the self-storage facility shall be 6:00am-11:00pm, Monday through Sunday.
9. The roof material for the covered parking shall be standing seam architectural metal roof panels, with the color to be approved by the Planning and Development Director.
10. The 10,800 sq. ft. warehouse at the rear of the property as shown on the concept plan shall be allowed to utilize metal siding.

Public Forum:

John Carter, 3432 Cleveland Highway, Gainesville, spoke in opposition. Concerns were property value, egress/ingress, traffic, hours of operation, grading, noise, clear cutting trees, lights, view, and buffer.

Dutch Sievert, 3420 Cleveland Highway, Gainesville, spoke in opposition. Concerns were property value, development placement, intense use, view, and traffic.

Petra Urban, 3418 Cleveland Hwy, Gainesville, spoke in opposition. Concerns were property value, zoning, traffic, and safety.

John Mallen, 4014 Donna Drive, Gainesville, spoke in opposition. Concerns were zoning, light pollution, traffic, and new highway.

Richard Prior, 3343 Nottingham Forest Dr, Gainesville, spoke in opposition. Concerns were traffic, safety, new highway, major residential area, and environmental impact.

Michael O'Chasey, 3340 Wilkerson Drive, Gainesville, spoke in opposition. Concerns were number of bays, traffic, number of boats on lake, traffic on the Little River, and safety.

Mark Kirves, 3338 Wilkerson Drive, Gainesville, spoke in opposition. Concerns were property value, traffic, and safety.

Summary Analysis

The applicant is requesting to **(A)** rezone 20.16± acres from Agricultural Residential III (AR-III, 17.110) and Planned Commercial Development (PCD, 17.180.080) to Light Industrial (I-I, 17.160) for the purpose of developing the site with a boat and RV storage business. Additionally, the applicant intends to use one of two existing residences on the property as a contractor's office. A 10,800 square foot warehouse building is proposed for storage of items related to the contractor's business. **(B)** Concurrent to this request is a Use Subject to County Commission Approval to permit outdoor storage within the Gateway Corridors Overlay District (GCOD, 17.420). The GCOD provides supplemental development standards for non-residential development (17.420.050.), and the applicant is requesting a **(C)** variance to reduce the required transitional buffer in the GCOD.

The submitted site plan shows an existing residence located to the north of the proposed site access. The submitted narrative states that the residence is registered as a historic place, and the intention is to preserve and renovate the structure for an office use. A 90-foot by 120-foot warehouse is proposed in the rear of the property, adjacent to the existing farm pond. Much of the remaining property is proposed to be utilized as covered or uncovered storage for boats and RVs, for a total of 483 storage spaces, access to which is gated. There is no information regarding the architectural style of the covered storage buildings, and it is unknown if the structure will be open sided or if it will be enclosed. The submitted narrative states that non-spill LED lighting will be used for the covered storage spots.

The breakdown is detailed in the following charts:

Uncovered Storage	
Area	Units
1	10
2	20
3	14
Total	**44**

Covered Storage	
Building	Units
A	63
B	90
C	49
D	58
E	60
F	38
G	20
H	33
I	28
Total	**439**
Combined Total	**483**

The canopy structures will be located a minimum of 100 feet from the centerline of Cleveland Highway, as required by 17.240.040, setbacks from arterial streets. The setback adjacent to Donna Drive is 50 feet. The proposed side and rear yard setbacks are each 20 feet, consistent with the setback requirements found in table 17.240.010 for the Light Industrial (I-I, 17.160) district.

The submitted site plan and narrative describe the proposed transitional buffers and landscaping standards for the development. The applicant is requesting relief from 17.420.050(C)(2)(c), transitional buffers, which requires where an industrial zoning district abuts property zoned for residential or agricultural use the transitional buffer shall be 50 feet. The applicant is requesting to reduce the transitional buffer along tax parcels 10143 000003, 10144 000029A, and a small portion of parcel 10144 000038 to 30 feet but is proposing to provide an enhanced buffer. It is unclear as to how the buffer will be enhanced, as the application does not provide those details. The entrance and frontage will be landscaped with a 6-foot-tall wrought iron style fence accented with brick columns every 200 feet and at the corners. Landscaping will be planted in front of this fence to further enhance the aesthetics and screen the project from the highway. Per the narrative, one monument sign, compliant with the sign ordinance, is proposed at the entrance on Cleveland Highway.

One (1) **variance** related to landscaped buffer requirements will be necessary if the site plan, as presented, is approved because the proposal does not meet the requirements.

- 50-foot landscaped buffer where a commercial zoning district abuts property zoned for residential use as found in 17.420.050(C)(2)(c).
    - *The applicant is requesting to reduce the transitional buffer along tax parcels10143 000003, 10144 000029A, and a small portion of parcel 10144 000038 from 50 feet to 30 feet and is proposing to provide an enhanced buffer for the reduction.*
        - *The applicant has not provided details as to how the buffer will be enhanced.*

Based on the future land-use plan, staff finds the *zoning request inconsistent* with the Lake Area Residential future land use classification in the Comprehensive Plan. This land use category is characterized by low-density residential development and neighborhoods. The intent of this land use category is to preserve established neighborhoods and create opportunities for permanent vacation residences similar in land use patterns to Residential Areas but at lower residential densities. Future development is envisioned to continue to be detached, single family homes at low densities in addition to less intensive agricultural uses that are found in the northwestern part of the land use classification.

Zoning Analysis

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:

(A) Rezone from Agricultural Residential III (AR-III, 17.110) and Planned Commercial Development (PCD, 17.180.080) / Gateway Corridors Overlay District (GCOD, 17.420) to Light Industrial (I-I, 17.160) / Gateway Corridors Overlay District (GCOD, 17.420) and

(B) Use Subject to County Commission Approval | 17.420.050. outdoor storage

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 rezoning and use of the property as boat and RV storage and an office/warehouse is inconsistent with the development pattern of nearby properties. To the south is an adjacent 13.43± acre parcel zoned Residential I (R-I, 17.60). To the north is a PCD-zoned property Planned Commercial Development (PCD, 17.180.080); this rezoning was approved in 1992 for a shopping center, but remains undeveloped. The remainder of the adjacent parcels on the subject side of the street are other Agricultural Residential III (AR-III, 17.110) properties.**

2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The proposed zoning classification of Light Industrial (I-I, 17.160) is inconsistent with the existing development along Cleveland Highway and could have an impact on nearby residential and agricultural parcels.**

3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; **Yes, the properties have reasonable economic use as currently zoned, from Agricultural Residential III (AR-III, 17.110) and Planned Commercial Development (PCD, 17.180.080), but the proposed business cannot occur as described without approval of the rezoning request to Light Industrial (I-I, 17.160).**

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 use should not cause an excessive or burdensome use of existing streets, transportation facilities, utilities, schools, police protection, fire protection public 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 parcels fall within the Lake Area Residential future land use category of the Comprehensive Plan. This land use category is characterized by low-density residential development and neighborhoods. The intent of this land use category is to preserve established neighborhoods and create opportunities for permanent vacation residences similar in land use patterns to Residential Areas but at lower residential densities. Future development is envisioned to continue to be detached, single family homes at low densities in addition to less intensive agricultural uses that are found in the northwestern part of the land use classification. The request to rezone the property is inconsistent with the future land use classification.**

6. The extent to which property values are diminished by the existing zoning restrictions; **Staff is unable to determine the extent to which property values are diminished by the existing zoning restrictions.**

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 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.**

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; **Aerial imagery shows that the property is primarily undeveloped, though there are various residential and/or agricultural structures located on the parcels. If approved, the existing residence located on 3419 Cleveland Highway will remain and serve as an office for the contractor's business.**

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; **GDOT plans for a future realignment of Cleveland Highway show that the subject property is anticipated to be affected.**

11. Whether the change would create an isolated district unrelated to the surrounding districts; **The rezoning of the property to Light Industrial (I-I, 17.160) would be a more intensive use than the existing Agricultural Residential III (AR-III, 17.110) and Planned Commercial Development (PCD, 17.180.080) classification and it would create an isolated district unrelated to the surrounding districts, as there is no I-I zoning established in the area.**

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.**

13. Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood; **The close proximity to Lake Lanier and recent residential growth within the City of**

Gainesville and the county may suggest there is a need for this sort of storage in this portion of the county.

14. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **There may be other industrially zoned properties in the county where the proposed use would be permitted without zoning action.**

15. Whether the need for rezoning could be handled instead by a variance request to the [planning commission]; **No, the request could not be handled instead by a variance as the proposed uses are not permitted within the Agricultural Residential III (AR-III, 17.110) or Planned Commercial Development (PCD, 17.180.080) districts.**

16. Whether there would be an ecological or pollution impact resulting from major modifications to the land if the request is granted; **Any land disturbance activities on the property shall be required to go through the land development permitting process, and as a result are subject to local, state, and federal regulations. As a result, there should not be an ecological or pollution impact resulting from any modification to the land if the request is granted.**

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.**

(C) Variance | 17.420.050.C.2 to reduce the required transitional buffer in Gateway Corridors Overlay District (GCOD, 17.420)

Section 17.420.070, appeals and modifications states that "if substantial modifications or changes are necessary, any person, firm, group or organization may apply for relief from the requirements set forth in this chapter to the Hall County Planning Commission, unless otherwise specified in this chapter."

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); **There does not appear to be extraordinary or exceptional conditions pertaining to the subject property. There are no physical characteristics of the property that would prevent the applicant from meeting the transitional buffer requirements as required by the Gateway Corridors Overlay District (GCOD, 17.420).**

2. The application of the requirements of this Title 17 to this particular piece of property would create an unusual hardship; **The applicant would have to make modification to the proposed site layout, to meet the transitional buffer requirements of the Gateway Corridors Overlay District (GCOD, 17.420). As a result, there may be a reduction in the number of covered storage spaces for the proposed development, though it is unlikely this would create an unusual hardship.**

3. Such conditions are peculiar to the particular piece of property involved and are not common to other properties in the neighborhood; **No, the conditions are not peculiar to the subject parcel but the result of the proposed use of the property.**

4. Such conditions are not the result of any actions of the property owner; **the proposed site layout has been proposed by the applicant.**

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. **Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of Title 17.**

17.380.050. - Submission requirements

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 the Hall County Planning Commission.**

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]. **The applicant has submitted a narrative and site plan but has not explicitly addressed the criteria listed in 17.350.120.**

   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**. The applicant submitted a site plan drawn to scale.**

C. For any application for a slow rate land treatment system (see chapter 17.20), the following additional requirements apply. **This standard is not applicable as the site will be served by an onsite septic system.**

D. 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. **As there are not 100 or more residential dwelling units proposed, this criteria is not applicable.**

Development Support and Constraints / Departmental Comments

Hall County Environmental Health

In an email dated August 18, 2023, Emily McGahee stated "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 Marshal

In an email dated August 18, 2023, John Hornick, NPQ Fire Inspector 1, Plans Review Lieutenant provided the following comments:

Additional fire hydrant(s) will be required to be installed inside the development to meet the International Fire Code requirement of Section 507.5.1 including state modification(s).

Hall County Public Works and Utilities

In a memo dated August 18, 2023, Bill Nash, Director of Public Works and Utilities, provided the following comments:

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 stream buffer and impervious setback from wrested vegetation not centerline of stream. Proposed GDOT project goes right through this parcel.

Traffic:

Permit from GDOT will be required for connection to Cleveland Highway.

Utilities

No sewer connection within feasible distance.

Georgia Department of Transportation

In an email dated August 15, 2023 from Veronica Chavers, D1TO Civil Engineer 3, she confirmed that the project will require GDOT coordination for access on Cleveland Highway.

- **Excerpts from the minutes of the October 2, 2023 meeting**

Applicant's Presentation:

Randi Doveton, Planning Director, presented a summary of the request. Ms. Doveton stated that due to the modification to the site plan the variance request is no longer applicable.

Ed Myers, 752 Chattahoochee Place, Gainesville, presented the request. The applicant explained the modified site plan and narrative. The applicant requested a variance for a metal building in the rear about

700 feet behind the state highway. The applicant stated that the hours of operation would be from 6:00 am to 12:00 am.

Rebuttal

The applicant stated that customers store their boats/RVs and let them sit there for a long time so there will not be a significant amount of traffic. The applicant stated that GDOT has had talks of widening the road but they have been in talks of the project for many years now. The applicant stated that they will install non-spill lights.

Public Forum:

John Carter, 3432 Cleveland Highway, Gainesville, spoke in opposition. Concerns were property value, egress/ingress, traffic, hours of operation, grading, noise, clear cutting trees, lights, view, and buffer.

Dutch Sievert, 3420 Cleveland Highway, Gainesville, spoke in opposition. Concerns were property value, development placement, intense use, view, and traffic.

Petra Urban, 3418 Cleveland Hwy, Gainesville, spoke in opposition. Concerns were property value, zoning, traffic, and safety.

John Mallen, 4014 Donna Drive, Gainesville, spoke in opposition. Concerns were zoning, light pollution, traffic, and new highway.

Richard Prior, 3343 Nottingham Forest Dr, Gainesville, spoke in opposition. Concerns were traffic, safety, new highway, major residential area, and environmental impact.

Michael O'Chasey, 3340 Wilkerson Drive, Gainesville, spoke in opposition. Concerns were number of bays, traffic, number of boats on lake, traffic on the Little River, and safety.

Mark Kirves, 3338 Wilkerson Drive, Gainesville, spoke in opposition. Concerns were property value, traffic, and safety.

Planning Commission Comments:

Mr. Braswell requested clarification on the fencing and landscaping. The applicant stated that they will install bushes and trees along the frontage as well as having a fence to help shield the view. Mr. Braswell questioned how access will be controlled. The applicant stated that it will be controlled electronically by a phone app. Mr. Hunt questioned if the applicant is willing to change the closing time to 11:00 pm. The applicant agreed. Mr. Hunt requested clarification on buffers. Mr. Braswell stated that the new narrative stated there will be a vinyl chain link fence around the entire perimeter. The applicant stated that was correct and it is for security purposes. Mr. Braswell stated that the updated site plan removed the need for uncovered parking towards the frontage. Ms. Pilcher stated that the speed limit poses a safety hazard for anyone coming in or out of the development.

A

***Motion:* A motion to approve, with conditions was made by Mr. Hunt and seconded by Mr. Varner. Vote: 4-1 (Pilcher opposed)**

Conditions:

1. The development shall occur as depicted on the site plan dated September 29, 2023 and described in the updated project narrative dated September 29, 2023, modified for compliance with zoning conditions and Hall County regulations. Minor changes can be approved by the Planning Director, provided 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 from the Hall County development standards. No variances are granted as part of this request other than those listed herein.
2. The storage or disposal of junk material and construction debris on the subject property is prohibited. Any areas where junk or debris has been stored on the property shall be properly disposed of or stored in accordance with applicable regulations.
3. The development, including any signage, shall be subject to the standards of the Gateway Corridors Overlay District (GCOD, 17.420.050). No variances are granted from these standards.
4. The applicant shall coordinate and receive approval from the Georgia Department of Transportation for the site access and proposed location of the covered storage areas.
5. All parking and storage areas shall be paved with either asphalt or concrete.
6. The applicant shall be required to meet all applicable local, state, and/or federal regulations required as part of the land development process.
7. All conditions of zoning shall be made part of any plans created for the property.
8. The hours of operation for the self-storage facility shall be 6:00am-11:00pm, Monday through Sunday.
9. The roof material for the covered parking shall be standing seam architectural metal roof panels, with the color to be approved by the Planning and Development Director.
10. The 10,800 sq. ft. warehouse at the rear of the property as shown on the concept plan shall be allowed to utilize metal siding.

B

Motion: ***A motion to approve, with conditions was made by Mr. Hunt and seconded by Mr. Varner. Vote: 4-1 (Pilcher opposed)***

Conditions:

1. The development shall occur as depicted on the site plan dated September 29, 2023 and described in the updated project narrative dated September 29, 2023, modified for compliance with zoning conditions and Hall County regulations. Minor changes can be approved by the Planning Director, provided 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 from the Hall County development standards. No variances are granted as part of this request other than those listed herein.
2. The storage or disposal of junk material and construction debris on the subject property is prohibited. Any areas where junk or debris has been stored on the property shall be properly disposed of or stored in accordance with applicable regulations.
3. The development, including any signage, shall be subject to the standards of the Gateway Corridors Overlay District (GCOD, 17.420.050). No variances are granted from these standards.
4. The applicant shall coordinate and receive approval from the Georgia Department of Transportation for the site access and proposed location of the covered storage areas.
5. All parking and storage areas shall be paved with either asphalt or concrete.
6. The applicant shall be required to meet all applicable local, state, and/or federal regulations required as part of the land development process.
7. All conditions of zoning shall be made part of any plans created for the property.

8. The hours of operation for the self-storage facility shall be 6:00am-11:00pm, Monday through Sunday.
9. The roof material for the covered parking shall be standing seam architectural metal roof panels, with the color to be approved by the Planning and Development Director.
10. The 10,800 sq. ft. warehouse at the rear of the property as shown on the concept plan shall be allowed to utilize metal siding.

C

Motion: ***A motion to deny was made by Mr. Hunt and seconded by Mr. Varner. Vote: 5-0***

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

HALL COUNTY
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CONDITIONAL USE APPLICATION

Applicant (Name & Mailing Address)

Dutton Properties
PO Box 908387
Gainesville, GA 30501

Phone 770-351-7565
Email Address glennjduttonaol.com

Property Owner (Name & Mailing Address)

Glenn Dutton
PO Box 908387
Gainesville, GA 30501

Phone 770-351-7565
Email Address glennjduttonaol.com

Proposed Use ~~Boat~~ Boat & RV outdoor storage

Contact Person (Name & Mailing Address)

Glenn Dutton
PO Box 908387
Gainesville, GA 30501

Phone 770-351-7565
Email Address glennjduttonaol.com

Status of Applicant

(Owner)
Option to Purchase
Area Resident
Other

Requested Action

Permissive Use:
☐ HCPC ☒ HCC
Fee:$ 1,500
Receipt #: 011257
Check #:

Zoning:
Acreage 20.16 Ac

Tax Parcel Number 10144 000030 000041 000036 000035 000034
Location Address 3419 3505 Cleveland Hwy 3906 Donna Dr. 3405 3443

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

Sign _____ Date: 7-24-23

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: 7/21/23
Taken by: Kath
Tentative Planning Commission Date: 9/18
Tentative County Commission Date: 10/26
County Commission District: 1

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AUTHORIZATION OF PROPERTY OWNERS

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

Name of owner(s) Glenn Dutton

Address 3419 Cleveland Highway
Gainesville, GA 30506

Phone Number 770-351-7565

Name of applicant(s) Dutton Properties

Address PO Box 908387
Gainesville, GA 30501

Phone Number 770-351-7565

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)

Personally appeared before me

Glenn J. Dutton

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

Lisa Little
Notary Public Exp. 11-16-2024

7-20-23
Date

PLANNING AND DEVELOPMENT DEPARTMENT
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HALL COUNTY
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AUTHORIZATION OF PROPERTY OWNERS

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

Name of owner(s) Glenn Dutton

Address 3405 Cleveland Highway
Gainesville, GA 30506

Phone Number 770-351-7565

Name of applicant(s) Dutton Properties

Address PO Box 908387
Gainesville, GA 30501

Phone Number 770-351-7565

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)

Personally appeared before me

[signature], owner Glenn J. Dutton

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

Lisa Little
Notary Public Exp. 11-16-2024

7-20-23
Date

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AUTHORIZATION OF PROPERTY OWNERS

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

Name of owner(s) Glenn Dutton

Address 3443 Cleveland Highway
Gainesville, GA 30506

Phone Number 770-351-7565

Name of applicant(s) Dutton Properties

Address PO Box 908387
Gainesville, GA 30501

Phone Number 770-351-7565

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)

Personally appeared before me

Glenn J. Dutton

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

Lisa Little
Notary Public Exp 11-16-2024

7-20-23
Date

PLANNING AND DEVELOPMENT DEPARTMENT
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AUTHORIZATION OF PROPERTY OWNERS

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

Name of owner(s) Glenn Dutton

Address 3505 Cleveland Highway
Gainesville, GA 30506

Phone Number 770 351-7565

Name of applicant(s) Dutton Properties

Address PO Box 908387
Gainesville, GA 30501

Phone Number 770-351-7565

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)

Personally appeared before me

Glenn J. Dutton

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

Lisa Little
Notary Public Exp 11-16-2024

7-20-23
Date

PLANNING AND DEVELOPMENT DEPARTMENT
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AUTHORIZATION OF PROPERTY OWNERS

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

Name of owner(s) Tanner Dutton

Address 3906 Donna Drive
Gainesville, GA 30506

Phone Number 770-231-1905

Name of applicant(s) Dutton Properties

Address PO Box 908387
Gainesville, GA 30501

Phone Number 770-351-7565

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)

Personally appeared before me

Tanner Dutton

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

Lisa Latik
Notary Public Exp. 11-16-2024

7-20-23
Date

PLANNING AND DEVELOPMENT DEPARTMENT
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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 X

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:** 7/20/23

Applicant's/Owner's Name (Printed): Tanner Dutton

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Name of Official(s): _____ Office: _____

Dollar Amount: _____ Date of Contribution: _____

Applicant's/Owner's Signature: _____ **Date:** 7/20/23

Applicant's/Owner's Name (Printed): Glenn Dutton

Narrative
129 Boat & RV Storage
I-I Zoning

Existing Site Description

The proposed development consists of 5 existing parcels that total 20.16 acres. It is located on the western side of Cleveland Highway (S.R. 129) just north of the intersection with Donna Drive. The current zoning is AR-III. The surrounding adjacent properties are zoned AR III & PCD. There are 2 existing residential houses on the development. One is a house on the historic registry that will remain as part of the project. There is an existing farm pond that will remain on the site.

Proposed Development

The proposed property will be used for boat and RV storage and have a 10,800 s.f. warehouse for a contractor's office. Access will be controlled by an automated gate. A turnaround will be provided outside of the gate in case someone is not able to access and needs to leave. An existing historic home will remain as an office at the entrance to the development. Lighting will be LED non-spill fixtures under the canopy or attached to the structures.

One monument sign will be placed at the entrance on Cleveland Highway. All signs will comply with the current county sign requirements.

The entrance and frontage will be landscaped with a 6-foot-tall wrought iron style fence accented with brick columns every 100 feet and at the corners. Landscaping will be planted in front of this fence to further enhance the aesthetics and help screen the project from the highway. The remainder of the development will be surrounded by a black vinyl coated chain link fence for security purposes.

The proposed use will provide a low impact, low traffic use along the Cleveland Highway corridor and the surrounding residential properties.

The boat & RV storage will be a lake supportive land use as recommended by the county's Comprehensive Future Land Use Plan.

Storm Water Detention

Storm water will be detained in a combination of a proposed pond and infiltration trenches. The pond discharges into an existing farm pond which eventually flows into an existing creek along the western property line. The pond will comply with all current storm water regulations for Hall County.

Building Setbacks and Buffers

Front: 100' from centerline of Cleveland Highway
50' off Donna Drive r/w
Side & Rear: 20'

Buffers

50' Transition Buffer will be adjacent to all AR-III zoned properties.

Gateway Corridor Overlay District

Conditional Use Request

This application is requesting approval for outdoor storage use inside the Gateway Corridor Overlay District.

Building Materials

Boat & RV Canopy

The covered parking is proposed to be open on all side and will not have any walls as vehicles will be entering and exiting the units on all sides due to the angled parking. To mitigate the appearance from the street, a landscaped strip with wrought iron fencing and brick columns every 100 feet will provide a visual break between the street and the parked units. Trees and shrubs will be planted in front of the fence. This combination will provide an appealing external appearance to the facility.

Open sided parking with Landscaped frontage

Warehouse

Since the proposed warehouse is in the back of the development and is over 700 feet off of Cleveland Highway, the building will not be visible from the public road. This application is requesting to allow all the sides of the building be metal.

Frontage Style

Proposed frontage fence and landscaping

Narrative
129 Boat & RV Storage
I-I Zoning

Existing Site Description

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Storm water will be detained in a combination of a proposed pond and infiltration trenches. The pond discharges into an existing farm pond which eventually flows into an existing creek along the western property line. The pond will comply with all current storm water regulations for Hall County.

Building Setbacks and Buffers

Front: 100' from centerline of Cleveland Highway
50' off Donna Drive r/w

Side & Rear: 20'

Buffers

50' Buffer to adjacent to parcel 10144 000038 as shown on the Rezoning Plan on the south side of the development. This buffer is mostly covered by an existing farm pond that will remain on the property. This gives plenty of separation between the existing residential property.

A 50' – 30' Enhanced Buffer adjacent to Parcel 10144 000029A as shown on the south side of the Rezoning Plan will provide screening adjacent to the residential area.

A 30' Enhanced Buffer will be provided along the northern side adjacent to the AR-III property.

The western boundary will have a 50' Undisturbed Stream Buffer and a 75' Impervious Setback to buffer those adjacent properties.

Gateway Corridor Overlay District

Conditional Use Request

This application is requesting approval for outdoor storage use inside the Gateway Corridor Overlay District.

Buffer Reduction

This application is requesting a reduction of the transitional buffer on the northern and small strip of the southern property line that is adjacent it to the AR-III property as shown on the Rezoning Plan.

Frontage Style

Proposed frontage fence and landscaping

GENERAL NOTES:

1. TOTAL ACREAGE OF SITE = 20.16 AC.
2. CURRENT ZONING: AR–III;
   PROPOSED ZONING: I–I (LIGHT INDUSTRIAL)
3. SETBACKS:
   FRONT – 100' FROM CL CLEVELAND HWY
   FRONT – 50' DONNA DRIVE
   SIDE & REAR – 20'
4. 20' LANDSCAPED STRIP WITH FENCE ALONG ROAD FRONTAGE OF DEVELOPMENT.

CONDITIONAL USE SUBJECT TO BOARD APPROVAL:

1. OUTDOOR BOAT & RV STORAGE IN GATEWAY OVERLAY CORRIDOR.

COVERED STORAGE CHART	
BLDG	UNITS
A	66
B	90
C	55
D	58
E	60
F	38
G	20
H	30
I	28
TOTAL	445

UNCOVERED STORAGE CHART	
AREA	UNITS
1	14
TOTAL	14

N/F
STEVEN K JACKSON
PARCEL 10141 000075
ZONED AR–III

N/F
JOHN DAVID LIMINA
PARCEL 10141 000067
ZONED AR–III

N/F
KENNETH D SIMMONS
& JENIFER P. SIMMONS
PARCEL 10144 000038
ZONED AR–III

N/F
HILDA ELIZABETH GILLELAND LEE &
LARRY CLYDE GILLELAND
PARCEL 10143 000003
ZONED AR–III

N/F
JOHN F MALLON &
NANCY E JOHNSON
PARCEL 10144 000029A
ZONED AR–III

N/F
HILDA ELIZABETH GILLELAND LEE
PARCEL 10143 000193
ZONED PCD

CREEK
50' UNDISTURBED STREAM BUFFER
75' IMPERVIOUS SETBACK
EX POND
50' BUFFER
STORM WATER FACILITY
90'
Prop. Bldg
10,800 sf
120'x90'
120'
50' Transition Buffer
AR–III ZONING
PCD ZONING
Uncovered 1
BLACK VINYL COATED CHAIN LINK FENCE
20' SETBACK
PROP. DUMP STATION
UNIT I
UNIT E
UNIT D
UNIT C
UNIT B
UNIT A
UNIT H
UNIT G
UNIT F
48'
30'
40'
100' B/L
50' B/L
BLACK VINYL COATED CHAIN LINK FENCE
50' TRANSITION BUFFER
50' BUFFER
DONNA DRIVE (40' R/W)
WROUGHT IRON FENCE
GATE
Ex House to Remain as office
Ice Maker
20' LANDSCAPE STRIP
SR 129/CLEVELAND HWY (60' R/W)
MAGNETIC

GRAPHIC SCALE
60 0 30 60 120 240
(IN FEET)
1 inch = 60 ft.

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Seal

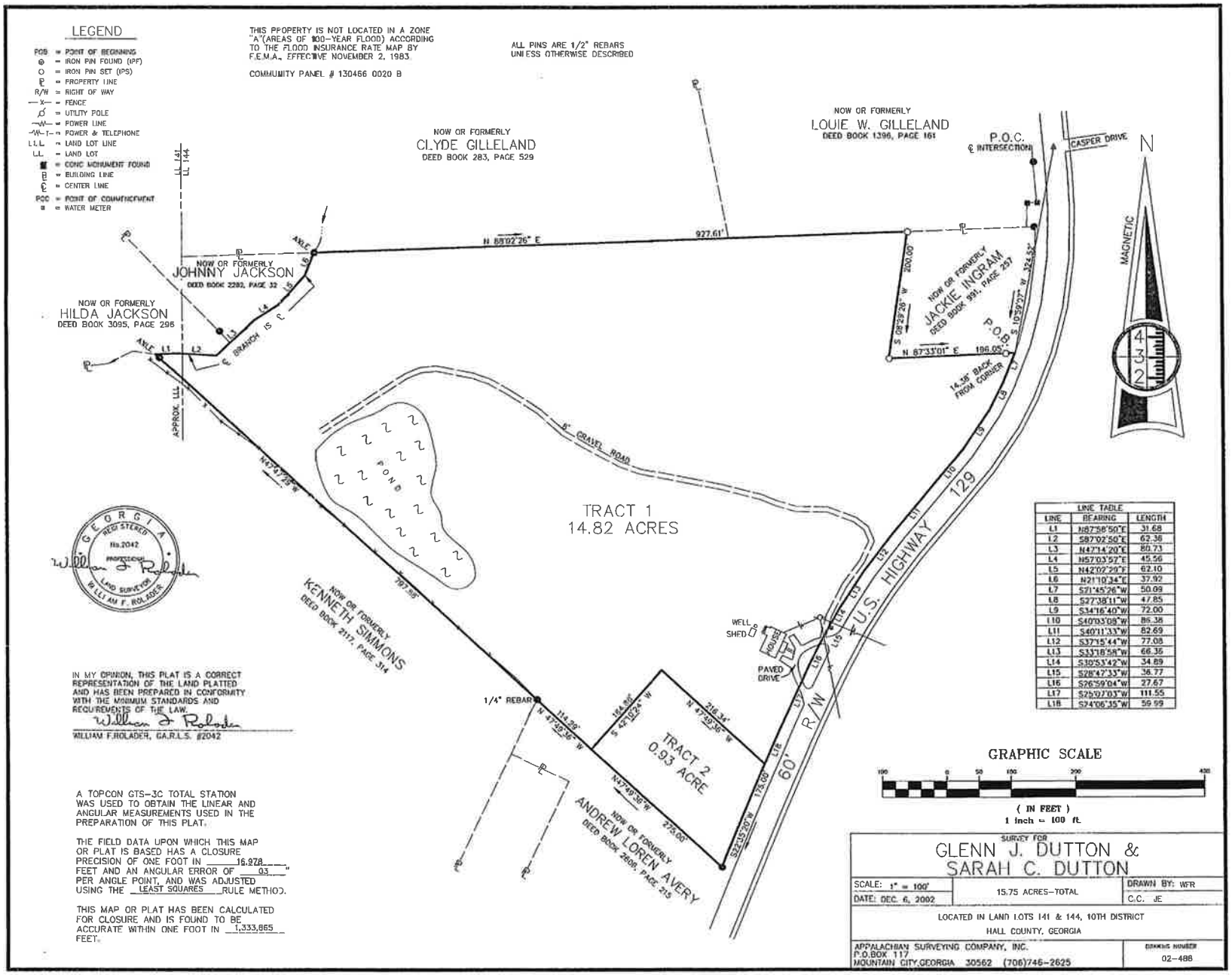
MYERS & CO.
civil engineers
P.O. BOX 634
GAINESVILLE, GA 30503
770–654–9172
ed@myers–and–co.com

Project Description
129 BOAT & RV STORAGE
HALL COUNTY, GEORGIA

DATE 8–1–23
JOB NO. 23–03
Sheet Title REZONING PLAN

Revisions

SHEET 1



LINE TABLE		
LINE	BEARING	LENGTH
L1	N87°58'50"E	31.68
L2	S87°02'50"E	62.36
L3	N47°14'20"E	80.73
L4	N57°03'57"E	45.56
L5	N42°02'29"E	62.10
L6	N21°10'34"E	37.92
L7	S21°45'26"W	50.09
L8	S27°38'11"W	47.85
L9	S34°16'40"W	72.00
L10	S40°03'08"W	86.38
L11	S40°11'33"W	82.69
L12	S37°15'44"W	77.08
L13	S33°18'58"W	66.36
L14	S30°53'42"W	34.89
L15	S28°47'33"W	36.77
L16	S26°59'04"W	27.67
L17	S25°07'03"W	111.55
L18	S24°06'35"W	59.99

IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW.

William F. Rolader

WILLIAM F.ROLADER, GA.R.L.S. #2042

A TOPCON GTS-3C 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 HAS A CLOSURE PRECISION OF ONE FOOT IN 16,978 FEET AND AN ANGULAR ERROR OF 03" PER ANGLE POINT, AND WAS ADJUSTED USING THE LEAST SQUARES RULE METHOD.

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 1,333,865 FEET.

SURVEY FOR
GLENN J. DUTTON &
SARAH C. DUTTON

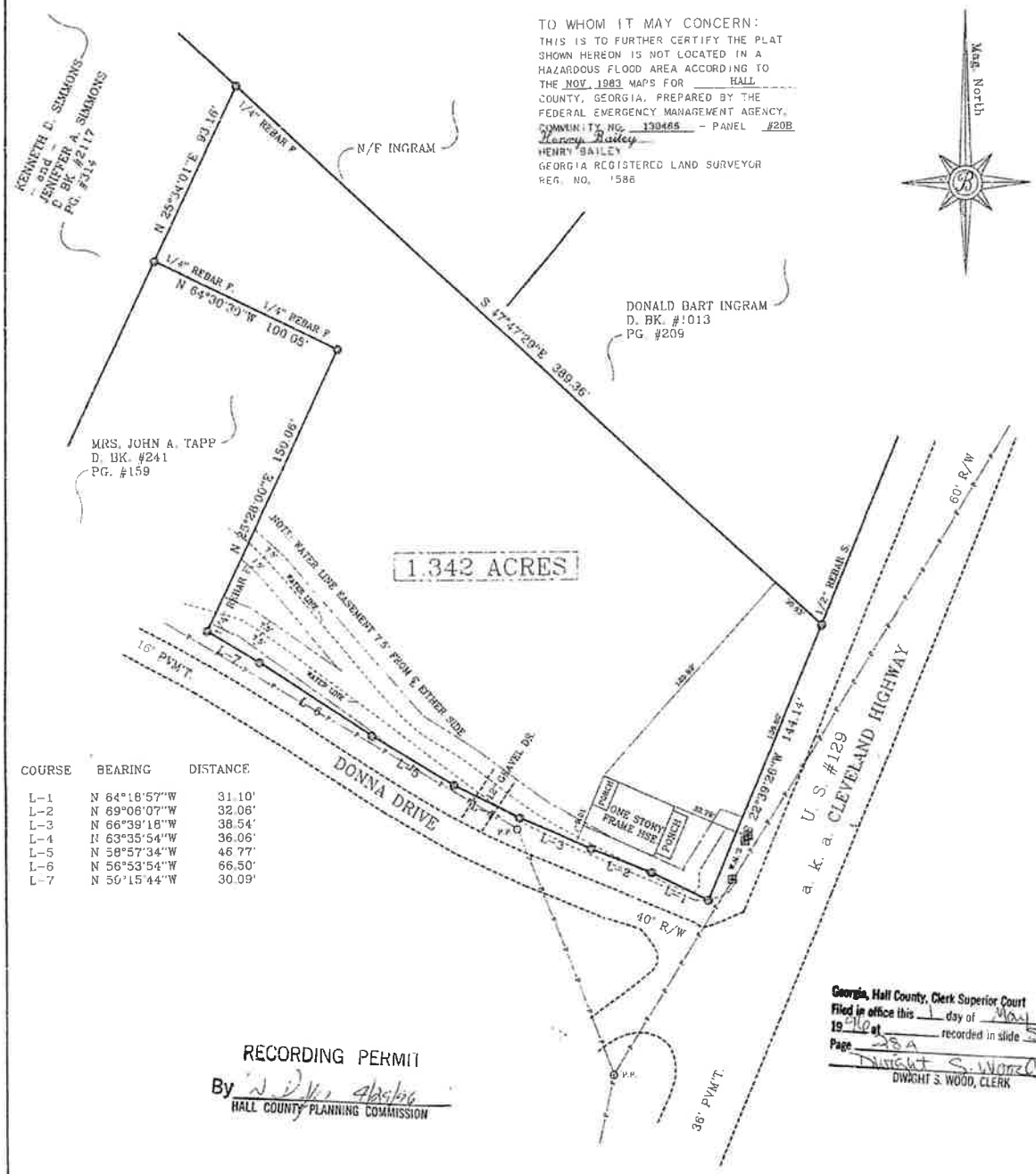
SCALE: 1" = 100'	15.75 ACRES-TOTAL	DRAWN BY: WFR
DATE: DEC. 6, 2002		C.C. JE

LOCATED IN LAND LOTS 141 & 144, 10TH DISTRICT
HALL COUNTY, GEORGIA

APPALACHIAN SURVEYING COMPANY, INC.
P.O.BOX 117
MOUNTAIN CITY,GEORGIA 30562 (706)746-2625

DRAWING NUMBER
02-488

TO WHOM IT MAY CONCERN:
THIS IS TO FURTHER CERTIFY THE PLAT SHOWN HEREON IS NOT LOCATED IN A HAZARDOUS FLOOD AREA ACCORDING TO THE NOV. 1983 MAPS FOR HALL COUNTY, GEORGIA, PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, COMMUNITY NO. 130465 - PANEL #20B
Henry Bailey
HENRY BAILEY
GEORGIA REGISTERED LAND SURVEYOR
REG. NO. 1586



COURSE	BEARING	DISTANCE
L-1	N 64°18'57"W	31.10'
L-2	N 69°06'07"W	32.06'
L-3	N 66°39'18"W	38.54'
L-4	N 63°35'54"W	36.06'
L-5	N 58°57'34"W	46.77'
L-6	N 56°53'54"W	66.50'
L-7	N 50°15'44"W	30.09'

RECORDING PERMIT
By [signature] 4/29/96
HALL COUNTY PLANNING COMMISSION

Georgia, Hall County, Clerk Superior Court
Filed in office this 1 day of May
1996 at ____ recorded in slide 5A
Page 28A
Dwight S. Wood
DWIGHT S. WOOD, CLERK

: REFERENCES :
D. BK. #241 - PG. #159
D. BK. #264 - PG. #295
P. BK. #27 - PG. #252
P. BK. #121 - PG'S. #252 and #253
P. S. #312 - PG. #214A

SURVEYED BY:
HENRY BAILEY
P. O. BOX 286
GAINESVILLE, GEORGIA 30503-0286
PHONE: (770) 536-6425

40 0 40 80 120
GRAPHIC SCALE - FEET

THE ANGULAR AND LINEAR MEASUREMENT UPON WHICH THIS MAP OR PLAT IS BASED WAS PERFORMED WITH A TOPCON GTS - 3B ELECTRONIC DISTANCE METER AND A 100' STEEL TAPE, HAS AN ANGULAR ERROR OF 06.7" PER ANGLE POINT, A CLOSURE OF ONE FOOT IN 14,387 FEET AND WAS ADJUSTED USING THE COMPASS RULE. THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 72,528 FEET.

GEORGIA REGISTERED No. 1586 PROFESSIONAL LAND SURVEYOR HENRY BAILEY

SURVEY FOR:
ANDREW LOREN AVERY
WHELCHEL G.M.D. #570
LAND LOT #144 - 10th LAND DISRTICT
HALL COUNTY, GEORGIA
APRIL 29, 1996 - SCALE 1"= 40' 96-04-19

1700-992

LEGEND

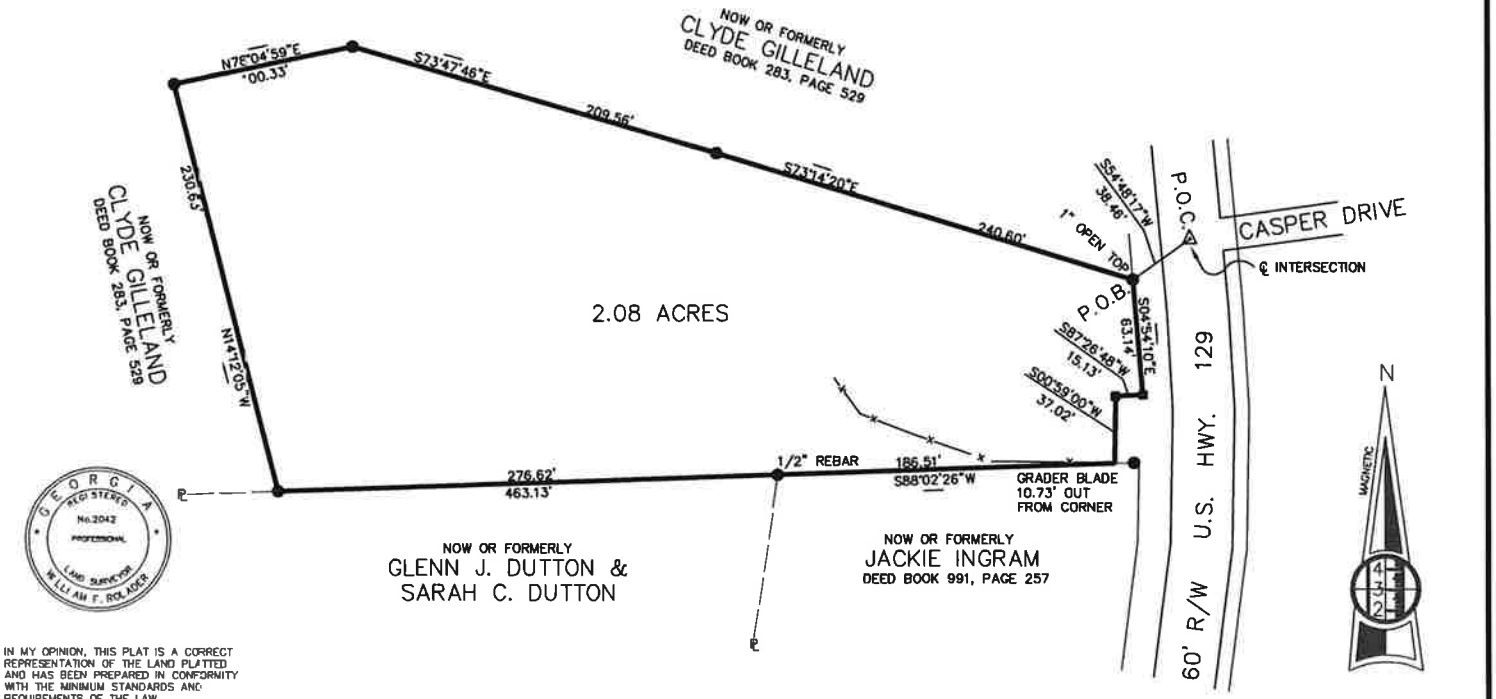
POB = POINT OF BEGINNING
⊕ = IRON PIN FOUND (IPF)
○ = IRON PIN SET (IPS)
℄ = PROPERTY LINE
R/W = RIGHT OF WAY
—x— = FENCE
= UTILITY POLE
—W— = POWER LINE
—W— T— = POWER & TELEPHONE
L.L.L. = LAND LOT LINE
L.L. = LAND LOT
= CONC MONUMENT FOUND
B = BUILDING LINE
℄ = CENTER LINE
POC = POINT OF COMMENCEMENT

THIS PROPERTY IS NOT LOCATED IN A ZONE "A"(AREAS OF 100-YEAR FLOOD) ACCORDING TO THE FLOOD INSURANCE RATE MAP BY F.E.M.A., EFFECTIVE NOVEMBER 2, 1983.

COMMUNITY PANEL # 130466 0020 B

ALL PINS ARE 1/2" ROD UNLESS OTHERWISE STATED.

REFERENCE: PLAT BOOK 138, PAGE 204



GEORGIA REGISTERED No.2042 PROFESSIONAL LAND SURVEYOR WILLIAM F. ROLADER

IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW.

WILLIAM F.ROLADER, GA.R.L.S. #2042

A TOPCON GTS-3C 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 HAS A CLOSURE PRECISION OF ONE FOOT IN 14,716 FEET AND AN ANGULAR ERROR OF C3 " PER ANGLE POINT, AND WAS ADJUSTED USING THE LEAST SQUARES RULE METHOD.

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 103,979 FEET.

GRAPHIC SCALE

60 0 30 60 120 240

(IN FEET)
1 inch = 60 ft.

SURVEY FOR
GLENN J. DUTTON &
SARAH C. DUTTON

SCALE: 1" = 60'	2.08 ACRES	DRAWN BY: WJR
DATE: MAY 20, 2003		C.C. WFR

LOCATED IN LAND LOT 144, 10TH DISTRICT
HALL COUNTY, GEORGIA

APPALACHIAN SURVEYING COMPANY, INC.
P.O.BOX 117
MOUNTAIN CITY,GEORGIA 30562 (706)746-2625

DRAWING NUMBER 03-225

GENERAL NOTES:

1. TOTAL ACREAGE OF SITE = 20.16 AC.
2. CURRENT ZONING: AR–III;
   PROPOSED ZONING: I–I (LIGHT INDUSTRIAL)
3. SETBACKS:
   FRONT – 100' FROM CL CLEVELAND HWY
   FRONT – 50' DONNA DRIVE
   SIDE & REAR – 20'
4. 20' LANDSCAPED BUFFER WITH FENCE ALONG ROAD FRONTAGE OF DEVELOPMENT.

CONDITIONAL USE SUBJECT TO BOARD APPROVAL:

1. OUTDOOR BOAT & RV STORAGE IN GATEWAY OVERLAY CORRIDOR.

COVERED STORAGE CHART	
BLDG	UNITS
A	63
B	90
C	49
D	58
E	60
F	38
G	20
H	33
I	28
TOTAL	439

UNCOVERED STORAGE CHART	
AREA	UNITS
1	10
2	20
3	14
TOTAL	44

N/F
STEVEN K JACKSON
PARCEL 10141 000075
ZONED AR–III

N/F
JOHN DAVID LIMINA
PARCEL 10141 000067
ZONED AR–III

N/F
KENNETH D SIMMONS
& JENIFER P. SIMMONS
PARCEL 10144 000038
ZONED AR–III

N/F
HILDA ELIZABETH GILLELAND LEE &
LARRY CLYDE GILLELAND
PARCEL 10143 000003
ZONED AR–III

N/F
JOHN F MALLON &
NANCY E JOHNSON
PARCEL 10144 000029A
ZONED AR–III

N/F
HILDA ELIZABETH GILLELAND LEE
PARCEL 10143 000193
ZONED PCD

50' UNDISTURBED STREAM BUFFER
75' IMPERVIOUS SETBACK
CREEK
EX POND
50' BUFFER
STORM WATER FACILITY
30' ENHANCED BUFFER
50' ENHANCED BUFFER
20' LANDSCAPE STRIP
30' Enhanced Buffer
20' SETBACK
PROP. DUMP STATION
GATE
Ex House to Remain as office
Ice Maker
MAGNETIC
DONNA DRIVE (40' R/W)
SR 129/CLEVELAND HWY (60' R/W)

Prop. Bldg
10,800 sf
120'x90'
90'
120'

UNIT I
UNIT E
UNIT D
UNIT C
UNIT B
UNIT A
UNIT H
UNIT G
UNIT F
Uncovered 1
Uncovered 2
Uncovered 3
48'
40'
30'
50' B/L
100' B/L

GRAPHIC SCALE
60 0 30 60 120 240
(IN FEET)
1 inch = 60 ft.

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Seal

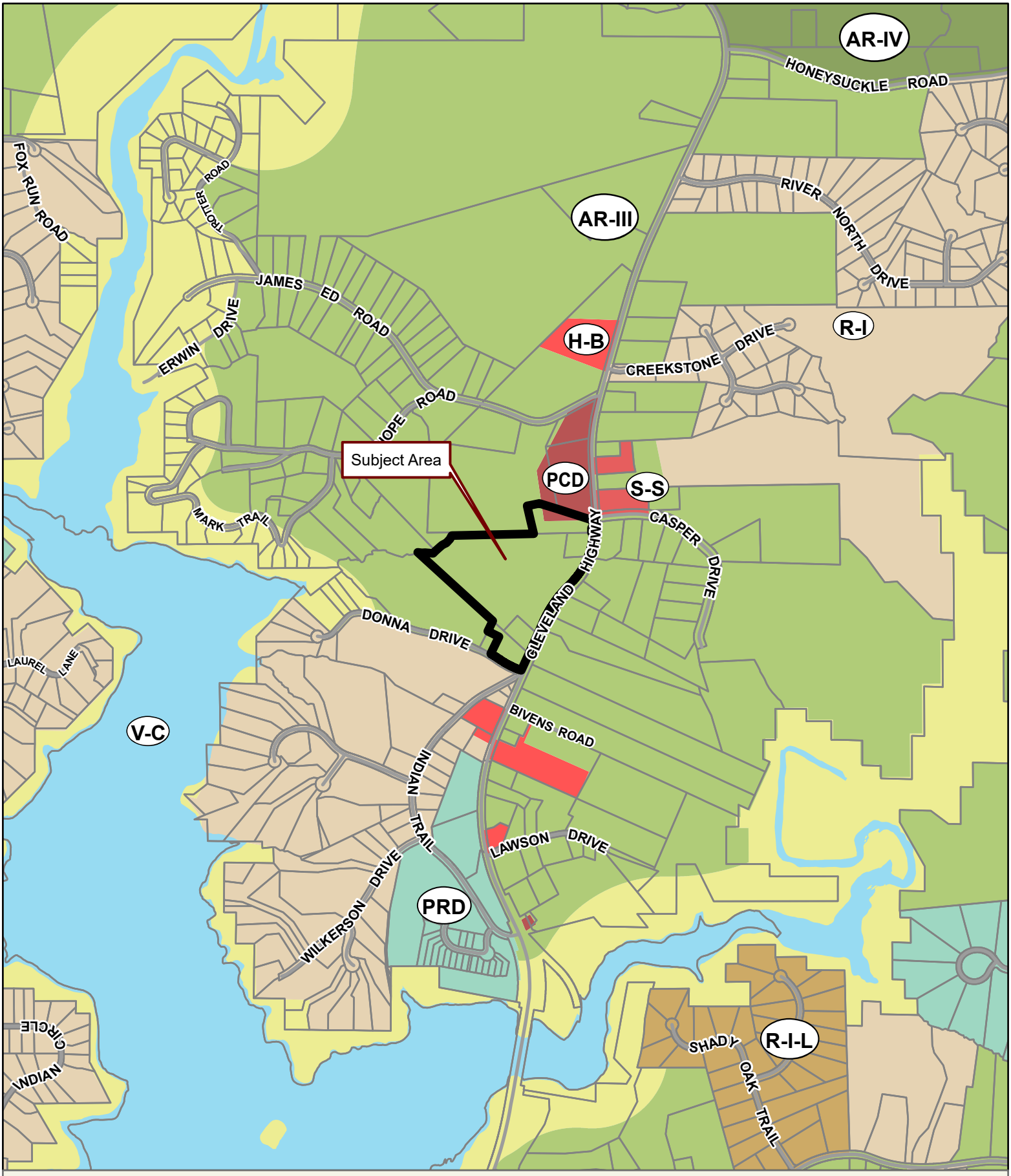
MYERS & CO.
civil engineers
P.O. BOX 634
GAINESVILLE, GA 30503
770–654–9172
ed@myers–and–co.com

Project Description
129 BOAT & RV STORAGE
HALL COUNTY, GEORGIA

DATE 8–1–23
JOB NO. 23–03
Sheet Title REZONING PLAN

Revisions

SHEET 1



Applicant: DUTTON PROPERTIES

Tax Parcel #: 10144 000036, 000030, 000035, 000041, & 000029

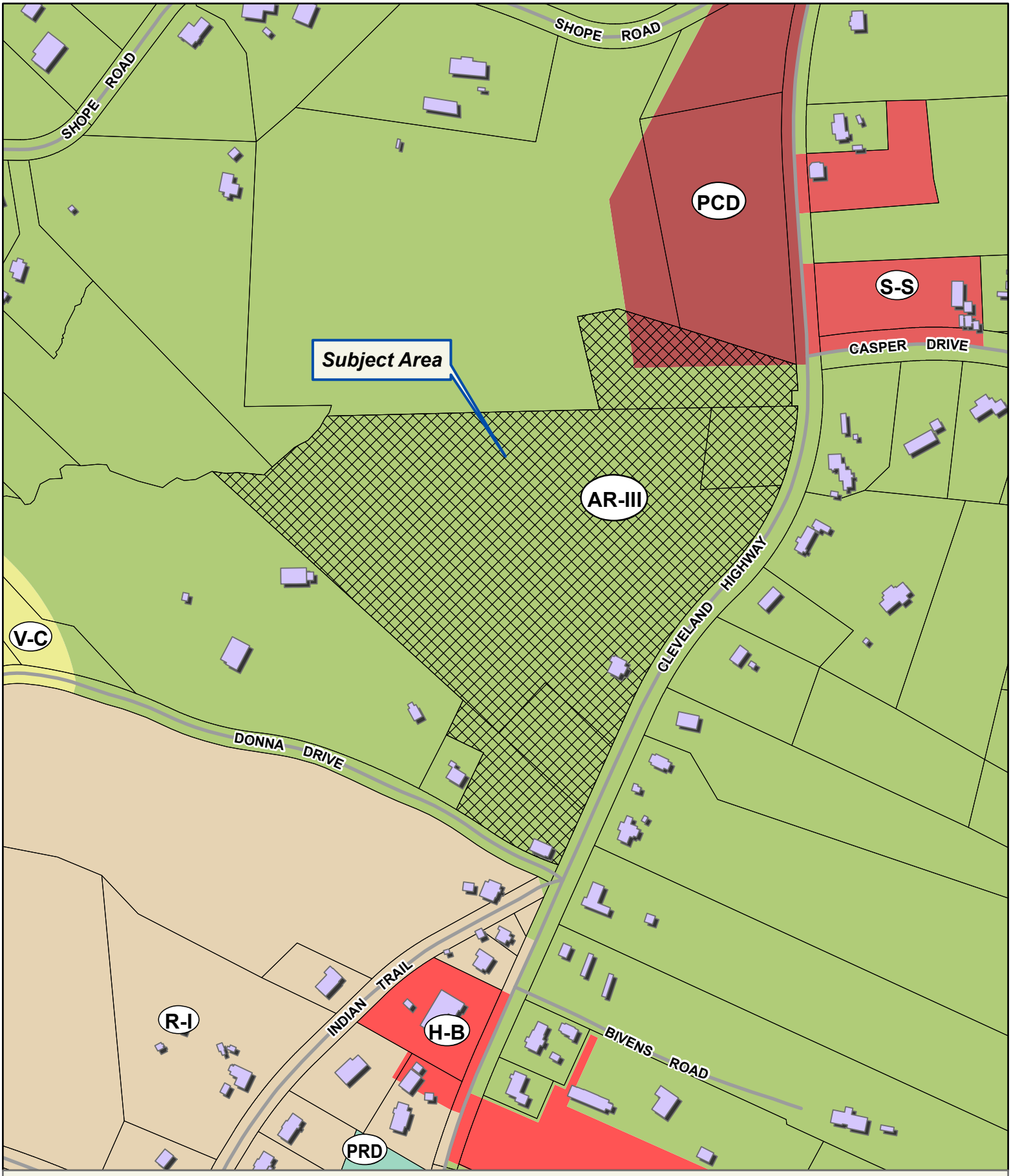
Location: 3405, 3419, 3443, 3505 CLEVELAND HWY &
3906 DONNA DRIVE GAINESVILLE, GA 30506

Commission District 3 **PC Mtg. Date: 09/18/23**

0 300 600 1,200
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N



Applicant: DUTTON PROPERTIES
Tax Parcel #: 10144 000036, 000030, 000035, 000041, & 000029
Location: 3405, 3419, 3443, 3505 CLEVELAND HWY &
3906 DONNA DRIVE GAINESVILLE, GA 30506
Commission District 3 **PC Mtg. Date: 09/18/23**

0 90 180 360
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N

Applicant: DUTTON PROPERTIES

Tax Parcel #: 10144 000036, 000030, 000035, 000041, & 000029

Location: 3405, 3419, 3443, 3505 CLEVELAND HWY &
3906 DONNA DRIVE GAINESVILLE, GA 30506

Commission District 3 **PC Mtg. Date: 09/18/23**

0 90 180 360
Feet

Zoning Boundary
City Limits
Subject Area

N

For Corr. WD see D.B. 1013 Pg. 207

Form No. 214 WARRANTY DEED (Long Form)

257

STATE OF GEORGIA, County of Hall

THIS INDENTURE, Made this 9th day of June in the Year of Our Lord One Thousand Nine Hundred and Eighty-Six (1986) between

SILAS LEON INGRAM

of the State of Georgia and County of Hall of the first part, and

JACKIE LEON INGRAM

of the State of Georgia and County of Hall of the second part.

WITNESSETH: That the said party of the first part, for and in consideration of the sum of DEED OF GIFT ---------- XXXXXX

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 party of the second part, his heirs and assigns, all that XXXXXXXXXXXXXXXXX certain tract and parcel of land lying and being in Land Lot 144, 10th District of Hall County, Georgia, and being 0.93 acres, more or less, as shown on a plat for Jackie Leon Ingram, prepared by H. G. Jarrard, Registered Land Surveyor, dated May 16, 1986, and filed for record in Plat Book _____, Page _____, of the Hall County Plat Records, said plat being incorporated herein by reference. Said property being more particularly described as follows:

BEGINNING at an iron pin located on the Westerly right of way of U. S. Highway 129 at a point 115 feet South of the intersection of said right of way with the centerline of Casper Drive Extended; thence, along said right of way South 00 32 West 57.66 feet; thence South 10 09 West 58.91 feet; thence South 15 56 West 50.97 feet; thence South 21 22 West 32.46 feet to an iron pin set on the Westerly right of way of U. S. Highway 129; thence South 89 38 35 West 200 feet along the property of grantor herein to an iron pin set; thence North 10 35 00 East 200 feet along the property of grantor herein to an iron pin set; thence South 89 52 00 East 200 feet to the point of beginning.

This being part of the property described in a Warranty Deed from the Executors of the Estate of Mrs. W. Harve Ingram to Silas Leon Ingram, filed for record December 8, 1967 in Deed Book 360, pages 45-46 of the Hall County Deed Records.

DEED PREPARATION ONLY WITHOUT TITLE EXAMINATION OR CERTIFICATION BY ATTORNEY.

HALL COUNTY, Georgia
Real Estate Transfer Tax
Paid $ -0-
Date June 10, 1986
DWIGHT S. WOOD
Clerk of Superior Court
By Kathy Lewis

Georgia, Hall County, Clerk Superior Court
Filed in office, this 10 day of June 1986 at 10:35 A.M. Recorded in Book 491 Page 257-258 this 11 day of June, 1986
Dwight S. Wood
DWIGHT S. WOOD, Clerk

Chrg Carey H. W. & Strabery

129 Boat & RV Storage

Legal Description:

All that tract or parcel of land lying and being in Land Lots 141 & 144, 10th Land District, Hall County, Georgia and being more particularly described as follows:

Beginning at the intersection of the centerlines of U.S. Highway 129 and Casper Drive as shown on multiple surveys;

Thence South 54 degrees 48 minutes 17 seconds West for a distance of 38.46 feet to the TRUE POINT OF BEGINNING on the northeastern corner;

Thence following U.S. Highway 129 the following courses:

Thence South 04 degrees 54 minutes 10 seconds East for a distance of 63.14 feet to a point;
Thence South 87 degrees 26 minutes 48 seconds West for a distance of 15.13 feet to a point;
Thence South 00 degrees 59 minutes 00 seconds West for a distance of 37.02 feet to a point;
Thence South 89 degrees 52 minutes East for a distance of 13.49 feet to a point;
Thence South 00 degrees 32 minutes West for a distance of 57.66 feet to a point;
Thence South 10 degrees 09 minutes West for a distance of 58.91 feet to a point;
Thence South 15 degrees 56 minutes West for a distance of 50.97 feet to a point;
Thence South 21 degrees 22 minutes West for a distance of 32.46 feet to a point;
Thence South 27 degrees 38 minutes 11 seconds West for a distance of 47.85 feet to a point;
Thence South 34 degrees 16 minutes 40 seconds West for a distance of 72.00 feet to a point;
Thence South 40 degrees 03 minutes 08 seconds West for a distance of 86.38 feet to a point;
Thence South 40 degrees 11 minutes 33 seconds West for a distance of 82.69 feet to a point;
Thence South 37 degrees 15 minutes 44 seconds West for a distance of 77.08 feet to a point;
Thence South 33 degrees 18 minutes 58 seconds West for a distance of 66.36 feet to a point;
Thence South 30 degrees 53 minutes 42 seconds West for a distance of 34.89 feet to a point;
Thence South 28 degrees 47minutes 33 seconds West for a distance of 36.77 feet to a point;
Thence South 26 degrees 59 minutes 04 seconds West for a distance of 27.67 feet to a point;
Thence South 25 degrees 07 minutes 03 seconds West for a distance of 111.55 feet to a point;
Thence South 24 degrees 06 minutes 35 seconds West for a distance of 59.99 feet to a point;
Thence South 22 degrees 35 minutes 20 seconds West for a distance of 175.00 feet to a point;
Thence South 22 degrees 39 minutes 26 seconds West for a distance of 144.14 feet to a point at the intersection of the northwestern right of way between U.S. Highway 129 and Donna Drive; Turning west along the right of way of Donna Drive;

Thence North 64 degrees 18 minutes 57 seconds West for a distance of 31.10 feet to a point;
Thence North 69 degrees 06 minutes 07 seconds West for a distance of 32.06 feet to a point;
Thence North 66 degrees 39 minutes 18 seconds West for a distance of 38.54 feet to a point;
Thence North 63 degrees 35 minutes 54 seconds West for a distance of 36.06 feet to a point;
Thence North 58 degrees 57 minutes 34 seconds West for a distance of 46.77 feet to a point;
Thence North 56 degrees 53 minutes 54 seconds West for a distance of 66.50 feet to a point;
Thence North 59 degrees 15 minutes 44 seconds West for a distance of 30.09 feet to a point;

Thence leaving Donna Drive the following courses:

Thence North 25 degrees 28 minutes 00 seconds East for a distance of 150.06 feet to a point;
Thence North 64 degrees 30 minutes 30 seconds West for a distance of 100.05 feet to a point;
Thence North 25 degrees 34 minutes 01 seconds East for a distance of 93.16 feet to a point;
Thence North 47 degrees 47 minutes 29 seconds West for a distance of 797.88 feet to a point;
Thence along a creek the following courses:
Thence North 87 degrees 58 minutes 50 seconds East for a distance of 31.68 feet to a point;
Thence South 87 degrees 02 minutes 50 seconds East for a distance of 62.36 feet to a point;
Thence North 57 degrees 03 minutes 57 seconds East for a distance of 45.56 feet to a point;
Thence North 42 degrees 02 minutes 29 seconds East for a distance of 62.10 feet to a point;
Thence North 21 degrees 10 minutes 34 seconds East for a distance of 37.92 feet to a point;

Thence leaving the creek the following course:
Thence North 88 degrees 02 minutes 26 seconds East for a distance of 741.10 feet to a point;

Thence North 41 degrees 12 minutes 05 seconds West for a distance of 230.63 feet to a point;
Thence North 78 degrees 04 minutes 59 seconds West for a distance of 100.33 feet to a point;
Thence South 73 degrees 47 minutes 46 seconds East for a distance of 209.56 feet to a point;
Thence South 73 degrees 14 minutes 20 seconds East for a distance of 240.60 feet to a point and said point being the TRUE POINT OF BEGINNING

Said property contains 20.16 acres more or less.

Anael Dominguez (CDI: Planning)

From: Emily McGahee (Environmental Health)
Sent: Friday, August 18, 2023 12:02 PM
To: Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning); Beth Garmon (CDI: Planning)
Cc: Kelly Hairston (Environmental Health); Chad Harper (Environmental Health)
Subject: HCPC Tentative Agenda 9.18.23

Item 1, 3922 Green Drive, Poole: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. This plat is currently under review by the Hall County Plat Review Team and Environmental Health can approve the subdivision plat of Lot 5 into 3 parcels as currently proposed. Any reconfigurations of currently submitted plat due to other county department requirements will require further review; additional requirements/fees may apply and approval of changes/reconfigurations is not implied.

Item 2, 3268 Whidby Road, Bazemore: Please note that Zoning approval does not imply approval from other county departments. All proposed structures must meet required setbacks to the existing septic system. An existing system evaluation will be required to verify setbacks and area available for full future repair of septic system. Due to age of existing septic system, it cannot be modified, only replaced. Replacement of existing septic system will require Level 3 soil evaluation and area available to relocate system and have full, feasible future repair of septic system. Application for an existing system evaluation and/or completion of additional requirements for Environmental Health does not guarantee approval.

Item 3, 5991 Circle Four Ranch, Loyd: Must meet all Environmental Health residential septic system permitting requirements.

Item 4, 7042 Baker Lane, Labovitz: Must meet all Environmental Health commercial septic system permitting requirements. A detailed business plan must be submitted to Hall County Environmental Health for review. Septic Permit OSC-7948 was issued on February 24, 2023 to accommodate a 36' x 60' barn with bathroom.

Item 5, 8545 Belton Bridge Road, Mallard View: No comment.

Items 6A-D, 3405/3419/3505 Cleveland Hwy/3906 Donna Drive, Dutton Properties: 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.

Item 7, 3302/3212 Antioch Campground Church/3446/3450/3456 Looper Lake Road: No comment. Public sewer.

Items 8A&B, 4053 Cleveland Hwy, Hunt: Non-domestic wastewater treatment and disposal must be permitted by EPD.

Items 9A-C, 1731 Friendship Road, Wilbanks: No comment. Public Sewer.

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)
https://www.hallcounty.org/192/Environmental-Health (County Website & Forms)

Anael Dominguez (CDI: Planning)

From: Chavers, Veronica E <VChavers@dot.ga.gov>
Sent: Tuesday, August 15, 2023 10:37 AM
To: Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning)
Subject: RE: Tentative Planning Agenda for September 18, 2023

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.

See comments below, in red.

Veronica Chavers
D1TO Civil Engineer 3

GDOT Georgia Department of Transportation

District 1 Traffic Operations
1475 Jesse Jewell Pkwy
Suite 100
Gainesville, GA, 30501
770.533.8488 office

From: Anael Dominguez (CDI: Planning) <adominguez@hallcounty.org>
Sent: Friday, August 11, 2023 10:52 AM
To: Becky Ruffner (Parks & Leisure) <bruffner@hallcounty.org>; Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>; Bill Nash (CDI: Public Works) <bnash@hallcounty.org>; Bill Schmid <weschmid@rochester-assoc.com>; Brandi Smith (CDI: Business License) <bsmith@hallcounty.org>; Brent Holloway (Parks and Leisure) <bholloway@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 (CDI: Planning) <estill@hallcounty.org>; Emily McGahee (Environmental Health) <emcgahee@hallcounty.org>; Frank Miller (CDI: Engineering) <fmiller@hallcounty.org>; Dykes, Jason <jdykes@dot.ga.gov>; Jason Skarda (CDI: Engineering) <jskarda@hallcounty.org>; Jeremy Wills (jeremy.wills@gainesvillega.gov) <jeremy.wills@gainesvillega.gov>; John Hornick (Fire Services) <jhornick@hallcounty.org>; Peevy, Jonathan <jpeevy@dot.ga.gov>; Karen Martinez (CDI: Public Works - Sewer) <kmartinez@hallcounty.org>; Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>; Kelly Hairston (Environmental Health) <khairston@hallcounty.org>; Matt Cox <matt.cox@hallco.org>; Michael Vieira (Fire Services) <mvieira@hallcounty.org>; Millie Perez (Community Development & Infrastructure) <mperez@hallcounty.org>; Nick Swafford <NSwafford@gainesvillega.gov>; Nicole Griffin (Tax Assessors) <nicole.griffin@hallcounty.org>; Pam Cravero <Pam.Cravero@hallco.org>; Niebauer, Parker J <PNiebauer@dot.ga.gov>; Randi Doveton (CDI: Planning) <rdoveton@hallcounty.org>; rich <rich@flowerybranchga.org>; Scott Puckett <spuckett@hallcounty.org>; Srikanth Yamala (CDI) <syamala@hallcounty.org>; Stephen Cain <troy.s.cain@usace.army.mil>; Steve Watson (Real Property) <rswatson@hallcounty.org>; Tammie Croy (CDI: Engineering) <tcroy@hallcounty.org>; Tracy Gilreath (Tax Assessors) <tgilreath@hallcounty.org>; Chavers, Veronica E <VChavers@dot.ga.gov>; Wanda Sutton (CDI: Engineering) <wsutton@hallcounty.org>; will schofield <will.schofield@hallco.org>
Subject: Tentative Planning Agenda for September 18, 2023

Good morning –

Here is the Tentative Agenda and Maps for the **Monday, September 18, 2023** 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 **Friday, August 18th.** Email comments to Randi (rdoveton@hallcounty.org) and Ana (adominguez@hallcounty.org).

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – September 5, 2023

OLD BUSINESS

1. **3922 Green Drive | Amend Conditions of R-I** | on a 16.00± acre parcel located on the south side of Green Drive at its intersection with Clarks Bridge Road | Zoned R-I, Tax Parcel 10156 000009| **Proposed Use: 9-lot subdivision** | ** Commission District 3 | **Larry Poole, applicant.** Requires GDOT coordination for driveway access on Clarks Bridge Rd.

NEW BUSINESS

1. **3268 Whidby Road | Variance** | 17.240.010 to reduce the right yard setback from 10 feet to 5 feet | on a 0.30± acre tract located on the north side of Whidby Road, approximately 1,815 feet from its intersection with Lanier Islands Parkway | Zoned V-C Tax Parcel 07330 004001D | **Proposed Use: detached garage** | * Commission District 2 | **Sheridan Bazemore, applicant.** No GDOT coordination required
2.
3. **5991 Circle Four Ranch | Use Subject to Planning Commission Approval** | 17.110.030. caretaker and/or employee residences | on a 3.03± acre tract located approximately 686 feet south of its intersection with Blackjack Road | Zoned AR-III; Tax Parcel 15048 000034C | **Proposed use: caretaker residence** | * Commission District 1 | **Greg Loyd, applicant.** No GDOT coordination required
4. **7042 Baker Lane | Use Subject to County Commission Approval** | 17.215.020. agri-entertainment | on a 31.02± acre tract located on the terminus of Baker Lane | Zoned AR-IV; Tax Parcel 12037 000003 | **Proposed use: agri-entertainment business** | ** Commission District 3 | **Laura Labovitz, applicant.** No GDOT coordination required
5. **8545 Belton Bridge Road | Amend Conditions of AR-IV** | on a 8.23± acre parcel located at the terminus of Pintail Court | Zoned AR-IV; Tax Parcel 12127 000001 | **Proposed Use: Amenity area** | ** Commission District 3 | **Mallard View Homeowners Association, applicant.** No GDOT coordination required
2. **(A) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Rezone** | from Agricultural Residential III (AR-III) and Planned Commercial Development (PCD)/ Gateway Corridors Overlay District (GCOD) to Light Industrial (I-I) / Gateway Corridors Overlay District (GCOD) on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | **Proposed Use: boat and RV storage and an office/warehouse** | ** Commission District 3 | **Dutton Properties, applicant.** Requires GDOT coordination for driveway access on Cleveland Hwy.
6.
3. **(B) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Use Subject to County Commission Approval** | 17.420.050. outdoor storage | on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | **Proposed Use: outdoor storage within Gateway Corridors Overlay District** | ** Commission District 3 | **Dutton Properties, applicant.** Requires GDOT coordination for driveway access on Cleveland Hwy.

4. **(D) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Variance**| 17.420.050.C.2 to reduce the required transitional buffer in Gateway Corridors Overlay District | on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | **Proposed Use: boat and RV storage and office/warehouse** | ** Commission District 3 | **Dutton Properties, applicant.** Requires GDOT coordination for driveway access on Cleveland Hwy.

7. **3302 and 3212 Antioch Campground Church and 3446, 3450, and 3456 Looper Lake Road | Rezone** | from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on 55.16± acres located on the south side of Antioch Campground Road at its intersection with Looper Lake Road | Zoned AR-III; Tax Parcels 10096 000006 (pt.), 000004, 000059, 000061, and 000062 | **Proposed Use: 108 unit single-family development** | ** Commission District 2 | **Carole Freeman, applicant.** No GDOT coordination required

8. **(A) 4053 Cleveland Highway | Rezone** | from Agriculture-Residential-III (AR-III) to Suburban-Shopping (S-S) / Gateway Corridors Overlay District (GCOD) on a 6.34± acre tract located on the west side of Cleveland Highway at its intersection with Jim Hood Road | Zoned AR-III; Tax Parcel 12025 000036 | **Proposed use: grocery store, convenience store with gas & restaurant** | ** Commission District 3 | **Donnie Hunt, applicant.** Requires GDOT coordination for driveway access on Cleveland Hwy.

   (B) 4053 Cleveland Highway| Use Subject to Planning Commission Approval | 17.140.020. shopping centers | on a 6.34± acre tract located on the west side of Cleveland Highway at its intersection with Jim Hood Road | Zoned AR-III; Tax Parcel 12025 000036 | **Proposed use: Shopping Center** | * Commission District 3 | **Donnie Hunt, applicant.** Requires GDOT coordination for driveway access on Cleveland Hwy.

9. **(A) 1731 Friendship Road | Rezone** | from Agricultural Residential IV (AR-IV) to Planned Commercial Development (PCD) / Gateway Corridors Overlay District (GCOD) on a 7.33± acre parcel located on the north side of Friendship Road, approximately 240 feet east of its intersection with Reunion Way | Zoned AR-IV; Tax Parcel 15041 000190 (pt.) | **Proposed Use: 185-unit multi-family development** | ** Commission District 1 | **Tim Wilbanks, applicant.** Requires GDOT coordination for driveway access on Friendship Rd
10. **(B) 1731 Friendship Road | Rezone** | from Agricultural Residential IV (AR-IV) to Highway Business (H-B) / Gateway Corridors Overlay District (GCOD) on a 2.72± acre parcel located on the north side of Friendship Road, approximately 240 feet east of its intersection with Reunion Way | Zoned AR-IV; Tax Parcel 15041 000190 (pt.) | **Proposed Use: permitted uses within H-B** | ** Commission District 1 | **Tim Wilbanks, applicant.** Requires GDOT coordination for driveway access on Friendship Rd

11. **(C) 1731 Friendship Road | Variance** | 17.420.050.C.2 to reduce the required transitional buffer in Gateway Corridors Overlay District | on a 10.04± acre parcel located on the north side of Friendship Road, approximately 240 feet east of its intersection with Reunion Way | Zoned AR-IV; Tax Parcel 15041 000190 | **Proposed Use: 185-unit multi-family development and permitted uses within H-B** | ** Commission District 1 | **Tim Wilbanks, applicant.** Requires GDOT coordination for driveway access on Friendship Rd

*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 30 days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing Thursday, October 26, 2023 at 6:00 p.m. at the Hall County Government Center, 2nd 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, October 26, 2023. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,
Ana Dominguez
Planning Commission Clerk
Hall County Community Development and Infrastructure
(770) 531-6810 | www.hallcounty.org

Human trafficking impacts every corner of the globe, including our state and local communities. Georgia DOT is committed to end human trafficking in Georgia through education enabling its employees and the public to recognize the signs of human trafficking and how to react in order to help make a change. To learn more about the warning signs of human trafficking, visit https://doas.ga.gov/human-resources-administration/human-trafficking-awareness. To report any suspicious activity, call the Georgia Human Trafficking Hotline at 866-363-4842. Let’s band together to end human trafficking in Georgia.

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

DIRECTOR
Srikanth Yamala

PUBLIC WORKS AND
UTILITIES DIRECTOR
Bill Nash, P.E.

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PUBLIC WORKS AND UTILITIES

M E M O R A N D U M

To: Randi Doveton, Director of Planning and Development

From: Bill Nash, Director of Public Works and Utilities

Date: August 18, 2023

Subject: September 18, 2023 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the September 18, 2023 meeting. Upon review, we provide the following comments.

1. **3922 Green Drive | Amend Conditions of R-I** | on a 16.00± acre parcel located on the south side of Green Drive at its intersection with Clarks Bridge Road | Zoned R-I, Tax Parcel 10156 000009| **Proposed Use: 9-lot subdivision** | ** Commission District 3 | **Larry Poole, applicant.**

   a. **Engineering:** As this subdivision is greater than 6 lots on an existing road a stormwater management report prepared by a professional engineer will be required.
   Show stream buffer and impervious setback from wrested vegetation not centerline of stream.
   b. **Traffic:** Permit will be required from GDOT for driveway connection to Clarks Bridge Road.
   c. **Utilities:** No sewer connection available in the area.

2. **3268 Whidby Road | Variance** | 17.240.010 to reduce the right yard setback from 10 feet to 5 feet | on a 0.30± acre tract located on the north side of Whidby Road, approximately 1,815 feet from its intersection with Lanier Islands Parkway | Zoned V-C Tax Parcel 07330 004001D | **Proposed Use: detached garage** | * Commission District 2 | **Sheridan Bazemore, applicant.**

   a. **Engineering:** No Comment
   b. **Traffic:** No Comment
   c. **Utilities:** No Comment

3. **5991 Circle Four Ranch | Use Subject to Planning Commission Approval** | 17.110.030. caretaker and/or employee residences | on a 3.03± acre tract located approximately 686 feet south of its intersection with Blackjack Road | Zoned AR-III; Tax Parcel 15048 000034C | **Proposed use: caretaker residence** | * Commission District 1 | **Greg Loyd, applicant.**

   a. **Engineering:** No Comment
   b. **Traffic:** No Comment
   c. **Utilities:** No Comment

4. **7042 Baker Lane | Use Subject to County Commission Approval** | 17.215.020. agri-entertainment | on a 31.02± acre tract located on the terminus of Baker Lane | Zoned AR-IV; Tax Parcel 12037 000003 | **Proposed use: agri-entertainment business** | ** Commission District 3 | **Laura Labovitz, 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 stream buffer and impervious setback from wrested vegetation not centerline of stream.
FEMA and Hall County studied Flood plains present on site.
b. **Traffic:** Improvements along Baker Lane and Baker Circle may be required
c. **Utilities:** No sewer available

5. **8545 Belton Bridge Road | Amend Conditions of AR-IV** | on a 8.23± acre parcel located at the terminus of Pintail Court | Zoned AR-IV; Tax Parcel 12127 000001 | **Proposed Use: Amenity area** | ** Commission District 3 | **Mallard View Homeowners Association, applicant.**

a. **Engineering:** No Comment
b. **Traffic:** No Comment
c. **Utilities:** No Comment

6. **(A) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Rezone** | from Agricultural Residential III (AR-III) and Planned Commercial Development (PCD)/ Gateway Corridors Overlay District (GCOD) to Light Industrial (I-I) / Gateway Corridors Overlay District (GCOD) on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | **Proposed Use: boat and RV storage and an office/warehouse** | ** Commission District 3 | **Dutton Properties, applicant. (B) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Use Subject to County Commission Approval** | 17.420.050. outdoor storage | on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | **Proposed Use: outdoor storage within Gateway Corridors Overlay District** | ** Commission District 3 | **Dutton Properties, applicant.**
(D) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | **Variance**| 17.420.050.C.2 to reduce the required transitional buffer in Gateway Corridors Overlay District | on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | **Proposed Use: boat and RV storage and office/warehouse** | ** Commission District 3 | **Dutton Properties, 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 stream buffer and impervious setback from wrested vegetation not centerline of stream.
Proposed GDOT project goes right through this parcel.
b. **Traffic:** Permit from GDOT will be required for connection to Cleveland Highway.
c. **Utilities:** No sewer connection within feasible distance

7. **3302 and 3212 Antioch Campground Church and 3446, 3450, and 3456 Looper Lake Road | Rezone** | from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on 55.16± acres located on the south side of Antioch Campground Road at its intersection with Looper Lake Road | Zoned AR-III; Tax Parcels 10096 000006 (pt.), 000004, 000059, 000061, and 000062 | **Proposed Use: 108 unit single-family development** | ** Commission District 2 | **Carole Freeman, applicant.**

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.
Show stream buffer and impervious setback from wrested vegetation not centerline of stream
Floodplain present on site.

b. **Traffic:** Traffic impact study hasn't been submitted
Improvements to Antioch Campground Road may be required.
Recommend a condition that all lots access internal subdivision roads only.
Applicant should verify that required intersection sight distance for proposed entrance can be achieved.

c. **Utilities:** City of Gainesville sewer district.

8. **(A) 4053 Cleveland Highway | Rezone** | from Agriculture-Residential-III (AR-III) to Suburban-Shopping (S-S) / Gateway Corridors Overlay District (GCOD) on a 6.34± acre tract located on the west side of Cleveland Highway at its intersection with Jim Hood Road | Zoned AR-III; Tax Parcel 12025 000036 | **Proposed use: grocery store, convenience store with gas & restaurant** | ** Commission District 3 | **Donnie Hunt, applicant.**
(B) 4053 Cleveland Highway| Use Subject to Planning Commission Approval | 17.140.020. shopping centers | on a 6.34± acre tract located on the west side of Cleveland Highway at its intersection with Jim Hood Road | Zoned AR-III; Tax Parcel 12025 000036 | **Proposed use: Shopping Center** | * Commission District 3 | **Donnie Hunt, 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 stream buffer and impervious setback from wrested vegetation not centerline of stream

b. **Traffic:** Permit from GDOT will be required for access from Cleveland Highway.

c. **Utilities:** No sewer connection within a feasible distance.

9. **(A) 1731 Friendship Road | Rezone** | from Agricultural Residential IV (AR-IV) to Planned Commercial Development (PCD) / Gateway Corridors Overlay District (GCOD) on a 7.33± acre parcel located on the north side of Friendship Road, approximately 240 feet east of its intersection with Reunion Way | Zoned AR-IV; Tax Parcel 15041 000190 (pt.) | **Proposed Use: 185-unit multi-family development** | ** Commission District 1 | **Tim Wilbanks, applicant.**
(B) 1731 Friendship Road | Rezone | from Agricultural Residential IV (AR-IV) to Highway Business (H-B) / Gateway Corridors Overlay District (GCOD) on a 2.72± acre parcel located on the north side of Friendship Road, approximately 240 feet east of its intersection with Reunion Way | Zoned AR-IV; Tax Parcel 15041 000190 (pt.) | **Proposed Use: permitted uses within H-B** | ** Commission District 1 | **Tim Wilbanks, applicant**.
(C) 1731 Friendship Road | Variance | 17.420.050.C.2 to reduce the required transitional buffer in Gateway Corridors Overlay District | on a 10.04± acre parcel located on the north side of Friendship Road, approximately 240 feet east of its intersection with Reunion Way | Zoned AR-IV; Tax Parcel 15041 000190 |

Proposed Use: 185-unit multi-family development and permitted uses within H-B | ** Commission District 1 | **Tim Wilbanks, 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 stream buffer and impervious setback from wrested vegetation not centerline of stream
b. **Traffic:** GDOT permit will be required for connection to Friendship Road.
c. **Utilities:** Hall County sewer district – sewer connection is within a feasible distance.

Anael Dominguez (CDI: Planning)

From: John Hornick (Fire Services)
Sent: Friday, August 18, 2023 2:46 PM
To: Anael Dominguez (CDI: Planning)
Cc: Randi Doveton (CDI: Planning)
Subject: Fire Comments

Monday, September 18, 2023 Hall County Planning Commission Meeting.

1. **(A) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Rezone** | from Agricultural Residential III (AR-III) and Planned Commercial Development (PCD)/ Gateway Corridors Overlay District (GCOD) to Light Industrial (I-I) / Gateway Corridors Overlay District (GCOD) on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | **Proposed Use: boat and RV storage and an office/warehouse** | ** Commission District 3 | **Dutton Properties, applicant.**

   Hall County Fire Marshal's Comments: Additional fire hydrant(s) will be required to be installed inside the development to meet the International Fire Code requirement of Section 507.5.1 including state modification(s)

   (B) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Use Subject to County Commission Approval | 17.420.050. outdoor storage | on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | **Proposed Use: outdoor storage within Gateway Corridors Overlay District** | ** Commission District 3 | **Dutton Properties, applicant.**
   (D) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Variance| 17.420.050.C.2 to reduce the required transitional buffer in Gateway Corridors Overlay District | on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | **Proposed Use: boat and RV storage and office/warehouse** | ** Commission District 3 | **Dutton Properties, applicant.**

   Hall County Fire Marshal's Comments: Additional fire hydrant(s) will be required to be installed inside the development to meet the International Fire Code requirement of Section 507.5.1 including state modification(s)

Regards,

John Hornick, NPQ Fire Service Plans Examiner 1
Lieutenant, Hall County Fire Rescue
Hall County Government
Main: 770-531-6838 | Cell: 404-597-0083
Website: www.Hallcounty.org

Print

Board of Commissioners Voting Meeting Comments - November 9, 2023 - Submission #83388

Date Submitted: 11/2/2023

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

First Name*

Amanda

Last Name*

McNair

Address1*

3475 Big View Rd

Address2

City*

Gainesville

State*

GA

Zip*

30506

Item for Comment*

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

Select from the list below which 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 do NOT agree with the proposal to rezone 3405,3419,3443,3505 of Cleveland Highway and 3906 of Donna Drive in Gainesville, GA from agricultural residential to light industrial. This is a residential section of Cleveland hwy that does not need to be changed to industrial. At the last planning meeting the planning staff did not recommend this to happen. All but one voted for this to happen. What is the point of the planning staff if they are not going to even take into consideration what was recommended. I am so sick and tired of all these commissioners that we vote into position that they do NOT take in to consideration of what the actual voters and residents of Hall County want. The way the property lays, they would have to clear cut the majority of the property to add a boat and rv storage plus his own "storage" warehouse for this personal construction equipment. I would like to know if an environmental impact statement study has been conducted? I am all for growth that benefits the county and community, but this is something that we do NOT need. This storage facility will add on extra traffic to the already busy 129. It take me at least 5 minutes in the morning and afternoon to turn left onto 129. I do NOT want for this time to be increased. Not only adding to traffic, it will cause accidents on this already congested part of 129. Speeding with a boat, construction equipment, and rv coming around the corner is not a good combination. There is a long range plan for Lake Lanier living and this does NOT fit the long range plan. In my opinion, someone is getting their pockets padded by getting this rezoning to happen. When the widening of 129 happens, the road will go right through the middle of said property.
If this happens, the I think all the homes in the surrounding area should get a significant property tax deduction because it will cause our home values to decrease. But I am sure that wont happen because the people we vote in do not care about the citizens of hall county, they only care about what benefits them. I have seen it happen first hand in south hall. They tell you one thing and then vote the other way. I'm sure this comment will not get read and was probably a waste of my time, but I had to at least try to stop something that is NOT needed. Please on Thursday November 9th, vote NO on the rezoning of 3405, 3419,3443, 3505 Cleveland Hwy and 3906 Donna drive.
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.

Follow-up Communication

amward33@yahoo.com

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

Print

Board of Commissioners Voting Meeting Comments - November 9, 2023 - Submission #83486

Date Submitted: 11/3/2023

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

First Name*

Eric

Last Name*

McNair

Address1*

3475 Big View Rd

Address2

City*

Gainesville

State*

Ga

Zip*

30506

Item for Comment*

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

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

Your Comments*

Good afternoon, I would like comment on the proposed rezoning of 3405, 3419, 3443, 3505 Cleveland Hwy and 3906 Donna Drive. The building of this proposed boat and RV storage with an office/warehouse will place an unnecessary and significant burden upon this already congested area. Questions I would like to have answered is has an environmental impact study been conducted, does this go along with the long range plan for Lake Lanier living and would you approve this if you or loved ones lived near the area wanting to be rezoned.

I really feel the owner of this property simply wants to get it rezoned (knowing a new road is possibly coming through) so they can reap the financial benefits of doing so without any regard for what it will do to the area.

Lastly why did the Planning Committee overrule the Planning Committee Staff's recommendation to deny the proposal?

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.

Follow-up Communication

mac1576@yahoo.com

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

Print

Board of Commissioners Voting Meeting Comments - November 9, 2023 - Submission #83378

Date Submitted: 11/2/2023

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

First Name*

JOHN

Last Name*

CIANCIOLO

Address1*

3438 Big View Road

Address2

City*

Gainesville

State*

GA

Zip*

30506

Item for Comment*

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

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

Your Comments*

Is the Commission certain that this is ready for a rezoning vote? The proposed outdoor storage facility would be bisected by the future path of a 4-lane US129. Thus, a storage facility in that location makes no sense. The rezoning should be delayed until a plausible use of the property is proposed.

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.

Follow-up Communication

jcianciolo47@yahoo.com

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

Print

Board of Commissioners Voting Meeting Comments - November 9, 2023 - Submission #83434

Date Submitted: 11/3/2023

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

First Name*

Ken

Last Name*

Coggins

Address1*

3471 Big View Road

Address2

City*

Gainesville

State*

Georgia

Zip*

30506

Item for Comment*

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

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

Your Comments*

Please do not approve this re-zoning. It will be an environmental problem. We do not need boat and RV storage. Storage places north and south of this area have rentals available. Grading of lots will damage shoreline management down to the lake.

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.

Follow-up Communication

cogginsk@bellsouth.net

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

Print

Board of Commissioners Work Session Comments - November 6, 2023 - Submission #83474

Date Submitted: 11/3/2023

Comments completed in the form below will be submitted into the record for the November 6, 2023 Work Session of the Hall County Board of Commissioners.

First Name*

Mary

Last Name*

Smith

Address1*

3342 NOTTINGHAM FOREST DR

Address2

City*

Gainesville

State*

GA

Zip*

30506

Your Comments*

Attached are scanned copies of original petitions for Hall County Residents Against Rezoning Project.

Please write your comments in the box above.

File Upload

Scan.pdf

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

Follow-up Communication

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

HALL COUNTY RESIDENTS AGAINST REZONING PROJECT

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive Rezone, Dutton Properties applicant

As residents and voters, we strongly oppose the proposed rezoning and development project of 20.16 acres along Cleveland Highway beginning at Donna Drive and extending north and including the 'rock house' which is registered as a historical site. If approved the developer's (Dutton Properties) request would rezone the current property from Agricultural Residential and Planned Commercial Development to Light Industrial with a planned RV and boat storage for 483 units, an office, and a 10,800 sq ft storage building for construction equipment.

The primary bases for our opposition include creation of an isolated industrial zone surrounded by our present residential and agricultural neighborhoods which will change the character of the area; negatively impact already heavy traffic; decrease property values; negatively impact environmentally sensitive areas and wildlife; and its non-conformity with the Hall County Comprehensive Plan especially the Lake Area Residential Future Land Use. The complete petition with further details will be transmitted to the Hall County Board of Commissioners for their 6 p.m. Nov 9 meeting open to the public at 2875 Browns Bridge Road, Gainesville. Please complete this petition by Nov 1st and return to your neighborhood representative. Also, please consider personally contacting The Board of Commissioners at 770-535-8288. Our district commissioner is Gregg Poole (District 3) and his phone number listed on the website is also 770-535-8288.

NAME	ADDRESS
Ronald Pike	3320 Wilkerson Dr Gainesville GA 30506
Diana Pike	3320 Wilkerson Dr. Gainesville GA 30506
Michael O'Shea	3342 Wilkerson Dr.
Sue O'Shea	" "

Print

Board of Commissioners Work Session Comments - November 6, 2023 - Submission #83475

Date Submitted: 11/3/2023

Comments completed in the form below will be submitted into the record for the November 6, 2023 Work Session of the Hall County Board of Commissioners.

First Name*

Mary

Last Name*

Smith

Address1*

3342 NOTTINGHAM FOREST DR

Address2

City*

Gainesville

State*

GA

Zip*

30506

Your Comments*

I am submitting scanned copies of petition documents separately. I cannot tell if it will accept multiple files from the one upload.

Please write your comments in the box above.

File Upload

IMG_20231103.pdf

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

Follow-up Communication

404-272-7273

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

HALL COUNTY RESIDENTS AGAINST REZONING PROJECT

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive Rezone, Dutton Properties applicant

As residents and voters, we strongly oppose the proposed rezoning and development project of 20.16 acres along Cleveland Highway beginning at Donna Drive and extending north and including the 'rock house' which is registered as a historical site. If approved the developer's (Dutton Properties) request would rezone the current property from Agricultural Residential and Planned Commercial Development to Light Industrial with a planned RV and boat storage for 483 units, an office, and a 10,800 sq ft storage building for construction equipment.

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NAME	ADDRESS
Stan Bornstein	3533 Wilkerson Dr 30506
Mark Kinnot	3338 Wilkerson Dr 30506
[illegible]	3338 Wilkerson Dr 30506
Angie M. Scott	3332 Wilkerson Dr. 30506
[illegible]	3332 Wilkerson Drive 30506

Print

Board of Commissioners Work Session Comments - November 6, 2023 - Submission #83476

Date Submitted: 11/3/2023

Comments completed in the form below will be submitted into the record for the November 6, 2023 Work Session of the Hall County Board of Commissioners.

First Name*

Mary

Last Name*

Smith

Address1*

3342 NOTTINGHAM FOREST DR

Address2

City*

Gainesville

State*

GA

Zip*

30506

Your Comments*

Scanned copies of petition.

Please write your comments in the box above.

File Upload

IMG_20231103.pdf

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

Follow-up Communication

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

HALL COUNTY RESIDENTS AGAINST REZONING PROJECT

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive Rezone, Dutton Properties applicant

As residents and voters, we strongly oppose the proposed rezoning and development project of 20.16 acres along Cleveland Highway beginning at Donna Drive and extending north and including the 'rock house' which is registered as a historical site. If approved the developer's (Dutton Properties) request would rezone the current property from Agricultural Residential and Planned Commercial Development to Light Industrial with a planned RV and boat storage for 483 units, an office, and a 10,800 sq ft storage building for construction equipment.

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NAME	ADDRESS
Peter Velardi	
Janine Velardi	3358 Wilkerson Drive
Tony Dean	3346 Wilkerson DR.
Deborah Dean	3346 Wilkerson Dr Gsvl, GA

Print

Board of Commissioners Work Session Comments - November 6, 2023 - Submission #83477

Date Submitted: 11/3/2023

Comments completed in the form below will be submitted into the record for the November 6, 2023 Work Session of the Hall County Board of Commissioners.

First Name*

Mary

Last Name*

Smith

Address1*

3342 NOTTINGHAM FOREST DR

Address2

City*

Gainesville

State*

GA

Zip*

30506

Your Comments*

Scanned copy of petitions. This should be 5 of 6 pages.

Please write your comments in the box above.

File Upload

IMG_20231103.pdf

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

Follow-up Communication

404-272-7273

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

HALL COUNTY RESIDENTS AGAINST REZONING PROJECT

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive Rezone, Dutton Properties applicant

As residents and voters, we strongly oppose the proposed rezoning and development project of 20.16 acres along Cleveland Highway beginning at Donna Drive and extending north and including the 'rock house' which is registered as a historical site. If approved the developer's (Dutton Properties) request would rezone the current property from Agricultural Residential and Planned Commercial Development to Light Industrial with a planned RV and boat storage for 483 units, an office, and a 10,800 sq ft storage building for construction equipment.

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NAME	ADDRESS
Robert Fisher	3306 Wilkerson Dr. Gainesville GA
[illegible]	3304 Wilkerson Dr. Gainesville, GA
Joy Snider	3302 Wilkerson Dr. Gainesville GA

Print

Board of Commissioners Work Session Comments - November 6, 2023 - Submission #83479

Date Submitted: 11/3/2023

Comments completed in the form below will be submitted into the record for the November 6, 2023 Work Session of the Hall County Board of Commissioners.

First Name*

Mary

Last Name*

Smith

Address1*

3342 NOTTINGHAM FOREST DR

Address2

City*

Gainesville

State*

GA

Zip*

30506

Your Comments*

Scanned copies of petition.

Please write your comments in the box above.

File Upload

IMG_20231103.pdf

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

Follow-up Communication

404-272-7273

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

HALL COUNTY RESIDENTS AGAINST REZONING PROJECT

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive Rezone, Dutton Properties applicant

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NAME	ADDRESS
Dr. Erin Lipp	Dept of Environmental Health Science, UGA, Athens
Dr. Anne Marie Zimeri	2016 Environmental Health Sci. Bldg. UGA Athens
Dr. Marlene C Black	Dept Environmental Hlth Sci, Univ GA, Athens, GA

Print

Board of Commissioners Work Session Comments - November 6, 2023 - Submission #83484

Date Submitted: 11/3/2023

Comments completed in the form below will be submitted into the record for the November 6, 2023 Work Session of the Hall County Board of Commissioners.

First Name*

Mary

Last Name*

Smith

Address1*

3342 NOTTINGHAM FOREST DR

Address2

City*

Gainesville

State*

GA

Zip*

30506

Your Comments*

Attached is a copy of an online petition with 101 signatures. I'm sorry that some of the names were cut short, we will try to have a complete copy of those names for by deadline on Monday.

Please write your comments in the box above.

File Upload

Online petition signers.pdf

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

Follow-up Communication

404-272-7273

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

HALL COUNTY RESIDENTS AGAINST REZONING PROJECT

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive Rezone, Dutton Properties applicant

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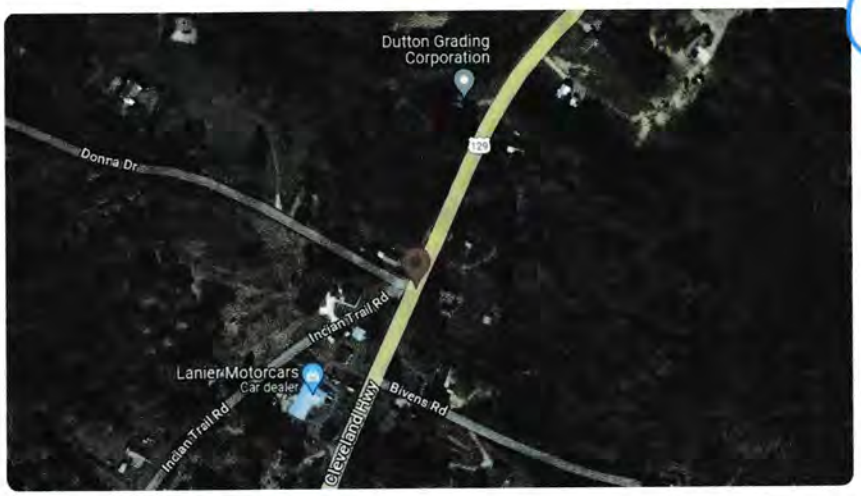
Please sign our petition to say NO to this rezoning and development project which may impact your property values, make traffic on Cleveland highway worse, negatively impact the environment of the forest area, contribute to water runoff pollution and much more. Every signature makes a difference! This QR code will take you right to our petition on change.org.

https://chng.it/cCbDZr6R54

PLEASE COME TO THE NOVEMBER 9th MEETING TO VOICE YOUR OPPOSITION TO THIS REZONING PROPOSAL!

PLEASE PLEASE SHARE THIS WITH ALL YOUR FRIENDS AND NEIGHBORS IN HALL COUNTY!!

Halt the Re-zoning of Agricultural Residential Property Near Lake Lanier



Started October 25, 2023

101 Signatures

200 Next Goal

73 people signed this week

Sign this petition

First name

Last name

Email

Gainesville, 30501
United States

Display my name and comment on this petition

Sign this petition

By signing, you accept Change.org's Terms of Service and Privacy Policy, and agree to receive occasional emails about campaigns on Change.org. You can unsubscribe at any time.

Why this petition matters

Started by Ken Coggins

I am a resident of Gainesville, GA, and I am deeply concerned about the proposed re-zoning of agricultural residential property near Lake Lanier in Hall County. This is not just a matter of land use; it's about preserving the character and quality of life in our community.

The proposal to change this property to industrial zoning threatens to disrupt our peaceful neighborhood. The increase in industrial activity will inevitably lead to heavier traffic, adding stress and danger to our daily commutes. Moreover, it could potentially decrease property values for those who have invested their lives into building homes here.

Beyond these immediate impacts on residents, there are broader environmental concerns at stake. The land around Lake Lanier is home to diverse wildlife and sensitive ecosystems that could be severely disrupted by industrial operations. According to data from the U.S Environmental Protection Agency (EPA), such changes can lead not only to habitat loss but also water pollution due to runoff from industrial sites.

We must consider what we stand to lose if this re-zoning goes ahead - not just as individual homeowners but as stewards of our local environment. We urge Hall County officials to reject this re-zoning proposal and preserve our agricultural residential lands for future generations.

Name	City	State	Postal Cod	Country	Signed On
Ken Coggir	Dacula	GA		US	########
Nancy Bab	Atlanta	GA	30312	US	########
Dennis But	Gainesville	GA	30506	US	########
John Riley	Gainesville	GA	30506	US	########
Terri Riley	Gainesville	GA	30507	US	########
Denise Ver	Gainesville	GA	30506	US	########
Mark Versl	Gainesville	GA	30506	US	########
Cole Pace	Gainesville	GA	30506	US	########
Eric McNai	Gainesville	GA	30506	US	########
Richard Ba	Gainesville	GA	30501	US	########
Mandy Mc	Gainesville	GA	30506	US	########
Emilee Pac	Gainesville	GA	30506	US	########
Paul Geert	Gainesville	GA	30506	US	########
Derrick Co	Gainesville	GA	30501	US	########
Mary Ann	Gainesville	GA	30504	US	########
Tracy Butt	Gainesville	GA	30506	US	########
Bret Logsd	Gainesville	GA	30506	US	########
Stacy Logs	Atlanta	GA	30312	US	########
Ediverto G	Panorama City		91402	US	########
John Cianc	Gainesville	GA	30504	US	########
Joshua Cur	Peterborough		PE7	US	########
Sahara Wh	Virginia Beach		23452	US	########
Raymond S	Gainesville	GA	30506	US	########
Nancy Aha	North Versailles		15137	US	########
Jon Inwoo	Brooklyn	NY	11226	US	########
Mike Bash	Buford	GA	30519	US	########
JodiAnne C	Flowery Br	GA	30542	US	########
Brandi Osb	Flowery Br	GA	30542	US	########
Annabelle	Greensboro		21639	US	########
Charles Sa	Gainesville	GA	30506	US	########
Dennis Gre	Orlando		32806	US	########
Scott Gree	Gainesville	GA	30506	US	########
Joh Flynn	Gainesville	GA	30501	US	########
Maia Saqu	Oswego		60543	US	########
Narvella T	Riverbank		95367	US	########
Rachel Lee	Gainesville		32605	US	########
ray [illegible]	Oak Park		60302	US	########
Aziza Gafu	Waltham		2453	US	########
Candy Fisc	Alton		62002	US	########
Taylor Hibl	Cincinnati		45241	US	########
Makara Cu	Fenton		48430	US	########
Kathleen H	Schwenksville		19473	US	########
Anon Y. M	Beaverton			US	########
Natalie Po	Raeford		28376	US	########
Sonic Son	Oroville		95966	US	########
pablo ruiz	burleson		76028	US	########

Anna Laidl	East Stroudsburg		18301	US	########
Erica Rosei	New York		10023	US	########
Lena Thom	Mokena		60448	US	########
Grady Davi	Gainesville	GA	30506	US	########
Diane Davi	Gainesville	GA	30506	US	########
Melisa Hoț	Orlando	FL	32808	US	########
Alex Weiss	Gainesville	GA	30506	US	########
Rosalee W	Gainesville	GA	30506	US	########
Clayton Sh	Gainesville	GA	30506	US	########
Russell We	Gainesville	GA	30506	US	########
Dana Vern	Gainesville	GA	30501	US	########
Baylee Tur	Gainesville	GA	30506	US	########
Addie Echc	Gainesville	GA	30506	US	########
Ann Gilles	Cleveland	GA	3o528	US	########
Tasha Low	Gainesville	GA	30506	US	########
Melissa Cl	Gainesville	GA	30506	US	########
Sharon Sm	Gainesville	GA	30506	US	########
Nancy Johi	Atlanta	GA	30303	US	########
Wes Turne	Gainesville	GA	30506	US	########
Ari Jay	Las Vegas		89111	US	########
Kim Jackso	Suwanee	GA	30024	US	########
George Jac	Gainesville	GA	30506	US	########
K Shakir	Roslyn	NY	11576	US	########
Onaiza Kha	Plainview	NY	11803	US	########
Erika Rikhi	Clermont		34711	US	########
Alexandria	Indianapolis		46254	US	########
Robert Sim	Gainesville	GA	30506	US	########
Dawn Simr	Gainesville	GA	30506	US	########
Christophe	Sanford		27330	US	########
Melvic Cos	Los Angele	CA	90060	US	########
Lee Burrell	Gainesville	GA	30306	US	########
Ethan Frec	Springfield		97477	US	########
John Mallo	Gainesville	GA	30506	US	########
Dedrick At	Birmingham		35205	US	########
Connie Haț	Wyckoff	NJ	7481	US	########
Austin Wai	Corvallis	OR	97330	US	########
Аминат Ас	Wilmington		19801	US	########
Kyah W.	Belleville		48111	US	########
Debra Kem	Lansing		48913	US	########
leen musta	Panama City		32405	US	########
Ibtisam Be	Houston	TX	77009	US	########
Ruben Koch (Student)				US	########
Zainab Ma	Clifton		7014	US	########
Michael Fr	Bronx	NY	10461	US	########
Christie Ca	Biloxi		39532	US	########
Nick Lambi	Lemont	IL	60439	US	########
Adam Kalu	Burleson		76028	US	########

Mandy Kur Claymont	19703 US	########

Print

Board of Commissioners Work Session Comments - November 6, 2023 - Submission #83487

Date Submitted: 11/3/2023

Comments completed in the form below will be submitted into the record for the November 6, 2023 Work Session of the Hall County Board of Commissioners.

First Name*

Mary

Last Name*

Smith

Address1*

3342 NOTTINGHAM FOREST DR

Address2

City*

Gainesville

State*

GA

Zip*

30506

Your Comments*

Attached is a document detailing the opposition of neighborhood to the application of Dutton Properties for Rezoning of property on Cleveland Hwy. Please note that page 7 of the document was intentionally left blank.

Please write your comments in the box above.

File Upload

Rezoning Hearing Combined TOC Txt 11-3-23 rmp mas.docx.pdf

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

Follow-up Communication

404-272-7273

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

OPPOSITION TO A REZONING OF SAID PROPERTY FROM AGRICULTURAL RESIDENTIAL AND PLANNED COMMERCIAL DEVELOPMENT TO LIGHT INDUSTRIAL AND SUBSEQUENT DEVELOPMENT OF BOAT AND RV STORAGE AND OFFICE/WAREHOUSE STORAGE FACILITY

Applicant for Rezoning of 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive by Dutton Properties

November 3, 2023

Submitted by the following on behalf of local residents:

Mark Kirves mkirves@plastekwerks.com

Michael O'Sheasy mtosheas@gmail.com

Richard Prior richard.prior@ung.edu

Mary Alice Smith smith.maryalice@gmail.com

OPPOSITION TO A REZONING OF SAID PROPERTY FROM AGRICULTURAL RESIDENTIAL AND PLANNED COMMERCIAL DEVELOPMENT TO LIGHT INDUSTRIAL AND SUBSEQUENT DEVELOPMENT OF BOAT AND RV STORAGE AND OFFICE/WAREHOUSE STORAGE FACILITY

Applicant for Rezoning of 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive by Dutton Properties

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- **E. Residential property values are likely to decrease……2**
- **F. Site plan for boat and RV storage and additionally office/warehouse……..3**
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COMMENTS PERTAINING TO THE HALL COUNTY PLANNING COMMISSION STAFF REPORT

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MAP 1. RESIDENTIAL AREA SURROUNDING PROPOSED REZONING AND POXIMITY TO LAKE LANIER

MAP 2. EFFECTS OF GDOT REALIGNMENT AND FOUR-LANING OF US129 ON THE REQUESTED REZONING

OPPOSITION TO A REZONING OF SAID PROPERTY FROM AGRICULTURAL RESIDENTIAL AND PLANNED COMMERCIAL DEVELOPMENT TO LIGHT INDUSTRIAL AND SUBSEQUENT DEVELOPMENT OF BOAT AND RV STORAGE AND OFFICE/WAREHOUSE STORAGE FACILITY

Applicant for Rezoning of 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive by Dutton Properties

October 30, 2023

We are residential homeowners surrounding and across Cleveland Highway from the said property. (See Map 1). We comprise approximately 100 taxpayers and voters. We voiced our opposition at the October 2, 2023, Planning Committee meeting. After a presentation by the Planning Committee Staff Report recommending DENIAL of this application and seven opposing witnesses were heard, our opposition was voted down, and a resolution was approved by the Planning Committee 4-1 "shortly" after hearing the witnesses.

However, the Planning Committee hearing did not abide by their own published procedures. After each of the seven witnesses were selected to be heard, they were constrained to a maximum of 3 minutes each. There were more citizens wishing to express their opposition but were not allowed to speak. This does not follow the procedures in the Hall County Planning Department's 'Application & Procedures' brochure: "The applicant and any other citizens concerned with the request are given an opportunity to speak during the hearing. After all comments are heard, the Planning Commission makes its decision." Please note there is no mention of a number of allowed witnesses nor duration.

We oppose the Planning Committee's recommendation for approval to rezone from agricultural residential and planned commercial development to light industrial zoning and placement of a "boat and RV storage and an office/warehouse" facility on the 20.16 acres of undeveloped land within the residential surroundings. We do so for the following reasons:

A. **This proposed Rezoning would place an unnecessary and significant burden upon the already congested Hwy 129 which is designated as a Gateway Corridor Overlay District leading into Gainesville as described in the Hall County Comprehensive Plan.** Traffic in this 1 mile stretch of 129 Cleveland Highway is already congested. Homeowners presently experience a wait time to enter north or south upon Cleveland Highway especially during rush hours in the morning and evening. With Gainesville's vital importance to the poultry industry, there are often truckloads of chickens being transported along this stretch as well as growing numbers of employees going back and forth from North Georgia to their worksites in Gainesville. The wait to enter the highway is much more extensive than it was a few years ago. For example, a resident of this area recently counted 17 cars coming south on Cleveland Highway that he had to await before turning right to enter this southern caravan to Gainesville – it would have been much more difficult to turn left to enter heading north.

B. **Additional traffic entering the highway and traveling upon it will invariably add to the number of accidents on this stretch of highway especially since this additional traffic will be composed in large part by trailed boats, RVs, and construction equipment**. This stretch of Cleveland Highway ends in a curving pattern onto the Bells Mill bridge over the east bank of the Little River. Several years ago, a truck load of chickens overturned before entering the bridge stopping traffic in both directions. This is not to suggest that even without an advent of the proposed facility there will be no accidents; it's merely to offer that the likelihood of increasing numbers of accidents will occur with an addition of relatively slow trailered boats, RVs, and construction equipment. Note there is presently (see next point of opposition) no relatively easy alternative to enter Gainesville from this section of North Georgia including traffic and EMS emergency vehicles from White, Lumpkin, Habersham and other counties which NGMC serves. **With NE Georgia Medical Center's designation as a Trauma I hospital** (Grady Hospital in Atlanta is the only other Trauma I hospital in Georgia**), EMS transport of trauma patients will likely be impacted.**

C. **There is currently a planned rerouting of this area of Hwy 129 by the Georgia DOT to change and improve this section (and beyond) of Cleveland Highway. The change and improvement will divide the Dutton property into two parcels**, one on each side of the new route of Hwy 129 (see Map 2). This GDOT change is forthcoming, and the rezoning may impair, alter, and cost considerably more to undergo if the proposed rezoning and development goes through as proposed. A review of the DOT site and planned rerouting view is attached to underscore its conflict with the said proposal.

D. **If the rezoning is approved, it would create an isolated district unrelated to surrounding districts, furthermore the GDOT planned rerouting of Hwy 129 and the dividing of this property by a 4-lane highway, will create two 'spot zones' of Light Industrial on opposite sides of the new highway surrounded by the currently zoned residential and agricultural properties.** In either case, it is undesirable to have an isolated district (Light Industrial) surrounded by unrelated districts (Agricultural Residential and Planned Commercial). The Planning Commission Staff Report specifically addresses this issue on page 6, Item 10 and 11 "…and it would create an isolated district unrelated to the surrounding districts, as there is no I-I zoning established in the area."

E. **Residential property values are likely to decrease from what they would otherwise be if the said proposal is approved.** It is difficult to envision a residential area value being anything but damaged by an adjacent property being rezoned "industrial". To emphasize this negative result on this community, at the 10/2/23 Planning

Committee meeting, an opposing resident tearfully asserted that she had recently taken out a 30-year mortgage on a home she purchased for her and her children along this stretch of Cleveland Highway and she feared that the property would now be worth less than her mortgage as a consequence of an acceptance of the said proposal. This rezoning would have a negative impact on individual citizens, taxpayers, and neighborhoods even if this proposed development results in greater Hall County taxes than presently collected for the 20.16 acres of undeveloped property.

F. **The site plan is for more than simply the use for boat and RV storage as it states additionally "…office/warehouse". The plan proposes a 10,000 square foot facility for construction equipment. The definition of Light Industrial in Hall County code for zoning includes "Any industry which does not cause injurious or obnoxious noise, vibrations, smoke, gas, fumes, odors, dust, fire hazards or other objectionable conditions."** We are naturally concerned about the boat and RV storage adherence to these requirements, but because the application is not clear about the use of the warehouse, we are additionally concerned that the construction business would include the large and obnoxious noise, smoke, gas fumes etc. The proposal does not state whether the owner of the facility may be planning for this new building to house construction equipment for another work purpose than simply the stated boat and RV storage; yet we hope this is not the case. The engineer for the proposal stated during the 10/2/23 hearing that they did not anticipate significant additional traffic congestion. However, even if accurate, with the many residences on Shope Road and the large mobile home park across Hwy 129 from the property that already incur significant traffic congestion, why not use a site further from the lake rather than this one with ever-growing residential development.

G. **The Planning Committee Staff report for this application recommended to DENY A, B and C of the proposal. We fully agree and support their recommendation which is detailed in their Report. Among their stated reasons which we firmly agree with are that this zoning request is not consistent with the Hall County Comprehensive Plan which specifically addresses the Lake Area Residential future land use classification.** One stated purpose of this category is "…to preserve established neighborhoods and create opportunities for permanent vacation residencies…" (page 4, Planning Committee Staff Report). Additionally, as staff states on page 5, issue 5, "The request to rezone the property is inconsistent with the future land use classification."

H. **Has an Environmental Impact Statement study been completed for this project? This area of proposed development is part of the territory of the Northern Long**

Eared Bat which is listed as Critically Endangered on the Federal list for Endangered Species. During summer, spring, and fall, The Northern Long Eared Bat depends on forested area for roosting sites underneath bark, in crevices and cavities of both dead and live trees. Destruction of the forest areas in its roosting and foraging territories will push this fragile species to the point of no return. Along with the Northern Long Eared Bat, Georgia DNS communicate that the Tricolored Bat is almost certainly at this site and is proposed to go on the endangered species list as well. The Northern Pine Snake and the Chattahoochee Crayfish are also of concern in this area. Elimination of habitat for these animals would have a devastating impact.

In addition, Eagles including Bald Eagles and numerous other wildlife including foxes, deer, ground hogs, raccoons, and numerous bird species have been sighted by neighbors surrounding this area, and it is likely that many occupy these 20 acres and the small pond on the property. At the Planning Committee meeting on 10/2/23, the engineer stated that the hill on the property would be cut down ostensibly to level the property. This would mean that most of the trees on the land would be cut down which would have devastating impacts on the area wildlife. Currently there are road kills of deer along highway 129 from this area and into Gainesville. As habitat for deer and other wildlife are removed, there will likely be more car accidents involving deer and other wildlife.

I. **Disruption of neighborhood. This community will contend with several years of disruption for the realignment of Hwy 129 Cleveland highway**. If this rezoning is approved, it will add more time of disruption including more traffic disruption and air pollution with the movement of land, cutting of trees and pavement of large areas to level the property for RV and boat storage as described at the Planning Committee meeting on Oct 2, 2023, all of which will decrease the desirability of this residential neighborhood and is inconsistent with the Hall County Comprehensive Plan and Lake Area Residential.

J. **Additional and still pertinent questions for opposing:**

a. Could **run-off water** carrying with it any spilled oil or fuel from the boats and transportation vehicles and from the added asphalt and concrete surface-covering enter the adjacent creek and subsequently enter and possibly contaminate and pollute Lake Lanier?
b. Could future use of the proposed plan be to **purchase abutting property** enabling dock-access to the lake? Will this increase the boat use of an already heavily used Little River area of Lake Lanier.

THE FOLLOWING COMMENTS PERTAIN TO THE HALL COUNTY PLANNING COMMISSION STAFF REPORT:

K. **Recommended Condition 4. "The applicant shall coordinate and receive approval from the Georgia Department of Transportation for the site access and proposed location of the covered storage areas." Even if such approval is provided, it says nothing to any additional cost thereby incurred and consequential to a GDOT approval which would have to be borne by taxpayers for this unnecessary rezoning project.** This is underscored by a statement within the Engineering section which says "Proposed GDOT project goes right through this project" and in fact appears to bifurcate the storage project such that two "spot zones" would be created with only residential agricultural and planned commercial zone areas surrounding them.

L. **Within the "Summary Analysis", it states "A 10,800 square foot warehouse building is proposed for storage items related to the contractor's business." Why must the contractor's other business activities and related transportation requirements such as equipment transportation along Cleveland Highway have to be done on this undeveloped, natural site close to Lake Lanier requested for boat and RV storage?** The same question is asked for item 9. Beneath "Zoning Analysis" regarding the "...office for the contractor's business".

M. **Under "Zoning Analysis" item 2. Staff asserts that the request "...could have an impact on nearby residential agricultural parcels." We wholeheartedly agree.** Additionally, this would create a type of spot zoning in which one industrial zone would be entirely surrounded by agricultural residential zoning begging the question as to whether there might be a movement later to encroach upon adjacent agricultural residential property to expand this industrial zone.

N. **Under "Zoning Analysis" item 4, Staff states "The proposed use should not cause an excessive or burdensome use of existing streets..." We strongly disagree and would like to see the traffic impact study to which the staff bases this assertion.**

O. **Under "Zoning Analysis" item 7. Staff report states "Staff is unable to comment on the impact of property values without a full market analysis." Staff suggests "Often it is difficult to determine the effect of a development on adjacent properties until the development is completed."** Needless to say, at that juncture it is too late to undo the development if a market analysis study indicates that it would have a negative impact on property values**. We suggest that a market analysis be conducted.** Could a large local residential realtor conduct such a study?

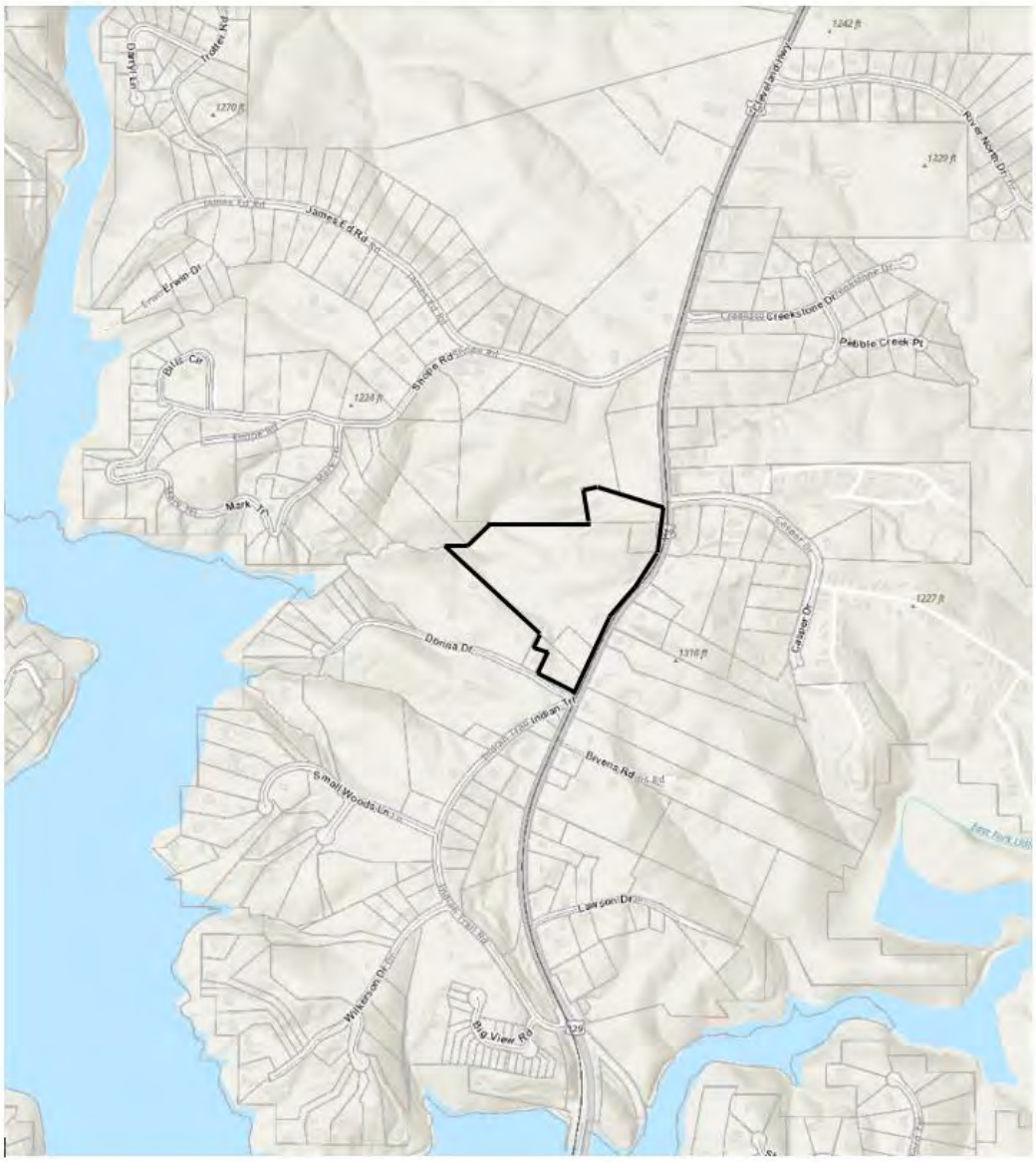
P. **"Zoning Analysis" item 10 which states "GDOT plans for a future realignment of Cleveland Highway show that the subject property is anticipated to be affected." This realignment will essentially cut through the widest part of the property (see attached site views).** GDOT has confirmed that this realignment is planned and approved. As stated above, this will create two smaller parcels on either side of Cleveland Hwy that would be surrounded by agricultural residential and planned commercial. We would hope that this would not cause additional harm to taxpayers and the neighborhood.

Q. **Under Zoning Analysis" item 13. Staff suggests that there may be a need for this sort of storage in this portion of the county and bases this suggestion upon residential growth within the City of Gainesville. This may or may not be a valid cause and effect**. It seems like a percent occupancy investigation of present storage facilities in the area is needed to justify this statement**.** Also, regardless of this issue, it fails to justify the need for the site to be used for the contractor's business and equipment requiring a 10,000 square foot building. **In addition, even if there's a need for more storage facilities, this does not justify locating the facility in a Lake Area Residential neighborhood as defined in the Comprehensive Plan for future growth of Hall County.**

R. **Under Submission requirements item D, Staff Report states "As there are not 100 or more residential dwelling units proposed this criteria is not applicable." The criteria relate to the requirement of a traffic impact study to be submitted prior to consideration of the application**. This Submission Requirement may strictly relate to the need for a traffic study due to "more residential dwellings" on the site. However, isn't it reasonable to assume that 483 trailered boats & RVs plus construction equipment could increase traffic as would 100 residential dwellings? Clearly, the addition of traffic from RVs, boat transports and construction equipment from storage would impact this already congested traffic area. We believe it could negatively impact the entire area.

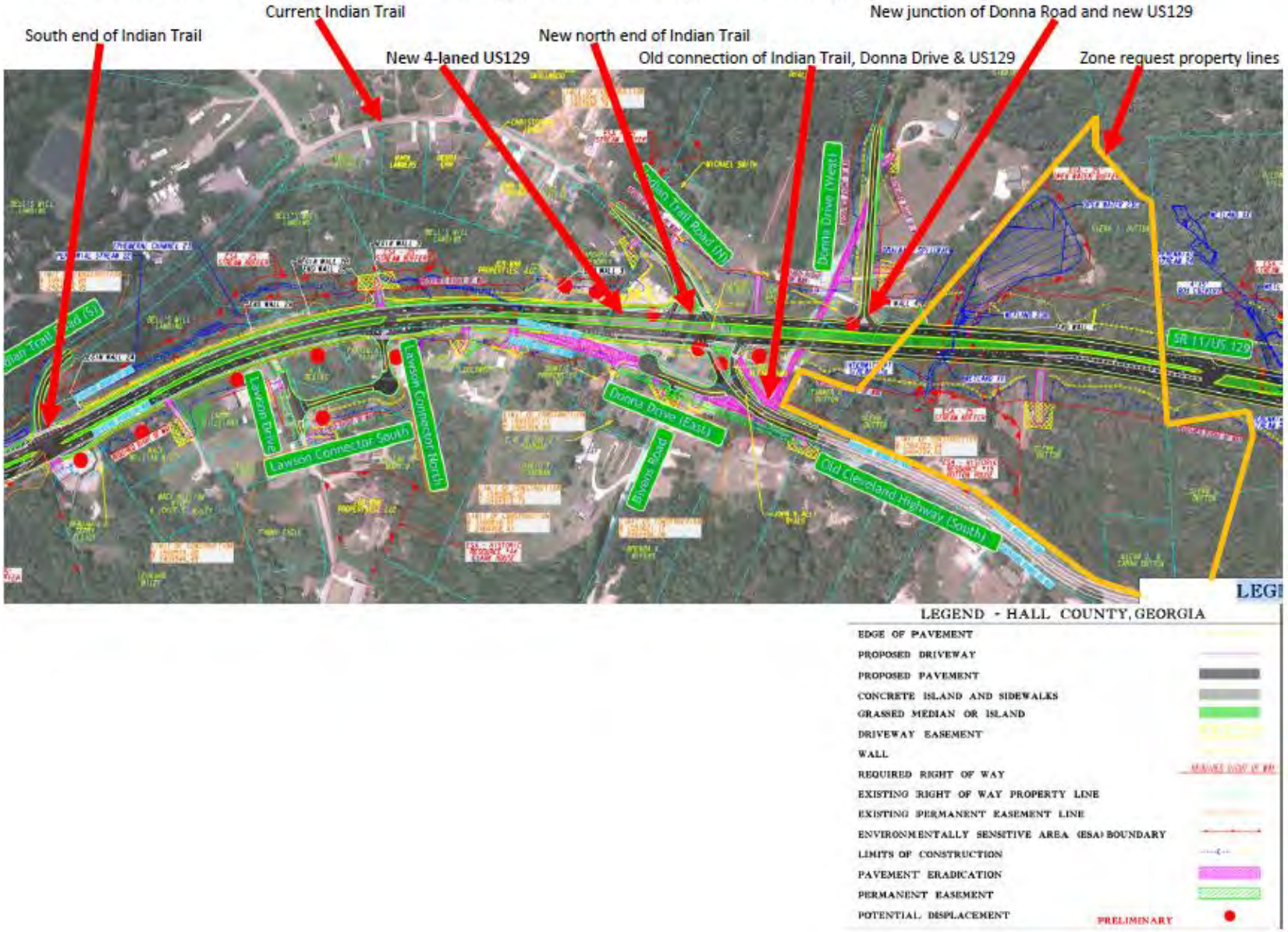
Rezoning to Light Industrial will place further complications for residents returning to their homes along Shope Road and its side streets (Mark Trail, Bills Circle, James Ed Drive, Trotter Road, Dairy Lane and Edwin Drive) whose only access to Hwy 129 Cleveland Hwy is on Shope Road. There are numerous residential homes off Shope Road which begins at Cleveland Highway and adjacent to or near the proposed zoning change. Presently when traveling north along Cleveland Highway out of Gainesville during the afternoon hours, it is common to sit in backup traffic for turning left onto Shope Road from Cleveland Highway. There is no turning lane for Shope road. This congestion will certainly get worse. **We respectively request that a traffic impact study be done for this application.**

MAP 1. RESIDENTIAL AREA SURROUNDING PROPOSED REZONING AND PROXIMITY TO LAKE LANIER



Source: Hall County Property Web App

Map 2: Effects of DGOT Realignment and Four-laning of US129 on the Requested Rezoning



Map source: GDOT (annotated by R. Prior)

Comments on map

1. The four-lane and rerouted US129 cuts through the middle of the property. The solid red line on each side of the new highway is the Required Right of Way for the new road.

2. Removing this right of way property takes a significant portion of the property in the rezoning request, meaning that the proposed plan is not feasible.

3. The Environmentally Sensitive Area (ESA) Boundary lines shown on the map also significantly affect the usability of the proposed use of the property.

4. The end of Donna Drive that currently junctions with the current path of US129 will be Subject to Pavement Eradication. The new Donna Drive junction to the new path of US129 means there will be no access from Donna Drive to either half of the property in question.

5. Access to the Historic Resource House will be from the old path of US129, and that house is also located within the Environmentally Sensitive Area (ESA) Boundary.

6. The wrought iron fence and landscaping discussed in the rezoning application to shelter the view of the property from the highway will have to be built on both sides of the new path of US129 as well as on the side of the old path of US129 adjacent to the property.

7. If the rezoning is approved, the property in question will effectively become two separate pieces of property, each with the new zoning and each needing a separate entrance onto both sides of the new US129. This would mean that two different, and unspecified at this point in time, businesses could be built without any further zoning changes. This could further cause negative undesirable impact on the surrounding community as well as causing more traffic problems in the area.

Print

Board of Commissioners Voting Meeting Comments - November 9, 2023 - Submission #83392

Date Submitted: 11/2/2023

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

First Name*

Nancy

Last Name*

Babcock

Address1*

3463 Big View Rd.

Address2

City*

Gainseville

State*

GA

Zip*

30506

Item for Comment*

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

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

Your Comments*

Please please vote NO on the rezoning project for Cleveland Hwy and Donna Drive in Gainesville. There are endangered species whose territory is in this area. Eliminating forest areas in these territories of extremely fragile and endangered species could contribute to irreparable harm to more than one species. Please see the attachment for more information and maps that show that the proposed property lies within endangered species territories. Thank you so so much for considering this important matter when voting on this proposal.

Please write your comments in the box above.

File Upload

Bat document.pdf

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

Follow-up Communication

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

Dear Hall County Commissioners,

I am writing you today to ask you to please vote "no" to a land rezoning proposal for 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive. Dutton Properties is the applicant for this project. If approved, Dutton Properties would rezone the current property from Agricultural Residential and planned Commercial Development to Light Industrial with a planned RV and boat storage for 483 units, and office and a 10,800 sq ft storage building for construction equipment. My understanding of the project after reading the plan submitted to Hall County, is that the forest area will be basically razed, the topography flattened, and a huge paved parking lot with a giant warehouse will be put on this property. While I have many objections to this project and why it is a bad idea for this area, I would like to give you my main objection today.

It has come to my attention that on the land for the proposed project, there is a critically endangered species called the Long Eared Northern Bat (the Northern Myotis) that may well occupy this area as its habitat. The Long Eared Northern Bat's existence is incredibly fragile and loss of more of its habitat territory would be devastating.

Except from federalregister.gov : "We, the U.S. Fish and Wildlife Service, propose to reclassify the northern long-eared bat (Myotis septentrionalis), a bat species found in all or portions of 37 U.S. States, the District of Columbia, and much of Canada, as an endangered species under the Endangered Species Act of 1973, as amended (Act)."

North Georgia, which includes the areas surrounding Lake Lanier is part of the Northern Long Eared Bat's territory in the United States. During the summer and portions of the fall and spring, northern long-eared bats may be found roosting singly or in colonies underneath bark, in cavities or in crevices of both live trees and snags, or dead trees in forested areas. Males and non-reproductive females may also roost in cooler places, like caves and mines. Northern long-eared bats seem to be flexible in selecting roosts, choosing roost trees based on suitability to retain bark or provide cavities or crevices. Northern long-eared bats use forested areas not only for roosting, but also for foraging and commuting between summer and winter habitat. Conditions that contribute to the loss of this species are summer habitat losses: Highway construction, commercial development, surface mining/forest conversion and wind facility construction. All of these forest changes permanently remove habitat, disturb or destroy hibernacula, and are activities prevalent in many areas of this bat's range. Summer habitat loss may result in longer flights between suitable roosting and foraging habitat, fragmentation of maternity colonies and direct injury or mortality.

Available evidence, including both winter and summer data, indicates northern long-eared bat abundance has and will continue to decline substantially under current demographic and stressor conditions.

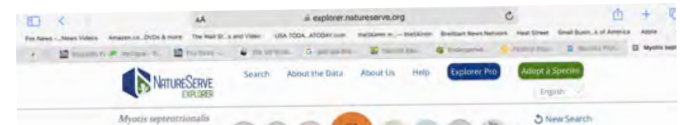
For the sake of this critically endangered species alone, I strongly believe that razing this forested area for the proposed industrial use is wrong and irresponsible to the ecosystems that depend on the forested area.

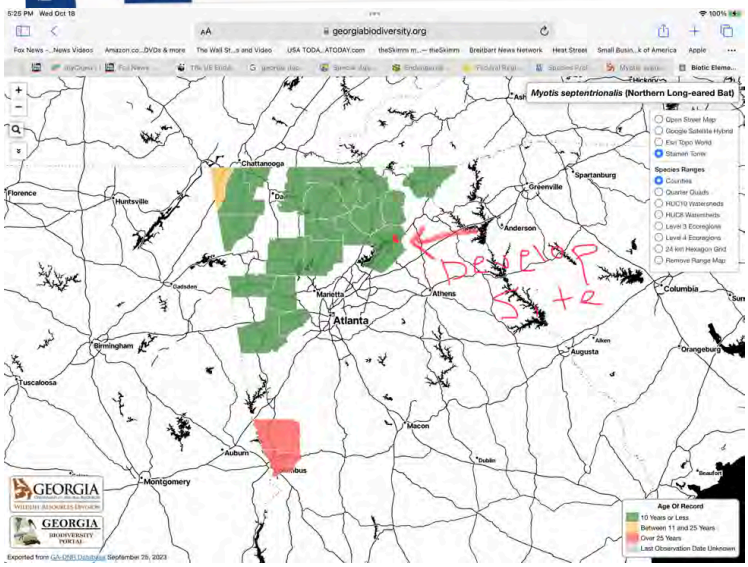
**In researching information on the Northern Long Eared Bat, I have been in contact with Katrina Morris, project manager of wildlife conservation in the Wildlife Resources Division of the Georgia Department of Natural Resources. In my communications with Ms. Morris, she has also informed me that in addition to the critically endangered Northern Long Eared Bat, they have records for a tricolored bat (Perimyotis subflavus) that is proposed for listing as federally endangered. The habitat for the tricolored bat is "almost certainly" (to quote Ms Morris) at that site for the proposed industrial development. Ms. Morris also stated there is a state threatened crayfish (the Cambaris howardi, or Chattahoochee Crayfish) and a snake species (the Pituophis melanoleucus, or Northern Pine Snake) that is of concern in that area.

****I sincerely ask you as commissioners who are charged with decisions that can save our critically endangered species, please do not allow this vital tract of land to become a parking lot with a giant warehouse for machinery that will leak oil and fuel onto the ground where rainwater runoff will drain into fragile water and ecosystems, and most importantly, create forest loss which will eliminate habitat for these endangered species. There are other areas in Hall County where such a development would be far better suited. Please, please, please vote NO to allowing this areas to be rezoned for industrial development.

Nancy Babcock
949-422-0403

(See below for Northern Long Eared Bat Territory)





Print

Board of Commissioners Work Session Comments - November 6, 2023 - Submission #83393

Date Submitted: 11/2/2023

Comments completed in the form below will be submitted into the record for the November 6, 2023 Work Session of the Hall County Board of Commissioners.

First Name*

Richard

Last Name*

Prior

Address1*

3342 NOTTINGHAM FOREST DR

Address2

City*

GAINESVILLE

State*

GA

Zip*

305064421

Your Comments*

I am uploading a document of a letter and a map document related to my letter

Please write your comments in the box above.

File Upload

US129 map.pdf

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

Follow-up Communication

richard.prior@ung.edu

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

Effects of the Planned Four-laning of US129 on the Requested Rezoning

South end of Indian Trail

Current Indian Trail

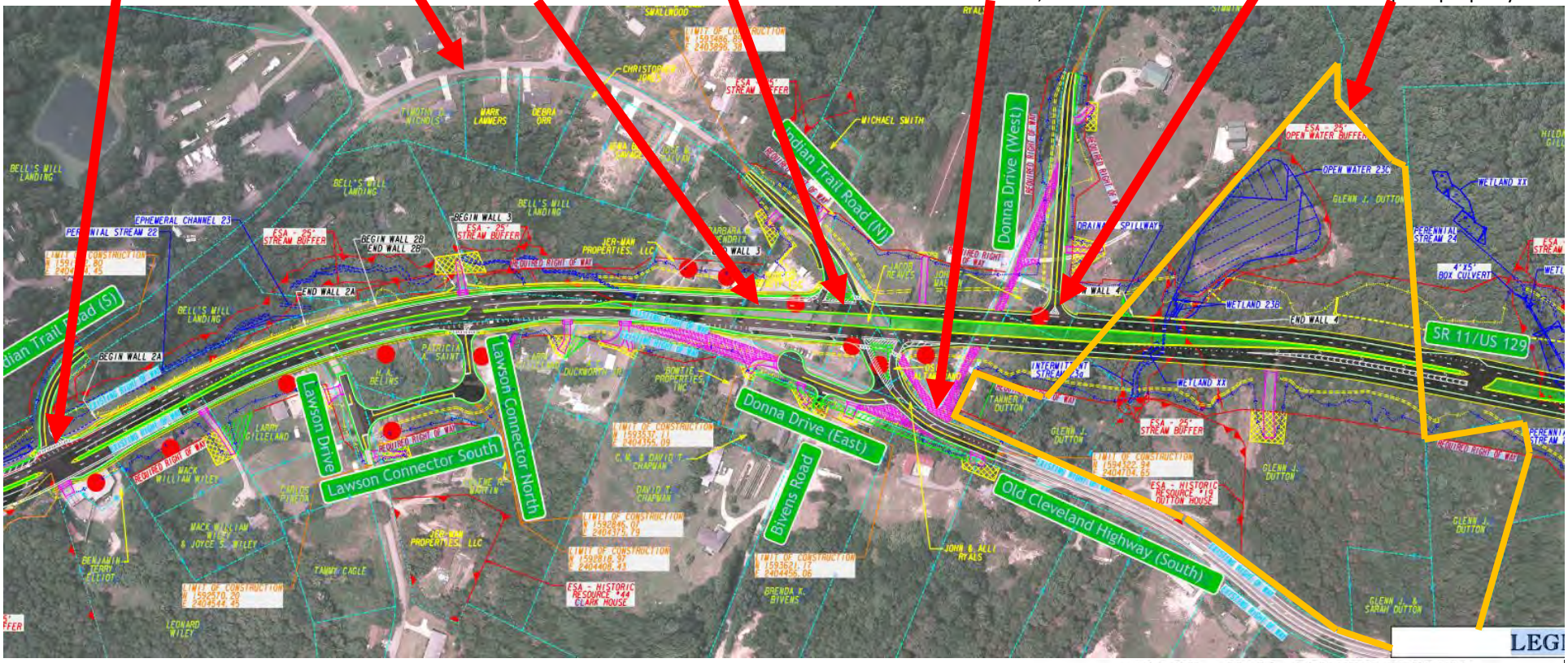
New 4-laned US129

New north end of Indian Trail

Old connection of Indian Trail, Donna Drive & US129

New junction of Donna Road and new US129

Zone request property lines



LEGEND - HALL COUNTY, GEORGIA

EDGE OF PAVEMENT	
PROPOSED DRIVEWAY	
PROPOSED PAVEMENT	
CONCRETE ISLAND AND SIDEWALKS	
GRASSED MEDIAN OR ISLAND	
DRIVEWAY EASEMENT	
WALL	
REQUIRED RIGHT OF WAY	REQUIRED RIGHT OF WAY
EXISTING RIGHT OF WAY PROPERTY LINE	
EXISTING PERMANENT EASEMENT LINE	
ENVIRONMENTALLY SENSITIVE AREA (ESA) BOUNDARY	
LIMITS OF CONSTRUCTION	
PAVEMENT ERADICATION	
PERMANENT EASEMENT	
POTENTIAL DISPLACEMENT	PRELIMINARY

Map source: GDOT (annotated by R. Prior)

Comments on map

1. The four-lane and rerouted US129 cuts through the middle of the property. The solid red line on each side of the new highway is the Required Right of Way for the new road.

2. Removing this right of way property takes a significant portion of the property in the rezoning request, meaning that the proposed plan is not feasible.

3. The Environmentally Sensitive Area (ESA) Boundary lines shown on the map also significantly affect the usability of the proposed use of the property.

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6. The wrought iron fence and landscaping discussed in the rezoning application to shelter the view of the property from the highway will have to be built on both sides of the new path of US129 as well as on the side of the old path of US129 adjacent to the property.

7. If the rezoning is approved, the property in question will effectively become two separate pieces of property, each with the new zoning and each needing a separate entrance onto both sides of the new US129. This would mean that two different, and unspecified at this point in time, businesses could be built without any further zoning changes. This could further cause negative undesirable impact on the surrounding community as well as causing more traffic problems in the area.

3342 Nottingham Forest Drive
Gainesville, GA 30506
November 1, 2023

Hall County Commission

I strongly oppose the requested rezoning by Dutton Properties of 5 parcels totaling 20.6 acres located on the western side of Cleveland Highway (US129) just north of the intersection of the highway with Donna Drive. This property and all surrounding parcels are currently zoned AR-III except for one parcel along Cleveland Highway just north of the proposed rezoning that is currently vacant and zoned PCD. The requested rezoning is clearly out of character and use of the surrounding properties. The Hall County Planning Commission staff evaluated the proposal and recommended against it in an extensive detailed report.

I attended the Hall Planning Commission meeting on October 2, 2023, when they approved the rezoning by a 4-1 vote. They first allowed a representative of the developer to speak for 10 minutes in favor of the rezoning. Then they allowed 7 persons each to speak for 3 minutes against the rezoning, despite that the Hall County Zoning Application Process and Procedures document specifically states that "after **all** comments are heard" the decision will be made. This clearly did not happen at the Planning Commission meeting. The 7 persons speaking against the proposal were randomly selected from hands raised in the audience with several persons beyond the seven denied a chance to speak against the proposal. After a response from the developer's representative, the vote was immediately taken with no real discussion or questions about the opposition to the proposal. It seemed to me that the discussions and decisions by the committee already been made before the public meeting.

There are numerous reasons that the rezoning is undesirable, including environmental, traffic volume and safety, the existing nature of the surrounding community, the principles of the Hall County Comprehensive Plan and other valid objections.

I want to specifically address a situation that is important and was not addressed in the rezoning application or in any discussion the Planning Commission at the meeting. The Georgia Department of Transportation (GDOT) has already planned and approved the 4-laning of a several mile section of Cleveland Highway (US129) that now passes adjacent to the requested rezoning property, The GDOT plan includes a re-routing of the highway that begins just south of that property. The re-routed 4-lane highway will cut through the middle of the property for which the rezoning is requested. That will make the plans for covered storage for 483 boats and RVs and the construction of a 10,800 square-foot storage building for construction equipment not feasible. Additionally, the rezoned property would be divided into two properties on opposite sides of the new 4-lane highway, both zoned light industrial. Who knows how those separate properties could then be used? A copy of the GDOT map that I have annotated for clarity is also submitted.

I and the others in this community all request that you do not approve this rezoning.

Sincerely,

Richard M. Prior

ZONING NOTICE

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

APPLICANT: DUTTON PROPERTIES

REQUEST:
VARIANCE TO REDUCE THE WIDTH OF THE TRANSITIONAL BUFFER REQUIRED IN GCOD

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION
Date: OCT 23 2023
Time: 5:15 P.M.

&

COUNTY COMMISSION
Date: NOV 9, 2023
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 WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY.

APPLICANT: DUTTON PROPERTIES

REQUEST: REZONE FROM AR-III & H-B TO I-1 FOR BOAT & RV STORAGE & AN OFFICE/WAREHOUSE

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION
Date: OCT 23, 2023
Time: 5:15 P.M.

&

COUNTY COMMISSION
Date: NOV 9, 2023
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 WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: DUTTON PROPERTIES

REQUEST: USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR OUTDOOR STORAGE IN GCOD.

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION
Date: OCT 23, 2023
Time: 5:15 P.M.

&

COUNTY COMMISSION
Date: NOV 9, 2023
Time: 6:00 P.M.

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

FOR MORE INFORMATION CALL: (770) 531-6809

Sep 20, 2023 15:00:34
3443 Cleveland Highway
Gainesville
Hall County
Georgia

NARROW ROAD
20 MPH

ZONING NOTICE

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

APPLICANT: DUTTON PROPERTIES

REQUEST: VARIANCE TO REDUCE THE WIDTH OF THE TRANSITIONAL BUFFER REQUIRED IN GCOD

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION Date: Oct 24, 2023 Time: 5:15 p.m.

&

COUNTY COMMISSION Date: Nov 9, 2023 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 WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: DUTTON PROPERTIES

REQUEST: USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR OUTDOOR STORAGE IN GCOD

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION Date: Oct 24, 2023 Time: 5:15p.m.

&

COUNTY COMMISSION Date: Nov 9, 2023 Time: 6:00p.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 WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY.

APPLICANT: DUTTON PROPERTIES

REQUEST: REZONE FROM AR-III & H-B TO H FOR BOAT & RV STORAGE & AN OFFICE/WAREHOUSE

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION Date: Oct 24, 2023 Time: 5:15p.m.

&

COUNTY COMMISSION Date: Nov 9, 2023 Time: 6:00p.m.

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

FOR MORE INFORMATION CALL: (770) 531-6809

Sep 20, 2023 14:48:41
3384 Cleveland Highway
Gainesville
Hall County
Georgia

ZONING NOTICE

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

APPLICANT: DUTTON PROPERTIES

REQUEST: VARIANCE TO REDUCE THE WIDTH OF THE TRANSITIONAL BUFFER REQUIRED IN GCOD

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION Date: OCT 3, 2023 Time: 5:15 P.M. & COUNTY COMMISSION Date: NOV 9, 2023 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 WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY.

APPLICANT: DUTTON PROPERTIES

REQUEST: REZONE FROM AR III & H B TO I-1 FOR BOAT & RV STORAGE & AN OFFICE / WAREHOUSE

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION Date: OCT 23, 2023 Time: 5:15 P.M. & COUNTY COMMISSION Date: NOV 9, 2023 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 WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: Dutton Properties

REQUEST: Use Subject To County Commission Approval For Outdoor Storage In GCOD

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION Date: OCT 24, 2023 Time: 5:15 P.M. & COUNTY COMMISSION Date: Nov 9, 2023 Time: 6:00 P.M.

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

FOR MORE INFORMATION CALL: (770) 531-6809

Sep 20, 2023 14:51:39
3405 Cleveland Highway
Gainesville
Hall County
Georgia

ZONING NOTICE

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

APPLICANT: DUTTON PROPERTIES

REQUEST: VARIANCE TO REDUCE THE WIDTH OF THE TRANSITIONAL BUFFER REQUIRED IN GCOD

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION Date: OCT 2, 2023 Time: 5:15 P.M.

&

COUNTY COMMISSION Date: 1 NOV 9, 2023 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 WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: DUTTON PROPERTIES

REQUEST: USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR OUTDOOR STORAGE IN GCOD.

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION Date: OCT 2, 2023 Time: 5:15 P.M.

&

COUNTY COMMISSION Date: NOV 9, 2023 Time: 6:00 P.M.

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

FOR MORE INFORMATION CALL: (770) 531-6809

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APPLICANT: DUTTON PROPERTIES

REQUEST: REZONE FROM AR-III & H-B TO H-1 FOR BOAT & RV STORAGE & AN OFFICE/WAREHOUSE

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION Date: OCT 2, 2023 Time: 5:15 PM

&

COUNTY COMMISSION Date: NOV 9 2023 Time: 6:00 P.M.

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

FOR MORE INFORMATION CALL (770) 531-6809

Sep 20, 2023 14:56:21
3419 Cleveland Highway
Gainesville
Hall County
Georgia

ZONING NOTICE

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

APPLICANT: DUTTON PROPERTIES

REQUEST:
VARIANCE TO REDUCE THE WIDTH OF THE TRANSITIONAL BUFFER REQUIRED IN GCOD

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION
Date: OCT 23 2023
Time: 5:15 P.M.

&

COUNTY COMMISSION
Date: NOV 9, 2023
Time: 6:00 P.M.

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

FOR MORE INFORMATION CALL: (770) 531-6809

ZONING NOTICE

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APPLICANT: DUTTON PROPERTIES

REQUEST: REZONE FROM AR-III & H-B TO I-1 FOR BOAT & RV STORAGE & AN OFFICE/WAREHOUSE

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION
Date: OCT 23, 2023
Time: 5:15 P.M.

&

COUNTY COMMISSION
Date: NOV 9, 2023
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 WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: DUTTON PROPERTIES

REQUEST: USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR OUTDOOR STORAGE IN GCOD.

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION
Date: OCT 23, 2023
Time: 5:15 P.M.

&

COUNTY COMMISSION
Date: NOV 9, 2023
Time: 6:00 P.M.

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

FOR MORE INFORMATION CALL: (770) 531-6809

Sep 20, 2023 15:00:34
3443 Cleveland Highway
Gainesville
Hall County
Georgia

AGENDA ITEM

Planning and Development

REPORT TO: **Work Session (11/06/23)**

REPORT TO: **Voting Meeting (11/09/23)**

ITEM NO: 628/2023

SUBJECT: **3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Variance |** 17.420.050.C.2 to reduce the required transitional buffer in Gateway Corridors Overlay District | on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD (GCOD), Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 **| Proposed Use: boat/RV storage and office/warehouse |** Commission District 3 **| Dutton Properties, applicant.**

Meetings:

Work Session Date: 11/06/23 **Voting Meeting Date:** 11/09/23

Executive Summary:

Presenter: RD

Recommendation:
Denial.

Purpose of Request:
3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Variance | 17.420.050.C.2 to reduce the required transitional buffer in Gateway Corridors Overlay District | on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD (GCOD), Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | **Proposed Use: boat/RV storage and office/warehouse |** Commission District 3 | **Dutton Properties, 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:

Submit	Approve	Attorney	Administration
AD	RD	WLI	CR
Clerk			
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
Public Comments (Post Planning Commission Meeting)
Notice Sign Photos

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435

GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR
Srikanth Yamala

PLANNING AND DEVELOPMENT
DIRECTOR
Randi Doveton

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PLANNING AND DEVELOPMENT

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

From: Randi Doveton, Director of Planning & Development

Date: October 23, 2023

Subject: **3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Variance** | 17.420.050.C.2 to reduce the required transitional buffer in Gateway Corridors Overlay District | on 20.16± acres | **Proposed Use: boat and RV storage and office/warehouse | Dutton Properties, applicant.**

The request before you is the application of Dutton Properties for a Variance from 17.420.050.C.2 to reduce the required transitional buffer in Gateway Corridors Overlay District. This item is located within Commission District 3.

At their October 2, 2023 meeting, the Hall County Planning Commission voted to recommend denial **(5-0)**.

There were **no comments submitted** in advance of the Planning Commission meeting and **seven (7) people spoke during the public hearing.**

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

HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT

Applicant ..... Dutton Properties

Request ..... **(A)** Rezone from Agricultural Residential III (AR-III, 17.110) and Planned Commercial Development (PCD, 17.180.080) / Gateway Corridors Overlay District (GCOD, 17.420) to Light Industrial (I-I, 17.160) / Gateway Corridors Overlay District (GCOD, 17.420).
(B) Use Subject to County Commission Approval | 17.420.050. Outdoor storage
(C) Variance | 17.420.050.(C)(2) to reduce the required transitional buffer in Gateway Corridors Overlay District (GCOD, 17.420)

Proposed Use ..... **(A)** Boat and RV storage and an office/warehouse
(B) Outdoor storage within Gateway Corridors Overlay District (GCOD, 17.420)
(C) Reduce the required transitional buffer from 50 feet to 30 feet

Size ..... 20.16± acres

Zoning ..... Current Agricultural Residential III (AR-III, 17.110) and Planned Commercial Development (PCD, 17.180.080) / Gateway Corridors Overlay District (GCOD, 17.420) | Proposed Light Industrial (I-I, 17.160) and Gateway Corridors Overlay District (GCOD, 17.420).

Location ..... **3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive** | Tax Parcels 10144 000036, 000030, 000035, 000041, and 000029

Commission District ..... Three

Planning Commission Date ..... October 2, 2023

Staff Recommendation ..... **(A) and (B) Denial** as the proposed use is inconsistent with the Comprehensive Plan future

land use classification of Lake Area Residential.
(C) Denial of the requested variance from the transitional buffer requirements from 17.420.050.(C)(2) as the applicant has failed to demonstrate that hardship exist pursuant to the criteria of 2.60.030.

Planning Commission Recommendation…….. (A) Approval, with conditions
Vote: 4-1 (Pilcher opposed)
(B) Approval, with conditions
Vote: 4-1 (Pilcher opposed)
(C) Denial
Vote: 5-0

(A)& (B) Conditions:

1. The development shall occur as depicted on the site plan dated September 29, 2023 and described in the updated project narrative dated September 29, 2023, modified for compliance with zoning conditions and Hall County regulations. Minor changes can be approved by the Planning Director, provided 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 from the Hall County development standards. No variances are granted as part of this request other than those listed herein.
2. The storage or disposal of junk material and construction debris on the subject property is prohibited. Any areas where junk or debris has been stored on the property shall be properly disposed of or stored in accordance with applicable regulations.
3. The development, including any signage, shall be subject to the standards of the Gateway Corridors Overlay District (GCOD, 17.420.050). No variances are granted from these standards.
4. The applicant shall coordinate and receive approval from the Georgia Department of Transportation for the site access and proposed location of the covered storage areas.
5. All parking and storage areas shall be paved with either asphalt or concrete.
6. The applicant shall be required to meet all applicable local, state, and/or federal regulations required as part of the land development process.
7. All conditions of zoning shall be made part of any plans created for the property.
8. The hours of operation for the self-storage facility shall be 6:00am-11:00pm, Monday through Sunday.
9. The roof material for the covered parking shall be standing seam architectural metal roof panels, with the color to be approved by the Planning and Development Director.
10. The 10,800 sq. ft. warehouse at the rear of the property as shown on the concept plan shall be allowed to utilize metal siding.

Public Forum:

John Carter, 3432 Cleveland Highway, Gainesville, spoke in opposition. Concerns were property value, egress/ingress, traffic, hours of operation, grading, noise, clear cutting trees, lights, view, and buffer.

Dutch Sievert, 3420 Cleveland Highway, Gainesville, spoke in opposition. Concerns were property value, development placement, intense use, view, and traffic.

Petra Urban, 3418 Cleveland Hwy, Gainesville, spoke in opposition. Concerns were property value, zoning, traffic, and safety.

John Mallen, 4014 Donna Drive, Gainesville, spoke in opposition. Concerns were zoning, light pollution, traffic, and new highway.

Richard Prior, 3343 Nottingham Forest Dr, Gainesville, spoke in opposition. Concerns were traffic, safety, new highway, major residential area, and environmental impact.

Michael O'Chasey, 3340 Wilkerson Drive, Gainesville, spoke in opposition. Concerns were number of bays, traffic, number of boats on lake, traffic on the Little River, and safety.

Mark Kirves, 3338 Wilkerson Drive, Gainesville, spoke in opposition. Concerns were property value, traffic, and safety.

Summary Analysis

The applicant is requesting to **(A)** rezone 20.16± acres from Agricultural Residential III (AR-III, 17.110) and Planned Commercial Development (PCD, 17.180.080) to Light Industrial (I-I, 17.160) for the purpose of developing the site with a boat and RV storage business. Additionally, the applicant intends to use one of two existing residences on the property as a contractor's office. A 10,800 square foot warehouse building is proposed for storage of items related to the contractor's business. **(B)** Concurrent to this request is a Use Subject to County Commission Approval to permit outdoor storage within the Gateway Corridors Overlay District (GCOD, 17.420). The GCOD provides supplemental development standards for non-residential development (17.420.050.), and the applicant is requesting a **(C)** variance to reduce the required transitional buffer in the GCOD.

The submitted site plan shows an existing residence located to the north of the proposed site access. The submitted narrative states that the residence is registered as a historic place, and the intention is to preserve and renovate the structure for an office use. A 90-foot by 120-foot warehouse is proposed in the rear of the property, adjacent to the existing farm pond. Much of the remaining property is proposed to be utilized as covered or uncovered storage for boats and RVs, for a total of 483 storage spaces, access to which is gated. There is no information regarding the architectural style of the covered storage buildings, and it is unknown if the structure will be open sided or if it will be enclosed. The submitted narrative states that non-spill LED lighting will be used for the covered storage spots.

The breakdown is detailed in the following charts:

Uncovered Storage	
Area	Units
1	10
2	20
3	14
Total	**44**

Covered Storage	
Building	Units
A	63
B	90
C	49
D	58
E	60
F	38
G	20
H	33
I	28
Total	**439**
Combined Total	**483**

The canopy structures will be located a minimum of 100 feet from the centerline of Cleveland Highway, as required by 17.240.040, setbacks from arterial streets. The setback adjacent to Donna Drive is 50 feet. The proposed side and rear yard setbacks are each 20 feet, consistent with the setback requirements found in table 17.240.010 for the Light Industrial (I-I, 17.160) district.

The submitted site plan and narrative describe the proposed transitional buffers and landscaping standards for the development. The applicant is requesting relief from 17.420.050(C)(2)(c), transitional buffers, which requires where an industrial zoning district abuts property zoned for residential or agricultural use the transitional buffer shall be 50 feet. The applicant is requesting to reduce the transitional buffer along tax parcels 10143 000003, 10144 000029A, and a small portion of parcel 10144 000038 to 30 feet but is proposing to provide an enhanced buffer. It is unclear as to how the buffer will be enhanced, as the application does not provide those details. The entrance and frontage will be landscaped with a 6-foot-tall wrought iron style fence accented with brick columns every 200 feet and at the corners. Landscaping will be planted in front of this fence to further enhance the aesthetics and screen the project from the highway. Per the narrative, one monument sign, compliant with the sign ordinance, is proposed at the entrance on Cleveland Highway.

One (1) **variance** related to landscaped buffer requirements will be necessary if the site plan, as presented, is approved because the proposal does not meet the requirements.

- 50-foot landscaped buffer where a commercial zoning district abuts property zoned for residential use as found in 17.420.050(C)(2)(c).
    - *The applicant is requesting to reduce the transitional buffer along tax parcels10143 000003, 10144 000029A, and a small portion of parcel 10144 000038 from 50 feet to 30 feet and is proposing to provide an enhanced buffer for the reduction.*
        - *The applicant has not provided details as to how the buffer will be enhanced.*

Based on the future land-use plan, staff finds the *zoning request inconsistent* with the Lake Area Residential future land use classification in the Comprehensive Plan. This land use category is characterized by low-density residential development and neighborhoods. The intent of this land use category is to preserve established neighborhoods and create opportunities for permanent vacation residences similar in land use patterns to Residential Areas but at lower residential densities. Future development is envisioned to continue to be detached, single family homes at low densities in addition to less intensive agricultural uses that are found in the northwestern part of the land use classification.

Zoning Analysis

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:

(A) Rezone from Agricultural Residential III (AR-III, 17.110) and Planned Commercial Development (PCD, 17.180.080) / Gateway Corridors Overlay District (GCOD, 17.420) to Light Industrial (I-I, 17.160) / Gateway Corridors Overlay District (GCOD, 17.420) and

(B) Use Subject to County Commission Approval | 17.420.050. outdoor storage

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 rezoning and use of the property as boat and RV storage and an office/warehouse is inconsistent with the development pattern of nearby properties. To the south is an adjacent 13.43± acre parcel zoned Residential I (R-I, 17.60). To the north is a PCD-zoned property Planned Commercial Development (PCD, 17.180.080); this rezoning was approved in 1992 for a shopping center, but remains undeveloped. The remainder of the adjacent parcels on the subject side of the street are other Agricultural Residential III (AR-III, 17.110) properties.**

2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The proposed zoning classification of Light Industrial (I-I, 17.160) is inconsistent with the existing development along Cleveland Highway and could have an impact on nearby residential and agricultural parcels.**

3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; **Yes, the properties have reasonable economic use as currently zoned, from Agricultural Residential III (AR-III, 17.110) and Planned Commercial Development (PCD, 17.180.080), but the proposed business cannot occur as described without approval of the rezoning request to Light Industrial (I-I, 17.160).**

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 use should not cause an excessive or burdensome use of existing streets, transportation facilities, utilities, schools, police protection, fire protection public 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 parcels fall within the Lake Area Residential future land use category of the Comprehensive Plan. This land use category is characterized by low-density residential development and neighborhoods. The intent of this land use category is to preserve established neighborhoods and create opportunities for permanent vacation residences similar in land use patterns to Residential Areas but at lower residential densities. Future development is envisioned to continue to be detached, single family homes at low densities in addition to less intensive agricultural uses that are found in the northwestern part of the land use classification. The request to rezone the property is inconsistent with the future land use classification.**

6. The extent to which property values are diminished by the existing zoning restrictions; **Staff is unable to determine the extent to which property values are diminished by the existing zoning restrictions.**

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 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.**

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; **Aerial imagery shows that the property is primarily undeveloped, though there are various residential and/or agricultural structures located on the parcels. If approved, the existing residence located on 3419 Cleveland Highway will remain and serve as an office for the contractor's business.**

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; **GDOT plans for a future realignment of Cleveland Highway show that the subject property is anticipated to be affected.**

11. Whether the change would create an isolated district unrelated to the surrounding districts; **The rezoning of the property to Light Industrial (I-I, 17.160) would be a more intensive use than the existing Agricultural Residential III (AR-III, 17.110) and Planned Commercial Development (PCD, 17.180.080) classification and it would create an isolated district unrelated to the surrounding districts, as there is no I-I zoning established in the area.**

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.**

13. Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood; **The close proximity to Lake Lanier and recent residential growth within the City of**

Gainesville and the county may suggest there is a need for this sort of storage in this portion of the county.

14. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **There may be other industrially zoned properties in the county where the proposed use would be permitted without zoning action.**

15. Whether the need for rezoning could be handled instead by a variance request to the [planning commission]; **No, the request could not be handled instead by a variance as the proposed uses are not permitted within the Agricultural Residential III (AR-III, 17.110) or Planned Commercial Development (PCD, 17.180.080) districts.**

16. Whether there would be an ecological or pollution impact resulting from major modifications to the land if the request is granted; **Any land disturbance activities on the property shall be required to go through the land development permitting process, and as a result are subject to local, state, and federal regulations. As a result, there should not be an ecological or pollution impact resulting from any modification to the land if the request is granted.**

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.**

(C) Variance | 17.420.050.C.2 to reduce the required transitional buffer in Gateway Corridors Overlay District (GCOD, 17.420)

Section 17.420.070, appeals and modifications states that "if substantial modifications or changes are necessary, any person, firm, group or organization may apply for relief from the requirements set forth in this chapter to the Hall County Planning Commission, unless otherwise specified in this chapter."

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); **There does not appear to be extraordinary or exceptional conditions pertaining to the subject property. There are no physical characteristics of the property that would prevent the applicant from meeting the transitional buffer requirements as required by the Gateway Corridors Overlay District (GCOD, 17.420).**

2. The application of the requirements of this Title 17 to this particular piece of property would create an unusual hardship; **The applicant would have to make modification to the proposed site layout, to meet the transitional buffer requirements of the Gateway Corridors Overlay District (GCOD, 17.420). As a result, there may be a reduction in the number of covered storage spaces for the proposed development, though it is unlikely this would create an unusual hardship.**

3. Such conditions are peculiar to the particular piece of property involved and are not common to other properties in the neighborhood; **No, the conditions are not peculiar to the subject parcel but the result of the proposed use of the property.**

4. Such conditions are not the result of any actions of the property owner; **the proposed site layout has been proposed by the applicant.**

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. **Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of Title 17.**

17.380.050. - Submission requirements

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 the Hall County Planning Commission.**

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]. **The applicant has submitted a narrative and site plan but has not explicitly addressed the criteria listed in 17.350.120.**

   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**. The applicant submitted a site plan drawn to scale.**

C. For any application for a slow rate land treatment system (see chapter 17.20), the following additional requirements apply. **This standard is not applicable as the site will be served by an onsite septic system.**

D. 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. **As there are not 100 or more residential dwelling units proposed, this criteria is not applicable.**

Development Support and Constraints / Departmental Comments

Hall County Environmental Health

In an email dated August 18, 2023, Emily McGahee stated "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 Marshal

In an email dated August 18, 2023, John Hornick, NPQ Fire Inspector 1, Plans Review Lieutenant provided the following comments:

Additional fire hydrant(s) will be required to be installed inside the development to meet the International Fire Code requirement of Section 507.5.1 including state modification(s).

Hall County Public Works and Utilities

In a memo dated August 18, 2023, Bill Nash, Director of Public Works and Utilities, provided the following comments:

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 stream buffer and impervious setback from wrested vegetation not centerline of stream. Proposed GDOT project goes right through this parcel.

Traffic:

Permit from GDOT will be required for connection to Cleveland Highway.

Utilities

No sewer connection within feasible distance.

Georgia Department of Transportation

In an email dated August 15, 2023 from Veronica Chavers, D1TO Civil Engineer 3, she confirmed that the project will require GDOT coordination for access on Cleveland Highway.

- **Excerpts from the minutes of the October 2, 2023 meeting**

Applicant's Presentation:

Randi Doveton, Planning Director, presented a summary of the request. Ms. Doveton stated that due to the modification to the site plan the variance request is no longer applicable.

Ed Myers, 752 Chattahoochee Place, Gainesville, presented the request. The applicant explained the modified site plan and narrative. The applicant requested a variance for a metal building in the rear about

700 feet behind the state highway. The applicant stated that the hours of operation would be from 6:00 am to 12:00 am.

Rebuttal

The applicant stated that customers store their boats/RVs and let them sit there for a long time so there will not be a significant amount of traffic. The applicant stated that GDOT has had talks of widening the road but they have been in talks of the project for many years now. The applicant stated that they will install non-spill lights.

Public Forum:

John Carter, 3432 Cleveland Highway, Gainesville, spoke in opposition. Concerns were property value, egress/ingress, traffic, hours of operation, grading, noise, clear cutting trees, lights, view, and buffer.

Dutch Sievert, 3420 Cleveland Highway, Gainesville, spoke in opposition. Concerns were property value, development placement, intense use, view, and traffic.

Petra Urban, 3418 Cleveland Hwy, Gainesville, spoke in opposition. Concerns were property value, zoning, traffic, and safety.

John Mallen, 4014 Donna Drive, Gainesville, spoke in opposition. Concerns were zoning, light pollution, traffic, and new highway.

Richard Prior, 3343 Nottingham Forest Dr, Gainesville, spoke in opposition. Concerns were traffic, safety, new highway, major residential area, and environmental impact.

Michael O'Chasey, 3340 Wilkerson Drive, Gainesville, spoke in opposition. Concerns were number of bays, traffic, number of boats on lake, traffic on the Little River, and safety.

Mark Kirves, 3338 Wilkerson Drive, Gainesville, spoke in opposition. Concerns were property value, traffic, and safety.

Planning Commission Comments:

Mr. Braswell requested clarification on the fencing and landscaping. The applicant stated that they will install bushes and trees along the frontage as well as having a fence to help shield the view. Mr. Braswell questioned how access will be controlled. The applicant stated that it will be controlled electronically by a phone app. Mr. Hunt questioned if the applicant is willing to change the closing time to 11:00 pm. The applicant agreed. Mr. Hunt requested clarification on buffers. Mr. Braswell stated that the new narrative stated there will be a vinyl chain link fence around the entire perimeter. The applicant stated that was correct and it is for security purposes. Mr. Braswell stated that the updated site plan removed the need for uncovered parking towards the frontage. Ms. Pilcher stated that the speed limit poses a safety hazard for anyone coming in or out of the development.

A

***Motion:* A motion to approve, with conditions was made by Mr. Hunt and seconded by Mr. Varner. Vote: 4-1 (Pilcher opposed)**

Conditions:

1. The development shall occur as depicted on the site plan dated September 29, 2023 and described in the updated project narrative dated September 29, 2023, modified for compliance with zoning conditions and Hall County regulations. Minor changes can be approved by the Planning Director, provided 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 from the Hall County development standards. No variances are granted as part of this request other than those listed herein.
2. The storage or disposal of junk material and construction debris on the subject property is prohibited. Any areas where junk or debris has been stored on the property shall be properly disposed of or stored in accordance with applicable regulations.
3. The development, including any signage, shall be subject to the standards of the Gateway Corridors Overlay District (GCOD, 17.420.050). No variances are granted from these standards.
4. The applicant shall coordinate and receive approval from the Georgia Department of Transportation for the site access and proposed location of the covered storage areas.
5. All parking and storage areas shall be paved with either asphalt or concrete.
6. The applicant shall be required to meet all applicable local, state, and/or federal regulations required as part of the land development process.
7. All conditions of zoning shall be made part of any plans created for the property.
8. The hours of operation for the self-storage facility shall be 6:00am-11:00pm, Monday through Sunday.
9. The roof material for the covered parking shall be standing seam architectural metal roof panels, with the color to be approved by the Planning and Development Director.
10. The 10,800 sq. ft. warehouse at the rear of the property as shown on the concept plan shall be allowed to utilize metal siding.

B

Motion: ***A motion to approve, with conditions was made by Mr. Hunt and seconded by Mr. Varner. Vote: 4-1 (Pilcher opposed)***

Conditions:

1. The development shall occur as depicted on the site plan dated September 29, 2023 and described in the updated project narrative dated September 29, 2023, modified for compliance with zoning conditions and Hall County regulations. Minor changes can be approved by the Planning Director, provided 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 from the Hall County development standards. No variances are granted as part of this request other than those listed herein.
2. The storage or disposal of junk material and construction debris on the subject property is prohibited. Any areas where junk or debris has been stored on the property shall be properly disposed of or stored in accordance with applicable regulations.
3. The development, including any signage, shall be subject to the standards of the Gateway Corridors Overlay District (GCOD, 17.420.050). No variances are granted from these standards.
4. The applicant shall coordinate and receive approval from the Georgia Department of Transportation for the site access and proposed location of the covered storage areas.
5. All parking and storage areas shall be paved with either asphalt or concrete.
6. The applicant shall be required to meet all applicable local, state, and/or federal regulations required as part of the land development process.
7. All conditions of zoning shall be made part of any plans created for the property.

8. The hours of operation for the self-storage facility shall be 6:00am-11:00pm, Monday through Sunday.
9. The roof material for the covered parking shall be standing seam architectural metal roof panels, with the color to be approved by the Planning and Development Director.
10. The 10,800 sq. ft. warehouse at the rear of the property as shown on the concept plan shall be allowed to utilize metal siding.

C

Motion: ***A motion to deny was made by Mr. Hunt and seconded by Mr. Varner. Vote: 5-0***

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

HALL COUNTY
GEORGIA
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CONDITIONAL USE APPLICATION

Applicant (Name & Mailing Address)

Dutton Properties
PO Box 908387
Gainesville, GA 30501

Phone 770-351-7565
Email Address glennjduttonaol.com

Property Owner (Name & Mailing Address)

Glenn Dutton
PO Box 908387
Gainesville, GA 30501

Phone 770-351-7565
Email Address glennjduttonaol.com

Proposed Use ~~Boat~~ Boat & RV outdoor storage

Contact Person (Name & Mailing Address)

Glenn Dutton
PO Box 908387
Gainesville, GA 30501

Phone 770-351-7565
Email Address glennjduttonaol.com

Status of Applicant

(Owner)
Option to Purchase
Area Resident
Other

Requested Action

Permissive Use:
☐ HCPC ☒ HCC
Fee:$ 1,500
Receipt #: 011257
Check #:

Zoning:
Acreage 20.16 Ac

Tax Parcel Number 10144 000030 000041 000036 000035 000034
Location Address 3419 3505 Cleveland Hwy 3906 Donna Dr. 3405 3443

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

Sign _____ Date: 7-24-23

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: 7/21/23
Taken by: Kath
Tentative Planning Commission Date: 9/18
Tentative County Commission Date: 10/26
County Commission District: 1

PLANNING AND DEVELOPMENT DEPARTMENT
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HALL COUNTY
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AUTHORIZATION OF PROPERTY OWNERS

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

Name of owner(s) Glenn Dutton

Address 3419 Cleveland Highway
Gainesville, GA 30506

Phone Number 770-351-7565

Name of applicant(s) Dutton Properties

Address PO Box 908387
Gainesville, GA 30501

Phone Number 770-351-7565

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)

Personally appeared before me

Glenn J. Dutton

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

Lisa Little
Notary Public Exp. 11-16-2024

7-20-23
Date

PLANNING AND DEVELOPMENT DEPARTMENT
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AUTHORIZATION OF PROPERTY OWNERS

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

Name of owner(s) Glenn Dutton

Address 3405 Cleveland Highway
Gainesville, GA 30506

Phone Number 770-351-7565

Name of applicant(s) Dutton Properties

Address PO Box 908387
Gainesville, GA 30501

Phone Number 770-351-7565

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)

Personally appeared before me

[signature], owner Glenn J. Dutton

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

Lisa Little
Notary Public Exp. 11-16-2024

7-20-23
Date

PLANNING AND DEVELOPMENT DEPARTMENT
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AUTHORIZATION OF PROPERTY OWNERS

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

Name of owner(s) Glenn Dutton

Address 3443 Cleveland Highway
Gainesville, GA 30506

Phone Number 770-351-7565

Name of applicant(s) Dutton Properties

Address PO Box 908387
Gainesville, GA 30501

Phone Number 770-351-7565

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)

Personally appeared before me

Glenn J. Dutton

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

Lisa Little
Notary Public Exp 11-16-2024

7-20-23
Date

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AUTHORIZATION OF PROPERTY OWNERS

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

Name of owner(s) Glenn Dutton

Address 3505 Cleveland Highway
Gainesville, GA 30506

Phone Number 770 351-7565

Name of applicant(s) Dutton Properties

Address PO Box 908387
Gainesville, GA 30501

Phone Number 770-351-7565

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)

Personally appeared before me

Glenn J. Dutton

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

Lisa Little
Notary Public Exp 11-16-2024

7-20-23
Date

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AUTHORIZATION OF PROPERTY OWNERS

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

Name of owner(s) Tanner Dutton

Address 3906 Donna Drive
Gainesville, GA 30506

Phone Number 770-231-1905

Name of applicant(s) Dutton Properties

Address PO Box 908387
Gainesville, GA 30501

Phone Number 770-351-7565

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)

Personally appeared before me

Tanner Dutton

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

Lisa Latik
Notary Public Exp. 11-16-2024

7-20-23
Date

PLANNING AND DEVELOPMENT DEPARTMENT
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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 X

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:** 7/20/23

Applicant's/Owner's Name (Printed): Tanner Dutton

PLANNING AND DEVELOPMENT DEPARTMENT
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Name of Official(s): _____ Office: _____

Dollar Amount: _____ Date of Contribution: _____

Applicant's/Owner's Signature: _____ **Date:** 7/20/23

Applicant's/Owner's Name (Printed): Glenn Dutton

Narrative
129 Boat & RV Storage
I-I Zoning

Existing Site Description

The proposed development consists of 5 existing parcels that total 20.16 acres. It is located on the western side of Cleveland Highway (S.R. 129) just north of the intersection with Donna Drive. The current zoning is AR-III. The surrounding adjacent properties are zoned AR III & PCD. There are 2 existing residential houses on the development. One is a house on the historic registry that will remain as part of the project. There is an existing farm pond that will remain on the site.

Proposed Development

The proposed property will be used for boat and RV storage and have a 10,800 s.f. warehouse for a contractor's office. Access will be controlled by an automated gate. A turnaround will be provided outside of the gate in case someone is not able to access and needs to leave. An existing historic home will remain as an office at the entrance to the development. Lighting will be LED non-spill fixtures under the canopy or attached to the structures.

One monument sign will be placed at the entrance on Cleveland Highway. All signs will comply with the current county sign requirements.

The entrance and frontage will be landscaped with a 6-foot-tall wrought iron style fence accented with brick columns every 100 feet and at the corners. Landscaping will be planted in front of this fence to further enhance the aesthetics and help screen the project from the highway. The remainder of the development will be surrounded by a black vinyl coated chain link fence for security purposes.

The proposed use will provide a low impact, low traffic use along the Cleveland Highway corridor and the surrounding residential properties.

The boat & RV storage will be a lake supportive land use as recommended by the county's Comprehensive Future Land Use Plan.

Storm Water Detention

Storm water will be detained in a combination of a proposed pond and infiltration trenches. The pond discharges into an existing farm pond which eventually flows into an existing creek along the western property line. The pond will comply with all current storm water regulations for Hall County.

Building Setbacks and Buffers

Front: 100' from centerline of Cleveland Highway
50' off Donna Drive r/w
Side & Rear: 20'

Buffers

50' Transition Buffer will be adjacent to all AR-III zoned properties.

Gateway Corridor Overlay District

Conditional Use Request

This application is requesting approval for outdoor storage use inside the Gateway Corridor Overlay District.

Building Materials

Boat & RV Canopy

The covered parking is proposed to be open on all side and will not have any walls as vehicles will be entering and exiting the units on all sides due to the angled parking. To mitigate the appearance from the street, a landscaped strip with wrought iron fencing and brick columns every 100 feet will provide a visual break between the street and the parked units. Trees and shrubs will be planted in front of the fence. This combination will provide an appealing external appearance to the facility.

Open sided parking with Landscaped frontage

Warehouse

Since the proposed warehouse is in the back of the development and is over 700 feet off of Cleveland Highway, the building will not be visible from the public road. This application is requesting to allow all the sides of the building be metal.

Frontage Style

Proposed frontage fence and landscaping

Narrative
129 Boat & RV Storage
I-I Zoning

Existing Site Description

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Storm water will be detained in a combination of a proposed pond and infiltration trenches. The pond discharges into an existing farm pond which eventually flows into an existing creek along the western property line. The pond will comply with all current storm water regulations for Hall County.

Building Setbacks and Buffers

Front: 100' from centerline of Cleveland Highway
50' off Donna Drive r/w

Side & Rear: 20'

Buffers

50' Buffer to adjacent to parcel 10144 000038 as shown on the Rezoning Plan on the south side of the development. This buffer is mostly covered by an existing farm pond that will remain on the property. This gives plenty of separation between the existing residential property.

A 50' – 30' Enhanced Buffer adjacent to Parcel 10144 000029A as shown on the south side of the Rezoning Plan will provide screening adjacent to the residential area.

A 30' Enhanced Buffer will be provided along the northern side adjacent to the AR-III property.

The western boundary will have a 50' Undisturbed Stream Buffer and a 75' Impervious Setback to buffer those adjacent properties.

Gateway Corridor Overlay District

Conditional Use Request

This application is requesting approval for outdoor storage use inside the Gateway Corridor Overlay District.

Buffer Reduction

This application is requesting a reduction of the transitional buffer on the northern and small strip of the southern property line that is adjacent it to the AR-III property as shown on the Rezoning Plan.

Frontage Style

Proposed frontage fence and landscaping

GENERAL NOTES:

1. TOTAL ACREAGE OF SITE = 20.16 AC.
2. CURRENT ZONING: AR–III;
   PROPOSED ZONING: I–I (LIGHT INDUSTRIAL)
3. SETBACKS:
   FRONT – 100' FROM CL CLEVELAND HWY
   FRONT – 50' DONNA DRIVE
   SIDE & REAR – 20'
4. 20' LANDSCAPED STRIP WITH FENCE ALONG ROAD FRONTAGE OF DEVELOPMENT.

CONDITIONAL USE SUBJECT TO BOARD APPROVAL:

1. OUTDOOR BOAT & RV STORAGE IN GATEWAY OVERLAY CORRIDOR.

COVERED STORAGE CHART	
BLDG	UNITS
A	66
B	90
C	55
D	58
E	60
F	38
G	20
H	30
I	28
TOTAL	445

UNCOVERED STORAGE CHART	
AREA	UNITS
1	14
TOTAL	14

N/F
STEVEN K JACKSON
PARCEL 10141 000075
ZONED AR–III

N/F
JOHN DAVID LIMINA
PARCEL 10141 000067
ZONED AR–III

N/F
KENNETH D SIMMONS
& JENIFER P. SIMMONS
PARCEL 10144 000038
ZONED AR–III

N/F
HILDA ELIZABETH GILLELAND LEE &
LARRY CLYDE GILLELAND
PARCEL 10143 000003
ZONED AR–III

N/F
JOHN F MALLON &
NANCY E JOHNSON
PARCEL 10144 000029A
ZONED AR–III

N/F
HILDA ELIZABETH GILLELAND LEE
PARCEL 10143 000193
ZONED PCD

CREEK
50' UNDISTURBED STREAM BUFFER
75' IMPERVIOUS SETBACK
EX POND
50' BUFFER
STORM WATER FACILITY
90'
Prop. Bldg
10,800 sf
120'x90'
120'
50' Transition Buffer
AR–III ZONING
PCD ZONING
Uncovered 1
BLACK VINYL COATED CHAIN LINK FENCE
20' SETBACK
PROP. DUMP STATION
UNIT I
UNIT E
UNIT D
UNIT C
UNIT B
UNIT A
UNIT H
UNIT G
UNIT F
48'
30'
40'
100' B/L
50' B/L
BLACK VINYL COATED CHAIN LINK FENCE
50' TRANSITION BUFFER
50' BUFFER
DONNA DRIVE (40' R/W)
WROUGHT IRON FENCE
GATE
Ex House to Remain as office
Ice Maker
20' LANDSCAPE STRIP
SR 129/CLEVELAND HWY (60' R/W)
MAGNETIC

GRAPHIC SCALE
60 0 30 60 120 240
(IN FEET)
1 inch = 60 ft.

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ALL RIGHTS RESERVED.
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Seal

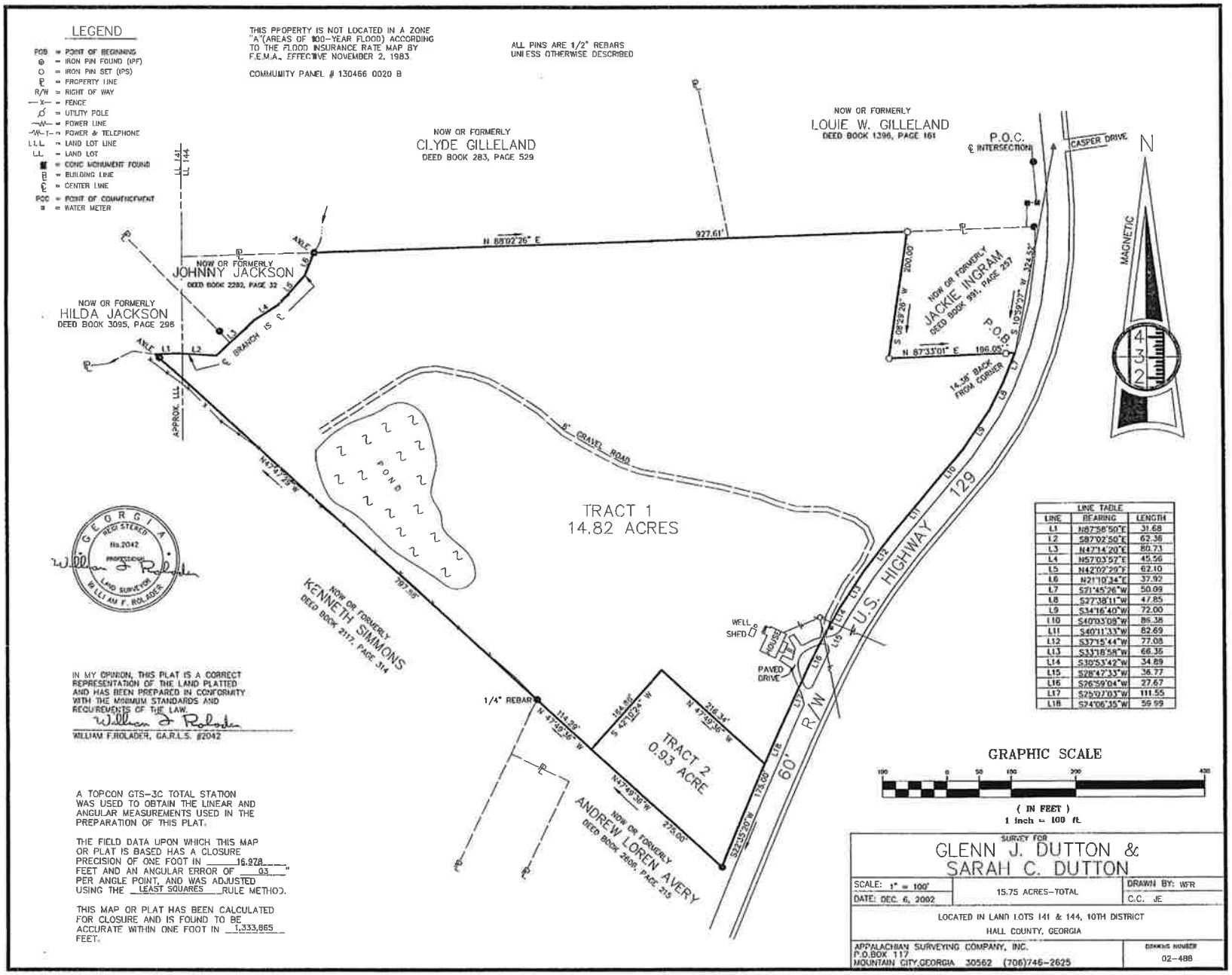
MYERS & CO.
civil engineers
P.O. BOX 634
GAINESVILLE, GA 30503
770–654–9172
ed@myers–and–co.com

Project Description
129 BOAT & RV STORAGE
HALL COUNTY, GEORGIA

DATE 8–1–23
JOB NO. 23–03
Sheet Title REZONING PLAN

Revisions

SHEET 1



LINE TABLE		
LINE	BEARING	LENGTH
L1	N87°58'50"E	31.68
L2	S87°02'50"E	62.36
L3	N47°14'20"E	80.73
L4	N57°03'57"E	45.56
L5	N42°02'29"E	62.10
L6	N21°10'34"E	37.92
L7	S21°45'26"W	50.09
L8	S27°38'11"W	47.85
L9	S34°16'40"W	72.00
L10	S40°03'08"W	86.38
L11	S40°11'33"W	82.69
L12	S37°15'44"W	77.08
L13	S33°18'58"W	66.36
L14	S30°53'42"W	34.89
L15	S28°47'33"W	36.77
L16	S26°59'04"W	27.67
L17	S25°07'03"W	111.55
L18	S24°06'35"W	59.99

IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW.

William F. Rolader

WILLIAM F.ROLADER, GA.R.L.S. #2042

A TOPCON GTS-3C 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 HAS A CLOSURE PRECISION OF ONE FOOT IN 16,978 FEET AND AN ANGULAR ERROR OF 03" PER ANGLE POINT, AND WAS ADJUSTED USING THE LEAST SQUARES RULE METHOD.

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 1,333,865 FEET.

SURVEY FOR
GLENN J. DUTTON &
SARAH C. DUTTON

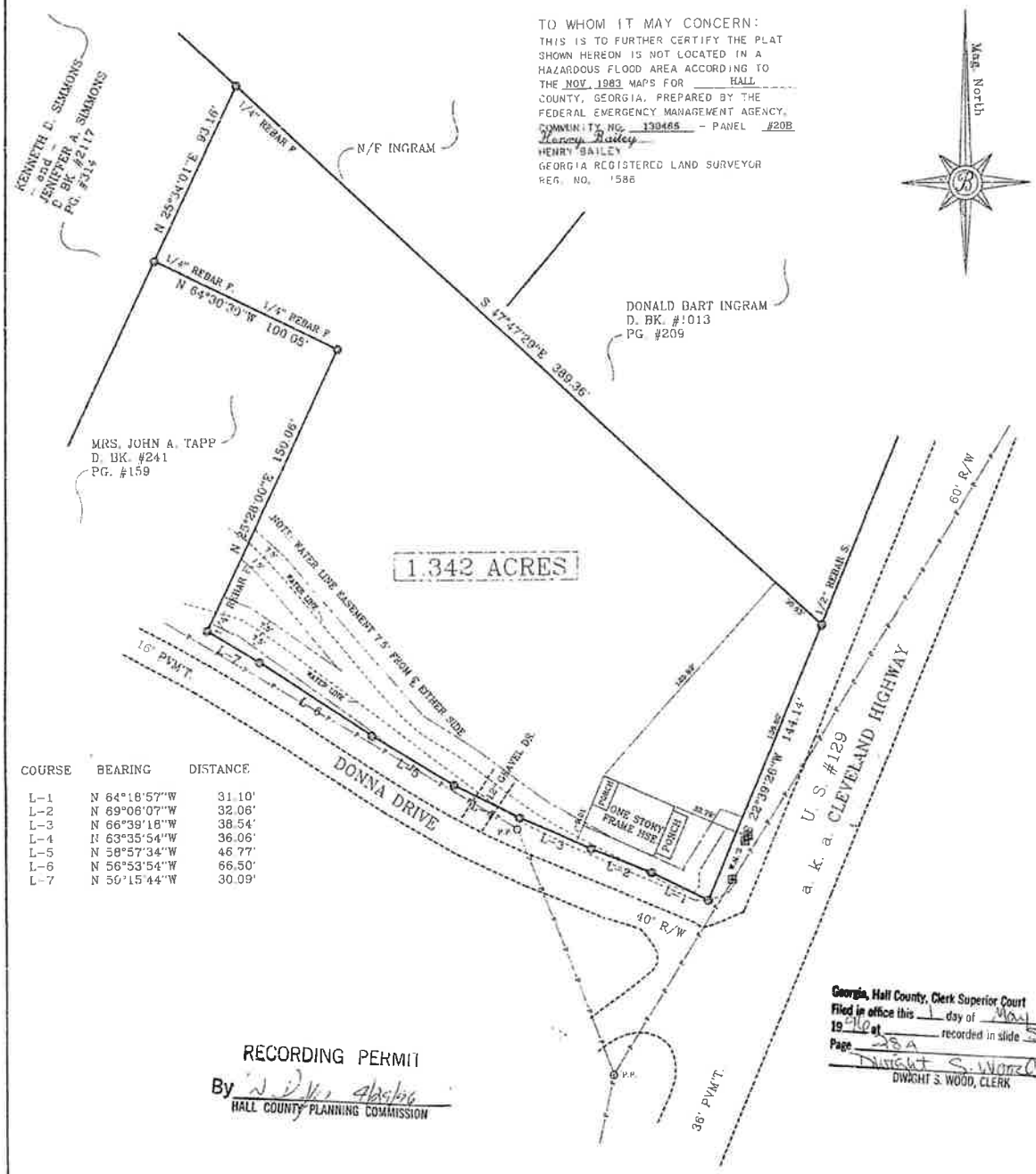
SCALE: 1" = 100'	15.75 ACRES-TOTAL	DRAWN BY: WFR
DATE: DEC. 6, 2002		C.C. JE

LOCATED IN LAND LOTS 141 & 144, 10TH DISTRICT
HALL COUNTY, GEORGIA

APPALACHIAN SURVEYING COMPANY, INC.
P.O.BOX 117
MOUNTAIN CITY,GEORGIA 30562 (706)746-2625

DRAWING NUMBER
02-488

TO WHOM IT MAY CONCERN:
THIS IS TO FURTHER CERTIFY THE PLAT SHOWN HEREON IS NOT LOCATED IN A HAZARDOUS FLOOD AREA ACCORDING TO THE NOV. 1983 MAPS FOR HALL COUNTY, GEORGIA, PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, COMMUNITY NO. 130465 - PANEL #20B
Henry Bailey
HENRY BAILEY
GEORGIA REGISTERED LAND SURVEYOR
REG. NO. 1586



COURSE	BEARING	DISTANCE
L-1	N 64°18'57"W	31.10'
L-2	N 69°06'07"W	32.06'
L-3	N 66°39'18"W	38.54'
L-4	N 63°35'54"W	36.06'
L-5	N 58°57'34"W	46.77'
L-6	N 56°53'54"W	66.50'
L-7	N 50°15'44"W	30.09'

RECORDING PERMIT
By [signature] 4/29/96
HALL COUNTY PLANNING COMMISSION

Georgia, Hall County, Clerk Superior Court
Filed in office this 1 day of May
1996 at ____ recorded in slide 5A
Page 28A
Dwight S. Wood
DWIGHT S. WOOD, CLERK

: REFERENCES :
D. BK. #241 - PG. #159
D. BK. #264 - PG. #295
P. BK. #27 - PG. #252
P. BK. #121 - PG'S. #252 and #253
P. S. #312 - PG. #214A

SURVEYED BY:
HENRY BAILEY
P. O. BOX 286
GAINESVILLE, GEORGIA 30503-0286
PHONE: (770) 536-6425

40 0 40 80 120
GRAPHIC SCALE - FEET

THE ANGULAR AND LINEAR MEASUREMENT UPON WHICH THIS MAP OR PLAT IS BASED WAS PERFORMED WITH A TOPCON GTS - 3B ELECTRONIC DISTANCE METER AND A 100' STEEL TAPE, HAS AN ANGULAR ERROR OF 06.7" PER ANGLE POINT, A CLOSURE OF ONE FOOT IN 14,387 FEET AND WAS ADJUSTED USING THE COMPASS RULE. THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 72,528 FEET.

GEORGIA REGISTERED No. 1586 PROFESSIONAL LAND SURVEYOR HENRY BAILEY

SURVEY FOR:
ANDREW LOREN AVERY
WHELCHEL G.M.D. #570
LAND LOT #144 - 10th LAND DISRTICT
HALL COUNTY, GEORGIA
APRIL 29, 1996 - SCALE 1"= 40' 96-04-19

1700-992

LEGEND

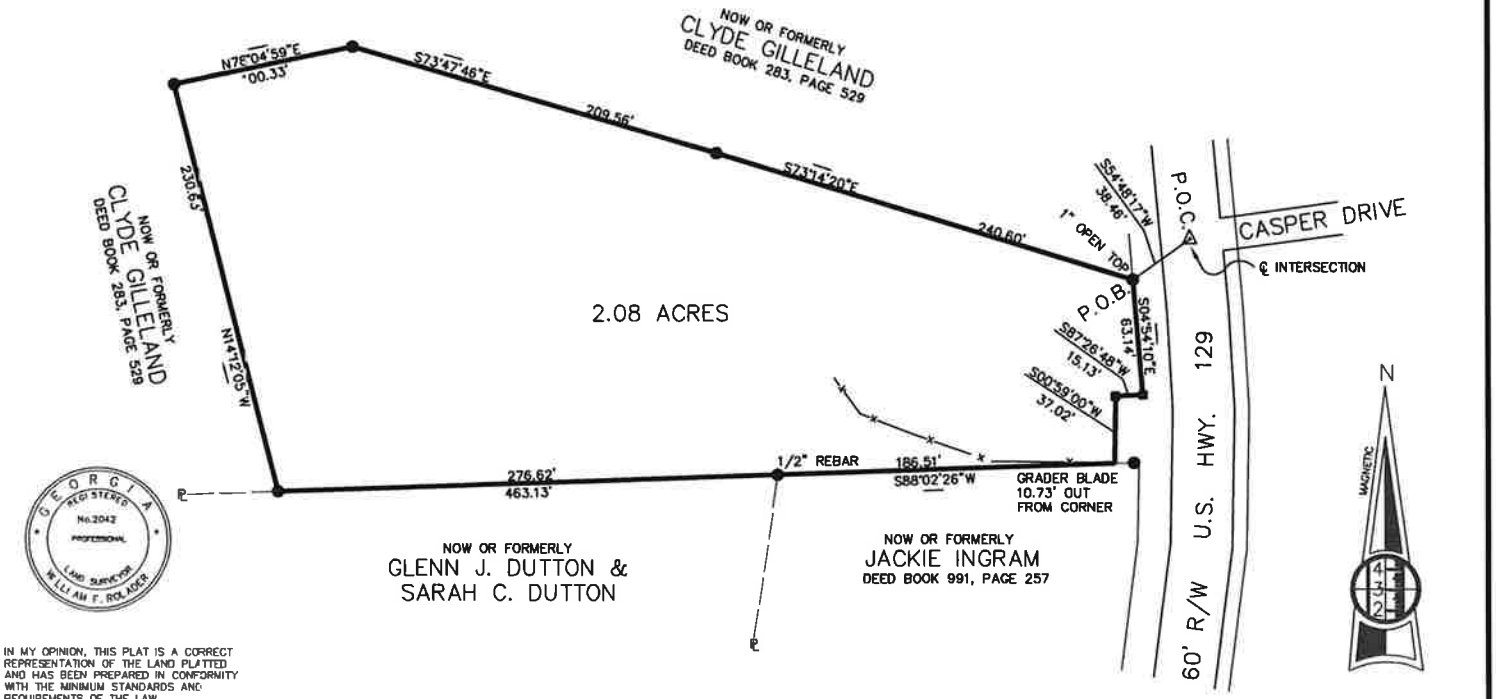
POB = POINT OF BEGINNING
⊕ = IRON PIN FOUND (IPF)
○ = IRON PIN SET (IPS)
℄ = PROPERTY LINE
R/W = RIGHT OF WAY
—x— = FENCE
= UTILITY POLE
—W— = POWER LINE
—W— T— = POWER & TELEPHONE
L.L.L. = LAND LOT LINE
L.L. = LAND LOT
= CONC MONUMENT FOUND
B = BUILDING LINE
℄ = CENTER LINE
POC = POINT OF COMMENCEMENT

THIS PROPERTY IS NOT LOCATED IN A ZONE "A"(AREAS OF 100-YEAR FLOOD) ACCORDING TO THE FLOOD INSURANCE RATE MAP BY F.E.M.A., EFFECTIVE NOVEMBER 2, 1983.

COMMUNITY PANEL # 130466 0020 B

ALL PINS ARE 1/2" ROD UNLESS OTHERWISE STATED.

REFERENCE: PLAT BOOK 138, PAGE 204



GEORGIA REGISTERED No.2042 PROFESSIONAL LAND SURVEYOR WILLIAM F. ROLADER

IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW.

WILLIAM F.ROLADER, GA.R.L.S. #2042

A TOPCON GTS-3C 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 HAS A CLOSURE PRECISION OF ONE FOOT IN 14,716 FEET AND AN ANGULAR ERROR OF C3 " PER ANGLE POINT, AND WAS ADJUSTED USING THE LEAST SQUARES RULE METHOD.

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 103,979 FEET.

GRAPHIC SCALE

60 0 30 60 120 240

(IN FEET)
1 inch = 60 ft.

SURVEY FOR
GLENN J. DUTTON &
SARAH C. DUTTON

SCALE: 1" = 60'	2.08 ACRES	DRAWN BY: WJR
DATE: MAY 20, 2003		C.C. WFR

LOCATED IN LAND LOT 144, 10TH DISTRICT
HALL COUNTY, GEORGIA

APPALACHIAN SURVEYING COMPANY, INC.
P.O.BOX 117
MOUNTAIN CITY,GEORGIA 30562 (706)746-2625

DRAWING NUMBER 03-225

GENERAL NOTES:

1. TOTAL ACREAGE OF SITE = 20.16 AC.
2. CURRENT ZONING: AR–III;
   PROPOSED ZONING: I–I (LIGHT INDUSTRIAL)
3. SETBACKS:
   FRONT – 100' FROM CL CLEVELAND HWY
   FRONT – 50' DONNA DRIVE
   SIDE & REAR – 20'
4. 20' LANDSCAPED BUFFER WITH FENCE ALONG ROAD FRONTAGE OF DEVELOPMENT.

CONDITIONAL USE SUBJECT TO BOARD APPROVAL:

1. OUTDOOR BOAT & RV STORAGE IN GATEWAY OVERLAY CORRIDOR.

COVERED STORAGE CHART	
BLDG	UNITS
A	63
B	90
C	49
D	58
E	60
F	38
G	20
H	33
I	28
TOTAL	439

UNCOVERED STORAGE CHART	
AREA	UNITS
1	10
2	20
3	14
TOTAL	44

N/F
STEVEN K JACKSON
PARCEL 10141 000075
ZONED AR–III

N/F
JOHN DAVID LIMINA
PARCEL 10141 000067
ZONED AR–III

N/F
KENNETH D SIMMONS
& JENIFER P. SIMMONS
PARCEL 10144 000038
ZONED AR–III

N/F
HILDA ELIZABETH GILLELAND LEE &
LARRY CLYDE GILLELAND
PARCEL 10143 000003
ZONED AR–III

N/F
JOHN F MALLON &
NANCY E JOHNSON
PARCEL 10144 000029A
ZONED AR–III

N/F
HILDA ELIZABETH GILLELAND LEE
PARCEL 10143 000193
ZONED PCD

50' UNDISTURBED STREAM BUFFER
75' IMPERVIOUS SETBACK
CREEK
EX POND
50' BUFFER
STORM WATER FACILITY
30' ENHANCED BUFFER
50' ENHANCED BUFFER
20' LANDSCAPE STRIP
30' Enhanced Buffer
20' SETBACK
PROP. DUMP STATION
GATE
Ex House to Remain as office
Ice Maker
MAGNETIC
DONNA DRIVE (40' R/W)
SR 129/CLEVELAND HWY (60' R/W)

Prop. Bldg
10,800 sf
120'x90'
90'
120'

UNIT I
UNIT E
UNIT D
UNIT C
UNIT B
UNIT A
UNIT H
UNIT G
UNIT F
Uncovered 1
Uncovered 2
Uncovered 3
48'
40'
30'
50' B/L
100' B/L

GRAPHIC SCALE
60 0 30 60 120 240
(IN FEET)
1 inch = 60 ft.

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2023
MYERS & COMPANY, INC.
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Seal

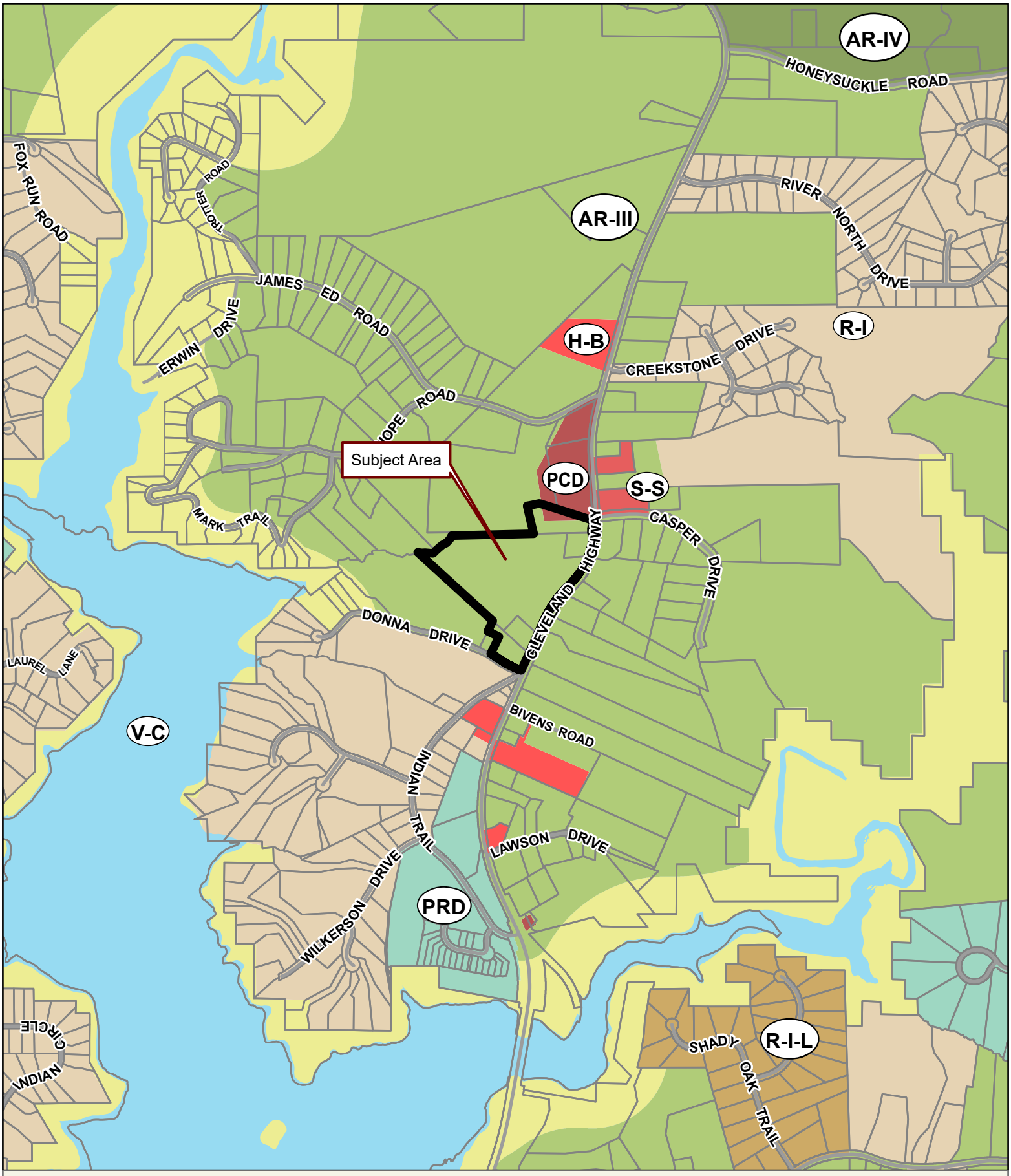
MYERS & CO.
civil engineers
P.O. BOX 634
GAINESVILLE, GA 30503
770–654–9172
ed@myers–and–co.com

Project Description
129 BOAT & RV STORAGE
HALL COUNTY, GEORGIA

DATE 8–1–23
JOB NO. 23–03
Sheet Title REZONING PLAN

Revisions

SHEET 1



Applicant: DUTTON PROPERTIES

Tax Parcel #: 10144 000036, 000030, 000035, 000041, & 000029

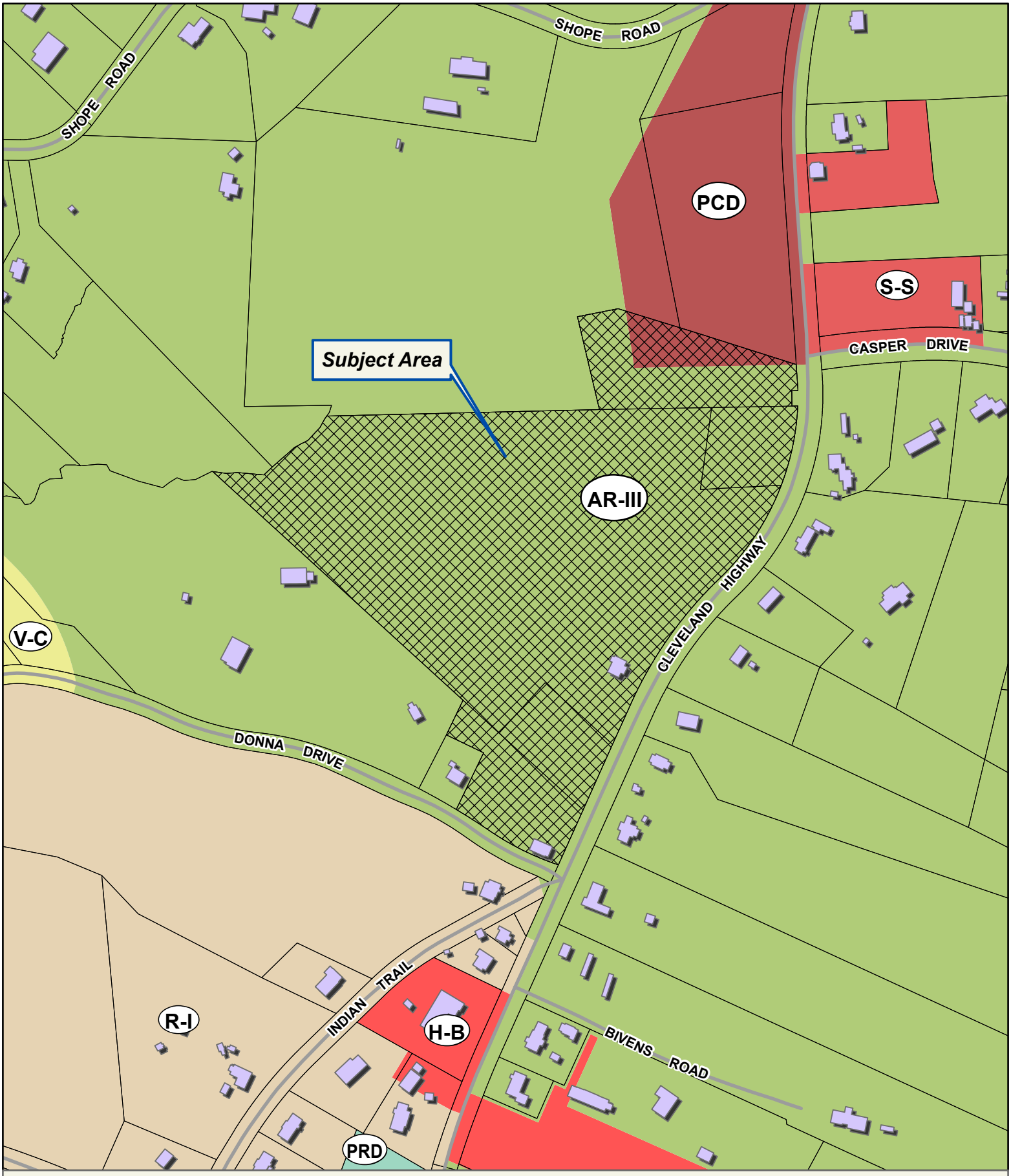
Location: 3405, 3419, 3443, 3505 CLEVELAND HWY &
3906 DONNA DRIVE GAINESVILLE, GA 30506

Commission District 3 **PC Mtg. Date: 09/18/23**

0 300 600 1,200
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N



Applicant: DUTTON PROPERTIES
Tax Parcel #: 10144 000036, 000030, 000035, 000041, & 000029
Location: 3405, 3419, 3443, 3505 CLEVELAND HWY &
3906 DONNA DRIVE GAINESVILLE, GA 30506
Commission District 3 **PC Mtg. Date: 09/18/23**

0 90 180 360
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N

Applicant: DUTTON PROPERTIES

Tax Parcel #: 10144 000036, 000030, 000035, 000041, & 000029

Location: 3405, 3419, 3443, 3505 CLEVELAND HWY &
3906 DONNA DRIVE GAINESVILLE, GA 30506

Commission District 3 **PC Mtg. Date: 09/18/23**

0 90 180 360
Feet

Zoning Boundary
City Limits
Subject Area

N

For Corr. WD see D.B. 1013 Pg. 207

Form No. 214 WARRANTY DEED (Long Form)

257

STATE OF GEORGIA, County of Hall

THIS INDENTURE, Made this 9th day of June in the Year of Our Lord One Thousand Nine Hundred and Eighty-Six (1986) between

SILAS LEON INGRAM

of the State of Georgia and County of Hall of the first part, and

JACKIE LEON INGRAM

of the State of Georgia and County of Hall of the second part.

WITNESSETH: That the said party of the first part, for and in consideration of the sum of DEED OF GIFT ---------- XXXXXX

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 party of the second part, his heirs and assigns, all that XXXXXXXXXXXXXXXXX certain tract and parcel of land lying and being in Land Lot 144, 10th District of Hall County, Georgia, and being 0.93 acres, more or less, as shown on a plat for Jackie Leon Ingram, prepared by H. G. Jarrard, Registered Land Surveyor, dated May 16, 1986, and filed for record in Plat Book _____, Page _____, of the Hall County Plat Records, said plat being incorporated herein by reference. Said property being more particularly described as follows:

BEGINNING at an iron pin located on the Westerly right of way of U. S. Highway 129 at a point 115 feet South of the intersection of said right of way with the centerline of Casper Drive Extended; thence, along said right of way South 00 32 West 57.66 feet; thence South 10 09 West 58.91 feet; thence South 15 56 West 50.97 feet; thence South 21 22 West 32.46 feet to an iron pin set on the Westerly right of way of U. S. Highway 129; thence South 89 38 35 West 200 feet along the property of grantor herein to an iron pin set; thence North 10 35 00 East 200 feet along the property of grantor herein to an iron pin set; thence South 89 52 00 East 200 feet to the point of beginning.

This being part of the property described in a Warranty Deed from the Executors of the Estate of Mrs. W. Harve Ingram to Silas Leon Ingram, filed for record December 8, 1967 in Deed Book 360, pages 45-46 of the Hall County Deed Records.

DEED PREPARATION ONLY WITHOUT TITLE EXAMINATION OR CERTIFICATION BY ATTORNEY.

HALL COUNTY, Georgia
Real Estate Transfer Tax
Paid $ -0-
Date June 10, 1986
DWIGHT S. WOOD
Clerk of Superior Court
By Kathy Lewis

Georgia, Hall County, Clerk Superior Court
Filed in office, this 10 day of June 1986 at 10:35 A.M. Recorded in Book 491 Page 257-258 this 11 day of June, 1986
Dwight S. Wood
DWIGHT S. WOOD, Clerk

Chrg Carey H. W. & Strabery

129 Boat & RV Storage

Legal Description:

All that tract or parcel of land lying and being in Land Lots 141 & 144, 10th Land District, Hall County, Georgia and being more particularly described as follows:

Beginning at the intersection of the centerlines of U.S. Highway 129 and Casper Drive as shown on multiple surveys;

Thence South 54 degrees 48 minutes 17 seconds West for a distance of 38.46 feet to the TRUE POINT OF BEGINNING on the northeastern corner;

Thence following U.S. Highway 129 the following courses:

Thence South 04 degrees 54 minutes 10 seconds East for a distance of 63.14 feet to a point;
Thence South 87 degrees 26 minutes 48 seconds West for a distance of 15.13 feet to a point;
Thence South 00 degrees 59 minutes 00 seconds West for a distance of 37.02 feet to a point;
Thence South 89 degrees 52 minutes East for a distance of 13.49 feet to a point;
Thence South 00 degrees 32 minutes West for a distance of 57.66 feet to a point;
Thence South 10 degrees 09 minutes West for a distance of 58.91 feet to a point;
Thence South 15 degrees 56 minutes West for a distance of 50.97 feet to a point;
Thence South 21 degrees 22 minutes West for a distance of 32.46 feet to a point;
Thence South 27 degrees 38 minutes 11 seconds West for a distance of 47.85 feet to a point;
Thence South 34 degrees 16 minutes 40 seconds West for a distance of 72.00 feet to a point;
Thence South 40 degrees 03 minutes 08 seconds West for a distance of 86.38 feet to a point;
Thence South 40 degrees 11 minutes 33 seconds West for a distance of 82.69 feet to a point;
Thence South 37 degrees 15 minutes 44 seconds West for a distance of 77.08 feet to a point;
Thence South 33 degrees 18 minutes 58 seconds West for a distance of 66.36 feet to a point;
Thence South 30 degrees 53 minutes 42 seconds West for a distance of 34.89 feet to a point;
Thence South 28 degrees 47minutes 33 seconds West for a distance of 36.77 feet to a point;
Thence South 26 degrees 59 minutes 04 seconds West for a distance of 27.67 feet to a point;
Thence South 25 degrees 07 minutes 03 seconds West for a distance of 111.55 feet to a point;
Thence South 24 degrees 06 minutes 35 seconds West for a distance of 59.99 feet to a point;
Thence South 22 degrees 35 minutes 20 seconds West for a distance of 175.00 feet to a point;
Thence South 22 degrees 39 minutes 26 seconds West for a distance of 144.14 feet to a point at the intersection of the northwestern right of way between U.S. Highway 129 and Donna Drive; Turning west along the right of way of Donna Drive;

Thence North 64 degrees 18 minutes 57 seconds West for a distance of 31.10 feet to a point;
Thence North 69 degrees 06 minutes 07 seconds West for a distance of 32.06 feet to a point;
Thence North 66 degrees 39 minutes 18 seconds West for a distance of 38.54 feet to a point;
Thence North 63 degrees 35 minutes 54 seconds West for a distance of 36.06 feet to a point;
Thence North 58 degrees 57 minutes 34 seconds West for a distance of 46.77 feet to a point;
Thence North 56 degrees 53 minutes 54 seconds West for a distance of 66.50 feet to a point;
Thence North 59 degrees 15 minutes 44 seconds West for a distance of 30.09 feet to a point;

Thence leaving Donna Drive the following courses:

Thence North 25 degrees 28 minutes 00 seconds East for a distance of 150.06 feet to a point;
Thence North 64 degrees 30 minutes 30 seconds West for a distance of 100.05 feet to a point;
Thence North 25 degrees 34 minutes 01 seconds East for a distance of 93.16 feet to a point;
Thence North 47 degrees 47 minutes 29 seconds West for a distance of 797.88 feet to a point;
Thence along a creek the following courses:
Thence North 87 degrees 58 minutes 50 seconds East for a distance of 31.68 feet to a point;
Thence South 87 degrees 02 minutes 50 seconds East for a distance of 62.36 feet to a point;
Thence North 57 degrees 03 minutes 57 seconds East for a distance of 45.56 feet to a point;
Thence North 42 degrees 02 minutes 29 seconds East for a distance of 62.10 feet to a point;
Thence North 21 degrees 10 minutes 34 seconds East for a distance of 37.92 feet to a point;

Thence leaving the creek the following course:
Thence North 88 degrees 02 minutes 26 seconds East for a distance of 741.10 feet to a point;

Thence North 41 degrees 12 minutes 05 seconds West for a distance of 230.63 feet to a point;
Thence North 78 degrees 04 minutes 59 seconds West for a distance of 100.33 feet to a point;
Thence South 73 degrees 47 minutes 46 seconds East for a distance of 209.56 feet to a point;
Thence South 73 degrees 14 minutes 20 seconds East for a distance of 240.60 feet to a point and said point being the TRUE POINT OF BEGINNING

Said property contains 20.16 acres more or less.

Anael Dominguez (CDI: Planning)

From: Emily McGahee (Environmental Health)
Sent: Friday, August 18, 2023 12:02 PM
To: Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning); Beth Garmon (CDI: Planning)
Cc: Kelly Hairston (Environmental Health); Chad Harper (Environmental Health)
Subject: HCPC Tentative Agenda 9.18.23

Item 1, 3922 Green Drive, Poole: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. This plat is currently under review by the Hall County Plat Review Team and Environmental Health can approve the subdivision plat of Lot 5 into 3 parcels as currently proposed. Any reconfigurations of currently submitted plat due to other county department requirements will require further review; additional requirements/fees may apply and approval of changes/reconfigurations is not implied.

Item 2, 3268 Whidby Road, Bazemore: Please note that Zoning approval does not imply approval from other county departments. All proposed structures must meet required setbacks to the existing septic system. An existing system evaluation will be required to verify setbacks and area available for full future repair of septic system. Due to age of existing septic system, it cannot be modified, only replaced. Replacement of existing septic system will require Level 3 soil evaluation and area available to relocate system and have full, feasible future repair of septic system. Application for an existing system evaluation and/or completion of additional requirements for Environmental Health does not guarantee approval.

Item 3, 5991 Circle Four Ranch, Loyd: Must meet all Environmental Health residential septic system permitting requirements.

Item 4, 7042 Baker Lane, Labovitz: Must meet all Environmental Health commercial septic system permitting requirements. A detailed business plan must be submitted to Hall County Environmental Health for review. Septic Permit OSC-7948 was issued on February 24, 2023 to accommodate a 36' x 60' barn with bathroom.

Item 5, 8545 Belton Bridge Road, Mallard View: No comment.

Items 6A-D, 3405/3419/3505 Cleveland Hwy/3906 Donna Drive, Dutton Properties: 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.

Item 7, 3302/3212 Antioch Campground Church/3446/3450/3456 Looper Lake Road: No comment. Public sewer.

Items 8A&B, 4053 Cleveland Hwy, Hunt: Non-domestic wastewater treatment and disposal must be permitted by EPD.

Items 9A-C, 1731 Friendship Road, Wilbanks: No comment. Public Sewer.

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)
https://www.hallcounty.org/192/Environmental-Health (County Website & Forms)

Anael Dominguez (CDI: Planning)

From: Chavers, Veronica E <VChavers@dot.ga.gov>
Sent: Tuesday, August 15, 2023 10:37 AM
To: Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning)
Subject: RE: Tentative Planning Agenda for September 18, 2023

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.

See comments below, in red.

Veronica Chavers
D1TO Civil Engineer 3

GDOT Georgia Department of Transportation

District 1 Traffic Operations
1475 Jesse Jewell Pkwy
Suite 100
Gainesville, GA, 30501
770.533.8488 office

From: Anael Dominguez (CDI: Planning) <adominguez@hallcounty.org>
Sent: Friday, August 11, 2023 10:52 AM
To: Becky Ruffner (Parks & Leisure) <bruffner@hallcounty.org>; Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>; Bill Nash (CDI: Public Works) <bnash@hallcounty.org>; Bill Schmid <weschmid@rochester-assoc.com>; Brandi Smith (CDI: Business License) <bsmith@hallcounty.org>; Brent Holloway (Parks and Leisure) <bholloway@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 (CDI: Planning) <estill@hallcounty.org>; Emily McGahee (Environmental Health) <emcgahee@hallcounty.org>; Frank Miller (CDI: Engineering) <fmiller@hallcounty.org>; Dykes, Jason <jdykes@dot.ga.gov>; Jason Skarda (CDI: Engineering) <jskarda@hallcounty.org>; Jeremy Wills (jeremy.wills@gainesvillega.gov) <jeremy.wills@gainesvillega.gov>; John Hornick (Fire Services) <jhornick@hallcounty.org>; Peevy, Jonathan <jpeevy@dot.ga.gov>; Karen Martinez (CDI: Public Works - Sewer) <kmartinez@hallcounty.org>; Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>; Kelly Hairston (Environmental Health) <khairston@hallcounty.org>; Matt Cox <matt.cox@hallco.org>; Michael Vieira (Fire Services) <mvieira@hallcounty.org>; Millie Perez (Community Development & Infrastructure) <mperez@hallcounty.org>; Nick Swafford <NSwafford@gainesvillega.gov>; Nicole Griffin (Tax Assessors) <nicole.griffin@hallcounty.org>; Pam Cravero <Pam.Cravero@hallco.org>; Niebauer, Parker J <PNiebauer@dot.ga.gov>; Randi Doveton (CDI: Planning) <rdoveton@hallcounty.org>; rich <rich@flowerybranchga.org>; Scott Puckett <spuckett@hallcounty.org>; Srikanth Yamala (CDI) <syamala@hallcounty.org>; Stephen Cain <troy.s.cain@usace.army.mil>; Steve Watson (Real Property) <rswatson@hallcounty.org>; Tammie Croy (CDI: Engineering) <tcroy@hallcounty.org>; Tracy Gilreath (Tax Assessors) <tgilreath@hallcounty.org>; Chavers, Veronica E <VChavers@dot.ga.gov>; Wanda Sutton (CDI: Engineering) <wsutton@hallcounty.org>; will schofield <will.schofield@hallco.org>
Subject: Tentative Planning Agenda for September 18, 2023

Good morning –

Here is the Tentative Agenda and Maps for the **Monday, September 18, 2023** 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 **Friday, August 18th.** Email comments to Randi (rdoveton@hallcounty.org) and Ana (adominguez@hallcounty.org).

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – September 5, 2023

OLD BUSINESS

1. **3922 Green Drive | Amend Conditions of R-I** | on a 16.00± acre parcel located on the south side of Green Drive at its intersection with Clarks Bridge Road | Zoned R-I, Tax Parcel 10156 000009| **Proposed Use: 9-lot subdivision** | ** Commission District 3 | **Larry Poole, applicant.** Requires GDOT coordination for driveway access on Clarks Bridge Rd.

NEW BUSINESS

1. **3268 Whidby Road | Variance** | 17.240.010 to reduce the right yard setback from 10 feet to 5 feet | on a 0.30± acre tract located on the north side of Whidby Road, approximately 1,815 feet from its intersection with Lanier Islands Parkway | Zoned V-C Tax Parcel 07330 004001D | **Proposed Use: detached garage** | * Commission District 2 | **Sheridan Bazemore, applicant.** No GDOT coordination required
2.
3. **5991 Circle Four Ranch | Use Subject to Planning Commission Approval** | 17.110.030. caretaker and/or employee residences | on a 3.03± acre tract located approximately 686 feet south of its intersection with Blackjack Road | Zoned AR-III; Tax Parcel 15048 000034C | **Proposed use: caretaker residence** | * Commission District 1 | **Greg Loyd, applicant.** No GDOT coordination required
4. **7042 Baker Lane | Use Subject to County Commission Approval** | 17.215.020. agri-entertainment | on a 31.02± acre tract located on the terminus of Baker Lane | Zoned AR-IV; Tax Parcel 12037 000003 | **Proposed use: agri-entertainment business** | ** Commission District 3 | **Laura Labovitz, applicant.** No GDOT coordination required
5. **8545 Belton Bridge Road | Amend Conditions of AR-IV** | on a 8.23± acre parcel located at the terminus of Pintail Court | Zoned AR-IV; Tax Parcel 12127 000001 | **Proposed Use: Amenity area** | ** Commission District 3 | **Mallard View Homeowners Association, applicant.** No GDOT coordination required
2. **(A) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Rezone** | from Agricultural Residential III (AR-III) and Planned Commercial Development (PCD)/ Gateway Corridors Overlay District (GCOD) to Light Industrial (I-I) / Gateway Corridors Overlay District (GCOD) on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | **Proposed Use: boat and RV storage and an office/warehouse** | ** Commission District 3 | **Dutton Properties, applicant.** Requires GDOT coordination for driveway access on Cleveland Hwy.
6.
3. **(B) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Use Subject to County Commission Approval** | 17.420.050. outdoor storage | on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | **Proposed Use: outdoor storage within Gateway Corridors Overlay District** | ** Commission District 3 | **Dutton Properties, applicant.** Requires GDOT coordination for driveway access on Cleveland Hwy.

4. **(D) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Variance**| 17.420.050.C.2 to reduce the required transitional buffer in Gateway Corridors Overlay District | on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | **Proposed Use: boat and RV storage and office/warehouse** | ** Commission District 3 | **Dutton Properties, applicant.** Requires GDOT coordination for driveway access on Cleveland Hwy.

7. **3302 and 3212 Antioch Campground Church and 3446, 3450, and 3456 Looper Lake Road | Rezone** | from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on 55.16± acres located on the south side of Antioch Campground Road at its intersection with Looper Lake Road | Zoned AR-III; Tax Parcels 10096 000006 (pt.), 000004, 000059, 000061, and 000062 | **Proposed Use: 108 unit single-family development** | ** Commission District 2 | **Carole Freeman, applicant.** No GDOT coordination required

8. **(A) 4053 Cleveland Highway | Rezone** | from Agriculture-Residential-III (AR-III) to Suburban-Shopping (S-S) / Gateway Corridors Overlay District (GCOD) on a 6.34± acre tract located on the west side of Cleveland Highway at its intersection with Jim Hood Road | Zoned AR-III; Tax Parcel 12025 000036 | **Proposed use: grocery store, convenience store with gas & restaurant** | ** Commission District 3 | **Donnie Hunt, applicant.** Requires GDOT coordination for driveway access on Cleveland Hwy.

   (B) 4053 Cleveland Highway| Use Subject to Planning Commission Approval | 17.140.020. shopping centers | on a 6.34± acre tract located on the west side of Cleveland Highway at its intersection with Jim Hood Road | Zoned AR-III; Tax Parcel 12025 000036 | **Proposed use: Shopping Center** | * Commission District 3 | **Donnie Hunt, applicant.** Requires GDOT coordination for driveway access on Cleveland Hwy.

9. **(A) 1731 Friendship Road | Rezone** | from Agricultural Residential IV (AR-IV) to Planned Commercial Development (PCD) / Gateway Corridors Overlay District (GCOD) on a 7.33± acre parcel located on the north side of Friendship Road, approximately 240 feet east of its intersection with Reunion Way | Zoned AR-IV; Tax Parcel 15041 000190 (pt.) | **Proposed Use: 185-unit multi-family development** | ** Commission District 1 | **Tim Wilbanks, applicant.** Requires GDOT coordination for driveway access on Friendship Rd
10. **(B) 1731 Friendship Road | Rezone** | from Agricultural Residential IV (AR-IV) to Highway Business (H-B) / Gateway Corridors Overlay District (GCOD) on a 2.72± acre parcel located on the north side of Friendship Road, approximately 240 feet east of its intersection with Reunion Way | Zoned AR-IV; Tax Parcel 15041 000190 (pt.) | **Proposed Use: permitted uses within H-B** | ** Commission District 1 | **Tim Wilbanks, applicant.** Requires GDOT coordination for driveway access on Friendship Rd

11. **(C) 1731 Friendship Road | Variance** | 17.420.050.C.2 to reduce the required transitional buffer in Gateway Corridors Overlay District | on a 10.04± acre parcel located on the north side of Friendship Road, approximately 240 feet east of its intersection with Reunion Way | Zoned AR-IV; Tax Parcel 15041 000190 | **Proposed Use: 185-unit multi-family development and permitted uses within H-B** | ** Commission District 1 | **Tim Wilbanks, applicant.** Requires GDOT coordination for driveway access on Friendship Rd

*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 30 days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing Thursday, October 26, 2023 at 6:00 p.m. at the Hall County Government Center, 2nd 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, October 26, 2023. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,
Ana Dominguez
Planning Commission Clerk
Hall County Community Development and Infrastructure
(770) 531-6810 | www.hallcounty.org

Human trafficking impacts every corner of the globe, including our state and local communities. Georgia DOT is committed to end human trafficking in Georgia through education enabling its employees and the public to recognize the signs of human trafficking and how to react in order to help make a change. To learn more about the warning signs of human trafficking, visit https://doas.ga.gov/human-resources-administration/human-trafficking-awareness. To report any suspicious activity, call the Georgia Human Trafficking Hotline at 866-363-4842. Let’s band together to end human trafficking in Georgia.

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

DIRECTOR
Srikanth Yamala

PUBLIC WORKS AND
UTILITIES DIRECTOR
Bill Nash, P.E.

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PUBLIC WORKS AND UTILITIES

M E M O R A N D U M

To: Randi Doveton, Director of Planning and Development

From: Bill Nash, Director of Public Works and Utilities

Date: August 18, 2023

Subject: September 18, 2023 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the September 18, 2023 meeting. Upon review, we provide the following comments.

1. **3922 Green Drive | Amend Conditions of R-I** | on a 16.00± acre parcel located on the south side of Green Drive at its intersection with Clarks Bridge Road | Zoned R-I, Tax Parcel 10156 000009| **Proposed Use: 9-lot subdivision** | ** Commission District 3 | **Larry Poole, applicant.**

   a. **Engineering:** As this subdivision is greater than 6 lots on an existing road a stormwater management report prepared by a professional engineer will be required.
   Show stream buffer and impervious setback from wrested vegetation not centerline of stream.
   b. **Traffic:** Permit will be required from GDOT for driveway connection to Clarks Bridge Road.
   c. **Utilities:** No sewer connection available in the area.

2. **3268 Whidby Road | Variance** | 17.240.010 to reduce the right yard setback from 10 feet to 5 feet | on a 0.30± acre tract located on the north side of Whidby Road, approximately 1,815 feet from its intersection with Lanier Islands Parkway | Zoned V-C Tax Parcel 07330 004001D | **Proposed Use: detached garage** | * Commission District 2 | **Sheridan Bazemore, applicant.**

   a. **Engineering:** No Comment
   b. **Traffic:** No Comment
   c. **Utilities:** No Comment

3. **5991 Circle Four Ranch | Use Subject to Planning Commission Approval** | 17.110.030. caretaker and/or employee residences | on a 3.03± acre tract located approximately 686 feet south of its intersection with Blackjack Road | Zoned AR-III; Tax Parcel 15048 000034C | **Proposed use: caretaker residence** | * Commission District 1 | **Greg Loyd, applicant.**

   a. **Engineering:** No Comment
   b. **Traffic:** No Comment
   c. **Utilities:** No Comment

4. **7042 Baker Lane | Use Subject to County Commission Approval** | 17.215.020. agri-entertainment | on a 31.02± acre tract located on the terminus of Baker Lane | Zoned AR-IV; Tax Parcel 12037 000003 | **Proposed use: agri-entertainment business** | ** Commission District 3 | **Laura Labovitz, 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 stream buffer and impervious setback from wrested vegetation not centerline of stream.
FEMA and Hall County studied Flood plains present on site.
b. **Traffic:** Improvements along Baker Lane and Baker Circle may be required
c. **Utilities:** No sewer available

5. **8545 Belton Bridge Road | Amend Conditions of AR-IV** | on a 8.23± acre parcel located at the terminus of Pintail Court | Zoned AR-IV; Tax Parcel 12127 000001 | **Proposed Use: Amenity area** | ** Commission District 3 | **Mallard View Homeowners Association, applicant.**

a. **Engineering:** No Comment
b. **Traffic:** No Comment
c. **Utilities:** No Comment

6. **(A) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Rezone** | from Agricultural Residential III (AR-III) and Planned Commercial Development (PCD)/ Gateway Corridors Overlay District (GCOD) to Light Industrial (I-I) / Gateway Corridors Overlay District (GCOD) on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | **Proposed Use: boat and RV storage and an office/warehouse** | ** Commission District 3 | **Dutton Properties, applicant. (B) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Use Subject to County Commission Approval** | 17.420.050. outdoor storage | on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | **Proposed Use: outdoor storage within Gateway Corridors Overlay District** | ** Commission District 3 | **Dutton Properties, applicant.**
(D) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | **Variance**| 17.420.050.C.2 to reduce the required transitional buffer in Gateway Corridors Overlay District | on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | **Proposed Use: boat and RV storage and office/warehouse** | ** Commission District 3 | **Dutton Properties, 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 stream buffer and impervious setback from wrested vegetation not centerline of stream.
Proposed GDOT project goes right through this parcel.
b. **Traffic:** Permit from GDOT will be required for connection to Cleveland Highway.
c. **Utilities:** No sewer connection within feasible distance

7. **3302 and 3212 Antioch Campground Church and 3446, 3450, and 3456 Looper Lake Road | Rezone** | from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on 55.16± acres located on the south side of Antioch Campground Road at its intersection with Looper Lake Road | Zoned AR-III; Tax Parcels 10096 000006 (pt.), 000004, 000059, 000061, and 000062 | **Proposed Use: 108 unit single-family development** | ** Commission District 2 | **Carole Freeman, applicant.**

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.
Show stream buffer and impervious setback from wrested vegetation not centerline of stream
Floodplain present on site.

b. **Traffic:** Traffic impact study hasn't been submitted
Improvements to Antioch Campground Road may be required.
Recommend a condition that all lots access internal subdivision roads only.
Applicant should verify that required intersection sight distance for proposed entrance can be achieved.

c. **Utilities:** City of Gainesville sewer district.

8. **(A) 4053 Cleveland Highway | Rezone** | from Agriculture-Residential-III (AR-III) to Suburban-Shopping (S-S) / Gateway Corridors Overlay District (GCOD) on a 6.34± acre tract located on the west side of Cleveland Highway at its intersection with Jim Hood Road | Zoned AR-III; Tax Parcel 12025 000036 | **Proposed use: grocery store, convenience store with gas & restaurant** | ** Commission District 3 | **Donnie Hunt, applicant.**
(B) 4053 Cleveland Highway| Use Subject to Planning Commission Approval | 17.140.020. shopping centers | on a 6.34± acre tract located on the west side of Cleveland Highway at its intersection with Jim Hood Road | Zoned AR-III; Tax Parcel 12025 000036 | **Proposed use: Shopping Center** | * Commission District 3 | **Donnie Hunt, 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 stream buffer and impervious setback from wrested vegetation not centerline of stream

b. **Traffic:** Permit from GDOT will be required for access from Cleveland Highway.

c. **Utilities:** No sewer connection within a feasible distance.

9. **(A) 1731 Friendship Road | Rezone** | from Agricultural Residential IV (AR-IV) to Planned Commercial Development (PCD) / Gateway Corridors Overlay District (GCOD) on a 7.33± acre parcel located on the north side of Friendship Road, approximately 240 feet east of its intersection with Reunion Way | Zoned AR-IV; Tax Parcel 15041 000190 (pt.) | **Proposed Use: 185-unit multi-family development** | ** Commission District 1 | **Tim Wilbanks, applicant.**
(B) 1731 Friendship Road | Rezone | from Agricultural Residential IV (AR-IV) to Highway Business (H-B) / Gateway Corridors Overlay District (GCOD) on a 2.72± acre parcel located on the north side of Friendship Road, approximately 240 feet east of its intersection with Reunion Way | Zoned AR-IV; Tax Parcel 15041 000190 (pt.) | **Proposed Use: permitted uses within H-B** | ** Commission District 1 | **Tim Wilbanks, applicant**.
(C) 1731 Friendship Road | Variance | 17.420.050.C.2 to reduce the required transitional buffer in Gateway Corridors Overlay District | on a 10.04± acre parcel located on the north side of Friendship Road, approximately 240 feet east of its intersection with Reunion Way | Zoned AR-IV; Tax Parcel 15041 000190 |

Proposed Use: 185-unit multi-family development and permitted uses within H-B | ** Commission District 1 | **Tim Wilbanks, 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 stream buffer and impervious setback from wrested vegetation not centerline of stream
b. **Traffic:** GDOT permit will be required for connection to Friendship Road.
c. **Utilities:** Hall County sewer district – sewer connection is within a feasible distance.

Anael Dominguez (CDI: Planning)

From: John Hornick (Fire Services)
Sent: Friday, August 18, 2023 2:46 PM
To: Anael Dominguez (CDI: Planning)
Cc: Randi Doveton (CDI: Planning)
Subject: Fire Comments

Monday, September 18, 2023 Hall County Planning Commission Meeting.

1. **(A) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Rezone** | from Agricultural Residential III (AR-III) and Planned Commercial Development (PCD)/ Gateway Corridors Overlay District (GCOD) to Light Industrial (I-I) / Gateway Corridors Overlay District (GCOD) on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | **Proposed Use: boat and RV storage and an office/warehouse** | ** Commission District 3 | **Dutton Properties, applicant.**

   Hall County Fire Marshal's Comments: Additional fire hydrant(s) will be required to be installed inside the development to meet the International Fire Code requirement of Section 507.5.1 including state modification(s)

   (B) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Use Subject to County Commission Approval | 17.420.050. outdoor storage | on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | **Proposed Use: outdoor storage within Gateway Corridors Overlay District** | ** Commission District 3 | **Dutton Properties, applicant.**
   (D) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Variance| 17.420.050.C.2 to reduce the required transitional buffer in Gateway Corridors Overlay District | on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | **Proposed Use: boat and RV storage and office/warehouse** | ** Commission District 3 | **Dutton Properties, applicant.**

   Hall County Fire Marshal's Comments: Additional fire hydrant(s) will be required to be installed inside the development to meet the International Fire Code requirement of Section 507.5.1 including state modification(s)

Regards,

John Hornick, NPQ Fire Service Plans Examiner 1
Lieutenant, Hall County Fire Rescue
Hall County Government
Main: 770-531-6838 | Cell: 404-597-0083
Website: www.Hallcounty.org

Print

Board of Commissioners Voting Meeting Comments - November 9, 2023 - Submission #83388

Date Submitted: 11/2/2023

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

First Name*

Amanda

Last Name*

McNair

Address1*

3475 Big View Rd

Address2

City*

Gainesville

State*

GA

Zip*

30506

Item for Comment*

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

Select from the list below which 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 do NOT agree with the proposal to rezone 3405,3419,3443,3505 of Cleveland Highway and 3906 of Donna Drive in Gainesville, GA from agricultural residential to light industrial. This is a residential section of Cleveland hwy that does not need to be changed to industrial. At the last planning meeting the planning staff did not recommend this to happen. All but one voted for this to happen. What is the point of the planning staff if they are not going to even take into consideration what was recommended. I am so sick and tired of all these commissioners that we vote into position that they do NOT take in to consideration of what the actual voters and residents of Hall County want. The way the property lays, they would have to clear cut the majority of the property to add a boat and rv storage plus his own "storage" warehouse for this personal construction equipment. I would like to know if an environmental impact statement study has been conducted? I am all for growth that benefits the county and community, but this is something that we do NOT need. This storage facility will add on extra traffic to the already busy 129. It take me at least 5 minutes in the morning and afternoon to turn left onto 129. I do NOT want for this time to be increased. Not only adding to traffic, it will cause accidents on this already congested part of 129. Speeding with a boat, construction equipment, and rv coming around the corner is not a good combination. There is a long range plan for Lake Lanier living and this does NOT fit the long range plan. In my opinion, someone is getting their pockets padded by getting this rezoning to happen. When the widening of 129 happens, the road will go right through the middle of said property.
If this happens, the I think all the homes in the surrounding area should get a significant property tax deduction because it will cause our home values to decrease. But I am sure that wont happen because the people we vote in do not care about the citizens of hall county, they only care about what benefits them. I have seen it happen first hand in south hall. They tell you one thing and then vote the other way. I'm sure this comment will not get read and was probably a waste of my time, but I had to at least try to stop something that is NOT needed. Please on Thursday November 9th, vote NO on the rezoning of 3405, 3419,3443, 3505 Cleveland Hwy and 3906 Donna drive.
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.

Follow-up Communication

amward33@yahoo.com

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

Print

Board of Commissioners Voting Meeting Comments - November 9, 2023 - Submission #83486

Date Submitted: 11/3/2023

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

First Name*

Eric

Last Name*

McNair

Address1*

3475 Big View Rd

Address2

City*

Gainesville

State*

Ga

Zip*

30506

Item for Comment*

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

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

Your Comments*

Good afternoon, I would like comment on the proposed rezoning of 3405, 3419, 3443, 3505 Cleveland Hwy and 3906 Donna Drive. The building of this proposed boat and RV storage with an office/warehouse will place an unnecessary and significant burden upon this already congested area. Questions I would like to have answered is has an environmental impact study been conducted, does this go along with the long range plan for Lake Lanier living and would you approve this if you or loved ones lived near the area wanting to be rezoned.

I really feel the owner of this property simply wants to get it rezoned (knowing a new road is possibly coming through) so they can reap the financial benefits of doing so without any regard for what it will do to the area.

Lastly why did the Planning Committee overrule the Planning Committee Staff's recommendation to deny the proposal?

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.

Follow-up Communication

mac1576@yahoo.com

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

Print

Board of Commissioners Voting Meeting Comments - November 9, 2023 - Submission #83378

Date Submitted: 11/2/2023

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

First Name*

JOHN

Last Name*

CIANCIOLO

Address1*

3438 Big View Road

Address2

City*

Gainesville

State*

GA

Zip*

30506

Item for Comment*

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

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

Your Comments*

Is the Commission certain that this is ready for a rezoning vote? The proposed outdoor storage facility would be bisected by the future path of a 4-lane US129. Thus, a storage facility in that location makes no sense. The rezoning should be delayed until a plausible use of the property is proposed.

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.

Follow-up Communication

jcianciolo47@yahoo.com

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

Print

Board of Commissioners Voting Meeting Comments - November 9, 2023 - Submission #83434

Date Submitted: 11/3/2023

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

First Name*

Ken

Last Name*

Coggins

Address1*

3471 Big View Road

Address2

City*

Gainesville

State*

Georgia

Zip*

30506

Item for Comment*

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

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

Your Comments*

Please do not approve this re-zoning. It will be an environmental problem. We do not need boat and RV storage. Storage places north and south of this area have rentals available. Grading of lots will damage shoreline management down to the lake.

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.

Follow-up Communication

cogginsk@bellsouth.net

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

Print

Board of Commissioners Work Session Comments - November 6, 2023 - Submission #83474

Date Submitted: 11/3/2023

Comments completed in the form below will be submitted into the record for the November 6, 2023 Work Session of the Hall County Board of Commissioners.

First Name*

Mary

Last Name*

Smith

Address1*

3342 NOTTINGHAM FOREST DR

Address2

City*

Gainesville

State*

GA

Zip*

30506

Your Comments*

Attached are scanned copies of original petitions for Hall County Residents Against Rezoning Project.

Please write your comments in the box above.

File Upload

Scan.pdf

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

Follow-up Communication

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

HALL COUNTY RESIDENTS AGAINST REZONING PROJECT

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive Rezone, Dutton Properties applicant

As residents and voters, we strongly oppose the proposed rezoning and development project of 20.16 acres along Cleveland Highway beginning at Donna Drive and extending north and including the 'rock house' which is registered as a historical site. If approved the developer's (Dutton Properties) request would rezone the current property from Agricultural Residential and Planned Commercial Development to Light Industrial with a planned RV and boat storage for 483 units, an office, and a 10,800 sq ft storage building for construction equipment.

The primary bases for our opposition include creation of an isolated industrial zone surrounded by our present residential and agricultural neighborhoods which will change the character of the area; negatively impact already heavy traffic; decrease property values; negatively impact environmentally sensitive areas and wildlife; and its non-conformity with the Hall County Comprehensive Plan especially the Lake Area Residential Future Land Use. The complete petition with further details will be transmitted to the Hall County Board of Commissioners for their 6 p.m. Nov 9 meeting open to the public at 2875 Browns Bridge Road, Gainesville. Please complete this petition by Nov 1st and return to your neighborhood representative. Also, please consider personally contacting The Board of Commissioners at 770-535-8288. Our district commissioner is Gregg Poole (District 3) and his phone number listed on the website is also 770-535-8288.

NAME	ADDRESS
Ronald Pike	3320 Wilkerson Dr Gainesville GA 30506
Diana Pike	3320 Wilkerson Dr. Gainesville GA 30506
Michael O'Shea	3342 Wilkerson Dr.
Sue O'Shea	" "

Print

Board of Commissioners Work Session Comments - November 6, 2023 - Submission #83475

Date Submitted: 11/3/2023

Comments completed in the form below will be submitted into the record for the November 6, 2023 Work Session of the Hall County Board of Commissioners.

First Name*

Mary

Last Name*

Smith

Address1*

3342 NOTTINGHAM FOREST DR

Address2

City*

Gainesville

State*

GA

Zip*

30506

Your Comments*

I am submitting scanned copies of petition documents separately. I cannot tell if it will accept multiple files from the one upload.

Please write your comments in the box above.

File Upload

IMG_20231103.pdf

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

Follow-up Communication

404-272-7273

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

HALL COUNTY RESIDENTS AGAINST REZONING PROJECT

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive Rezone, Dutton Properties applicant

As residents and voters, we strongly oppose the proposed rezoning and development project of 20.16 acres along Cleveland Highway beginning at Donna Drive and extending north and including the 'rock house' which is registered as a historical site. If approved the developer's (Dutton Properties) request would rezone the current property from Agricultural Residential and Planned Commercial Development to Light Industrial with a planned RV and boat storage for 483 units, an office, and a 10,800 sq ft storage building for construction equipment.

The primary bases for our opposition include creation of an isolated industrial zone surrounded by our present residential and agricultural neighborhoods which will change the character of the area; negatively impact already heavy traffic; decrease property values; negatively impact environmentally sensitive areas and wildlife; and its non-conformity with the Hall County Comprehensive Plan especially the Lake Area Residential Future Land Use. The complete petition with further details will be transmitted to the Hall County Board of Commissioners for their 6 p.m. Nov 9 meeting open to the public at 2875 Browns Bridge Road, Gainesville. Please complete this petition by Nov 1st and return to your neighborhood representative. Also, please consider personally contacting The Board of Commissioners at 770-535-8288. Our district commissioner is Gregg Poole (District 3) and his phone number listed on the website is also 770-535-8288.

NAME	ADDRESS
Stan Bornstein	3533 Wilkerson Dr 30506
Mark Kinnot	3338 Wilkerson Dr 30506
[illegible]	3338 Wilkerson Dr 30506
Angie M. Scott	3332 Wilkerson Dr. 30506
[illegible]	3332 Wilkerson Drive 30506

Print

Board of Commissioners Work Session Comments - November 6, 2023 - Submission #83476

Date Submitted: 11/3/2023

Comments completed in the form below will be submitted into the record for the November 6, 2023 Work Session of the Hall County Board of Commissioners.

First Name*

Mary

Last Name*

Smith

Address1*

3342 NOTTINGHAM FOREST DR

Address2

City*

Gainesville

State*

GA

Zip*

30506

Your Comments*

Scanned copies of petition.

Please write your comments in the box above.

File Upload

IMG_20231103.pdf

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

Follow-up Communication

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

HALL COUNTY RESIDENTS AGAINST REZONING PROJECT

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive Rezone, Dutton Properties applicant

As residents and voters, we strongly oppose the proposed rezoning and development project of 20.16 acres along Cleveland Highway beginning at Donna Drive and extending north and including the 'rock house' which is registered as a historical site. If approved the developer's (Dutton Properties) request would rezone the current property from Agricultural Residential and Planned Commercial Development to Light Industrial with a planned RV and boat storage for 483 units, an office, and a 10,800 sq ft storage building for construction equipment.

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NAME	ADDRESS
Peter Velardi	
Janine Velardi	3358 Wilkerson Drive
Tony Dean	3346 Wilkerson DR.
Deborah Dean	3346 Wilkerson Dr Gsvl, GA

Print

Board of Commissioners Work Session Comments - November 6, 2023 - Submission #83477

Date Submitted: 11/3/2023

Comments completed in the form below will be submitted into the record for the November 6, 2023 Work Session of the Hall County Board of Commissioners.

First Name*

Mary

Last Name*

Smith

Address1*

3342 NOTTINGHAM FOREST DR

Address2

City*

Gainesville

State*

GA

Zip*

30506

Your Comments*

Scanned copy of petitions. This should be 5 of 6 pages.

Please write your comments in the box above.

File Upload

IMG_20231103.pdf

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

Follow-up Communication

404-272-7273

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

HALL COUNTY RESIDENTS AGAINST REZONING PROJECT

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive Rezone, Dutton Properties applicant

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NAME	ADDRESS
Robert Fisher	3306 Wilkerson Dr. Gainesville GA
[illegible]	3304 Wilkerson Dr. Gainesville, GA
Joy Snider	3302 Wilkerson Dr. Gainesville GA

Print

Board of Commissioners Work Session Comments - November 6, 2023 - Submission #83479

Date Submitted: 11/3/2023

Comments completed in the form below will be submitted into the record for the November 6, 2023 Work Session of the Hall County Board of Commissioners.

First Name*

Mary

Last Name*

Smith

Address1*

3342 NOTTINGHAM FOREST DR

Address2

City*

Gainesville

State*

GA

Zip*

30506

Your Comments*

Scanned copies of petition.

Please write your comments in the box above.

File Upload

IMG_20231103.pdf

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

Follow-up Communication

404-272-7273

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

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3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive Rezone, Dutton Properties applicant

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NAME	ADDRESS
Dr. Erin Lipp	Dept of Environmental Health Science, UGA, Athens
Dr. Anne Marie Zimeri	2016 Environmental Health Sci. Bldg. UGA Athens
Dr. Marlene C Black	Dept Environmental Hlth Sci, Univ GA, Athens, GA

Print

Board of Commissioners Work Session Comments - November 6, 2023 - Submission #83484

Date Submitted: 11/3/2023

Comments completed in the form below will be submitted into the record for the November 6, 2023 Work Session of the Hall County Board of Commissioners.

First Name*

Mary

Last Name*

Smith

Address1*

3342 NOTTINGHAM FOREST DR

Address2

City*

Gainesville

State*

GA

Zip*

30506

Your Comments*

Attached is a copy of an online petition with 101 signatures. I'm sorry that some of the names were cut short, we will try to have a complete copy of those names for by deadline on Monday.

Please write your comments in the box above.

File Upload

Online petition signers.pdf

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

Follow-up Communication

404-272-7273

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

HALL COUNTY RESIDENTS AGAINST REZONING PROJECT

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive Rezone, Dutton Properties applicant

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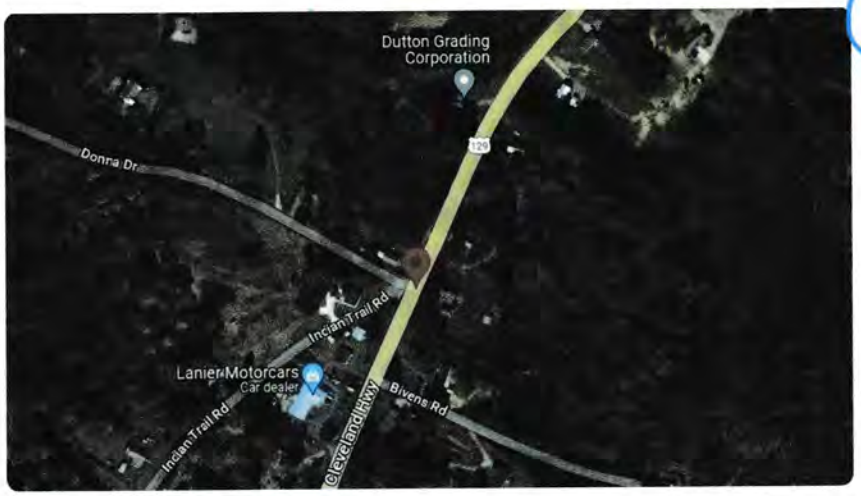
Please sign our petition to say NO to this rezoning and development project which may impact your property values, make traffic on Cleveland highway worse, negatively impact the environment of the forest area, contribute to water runoff pollution and much more. Every signature makes a difference! This QR code will take you right to our petition on change.org.

https://chng.it/cCbDZr6R54

PLEASE COME TO THE NOVEMBER 9th MEETING TO VOICE YOUR OPPOSITION TO THIS REZONING PROPOSAL!

PLEASE PLEASE SHARE THIS WITH ALL YOUR FRIENDS AND NEIGHBORS IN HALL COUNTY!!

Halt the Re-zoning of Agricultural Residential Property Near Lake Lanier



Started October 25, 2023

101 Signatures

200 Next Goal

73 people signed this week

Sign this petition

First name

Last name

Email

Gainesville, 30501
United States

Display my name and comment on this petition

Sign this petition

By signing, you accept Change.org's Terms of Service and Privacy Policy, and agree to receive occasional emails about campaigns on Change.org. You can unsubscribe at any time.

Why this petition matters

Started by Ken Coggins

I am a resident of Gainesville, GA, and I am deeply concerned about the proposed re-zoning of agricultural residential property near Lake Lanier in Hall County. This is not just a matter of land use; it's about preserving the character and quality of life in our community.

The proposal to change this property to industrial zoning threatens to disrupt our peaceful neighborhood. The increase in industrial activity will inevitably lead to heavier traffic, adding stress and danger to our daily commutes. Moreover, it could potentially decrease property values for those who have invested their lives into building homes here.

Beyond these immediate impacts on residents, there are broader environmental concerns at stake. The land around Lake Lanier is home to diverse wildlife and sensitive ecosystems that could be severely disrupted by industrial operations. According to data from the U.S Environmental Protection Agency (EPA), such changes can lead not only to habitat loss but also water pollution due to runoff from industrial sites.

We must consider what we stand to lose if this re-zoning goes ahead - not just as individual homeowners but as stewards of our local environment. We urge Hall County officials to reject this re-zoning proposal and preserve our agricultural residential lands for future generations.

Name	City	State	Postal Cod	Country	Signed On
Ken Coggir	Dacula	GA		US	########
Nancy Bab	Atlanta	GA	30312	US	########
Dennis But	Gainesville	GA	30506	US	########
John Riley	Gainesville	GA	30506	US	########
Terri Riley	Gainesville	GA	30507	US	########
Denise Ver	Gainesville	GA	30506	US	########
Mark Versl	Gainesville	GA	30506	US	########
Cole Pace	Gainesville	GA	30506	US	########
Eric McNai	Gainesville	GA	30506	US	########
Richard Ba	Gainesville	GA	30501	US	########
Mandy Mc	Gainesville	GA	30506	US	########
Emilee Pac	Gainesville	GA	30506	US	########
Paul Geert	Gainesville	GA	30506	US	########
Derrick Co	Gainesville	GA	30501	US	########
Mary Ann	Gainesville	GA	30504	US	########
Tracy Butt	Gainesville	GA	30506	US	########
Bret Logsd	Gainesville	GA	30506	US	########
Stacy Logs	Atlanta	GA	30312	US	########
Ediverto G	Panorama City		91402	US	########
John Cianc	Gainesville	GA	30504	US	########
Joshua Cur	Peterborough		PE7	US	########
Sahara Wh	Virginia Beach		23452	US	########
Raymond S	Gainesville	GA	30506	US	########
Nancy Aha	North Versailles		15137	US	########
Jon Inwoo	Brooklyn	NY	11226	US	########
Mike Bash	Buford	GA	30519	US	########
JodiAnne C	Flowery Br	GA	30542	US	########
Brandi Osb	Flowery Br	GA	30542	US	########
Annabelle	Greensboro		21639	US	########
Charles Sa	Gainesville	GA	30506	US	########
Dennis Gre	Orlando		32806	US	########
Scott Gree	Gainesville	GA	30506	US	########
Joh Flynn	Gainesville	GA	30501	US	########
Maia Saqu	Oswego		60543	US	########
Narvella T	Riverbank		95367	US	########
Rachel Lee	Gainesville		32605	US	########
ray [illegible]	Oak Park		60302	US	########
Aziza Gafu	Waltham		2453	US	########
Candy Fisc	Alton		62002	US	########
Taylor Hibl	Cincinnati		45241	US	########
Makara Cu	Fenton		48430	US	########
Kathleen H	Schwenksville		19473	US	########
Anon Y. M	Beaverton			US	########
Natalie Po	Raeford		28376	US	########
Sonic Son	Oroville		95966	US	########
pablo ruiz	burleson		76028	US	########

Anna Laidl	East Stroudsburg		18301	US	########
Erica Rosei	New York		10023	US	########
Lena Thom	Mokena		60448	US	########
Grady Davi	Gainesville	GA	30506	US	########
Diane Davi	Gainesville	GA	30506	US	########
Melisa Hoț	Orlando	FL	32808	US	########
Alex Weiss	Gainesville	GA	30506	US	########
Rosalee W	Gainesville	GA	30506	US	########
Clayton Sh	Gainesville	GA	30506	US	########
Russell We	Gainesville	GA	30506	US	########
Dana Vern	Gainesville	GA	30501	US	########
Baylee Tur	Gainesville	GA	30506	US	########
Addie Echc	Gainesville	GA	30506	US	########
Ann Gilles	Cleveland	GA	3o528	US	########
Tasha Low	Gainesville	GA	30506	US	########
Melissa Cl	Gainesville	GA	30506	US	########
Sharon Sm	Gainesville	GA	30506	US	########
Nancy Johi	Atlanta	GA	30303	US	########
Wes Turne	Gainesville	GA	30506	US	########
Ari Jay	Las Vegas		89111	US	########
Kim Jackso	Suwanee	GA	30024	US	########
George Jac	Gainesville	GA	30506	US	########
K Shakir	Roslyn	NY	11576	US	########
Onaiza Kha	Plainview	NY	11803	US	########
Erika Rikhi	Clermont		34711	US	########
Alexandria	Indianapolis		46254	US	########
Robert Sim	Gainesville	GA	30506	US	########
Dawn Simr	Gainesville	GA	30506	US	########
Christophe	Sanford		27330	US	########
Melvic Cos	Los Angele	CA	90060	US	########
Lee Burrell	Gainesville	GA	30306	US	########
Ethan Frec	Springfield		97477	US	########
John Mallo	Gainesville	GA	30506	US	########
Dedrick At	Birmingham		35205	US	########
Connie Haț	Wyckoff	NJ	7481	US	########
Austin Wai	Corvallis	OR	97330	US	########
Аминат Ас	Wilmington		19801	US	########
Kyah W.	Belleville		48111	US	########
Debra Kem	Lansing		48913	US	########
leen musta	Panama City		32405	US	########
Ibtisam Be	Houston	TX	77009	US	########
Ruben Koch (Student)				US	########
Zainab Ma	Clifton		7014	US	########
Michael Fr	Bronx	NY	10461	US	########
Christie Ca	Biloxi		39532	US	########
Nick Lambi	Lemont	IL	60439	US	########
Adam Kalu	Burleson		76028	US	########

Mandy Kur Claymont	19703 US	########

Print

Board of Commissioners Work Session Comments - November 6, 2023 - Submission #83487

Date Submitted: 11/3/2023

Comments completed in the form below will be submitted into the record for the November 6, 2023 Work Session of the Hall County Board of Commissioners.

First Name*

Mary

Last Name*

Smith

Address1*

3342 NOTTINGHAM FOREST DR

Address2

City*

Gainesville

State*

GA

Zip*

30506

Your Comments*

Attached is a document detailing the opposition of neighborhood to the application of Dutton Properties for Rezoning of property on Cleveland Hwy. Please note that page 7 of the document was intentionally left blank.

Please write your comments in the box above.

File Upload

Rezoning Hearing Combined TOC Txt 11-3-23 rmp mas.docx.pdf

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

Follow-up Communication

404-272-7273

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

OPPOSITION TO A REZONING OF SAID PROPERTY FROM AGRICULTURAL RESIDENTIAL AND PLANNED COMMERCIAL DEVELOPMENT TO LIGHT INDUSTRIAL AND SUBSEQUENT DEVELOPMENT OF BOAT AND RV STORAGE AND OFFICE/WAREHOUSE STORAGE FACILITY

Applicant for Rezoning of 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive by Dutton Properties

November 3, 2023

Submitted by the following on behalf of local residents:

Mark Kirves mkirves@plastekwerks.com

Michael O'Sheasy mtosheas@gmail.com

Richard Prior richard.prior@ung.edu

Mary Alice Smith smith.maryalice@gmail.com

OPPOSITION TO A REZONING OF SAID PROPERTY FROM AGRICULTURAL RESIDENTIAL AND PLANNED COMMERCIAL DEVELOPMENT TO LIGHT INDUSTRIAL AND SUBSEQUENT DEVELOPMENT OF BOAT AND RV STORAGE AND OFFICE/WAREHOUSE STORAGE FACILITY

Applicant for Rezoning of 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive by Dutton Properties

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MAP 1. RESIDENTIAL AREA SURROUNDING PROPOSED REZONING AND POXIMITY TO LAKE LANIER

MAP 2. EFFECTS OF GDOT REALIGNMENT AND FOUR-LANING OF US129 ON THE REQUESTED REZONING

OPPOSITION TO A REZONING OF SAID PROPERTY FROM AGRICULTURAL RESIDENTIAL AND PLANNED COMMERCIAL DEVELOPMENT TO LIGHT INDUSTRIAL AND SUBSEQUENT DEVELOPMENT OF BOAT AND RV STORAGE AND OFFICE/WAREHOUSE STORAGE FACILITY

Applicant for Rezoning of 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive by Dutton Properties

October 30, 2023

We are residential homeowners surrounding and across Cleveland Highway from the said property. (See Map 1). We comprise approximately 100 taxpayers and voters. We voiced our opposition at the October 2, 2023, Planning Committee meeting. After a presentation by the Planning Committee Staff Report recommending DENIAL of this application and seven opposing witnesses were heard, our opposition was voted down, and a resolution was approved by the Planning Committee 4-1 "shortly" after hearing the witnesses.

However, the Planning Committee hearing did not abide by their own published procedures. After each of the seven witnesses were selected to be heard, they were constrained to a maximum of 3 minutes each. There were more citizens wishing to express their opposition but were not allowed to speak. This does not follow the procedures in the Hall County Planning Department's 'Application & Procedures' brochure: "The applicant and any other citizens concerned with the request are given an opportunity to speak during the hearing. After all comments are heard, the Planning Commission makes its decision." Please note there is no mention of a number of allowed witnesses nor duration.

We oppose the Planning Committee's recommendation for approval to rezone from agricultural residential and planned commercial development to light industrial zoning and placement of a "boat and RV storage and an office/warehouse" facility on the 20.16 acres of undeveloped land within the residential surroundings. We do so for the following reasons:

A. **This proposed Rezoning would place an unnecessary and significant burden upon the already congested Hwy 129 which is designated as a Gateway Corridor Overlay District leading into Gainesville as described in the Hall County Comprehensive Plan.** Traffic in this 1 mile stretch of 129 Cleveland Highway is already congested. Homeowners presently experience a wait time to enter north or south upon Cleveland Highway especially during rush hours in the morning and evening. With Gainesville's vital importance to the poultry industry, there are often truckloads of chickens being transported along this stretch as well as growing numbers of employees going back and forth from North Georgia to their worksites in Gainesville. The wait to enter the highway is much more extensive than it was a few years ago. For example, a resident of this area recently counted 17 cars coming south on Cleveland Highway that he had to await before turning right to enter this southern caravan to Gainesville – it would have been much more difficult to turn left to enter heading north.

B. **Additional traffic entering the highway and traveling upon it will invariably add to the number of accidents on this stretch of highway especially since this additional traffic will be composed in large part by trailed boats, RVs, and construction equipment**. This stretch of Cleveland Highway ends in a curving pattern onto the Bells Mill bridge over the east bank of the Little River. Several years ago, a truck load of chickens overturned before entering the bridge stopping traffic in both directions. This is not to suggest that even without an advent of the proposed facility there will be no accidents; it's merely to offer that the likelihood of increasing numbers of accidents will occur with an addition of relatively slow trailered boats, RVs, and construction equipment. Note there is presently (see next point of opposition) no relatively easy alternative to enter Gainesville from this section of North Georgia including traffic and EMS emergency vehicles from White, Lumpkin, Habersham and other counties which NGMC serves. **With NE Georgia Medical Center's designation as a Trauma I hospital** (Grady Hospital in Atlanta is the only other Trauma I hospital in Georgia**), EMS transport of trauma patients will likely be impacted.**

C. **There is currently a planned rerouting of this area of Hwy 129 by the Georgia DOT to change and improve this section (and beyond) of Cleveland Highway. The change and improvement will divide the Dutton property into two parcels**, one on each side of the new route of Hwy 129 (see Map 2). This GDOT change is forthcoming, and the rezoning may impair, alter, and cost considerably more to undergo if the proposed rezoning and development goes through as proposed. A review of the DOT site and planned rerouting view is attached to underscore its conflict with the said proposal.

D. **If the rezoning is approved, it would create an isolated district unrelated to surrounding districts, furthermore the GDOT planned rerouting of Hwy 129 and the dividing of this property by a 4-lane highway, will create two 'spot zones' of Light Industrial on opposite sides of the new highway surrounded by the currently zoned residential and agricultural properties.** In either case, it is undesirable to have an isolated district (Light Industrial) surrounded by unrelated districts (Agricultural Residential and Planned Commercial). The Planning Commission Staff Report specifically addresses this issue on page 6, Item 10 and 11 "…and it would create an isolated district unrelated to the surrounding districts, as there is no I-I zoning established in the area."

E. **Residential property values are likely to decrease from what they would otherwise be if the said proposal is approved.** It is difficult to envision a residential area value being anything but damaged by an adjacent property being rezoned "industrial". To emphasize this negative result on this community, at the 10/2/23 Planning

Committee meeting, an opposing resident tearfully asserted that she had recently taken out a 30-year mortgage on a home she purchased for her and her children along this stretch of Cleveland Highway and she feared that the property would now be worth less than her mortgage as a consequence of an acceptance of the said proposal. This rezoning would have a negative impact on individual citizens, taxpayers, and neighborhoods even if this proposed development results in greater Hall County taxes than presently collected for the 20.16 acres of undeveloped property.

F. **The site plan is for more than simply the use for boat and RV storage as it states additionally "…office/warehouse". The plan proposes a 10,000 square foot facility for construction equipment. The definition of Light Industrial in Hall County code for zoning includes "Any industry which does not cause injurious or obnoxious noise, vibrations, smoke, gas, fumes, odors, dust, fire hazards or other objectionable conditions."** We are naturally concerned about the boat and RV storage adherence to these requirements, but because the application is not clear about the use of the warehouse, we are additionally concerned that the construction business would include the large and obnoxious noise, smoke, gas fumes etc. The proposal does not state whether the owner of the facility may be planning for this new building to house construction equipment for another work purpose than simply the stated boat and RV storage; yet we hope this is not the case. The engineer for the proposal stated during the 10/2/23 hearing that they did not anticipate significant additional traffic congestion. However, even if accurate, with the many residences on Shope Road and the large mobile home park across Hwy 129 from the property that already incur significant traffic congestion, why not use a site further from the lake rather than this one with ever-growing residential development.

G. **The Planning Committee Staff report for this application recommended to DENY A, B and C of the proposal. We fully agree and support their recommendation which is detailed in their Report. Among their stated reasons which we firmly agree with are that this zoning request is not consistent with the Hall County Comprehensive Plan which specifically addresses the Lake Area Residential future land use classification.** One stated purpose of this category is "…to preserve established neighborhoods and create opportunities for permanent vacation residencies…" (page 4, Planning Committee Staff Report). Additionally, as staff states on page 5, issue 5, "The request to rezone the property is inconsistent with the future land use classification."

H. **Has an Environmental Impact Statement study been completed for this project? This area of proposed development is part of the territory of the Northern Long**

Eared Bat which is listed as Critically Endangered on the Federal list for Endangered Species. During summer, spring, and fall, The Northern Long Eared Bat depends on forested area for roosting sites underneath bark, in crevices and cavities of both dead and live trees. Destruction of the forest areas in its roosting and foraging territories will push this fragile species to the point of no return. Along with the Northern Long Eared Bat, Georgia DNS communicate that the Tricolored Bat is almost certainly at this site and is proposed to go on the endangered species list as well. The Northern Pine Snake and the Chattahoochee Crayfish are also of concern in this area. Elimination of habitat for these animals would have a devastating impact.

In addition, Eagles including Bald Eagles and numerous other wildlife including foxes, deer, ground hogs, raccoons, and numerous bird species have been sighted by neighbors surrounding this area, and it is likely that many occupy these 20 acres and the small pond on the property. At the Planning Committee meeting on 10/2/23, the engineer stated that the hill on the property would be cut down ostensibly to level the property. This would mean that most of the trees on the land would be cut down which would have devastating impacts on the area wildlife. Currently there are road kills of deer along highway 129 from this area and into Gainesville. As habitat for deer and other wildlife are removed, there will likely be more car accidents involving deer and other wildlife.

I. **Disruption of neighborhood. This community will contend with several years of disruption for the realignment of Hwy 129 Cleveland highway**. If this rezoning is approved, it will add more time of disruption including more traffic disruption and air pollution with the movement of land, cutting of trees and pavement of large areas to level the property for RV and boat storage as described at the Planning Committee meeting on Oct 2, 2023, all of which will decrease the desirability of this residential neighborhood and is inconsistent with the Hall County Comprehensive Plan and Lake Area Residential.

J. **Additional and still pertinent questions for opposing:**

a. Could **run-off water** carrying with it any spilled oil or fuel from the boats and transportation vehicles and from the added asphalt and concrete surface-covering enter the adjacent creek and subsequently enter and possibly contaminate and pollute Lake Lanier?
b. Could future use of the proposed plan be to **purchase abutting property** enabling dock-access to the lake? Will this increase the boat use of an already heavily used Little River area of Lake Lanier.

THE FOLLOWING COMMENTS PERTAIN TO THE HALL COUNTY PLANNING COMMISSION STAFF REPORT:

K. **Recommended Condition 4. "The applicant shall coordinate and receive approval from the Georgia Department of Transportation for the site access and proposed location of the covered storage areas." Even if such approval is provided, it says nothing to any additional cost thereby incurred and consequential to a GDOT approval which would have to be borne by taxpayers for this unnecessary rezoning project.** This is underscored by a statement within the Engineering section which says "Proposed GDOT project goes right through this project" and in fact appears to bifurcate the storage project such that two "spot zones" would be created with only residential agricultural and planned commercial zone areas surrounding them.

L. **Within the "Summary Analysis", it states "A 10,800 square foot warehouse building is proposed for storage items related to the contractor's business." Why must the contractor's other business activities and related transportation requirements such as equipment transportation along Cleveland Highway have to be done on this undeveloped, natural site close to Lake Lanier requested for boat and RV storage?** The same question is asked for item 9. Beneath "Zoning Analysis" regarding the "...office for the contractor's business".

M. **Under "Zoning Analysis" item 2. Staff asserts that the request "...could have an impact on nearby residential agricultural parcels." We wholeheartedly agree.** Additionally, this would create a type of spot zoning in which one industrial zone would be entirely surrounded by agricultural residential zoning begging the question as to whether there might be a movement later to encroach upon adjacent agricultural residential property to expand this industrial zone.

N. **Under "Zoning Analysis" item 4, Staff states "The proposed use should not cause an excessive or burdensome use of existing streets..." We strongly disagree and would like to see the traffic impact study to which the staff bases this assertion.**

O. **Under "Zoning Analysis" item 7. Staff report states "Staff is unable to comment on the impact of property values without a full market analysis." Staff suggests "Often it is difficult to determine the effect of a development on adjacent properties until the development is completed."** Needless to say, at that juncture it is too late to undo the development if a market analysis study indicates that it would have a negative impact on property values**. We suggest that a market analysis be conducted.** Could a large local residential realtor conduct such a study?

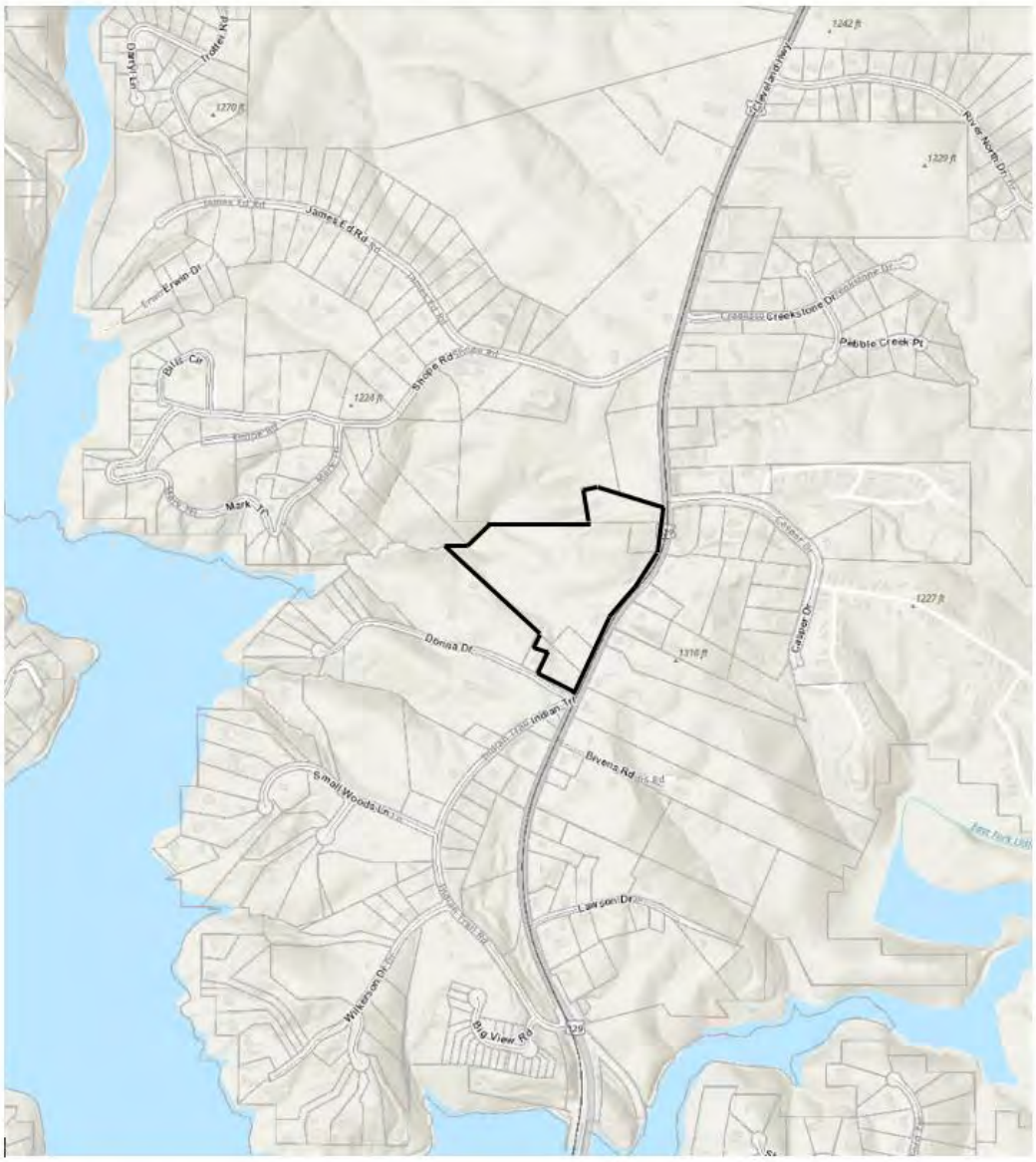
P. **"Zoning Analysis" item 10 which states "GDOT plans for a future realignment of Cleveland Highway show that the subject property is anticipated to be affected." This realignment will essentially cut through the widest part of the property (see attached site views).** GDOT has confirmed that this realignment is planned and approved. As stated above, this will create two smaller parcels on either side of Cleveland Hwy that would be surrounded by agricultural residential and planned commercial. We would hope that this would not cause additional harm to taxpayers and the neighborhood.

Q. **Under Zoning Analysis" item 13. Staff suggests that there may be a need for this sort of storage in this portion of the county and bases this suggestion upon residential growth within the City of Gainesville. This may or may not be a valid cause and effect**. It seems like a percent occupancy investigation of present storage facilities in the area is needed to justify this statement**.** Also, regardless of this issue, it fails to justify the need for the site to be used for the contractor's business and equipment requiring a 10,000 square foot building. **In addition, even if there's a need for more storage facilities, this does not justify locating the facility in a Lake Area Residential neighborhood as defined in the Comprehensive Plan for future growth of Hall County.**

R. **Under Submission requirements item D, Staff Report states "As there are not 100 or more residential dwelling units proposed this criteria is not applicable." The criteria relate to the requirement of a traffic impact study to be submitted prior to consideration of the application**. This Submission Requirement may strictly relate to the need for a traffic study due to "more residential dwellings" on the site. However, isn't it reasonable to assume that 483 trailered boats & RVs plus construction equipment could increase traffic as would 100 residential dwellings? Clearly, the addition of traffic from RVs, boat transports and construction equipment from storage would impact this already congested traffic area. We believe it could negatively impact the entire area.

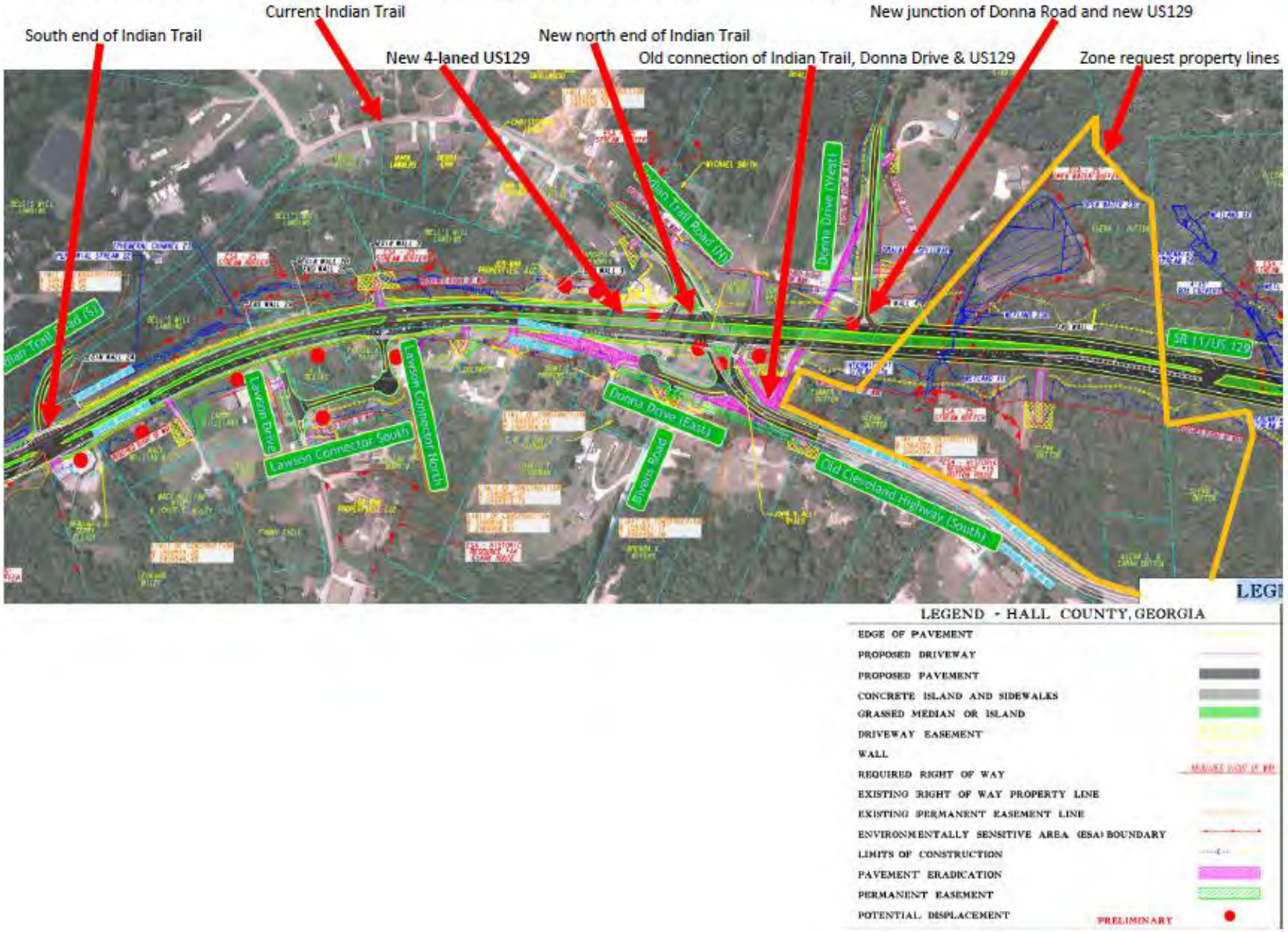
Rezoning to Light Industrial will place further complications for residents returning to their homes along Shope Road and its side streets (Mark Trail, Bills Circle, James Ed Drive, Trotter Road, Dairy Lane and Edwin Drive) whose only access to Hwy 129 Cleveland Hwy is on Shope Road. There are numerous residential homes off Shope Road which begins at Cleveland Highway and adjacent to or near the proposed zoning change. Presently when traveling north along Cleveland Highway out of Gainesville during the afternoon hours, it is common to sit in backup traffic for turning left onto Shope Road from Cleveland Highway. There is no turning lane for Shope road. This congestion will certainly get worse. **We respectively request that a traffic impact study be done for this application.**

MAP 1. RESIDENTIAL AREA SURROUNDING PROPOSED REZONING AND PROXIMITY TO LAKE LANIER



Source: Hall County Property Web App

Map 2: Effects of DGOT Realignment and Four-laning of US129 on the Requested Rezoning



Map source: GDOT (annotated by R. Prior)

Comments on map

1. The four-lane and rerouted US129 cuts through the middle of the property. The solid red line on each side of the new highway is the Required Right of Way for the new road.

2. Removing this right of way property takes a significant portion of the property in the rezoning request, meaning that the proposed plan is not feasible.

3. The Environmentally Sensitive Area (ESA) Boundary lines shown on the map also significantly affect the usability of the proposed use of the property.

4. The end of Donna Drive that currently junctions with the current path of US129 will be Subject to Pavement Eradication. The new Donna Drive junction to the new path of US129 means there will be no access from Donna Drive to either half of the property in question.

5. Access to the Historic Resource House will be from the old path of US129, and that house is also located within the Environmentally Sensitive Area (ESA) Boundary.

6. The wrought iron fence and landscaping discussed in the rezoning application to shelter the view of the property from the highway will have to be built on both sides of the new path of US129 as well as on the side of the old path of US129 adjacent to the property.

7. If the rezoning is approved, the property in question will effectively become two separate pieces of property, each with the new zoning and each needing a separate entrance onto both sides of the new US129. This would mean that two different, and unspecified at this point in time, businesses could be built without any further zoning changes. This could further cause negative undesirable impact on the surrounding community as well as causing more traffic problems in the area.

Print

Board of Commissioners Voting Meeting Comments - November 9, 2023 - Submission #83392

Date Submitted: 11/2/2023

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

First Name*

Nancy

Last Name*

Babcock

Address1*

3463 Big View Rd.

Address2

City*

Gainseville

State*

GA

Zip*

30506

Item for Comment*

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

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

Your Comments*

Please please vote NO on the rezoning project for Cleveland Hwy and Donna Drive in Gainesville. There are endangered species whose territory is in this area. Eliminating forest areas in these territories of extremely fragile and endangered species could contribute to irreparable harm to more than one species. Please see the attachment for more information and maps that show that the proposed property lies within endangered species territories. Thank you so so much for considering this important matter when voting on this proposal.

Please write your comments in the box above.

File Upload

Bat document.pdf

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

Follow-up Communication

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

Dear Hall County Commissioners,

I am writing you today to ask you to please vote "no" to a land rezoning proposal for 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive. Dutton Properties is the applicant for this project. If approved, Dutton Properties would rezone the current property from Agricultural Residential and planned Commercial Development to Light Industrial with a planned RV and boat storage for 483 units, and office and a 10,800 sq ft storage building for construction equipment. My understanding of the project after reading the plan submitted to Hall County, is that the forest area will be basically razed, the topography flattened, and a huge paved parking lot with a giant warehouse will be put on this property. While I have many objections to this project and why it is a bad idea for this area, I would like to give you my main objection today.

It has come to my attention that on the land for the proposed project, there is a critically endangered species called the Long Eared Northern Bat (the Northern Myotis) that may well occupy this area as its habitat. The Long Eared Northern Bat's existence is incredibly fragile and loss of more of its habitat territory would be devastating.

Except from federalregister.gov : "We, the U.S. Fish and Wildlife Service, propose to reclassify the northern long-eared bat (Myotis septentrionalis), a bat species found in all or portions of 37 U.S. States, the District of Columbia, and much of Canada, as an endangered species under the Endangered Species Act of 1973, as amended (Act)."

North Georgia, which includes the areas surrounding Lake Lanier is part of the Northern Long Eared Bat's territory in the United States. During the summer and portions of the fall and spring, northern long-eared bats may be found roosting singly or in colonies underneath bark, in cavities or in crevices of both live trees and snags, or dead trees in forested areas. Males and non-reproductive females may also roost in cooler places, like caves and mines. Northern long-eared bats seem to be flexible in selecting roosts, choosing roost trees based on suitability to retain bark or provide cavities or crevices. Northern long-eared bats use forested areas not only for roosting, but also for foraging and commuting between summer and winter habitat. Conditions that contribute to the loss of this species are summer habitat losses: Highway construction, commercial development, surface mining/forest conversion and wind facility construction. All of these forest changes permanently remove habitat, disturb or destroy hibernacula, and are activities prevalent in many areas of this bat's range. Summer habitat loss may result in longer flights between suitable roosting and foraging habitat, fragmentation of maternity colonies and direct injury or mortality.

Available evidence, including both winter and summer data, indicates northern long-eared bat abundance has and will continue to decline substantially under current demographic and stressor conditions.

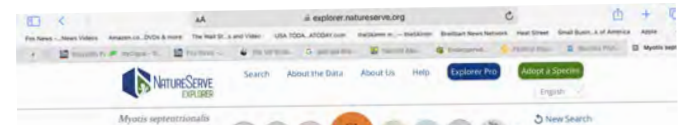
For the sake of this critically endangered species alone, I strongly believe that razing this forested area for the proposed industrial use is wrong and irresponsible to the ecosystems that depend on the forested area.

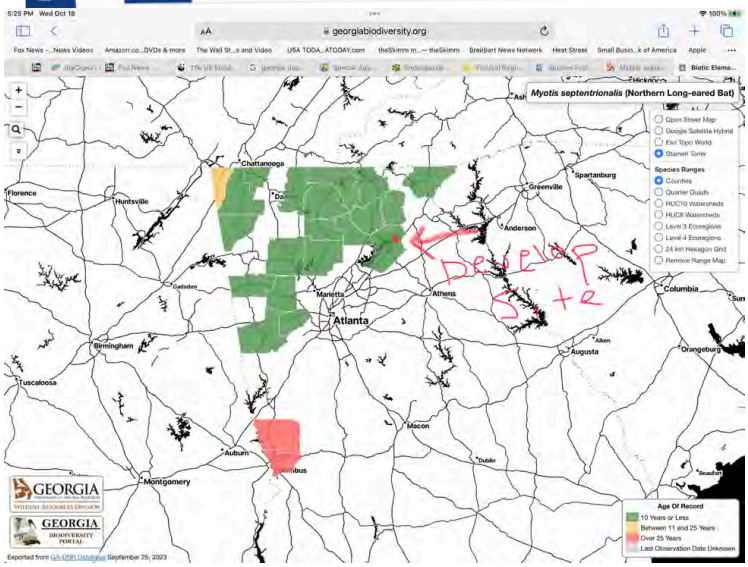
**In researching information on the Northern Long Eared Bat, I have been in contact with Katrina Morris, project manager of wildlife conservation in the Wildlife Resources Division of the Georgia Department of Natural Resources. In my communications with Ms. Morris, she has also informed me that in addition to the critically endangered Northern Long Eared Bat, they have records for a tricolored bat (Perimyotis subflavus) that is proposed for listing as federally endangered. The habitat for the tricolored bat is "almost certainly" (to quote Ms Morris) at that site for the proposed industrial development. Ms. Morris also stated there is a state threatened crayfish (the Cambaris howardi, or Chattahoochee Crayfish) and a snake species (the Pituophis melanoleucus, or Northern Pine Snake) that is of concern in that area.

****I sincerely ask you as commissioners who are charged with decisions that can save our critically endangered species, please do not allow this vital tract of land to become a parking lot with a giant warehouse for machinery that will leak oil and fuel onto the ground where rainwater runoff will drain into fragile water and ecosystems, and most importantly, create forest loss which will eliminate habitat for these endangered species. There are other areas in Hall County where such a development would be far better suited. Please, please, please vote NO to allowing this areas to be rezoned for industrial development.

Nancy Babcock
949-422-0403

(See below for Northern Long Eared Bat Territory)





Print

Board of Commissioners Work Session Comments - November 6, 2023 - Submission #83393

Date Submitted: 11/2/2023

Comments completed in the form below will be submitted into the record for the November 6, 2023 Work Session of the Hall County Board of Commissioners.

First Name*

Richard

Last Name*

Prior

Address1*

3342 NOTTINGHAM FOREST DR

Address2

City*

GAINESVILLE

State*

GA

Zip*

305064421

Your Comments*

I am uploading a document of a letter and a map document related to my letter

Please write your comments in the box above.

File Upload

US129 map.pdf

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

Follow-up Communication

richard.prior@ung.edu

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

Effects of the Planned Four-laning of US129 on the Requested Rezoning

South end of Indian Trail

Current Indian Trail

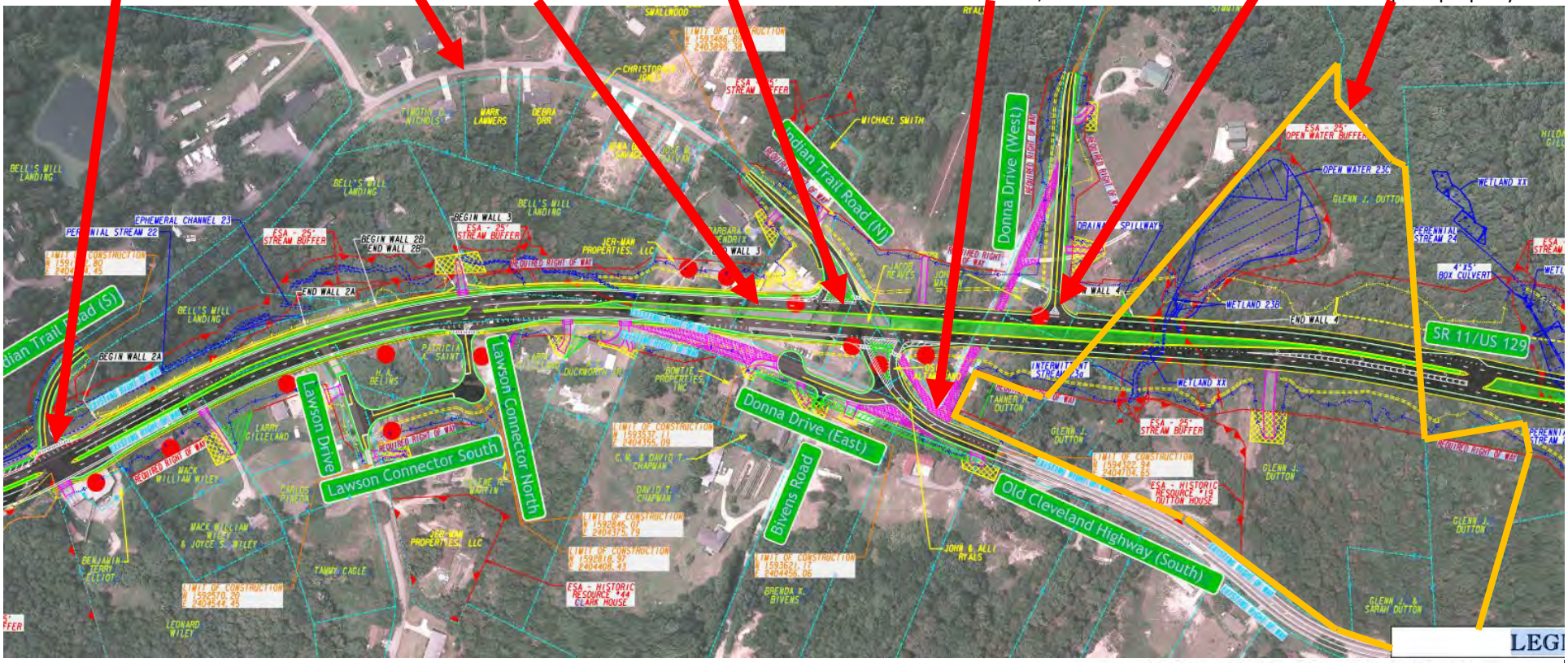
New 4-laned US129

New north end of Indian Trail

Old connection of Indian Trail, Donna Drive & US129

New junction of Donna Road and new US129

Zone request property lines



LEGEND - HALL COUNTY, GEORGIA

EDGE OF PAVEMENT	
PROPOSED DRIVEWAY	
PROPOSED PAVEMENT	
CONCRETE ISLAND AND SIDEWALKS	
GRASSED MEDIAN OR ISLAND	
DRIVEWAY EASEMENT	
WALL	
REQUIRED RIGHT OF WAY	REQUIRED RIGHT OF WAY
EXISTING RIGHT OF WAY PROPERTY LINE	
EXISTING PERMANENT EASEMENT LINE	
ENVIRONMENTALLY SENSITIVE AREA (ESA) BOUNDARY	
LIMITS OF CONSTRUCTION	
PAVEMENT ERADICATION	
PERMANENT EASEMENT	
POTENTIAL DISPLACEMENT	PRELIMINARY

Map source: GDOT (annotated by R. Prior)

Comments on map

1. The four-lane and rerouted US129 cuts through the middle of the property. The solid red line on each side of the new highway is the Required Right of Way for the new road.

2. Removing this right of way property takes a significant portion of the property in the rezoning request, meaning that the proposed plan is not feasible.

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6. The wrought iron fence and landscaping discussed in the rezoning application to shelter the view of the property from the highway will have to be built on both sides of the new path of US129 as well as on the side of the old path of US129 adjacent to the property.

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3342 Nottingham Forest Drive
Gainesville, GA 30506
November 1, 2023

Hall County Commission

I strongly oppose the requested rezoning by Dutton Properties of 5 parcels totaling 20.6 acres located on the western side of Cleveland Highway (US129) just north of the intersection of the highway with Donna Drive. This property and all surrounding parcels are currently zoned AR-III except for one parcel along Cleveland Highway just north of the proposed rezoning that is currently vacant and zoned PCD. The requested rezoning is clearly out of character and use of the surrounding properties. The Hall County Planning Commission staff evaluated the proposal and recommended against it in an extensive detailed report.

I attended the Hall Planning Commission meeting on October 2, 2023, when they approved the rezoning by a 4-1 vote. They first allowed a representative of the developer to speak for 10 minutes in favor of the rezoning. Then they allowed 7 persons each to speak for 3 minutes against the rezoning, despite that the Hall County Zoning Application Process and Procedures document specifically states that "after **all** comments are heard" the decision will be made. This clearly did not happen at the Planning Commission meeting. The 7 persons speaking against the proposal were randomly selected from hands raised in the audience with several persons beyond the seven denied a chance to speak against the proposal. After a response from the developer's representative, the vote was immediately taken with no real discussion or questions about the opposition to the proposal. It seemed to me that the discussions and decisions by the committee already been made before the public meeting.

There are numerous reasons that the rezoning is undesirable, including environmental, traffic volume and safety, the existing nature of the surrounding community, the principles of the Hall County Comprehensive Plan and other valid objections.

I want to specifically address a situation that is important and was not addressed in the rezoning application or in any discussion the Planning Commission at the meeting. The Georgia Department of Transportation (GDOT) has already planned and approved the 4-laning of a several mile section of Cleveland Highway (US129) that now passes adjacent to the requested rezoning property, The GDOT plan includes a re-routing of the highway that begins just south of that property. The re-routed 4-lane highway will cut through the middle of the property for which the rezoning is requested. That will make the plans for covered storage for 483 boats and RVs and the construction of a 10,800 square-foot storage building for construction equipment not feasible. Additionally, the rezoned property would be divided into two properties on opposite sides of the new 4-lane highway, both zoned light industrial. Who knows how those separate properties could then be used? A copy of the GDOT map that I have annotated for clarity is also submitted.

I and the others in this community all request that you do not approve this rezoning.

Sincerely,

Richard M. Prior

ZONING NOTICE

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

APPLICANT: DUTTON PROPERTIES

REQUEST:
VARIANCE TO REDUCE THE WIDTH OF THE TRANSITIONAL BUFFER REQUIRED IN GCOD

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION
Date: OCT 23 2023
Time: 5:15 P.M.

&

COUNTY COMMISSION
Date: NOV 9, 2023
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 WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY.

APPLICANT: DUTTON PROPERTIES

REQUEST: REZONE FROM AR-III & H-B TO I-1 FOR BOAT & RV STORAGE & AN OFFICE/WAREHOUSE

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION
Date: OCT 23, 2023
Time: 5:15 P.M.

&

COUNTY COMMISSION
Date: NOV 9, 2023
Time: 6:00 P.M.

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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: DUTTON PROPERTIES

REQUEST: USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR OUTDOOR STORAGE IN GCOD.

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION
Date: OCT 23, 2023
Time: 5:15 P.M.

&

COUNTY COMMISSION
Date: NOV 9, 2023
Time: 6:00 P.M.

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

FOR MORE INFORMATION CALL: (770) 531-6809

Sep 20, 2023 15:00:34
3443 Cleveland Highway
Gainesville
Hall County
Georgia

NARROW ROAD
20 MPH

ZONING NOTICE

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

APPLICANT: DUTTON PROPERTIES

REQUEST: VARIANCE TO REDUCE THE WIDTH OF THE TRANSITIONAL BUFFER REQUIRED IN GCOD

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION Date: Oct 24, 2023 Time: 5:15 p.m.

&

COUNTY COMMISSION Date: Nov 9, 2023 Time: 6:00 p.m.

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

FOR MORE INFORMATION CALL: (770) 531-6809

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REQUEST: USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR OUTDOOR STORAGE IN GCOD

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PLANNING COMMISSION Date: Oct 24, 2023 Time: 5:15p.m.

&

COUNTY COMMISSION Date: Nov 9, 2023 Time: 6:00p.m.

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

FOR MORE INFORMATION CALL: (770) 531-6809

ZONING NOTICE

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APPLICANT: DUTTON PROPERTIES

REQUEST: REZONE FROM AR-III & H-B TO H FOR BOAT & RV STORAGE & AN OFFICE/WAREHOUSE

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION Date: Oct 24, 2023 Time: 5:15p.m.

&

COUNTY COMMISSION Date: Nov 9, 2023 Time: 6:00p.m.

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

FOR MORE INFORMATION CALL: (770) 531-6809

Sep 20, 2023 14:48:41
3384 Cleveland Highway
Gainesville
Hall County
Georgia

ZONING NOTICE

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

APPLICANT: DUTTON PROPERTIES

REQUEST: VARIANCE TO REDUCE THE WIDTH OF THE TRANSITIONAL BUFFER REQUIRED IN GCOD

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION Date: OCT 3, 2023 Time: 5:15 P.M. & COUNTY COMMISSION Date: NOV 9, 2023 Time: 6:00 P.M.

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

FOR MORE INFORMATION CALL: (770) 531-6809

ZONING NOTICE

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APPLICANT: DUTTON PROPERTIES

REQUEST: REZONE FROM AR III & H B TO I-1 FOR BOAT & RV STORAGE & AN OFFICE / WAREHOUSE

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION Date: OCT 23, 2023 Time: 5:15 P.M. & COUNTY COMMISSION Date: NOV 9, 2023 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 WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: Dutton Properties

REQUEST: Use Subject To County Commission Approval For Outdoor Storage In GCOD

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION Date: OCT 24, 2023 Time: 5:15 P.M. & COUNTY COMMISSION Date: Nov 9, 2023 Time: 6:00 P.M.

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

FOR MORE INFORMATION CALL: (770) 531-6809

Sep 20, 2023 14:51:39
3405 Cleveland Highway
Gainesville
Hall County
Georgia

ZONING NOTICE

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APPLICANT: DUTTON PROPERTIES

REQUEST: VARIANCE TO REDUCE THE WIDTH OF THE TRANSITIONAL BUFFER REQUIRED IN GCOD

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION Date: OCT 2, 2023 Time: 5:15 P.M.

&

COUNTY COMMISSION Date: 1 NOV 9, 2023 Time: 6:00 P.M.

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

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

APPLICANT: DUTTON PROPERTIES

REQUEST: REZONE FROM AR-III & H-B TO H-1 FOR BOAT & RV STORAGE & AN OFFICE/WAREHOUSE

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION Date: OCT 2, 2023 Time: 5:15 PM

&

COUNTY COMMISSION Date: NOV 9 2023 Time: 6:00 P.M.

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

FOR MORE INFORMATION CALL (770) 531-6809

Sep 20, 2023 14:56:21
3419 Cleveland Highway
Gainesville
Hall County
Georgia

ZONING NOTICE

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

APPLICANT: DUTTON PROPERTIES

REQUEST:
VARIANCE TO REDUCE THE WIDTH OF THE TRANSITIONAL BUFFER REQUIRED IN GCOD

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION
Date: OCT 23 2023
Time: 5:15 P.M.

&

COUNTY COMMISSION
Date: NOV 9, 2023
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 WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY.

APPLICANT: DUTTON PROPERTIES

REQUEST: REZONE FROM AR-III & H-B TO I-1 FOR BOAT & RV STORAGE & AN OFFICE/WAREHOUSE

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION
Date: OCT 23, 2023
Time: 5:15 P.M.

&

COUNTY COMMISSION
Date: NOV 9, 2023
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 WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: DUTTON PROPERTIES

REQUEST: USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR OUTDOOR STORAGE IN GCOD.

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION
Date: OCT 23, 2023
Time: 5:15 P.M.

&

COUNTY COMMISSION
Date: NOV 9, 2023
Time: 6:00 P.M.

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

FOR MORE INFORMATION CALL: (770) 531-6809

Sep 20, 2023 15:00:34
3443 Cleveland Highway
Gainesville
Hall County
Georgia

AGENDA ITEM

Planning and Development

REPORT TO: **Work Session (11/06/23)**

REPORT TO: **Voting Meeting (11/09/23)**

ITEM NO: 632/2023

SUBJECT: **812 Atlanta Highway | Appeal a Planning Commission Decision for a Variance |** from 17.240.010 to reduce the front yard setback from 55 feet from centerline to 14 feet from centerline of road on a 0.25± acre parcel located on the west side of Atlanta Highway at its intersection with Conner Street | Zoned H-B, Tax Parcels 00127 002001 **| Proposed Use: residential addition |** Commission District 4 **| Robert Murillo, applicant.**

Meetings:

Work Session Date: 11/06/23 **Voting Meeting Date:** 11/09/23

Executive Summary:

Presenter: RD

Recommendation:
Denial.

Purpose of Request:
812 Atlanta Highway | Appeal a Planning Commission Decision for a Variance | from 17.240.010 to reduce the front yard setback from 55 feet from centerline to 14 feet from centerline of road on a 0.25± acre parcel located on the west side of Atlanta Highway at its intersection with Conner Street | Zoned H-B, Tax Parcels 00127 002001 | **Proposed Use: residential addition** | Commission District 4 | **Robert Murillo, 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:

Submit	Approve	Attorney	Administration
AD	RD	WLI	CR
Clerk			
JR			

Attachments:

Board Memo
Recommendation Report
Appeal Application
Application
Narrative
Site Plan
Maps
Environmental Health Comments
GDOT Comments
Public Works Comments
Fire Comments
Notice Sign Photos

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435

GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR
Srikanth Yamala

PLANNING AND DEVELOPMENT
DIRECTOR
Randi Doveton

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PLANNING AND DEVELOPMENT

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

From: Randi Doveton, Director of Planning & Development

Date: October 23, 2023

Subject: **812 Atlanta Highway | Appeal a Planning Commission Decision for a variance |** from 17.240.010 to reduce the front yard setback from 55 feet from centerline to 14 feet from centerline of road on a 0.25± acre parcel **| Proposed Use: residential addition | Robert Murillo, applicant.**

The request before you is the application of Robert Murillo to appeal a 10-2-2023 Planning Commission decision to deny a variance from 17.240.010 to reduce the front yard setback from 55 feet from centerline to 14 feet from centerline of road to allow a residential addition. This item is located within Commission District 4.

At their October 2, 2023 meeting, the Hall County Planning Commission voted to deny this request **(3-2, Braswell & Hunt opposed)**.

There were **no 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.

Approving the appeal, overturns the Planning Commission decision and approves the variance request. **Denial** of the appeal will uphold the Planning Commission decision. Since this was a retroactive variance request for a retroactive building permit, denial of the variance will result in demolition of the addition.

HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT

Applicant ..... Robert Murillo

Request ..... **(A) Use Subject to Planning Commission Approval | 17.340** expansion of a non-conforming use
(B) Variance | 17.240.010 to reduce the front-yard setback from 55 feet to 14 feet from the centerline of Conner Street.

Proposed Use ..... (A) Expansion of a non-conforming use
(B) Residential addition **- APPEALED to BOC**

Size ..... 0.25± acres

Zoning ..... Highway Business (H-B, 17.150)

Location ..... **812 Atlanta Highway** | Tax Parcel 00127 002001

Commission District ..... Four

Planning Commission Date ..... October 2, 2023

Staff Recommendation ..... **(A) Use Subject to Planning Commission Approval | Approval,** as the request meets hardship criteria A, B, C, D, E, and F of criteria 17.340.020.

(B) Variance | Denial, as the applicant has failed to demonstrate that hardship exist pursuant to the criteria of 2.60.030.- **APPEALED to BOC**

Planning Commission Decision.....(B) Denial
Vote: 3-2 (Braswell & Hunt opposed)

Public Forum:

There were no comments in support or opposition.

Summary Analysis

The applicant is requesting to **(A)** expand the area of a non-conforming use (17.340) of a residential dwelling within a commercial zoning district on 0.25± acres zoned Highway Business (H-B, 17.150) and the Gateway Corridors Overlay District (GCOD, 17.420). The expansion of the residential use by way of an addition onto

the existing structure would **(B)** place the dwelling within 14 feet of the centerline of Conner Street, running along the southern boundary of the lot.

The submitted site plan shows the 519-square foot building addition being added to the western end of the home, bringing it as near as 2.5 feet to the property line and within 14-feet of the centerline of the Conner Street right-of-way. The narrative states that, along with a proposed wooden deck and staircase shown on the site plan, these modifications will allow for the addition of an in-law suite and bonus room area. Concurrent with these plans, the applicant also identifies the intention to incorporate a tie-in to a Gainesville City sewer line to supplement a strained septic system. It is unclear based on the narrative and submitted documentation whether the "prop. 1,500 gal. septic tank" on the subject property and adjacent lot are existing or proposed as a scope of this work since the same structures are noted on the site survey.

The principal structure on this property, a 1,762 square foot single-family dwelling, was constructed in 1920. The proposed home expansions will not further reduce the setback to Atlanta Highway, only to Conner Street.

The front yard setback requirement is 55 feet from centerline of road as found in table 17.240.010 for the Highway Business district (H-B, 17.150). The existing structure currently encroaches to within 15.5 feet of the centerline of Conner Street. The proposed addition necessitates the request for one (1) **variance** to allow the addition to encroach beyond the existing plane of the house, as close as 14 feet from the centerline of Conner Street.

One (1) **variance** related to setback requirements will be necessary if the site plan, as presented, is approved because the proposal does not meet the requirements.

- Front yard setback requirement of 55 feet from centerline of road as found Table 17.240.010 for the Highway Business (H-B, 17.150) district.

Zoning Analysis

Per Planning Commission and Hall County Commission, consideration and decision (17.340), 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:

(A) Use Subject to Planning Commission Approval | 17.340 expansion of a non-conforming use.

17.340.020 Continuation of nonconforming use in hardship cases

The planning commission may grant, with the exception of slow rate land treatment systems ([see definition in] chapter 17.20), which require county commission approval as a use subject to approval of the county commission (chapter 17.380), the change, re-establishment or enlargement of a nonconforming use or the enlargement, rebuilding, alteration, repair or replacement of a nonconforming structure upon the following findings:

A. The change, re-establishment, enlargement, rebuilding, alteration, repair or replacement would be no more detrimental to the surrounding area than the existing or previous use. **The addition to the home will affect the expansion of a non-conforming residential use in a commercial zoning district. It is unlikely this expansion would cause detriment to the surrounding area.**

B. The structure cannot economically be modified so as to be suitable for uses permitted in the district. **The applicant has not identified any intention to modify the existing nonconforming use so that it is compliant with the underlying zoning district. Instead, the applicant seeks to expand the area of the nonconforming use by way of this request.**

C. The structure would have to be removed to permit development of the property for conforming uses. **Staff is unable to determine if the current structure can reasonably support a conforming use.**

D. The structure has such value that removal to permit development of conforming uses would cause economic hardship to the owner. **The owner purchased the home in 2022; however, the owner has not expressed concerns of economic hardship.**

E. The proposed change, re-establishment, enlargement, rebuilding, alteration, repair or replacement would not cause substantial detriment to the public good or impair the purposes and intent of this title. . **Any proposed land use would be limited by the use, bulk, and density regulations applied to the property based on the designated zoning district. Despite the fact that the current and proposed use does not conform to Highway Business district standards, (H-B, 17.150), staff does not find that there will be any substantial detriment to the public good, if relief is granted from 17.340.**

F. The requirements of this title for rezoning would prevent the current zoning from being changed to a classification that would allow the proposed change, re-establishment, enlargement, rebuilding, alteration, repair or replacement. **The residential use exists within a Highway-Business district (H-B, 17.150), a commercial district that does not permit non-commercial uses by-right. At around 10,890 square feet, this property falls short of minimum lot requirement for all residential districts per table 17.240.010; therefore, any alternative request to bring the property into compliance from a use perspective would have additional deficiencies to reconcile.**

(B) Variance | 17.240.010 to reduce the front-yard setback from 55 feet to 14 feet from the centerline of Conner Street.

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); **The lot is relatively small at 0.25± acres, and it is a corner lot. These two factors combine to constrain the available land for infrastructure additions and improvements.**

2. The application of the requirements of this Title 17 to this particular piece of property would create an unusual hardship; **The property is permitted to continue to be used and enjoyed as a nonconforming use without special permission. Staff has not identified an unusual hardship unique to this particular piece of property.**

3. Such conditions are peculiar to the particular piece of property involved and are not common to other properties in the neighborhood; **Many other properties along this corridor are not used for residential purposes, but this parcel is smaller than most others along this portion of Atlanta Highway.**

4. Such conditions are not the result of any actions of the property owner; **The property owner purchased this lot in 2022 with the current improvements and development constraints.**

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. **Any proposed land use would be limited by the use, bulk, and density regulations applied to the property based on the designated zoning district. Despite the fact that the current and proposed use does not conform to Highway Business district standards, (H-B, 17.150), staff does not find that there will be any substantial detriment to the public good, if relief is granted from 17.340.**

17.380.050. - Submission requirements

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. **The proposal meets the requirement, and the applicant understands that someone must be present at the Hall County Planning Commission.**

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]. **The applicant has submitted a narrative, but has not explicitly addressed the criteria listed in 17.380.060.C.**

   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**. The applicant submitted a site plan. Staff noted potential inconsistencies with past versus proposed improvements on the plans in the Summary Analysis.**

C. For any application for a slow rate land treatment system (see chapter 17.20), the following additional requirements apply. **This standard is not applicable as the site will be served by an onsite septic system and/or Gainesville Sewer.**

D. 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. **As there are not 100 or more residential dwelling units proposed, this criterion is not applicable.**

Development Support and Constraints

Hall County Environmental Health

In an email dated August 31, 2023, Emily McGahee stated "Connecting to public sewer. Any abandoned septic tank shall be pumped by a state certified plumber/hauled and crushed/filled."

Hall County Fire Marshal

In an email dated August 29, 2023, John Hornick, NPQ Fire Inspector 1, Plans Review Lieutenant provided the following comments:

The Hall County Fire Marshal's Office has no comments regarding A or B as proposed.

Hall County Public Works and Utilities

In a memo dated August 31, 2023, Bill Nash, Director of Public Works and Utilities, provided the following comments:

Engineering:
No comment.

Traffic:
No comment.

Utilities
No comment.

Georgia Department of Transportation

In an email dated August 25, 2023, Veronica Chavers, D1TO Civil Engineer 3, confirmed that the project will require GDOT coordination for any encroachment into the right-of-way.

- **Excerpts from the minutes of the October 2, 2023 meeting**

Applicant's Presentation:

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

Robert Murillo, 535 Dixon Drive, Gainesville, presented the request. The applicant stated that they would like to purchase the property as a residential home and have an in-law suite.

Public Forum:

There were no comments in support or opposition.

Planning Commission Comments:

Mr. Braswell questioned if the neighboring property is also owned by the family. The applicant stated it is his families and that the subject property is the home of his mother's boyfriend. Mr. Braswell asked if the addition had already been constructed. The applicant stated that it has.

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

Conditions:

1. The proposed expansion of the non-conforming use is approved for lots as generally shown on the site plan entitled "962 Conner Street Sewer Connection", dated July 25, 2023, and described in the project narrative modified as necessary for compliance with development standards enforced at the time of site plan approval.

B
Motion: A motion to deny was made by Mr. Varner and seconded by Ms. Pilcher. Vote: 3-2 (Braswell & Hunt opposed)

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

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APPLICATION FOR APPEAL

Per §17.370.010, the public shall have the right to appeal a decision made by the Planning Commission before the Board of Commissioners.

In order to file an appeal, the appellant must submit a written notice of appeal within five working days of the Planning Commission decision to the Planning Department. The appellant must submit justification and reasons for the appeal along with a $200 appeal fee (cash or check).

Please fill out the following information:

Name: Robert Murillo

Address: 812 Atlanta Hwy Gainesville, GA 30501

Phone Number: 770.530.4921

Email: rmurillo@gonorton.com

Name of original application for which appeal is requested: Robert Murillo

Date of original application: 6/28/23

Justification and reason(s) for filing this appeal (attach additional sheets if necessary):

The structure has already been built on the pre-existing slab of concrete. The footprint of the structure has not changed in relation to the center line of the adjacent street. Conner St, the adjacent street is also not as wide as it shoud be which also makes it difficult to meet the setback requirements.

Signature Robert Murillo Date 10/06/23

For staff use only:

Action _____ Date _____ Tax Parcel Number _____

Conditions: _____

PLANNING AND DEVELOPMENT DEPARTMENT
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p: 770-531-6809 | f: 770-531-3902

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VARIANCE APPLICATION

Applicant (Name and Mailing Address)

Robert Murillo
535 Dixon Drive
Gainesville, GA 30501
Phone 770.530.4921
Email Address rmurillo@gonorton.com

Property Owner (Name and Mailing Address)

Trio Property and Real Estate Services, LLC
1416 McCalla Ave
Knoxville, TN 37915
Phone 865.522.7731
Email Address misom@premierebuilding.com

Location of Property 812 Atlanta Hwy
Present Zoning HB Existing Structures Home

Type of Appeal:

- ✓ Setback Variance
- ___ Road Frontage Variance
- ___ Sign Variance
- ___ Hardship Mobile Home

___ Front Yard	From ___ ft. to ___ ft.
___ Right Side Yard	From ___ ft. to ___ ft.
✓ Left Side Yard (2nd Front)	From ___ ft. to ___ ft.
✓ Rear Yard	From ___ ft. to ___ ft.
___ Road Frontage	From ___ ft. to ___ ft.
___ Sign Area	From ___ ft. to ___ ft.
___ Sign Height	From ___ ft. to ___ ft.
___ Doctor's Letter	___ Terms Agreement

Supporting Documents:

- ✓ Plat of Property
- ✓ Deed of Property
- ✓ Hardship Statement
- ✓ Site Plan
- ___ Floor Plans
- ___ Other

Fee (Must be paid for application to be complete): $ _____

Hardship Mobile Home:

I understand that, if granted, the mobile home must be removed from the property when my hardship ceases to exist.

_____
(Signature)

I hereby certify that the above information is true & correct to the best of my knowledge.

Sign _____ Date 6/28/23

I hereby withdraw this application.

Sign _____ Date _____

Staff Use Only

Application Date: _____ Taken by: _____

Tentative Planning Commission Date: _____ If Appealed County Commission Date: _____

County Commission District: _____

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD GAINESVILLE, GA 30504
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AUTHORIZATION OF PROPERTY OWNERS

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

Name of owner(s) Trio Property and Real Estate and Services LLC. Mark T. Isom owner

Address 1416 McCalla Ave Knox
Knoxville, TN 37915

Phone Number 865-522-7731 office Cell 865-414-2533 Mark T. Isom

Name of applicant(s) Robert Murillo & Patty Murillo

Address 535 Dixon Drive
Gainesville, GA 30501

Phone Number 770.530.4921

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)

Mark T Isom

Personally appeared before me

Mark Isom

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

Deborah L. Hood
Notary Public

6-28-2023
Date

DEBORAH L HOOD NOTARY PUBLIC EXP. AUGUST 1, 2026 HALL COUNTY, GA

PLANNING AND DEVELOPMENT DEPARTMENT
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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: Mark T Isom **Date:** _____

Applicant's/Owner's Name (Printed): Mark T Isom

PLANNING AND DEVELOPMENT DEPARTMENT
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(3) The name and official position of the local government official to whom the campaign contribution was made, and

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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:** _____

Applicant's/Owner's Name (Printed): Robert Murillo

PLANNING AND DEVELOPMENT DEPARTMENT

HALL COUNTY

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STATEMENT OF HARDSHIP

The Hall County Planning Commission has the authority, in specific cases, to grant variances from the terms of the Zoning Regulations when the variance will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the Zoning Regulations will, in specific cases, result in unnecessary hardship and so that the resolution shall be observed, public safety and welfare secured, and substantial justice done. The authority to grant such variances shall be limited to those instances where a hardship is clearly established as required by the Zoning Regulations.

In all cases involving requests for residential variances from the terms of the Zoning Regulations, a plat or survey of the property prepared by a registered surveyor, architect, or engineer shall be required. In all cases involving variances for commercial or industrial uses of land, a site plan of the property prepared by a registered surveyor, architect, or engineer shall be required. Variances may be granted only upon a finding by the board that:

Describe how each situation listed below relates to your application:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property 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).

The way the home sits ~~building~~ building where the current slab/patio sits will allow for proper sewage disposal

2. The application of the requirements of this resolution to this particular property would create an unusual hardship.

would hinder being able to run new sewer line to be connected to the city sewer

3. Such conditions are peculiar to the particular piece of property involved and not common to other properties in the neighborhood. That is, the application of the regulation would deprive the applicant of the rights commonly enjoyed by others in the neighborhood.

4. Such conditions are not the result of any actions of the property owner.

the lot is not big enough for proper siplic. ~~the~~ ~~adjacent~~ ~~lot~~ ~~[illegible]~~ ~~which~~ the home was built to close to road

5. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this resolution provided; however, that no variance may be granted for a use of land or building or structure that is prohibited by this resolution. For example, granting the variance would not confer any special privilege that is denied by this regulation to other property in the same zoning district.

this would allow for better sewage disposal

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

Applicant [signature] **Date** 6/28/23

August 1, 2023

Re: Conditional Use

To whom it may concern,

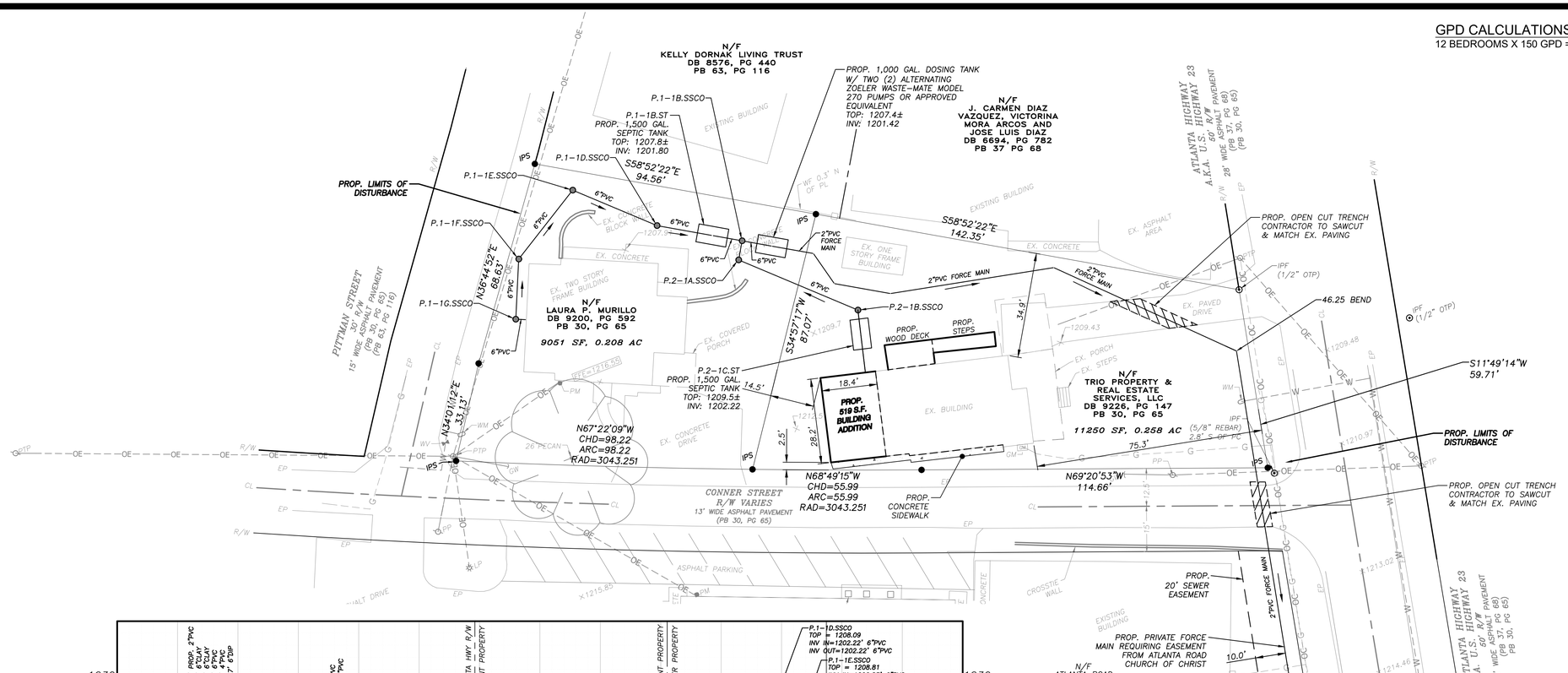
The property located at 812 Atlanta Hwy Gainesville, GA 30501 is currently zoned H-B, but has been used as residential property prior to the purchase last year. We are wanting expand the residential structure and maintain its residential use. The additions would expand the home back away from Atlanta Hwy and adding to the upstairs attic area. This would allow for an in-law suite and bonus room area.

Plans have already been made and work is undergoing to have the home connected to the city sewer to help alleviate potential overuse of the current septic system.

Please feel free to contact Robert Murillo at 770.530.4921 with any additional questions or concerns.

Mark Isom
Owner/CEO
Trio Property & Real Estate Services LLC
865.522.7731

GPD CALCULATIONS:
12 BEDROOMS X 150 GPD = 1,800 GPD



PROPOSED STORM SEWER LINE 1-1

SCALE: 1"=50' HORIZONTAL, 1"=10' VERTICAL

PROPOSED SANITARY SEWER LINE 2-1

SCALE: 1"=50' HORIZONTAL, 1"=10' VERTICAL

GEORGIA811
www.Georgia811.com

Rochester & Associates, LLC
Civil Engineering
425 Oak St NW, Gainesville, GA 30501
770.718.0600 p | www.rochester-assoc.com

SITE PLAN
FOR:

962 CONNER STREET
SEWER CONNECTION

LAND LOT 169
6TH DISTRICT
CITY OF GAINESVILLE, GA

NO.	DATE	DESCRIPTION
		REVISIONS

ANY CHANGES OR ALTERATIONS MADE TO THESE CONSTRUCTION DRAWINGS WITHOUT THE WRITTEN CONSENT OF ROCHESTER & ASSOC. VOIDS THE SEAL SHOWN HEREON AND ANY LIABILITY ASSOCIATED WITH THIS PROJECT. CONTRACTOR SHALL VERIFY ALL EXISTING UTILITIES FOR VERIFICATION OF ANY CHANGES.

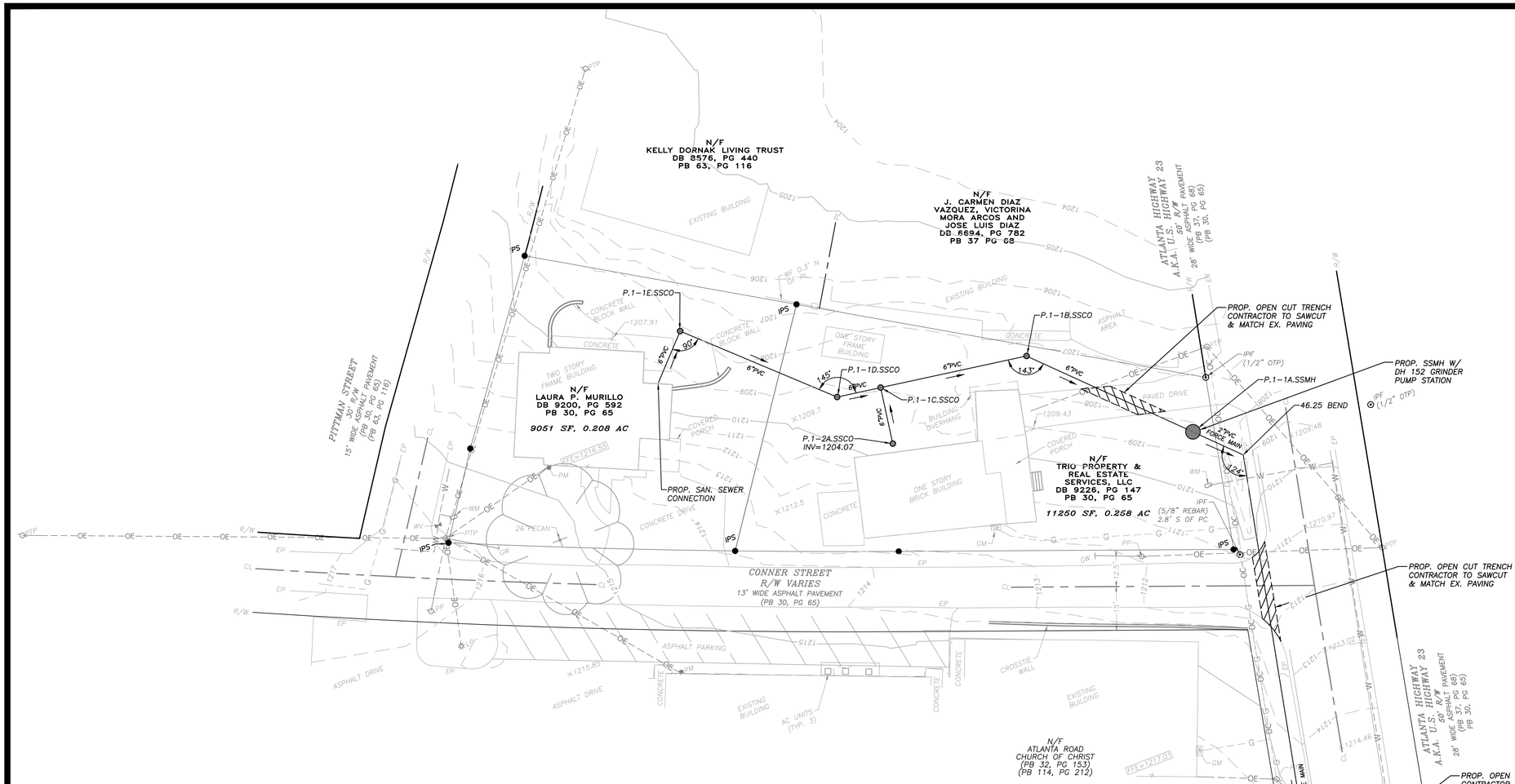
GRAPHIC SCALE
10' 0' 20' 40'

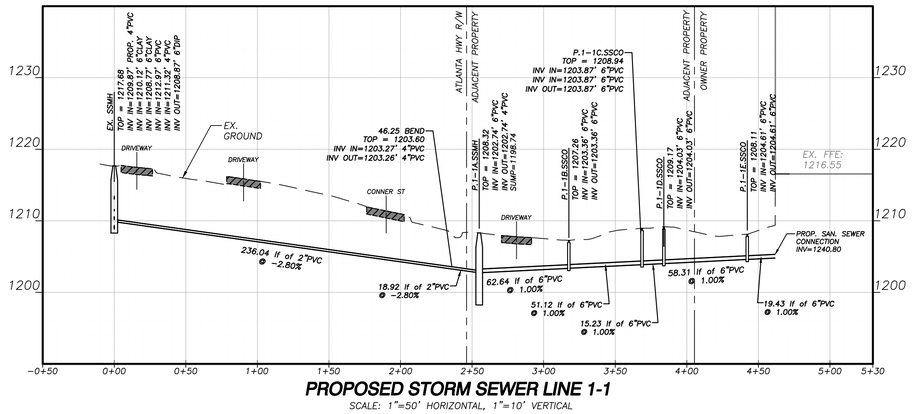
07.25.23

SHEET 1
OF 1

DATE: 07.25.23
SCALE: 1"=20'
JOB NO. G223033.MUR
DWG NO. CNST.dwg
DRAWN BY: DCB

GPD CALCULATIONS:
12 BEDROOMS X 150 GPD = 1,800 GPD





PROPOSED STORM SEWER LINE 1-1

SCALE: 1"=50' HORIZONTAL, 1"=10' VERTICAL

GEORGIA811
www.Georgia811.com

Rochester & Associates, LLC
425 Oak St NW, Gainesville, GA 30501
770.718.8600 p | www.rochester-assoc.com

PLAN & PROFILE
FOR:
962 CONNER STREET
SEWER CONNECTION

LAND LOT 169
18TH DISTRICT
CITY OF GAINESVILLE, GA

NO.	DATE	DESCRIPTION
		REVISIONS

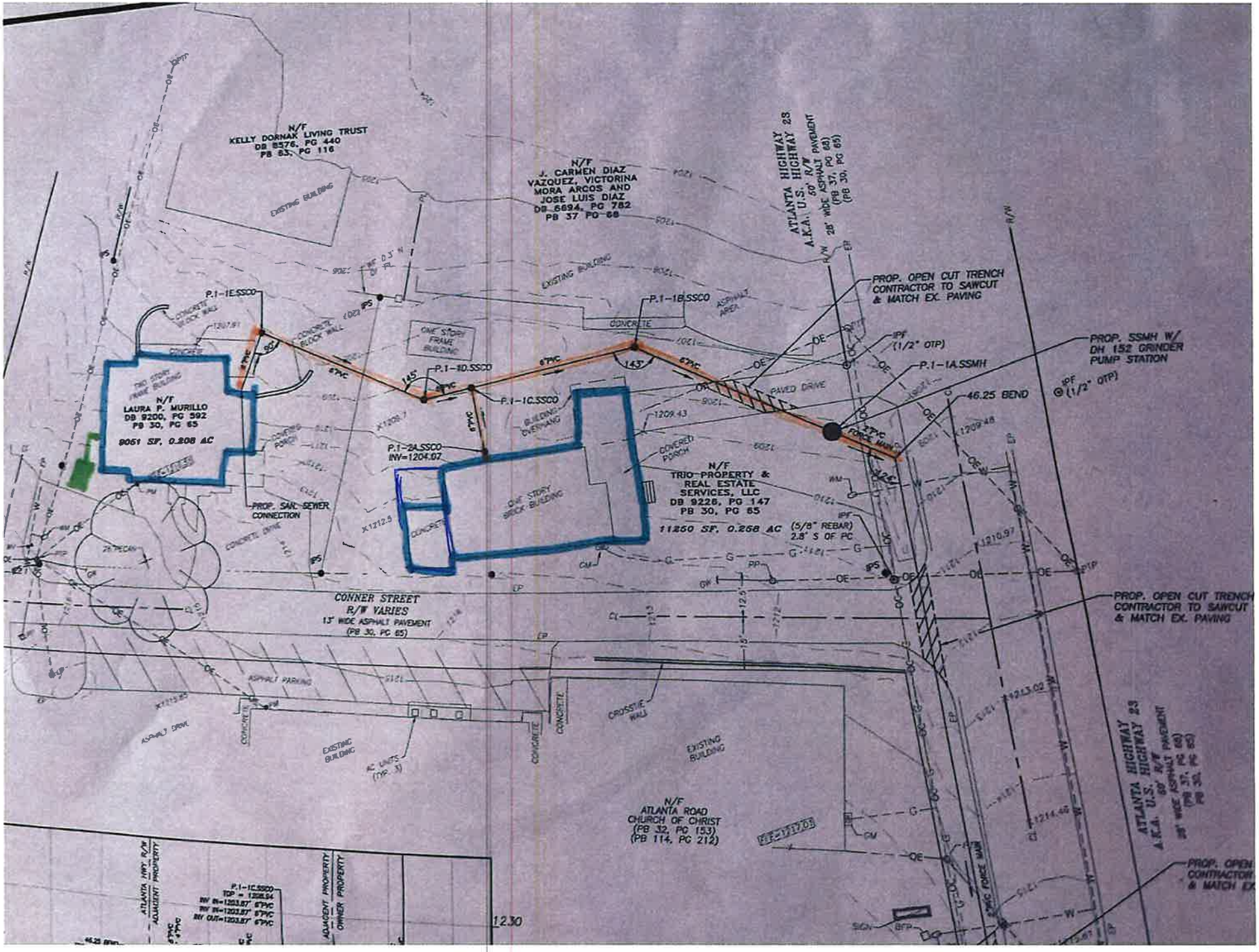
ANY CHANGES OR ALTERATIONS MADE TO THESE CONSTRUCTION DRAWINGS WITHOUT THE EXPRESSED WRITTEN CONSENT OF ROCHESTER & DCCM VOIDS THE SEAL SHOWN HEREON AND ANY LIABILITY ASSOCIATED WITH THE PROJECT. ORIGINAL DRAWINGS ARE ON FILE FOR VERIFICATION OF ANY CHANGES.

GRAPHIC SCALE
10' 0' 20' 40'

04.13.23

SHEET 4 OF 9

DATE: 04.13.23
SCALE: 1"=20'
JOB NO. G223033.MUR
DWG NO. CNST.dwg
DRWN BY: DOB


N/F
KELLY DORNAK LIVING TRUST
DB 8576, PG 440
PB 83, PG 116
N/F
J. CARMEN DIAZ
VAZQUEZ, VICTORINA
MORA ARCOS AND
JOSE LUIS DIAZ
DB 6694, PG 782
PB 37 PG 68
ATLANTA HIGHWAY 23
A.K.A. U.S. R/W
50' R/W
28' WIDE ASPHALT PAVEMENT
(PB 37, PG 68)
(PB 30, PG 65)
PROP. OPEN CUT TRENCH
CONTRACTOR TO SAWCUT
& MATCH EX. PAVING
PROP. SSMH W/
DH 152 GRINDER
PUMP STATION
P.1-1E.SSCO
P.1-1B.SSCO
P.1-1A.SSMH
P.1-1D.SSCO
P.1-1C.SSCO
P.1-2A.SSCO
INV=1204.07
46.25 BEND
6"PVC
FORCE MAIN
N/F
LAURA P. MURILLO
DB 9200, PG 592
PB 30, PG 65
9061 SF, 0.208 AC
N/F
TRIO PROPERTY &
REAL ESTATE
SERVICES, LLC
DB 9228, PG 147
PB 30, PG 65
11250 SF, 0.258 AC
PROP. SAN. SEWER
CONNECTION
CONNER STREET
R/W VARIES
13' WIDE ASPHALT PAVEMENT
(PB 30, PG 65)
N/F
ATLANTA ROAD
CHURCH OF CHRIST
(PB 32, PG 153)
(PB 114, PG 212)
ATLANTA HIGHWAY 23
A.K.A. U.S. R/W
ATLANTA HWY. R/W
ADJACENT PROPERTY
OWNER PROPERTY
P.1-1C.SSCO
TOP = 1208.94
INV IN=1203.87 6"PVC
INV IN=1203.87 6"PVC
INV OUT=1203.87 6"PVC
1230

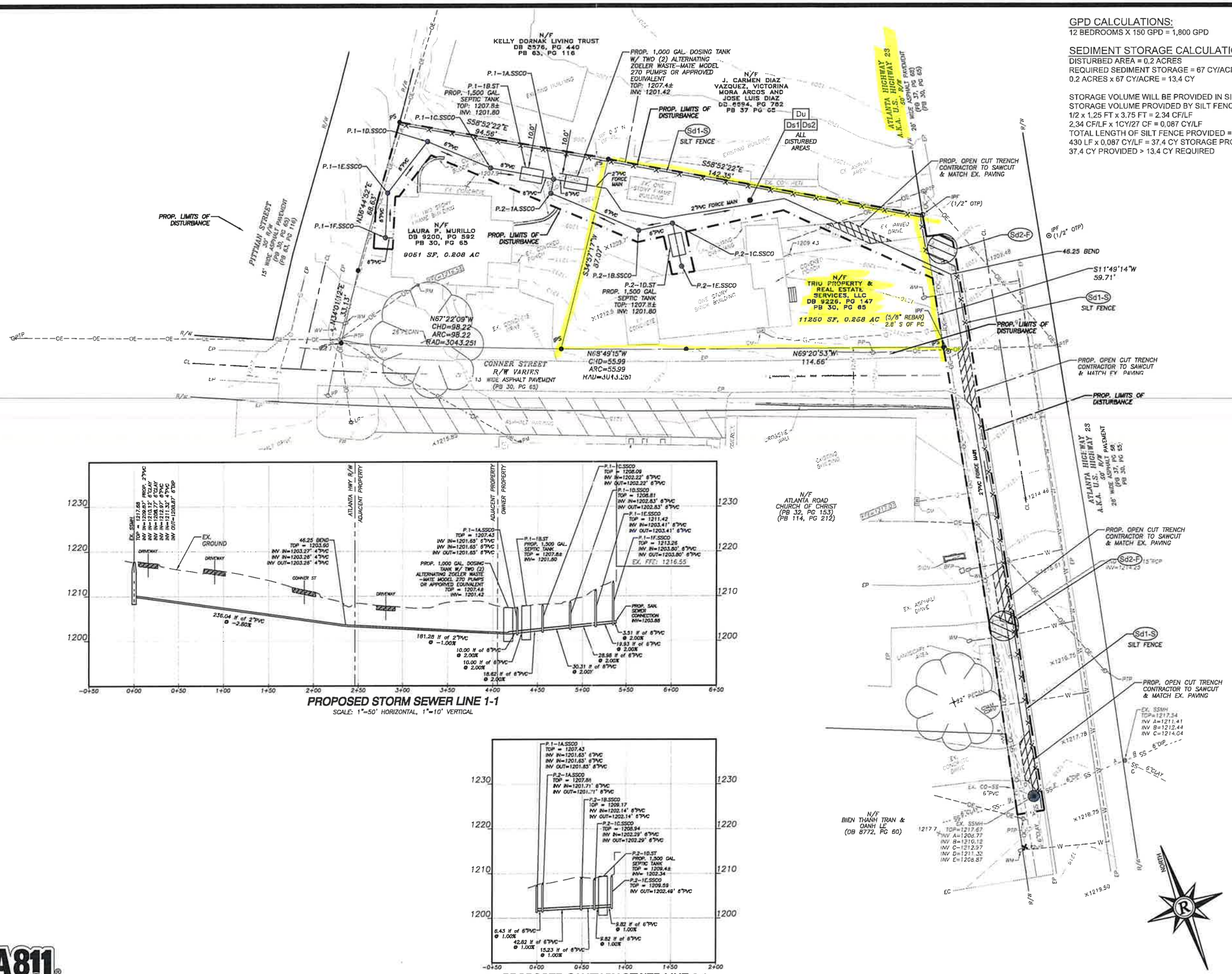
GPD CALCULATIONS:

12 BEDROOMS X 150 GPD = 1,800 GPD

SEDIMENT STORAGE CALCULATIONS:

DISTURBED AREA = 0.2 ACRES
REQUIRED SEDIMENT STORAGE = 67 CY/ACRE
0.2 ACRES x 67 CY/ACRE = 13.4 CY

STORAGE VOLUME WILL BE PROVIDED IN SILT FENCE
STORAGE VOLUME PROVIDED BY SILT FENCE:
1/2 x 1.25 FT x 3.75 FT = 2.34 CF/LF
2.34 CF/LF x 1CY/27 CF = 0.087 CY/LF
TOTAL LENGTH OF SILT FENCE PROVIDED = 430 LF
430 LF x 0.087 CY/LF = 37.4 CY STORAGE PROVIDED
37.4 CY PROVIDED > 13.4 CY REQUIRED



PROPOSED STORM SEWER LINE 1-1
SCALE: 1"=50' HORIZONTAL, 1"=10' VERTICAL

PROPOSED SANITARY SEWER LINE 2-1
SCALE: 1"=50' HORIZONTAL, 1"=10' VERTICAL

GEORGIA811
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Rochester & Associates, LLC
425 Oak St NW, Gainesville, GA 30501
770.716.0600 p | www.rochester-assoc.com

PLAN & PROFILE FOR:

962 CONNER STREET SEWER CONNECTION

LAND LOT 159
9TH DISTRICT
CITY OF GAINESVILLE, GA

NO.	DATE	DESCRIPTION
		REVISIONS

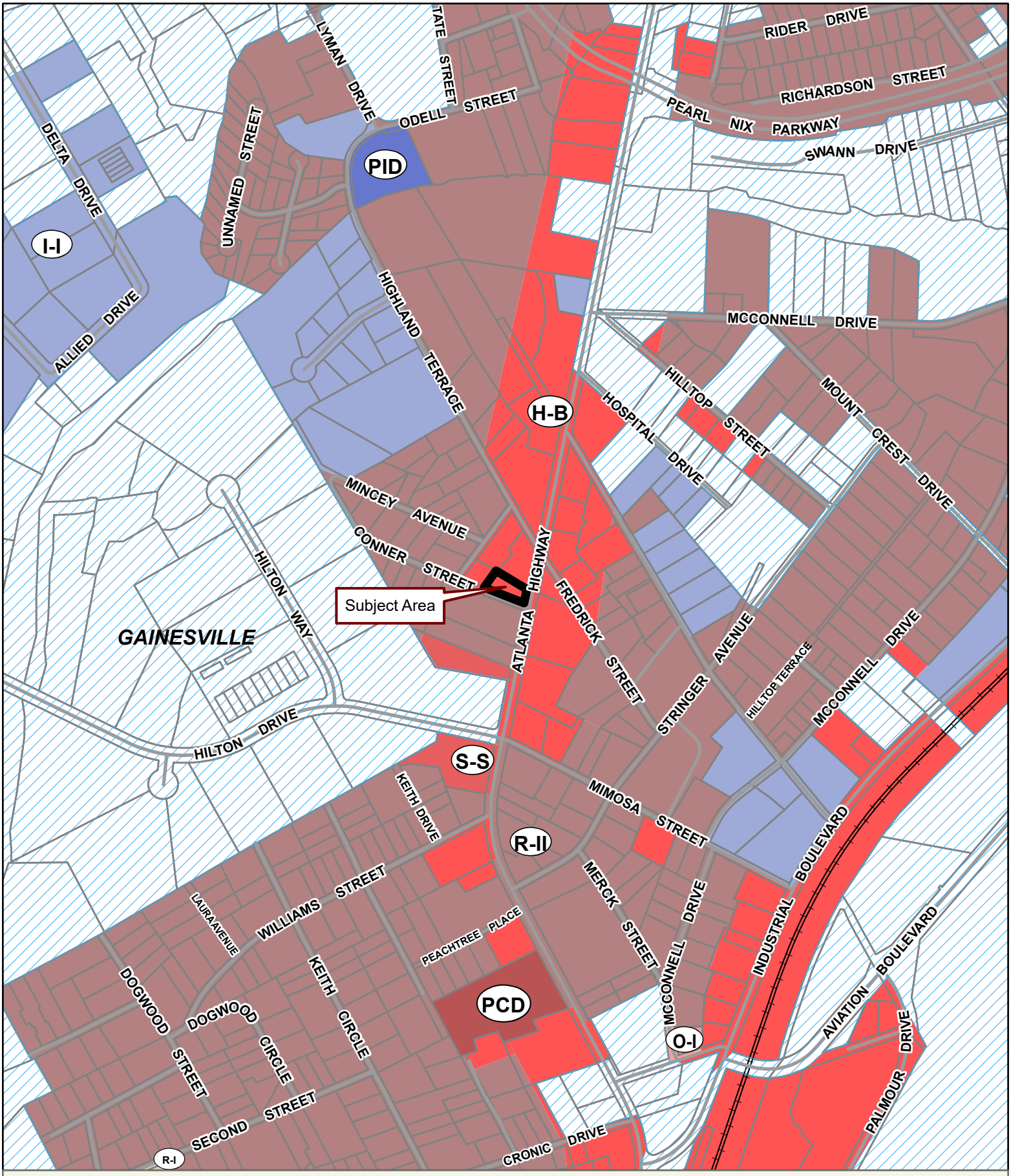
ANY CHANGES OR ALTERATIONS MADE TO THESE CONSTRUCTION DRAWINGS WITHOUT THE WRITTEN APPROVAL OF ROCHESTER & ASSOCIATES, LLC SHALL VOID AND NULLIFY ANY LIABILITY ASSOCIATED WITH THIS PROJECT AS DESIGNED AND SHOWN ON THIS FILE FOR VERIFICATION OF ANY CHANGES.

GRAPHIC SCALE
10' 0' 20' 40'

04.13.23

SHEET 4 OF 9

DATE: 04.13.23
SCALE: 1"=20'
JOB NO. C22.313.MUR
DWG NO. C03.dwg
DRAWN BY: DCB

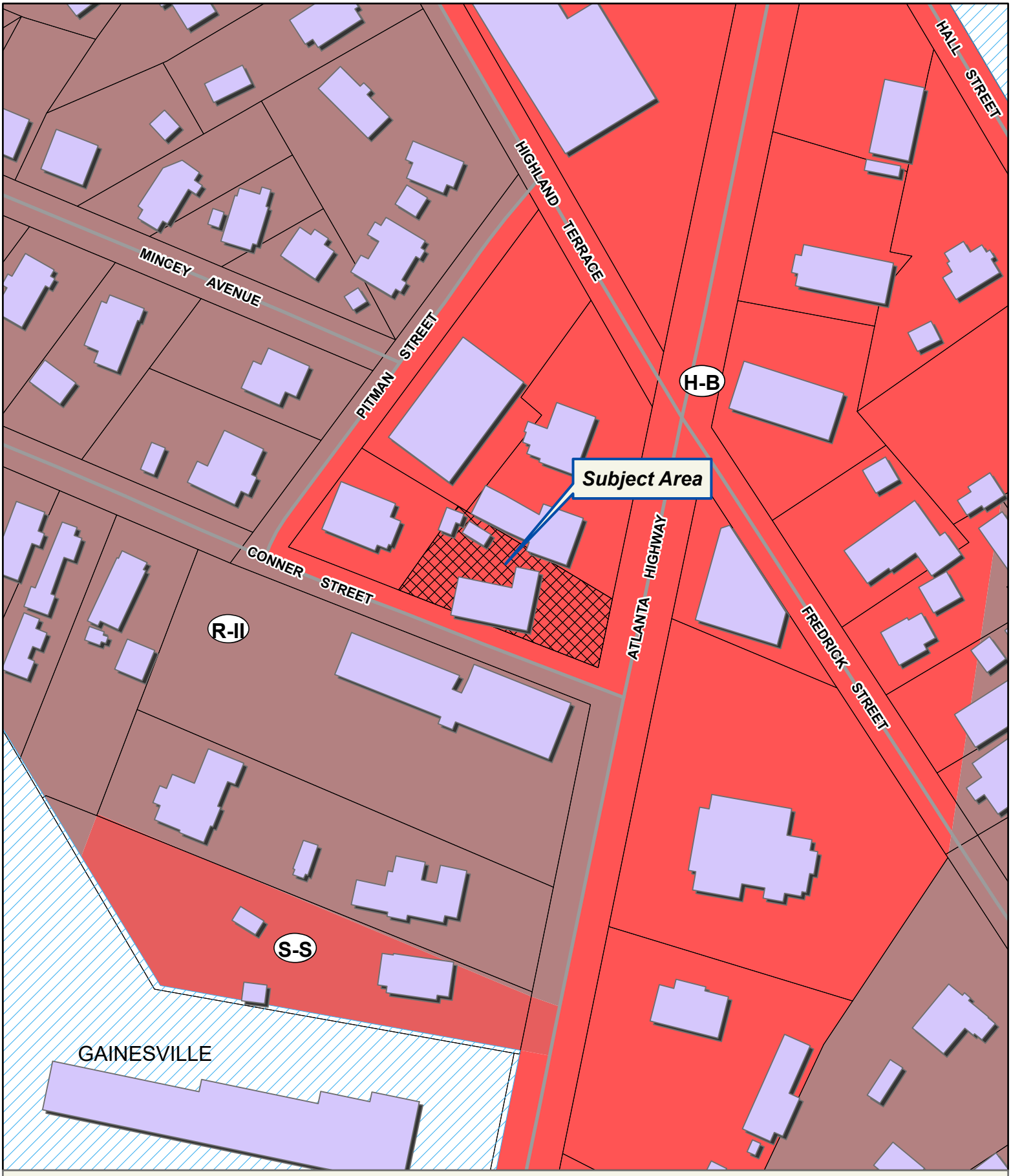


Applicant: ROBERT MURILLO
Tax Parcel #: 00127 002001
Location: 812 ATLANTA HIGHWAY, GAINESVILLE, GA 30501
Commission District 4 **PC Mtg. Date: 10/2/23**

0 150 300 600
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N



Applicant: ROBERT MURILLO
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Location: 812 ATLANTA HIGHWAY, GAINESVILLE, GA 30501
Commission District 4 **PC Mtg. Date: 10/2/23**

0 30 60 120
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N

Applicant: ROBERT MURILLO
Tax Parcel #: 00127 002001
Location: 812 ATLANTA HIGHWAY, GAINESVILLE, GA 30501
Commission District 4 **PC Mtg. Date: 10/2/23**

0 30 60 120
Feet

Zoning Boundary
City Limits
Subject Area

N

Anael Dominguez (CDI: Planning)

From: Emily McGahee (Environmental Health)
Sent: Thursday, August 31, 2023 4:53 PM
To: Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning); Beth Garmon (CDI: Planning)
Cc: Chad Harper (Environmental Health); Kelly Hairston (Environmental Health)
Subject: HCPC Tentative Agenda 10.2.23

Please find Environmental Health comments below:

Items 1A-C, 8730 Forrester Road, Crumley: No comment.

Item 2, 4057 Sargent Circle, Drees: All proposed structures must meet all residential permitting requirements and/or required setbacks to existing septic system. Area for a feasible, full conventional recovery system must be available for the number of bedrooms requested. Existing system evaluation and/or septic system modification may be required for system serving existing home on property. Level 3 Soil Evaluation will be required prior to application if existing septic system will not be used. Any abandoned well shall be properly closed as per Water Well Standards Act by a certified well driller.

Items 3A&B, 812 Atlanta Hwy, Murillo: Connecting to Public sewer. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled.

Item 4, 2122/0 Browns Bridge Road, Duran: No comment. Public sewer.

Item 5, 3321 Montvale Drive, Milne: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. Further determination will be made during the plat review process. All proposed plats must be submitted to the Hall County Plat Review Team for review and approval prior to submittal to Clerk of Courts for recordation.

Item 6, 3902/0 Belmont Hwy, Simpson: 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/modification may be required after review of business plan.

Item 7, 0/4611/4627 Guth Road, 4561/4613 J. M. Turk, 4590/4601/4610 Stanley, Kappler: The entire development (all pods) must be developed on sewer. No onsite sewage management systems to be permitted by Environmental Health. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled.

Items 8 and 9, 6777/6804 Spout Springs, Walker Anderson Homes: Public sewer. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled.

Item 10, Code Amendment: No comment.

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)
https://www.hallcounty.org/192/Environmental-Health (County Website & Forms)

Anael Dominguez (CDI: Planning)

From: Chavers, Veronica E <VChavers@dot.ga.gov>
Sent: Friday, August 25, 2023 10:51 AM
To: Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning)
Subject: RE: Tentative Planning Agenda for October 2, 2023

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.

See comments in red, below.

Veronica Chavers
D1TO Civil Engineer 3

Georgia Department of Transportation

District 1 Traffic Operations
1475 Jesse Jewell Pkwy
Suite 100
Gainesville, GA, 30501
770.533.8488 office

From: Anael Dominguez (CDI: Planning) <adominguez@hallcounty.org>
Sent: Thursday, August 24, 2023 12:20 PM
Subject: Tentative Planning Agenda for October 2, 2023

Good afternoon –

Here is the Tentative Agenda and Maps for the **Monday, October 2, 2023** 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, August 31st.** Email comments to Randi (rdoveton@hallcounty.org) and Ana (adominguez@hallcounty.org).

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – September 18, 2023
N
NEW BUSINESS

1. (A) **8730 Forrester Road | Use Subject to County Commission Approval** | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) | **Proposed use: expansion of commercial kennel** | ** Commission District 3 | **Steven & Holly Crumley, applicants.**

(B) **8730 Forrester Road | Variance** | from 17.240.060 to reduce the setback for commercial kennels from 200 feet to 48 feet | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: commercial kennel structures** | ** Commission District 3 | **Steven & Holly Crumley, applicants.**
(C) **8730 Forrester Road | Variance** | from 17.240.060 to reduce the setback for commercial kennels from 200 feet to 44 feet | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: commercial kennel structures** | ** Commission District 3 | **Steven & Holly Crumley, applicants.** **No GDOT coordination required**

4057 Sargent Circle | Variance | from 17.240.010 to reduce the front yard setback from 55 feet from centerline to 41 feet from centerline on a 0.85± acre parcel located on the east side of Sargent Circle approximately 210 feet from its intersection with Cochran Road | Zoned R-I; Tax Parcel 10120 000071 | **Proposed Use: single-family residence** | * Commission District 2 | **Dennis Drees, Applicant** **No GDOT coordination required**

2.

3. (A) **812 Atlanta Highway | Use Subject to Planning Commission Approval |** on a 0.25± acre parcel located on the west side of Atlanta Highway at its intersection with Conner Street | Zoned H-B, Tax Parcel 00127 002001 | **Proposed Use: expansion of a non-conforming use |** * Commission District 4 **| Robert Murillo, applicant.** **GDOT coordination required for any encroachment onto the right-of-way**

   (B) **812 Atlanta Highway | Variance** | from 17.240.010 to reduce the front yard setback from 55 feet from centerline to 14 feet from centerline of road on a 0.25± acre parcel located on the west side of Atlanta Highway at its intersection with Conner Street | Zoned H-B, Tax Parcels 00127 002001 | **Proposed Use: residential addition** | * Commission District 4 **| Robert Murillo, applicant.** **GDOT coordination required for any encroachment onto the right-of-way**

4. **2122 & 0 Browns Bridge Road | Use Subject to County Commission Approval |** on a 1.708± acre tract located on the west side of Browns Bridge Road, approximately 62 feet from its intersection with Hilton Drive | Zoned H-B / GCOD; Tax Parcel 00122 001021 & 001031B | **Proposed use: used vehicle sales lot |** ** Commission District 4 **| Antonio Duran, applicant.** **GDOT coordination required for access on SR 369/ Browns Bridge Rd**

5. **3321 Montvale Drive | Use Subject to County Commission Approval |** on a 7.88± acre tract located on the south side of Montvale Drive, at its intersection with Manor Ridge | Zoned R-I & AR-III; Tax Parcel 10046 000015 **| Proposed use: 4-lot subdivision |** ** Commission District 2 **| Zachary Lewis Boyd Milne, applicant.** **No GDOT coordination required**

6. **3902 & 0 Belmont Highway | Rezone |** from Agricultural Residential IV (AR-IV) to Planned Industrial Development (PID) /GCOD on 15.75± acres located on the southeastern side of Belmont Highway, approximately 1,780 feet north of its intersection with Mountain Creek Road | Zoned AR-IV, Tax Parcels: 15013 000017B and 000074 (pt.) **| Proposed Use: truck parking and office|** ** Commission District 3 **| Gus E. Simpson, applicant.** **GDOT coordination required**

7. **0, 4611,4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road | Rezone |** from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on 117.31± acres located on the east side of J M Turk Road at its intersection with Guth Road | Zoned AR-III; Tax Parcels 15043 000027, 000109, 000128, 000201 & 15044 000035, 000035B, 000043, 000100, 000127 **| Proposed Use: 324 lot residential development |** ** Commission District 1 **| Thompson O'Brien Kappler & Nasuti PC, applicant.** **No GDOT coordination required**

8. **6777 and 6804 Spout Springs Road | Rezone |** from Agricultural Residential III (AR-III) and Planned Residential Development (PRD) to Planned Residential Development (PRD) on a combined 22.88± acres located on the west side of Spout Springs Road, approximately 100 feet from its intersection with Lancaster Crossing | Zoned AR-III & PRD; Tax Parcels 15042 000018 and 000140 (pt.) **| Proposed Use: 95-unit townhome development |** ** Commission District 1 **| Walker Anderson Homes, applicant.** **No GDOT coordination required**

9. **6804 Spout Springs Road | Amend Condition of PRD |** on a 20.37± acre parcel located on the west side of Spout Springs Road, at its intersection with Lancaster Crossing | Zoned PRD; Tax Parcels 15042 000018 **| Proposed Use: 95-unit townhome development |** ** Commission District 1 **| Walker Anderson Homes, applicant.** **No GDOT coordination required**

10. **Public Hearing to Amend sections 17.410,** Standards for Telecommunication Antennas and Towers, and 17.412,Standards for Small Wireless Facilities Placed in the County Right-of-Way, Title 17 of the Official Code of Hall County, Georgia; to repeal conflicting ordinances and resolutions; and for other purposes. **** | Hall County Planning Staff, applicant.** **No 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 30 days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing Thursday, November 9, 2023 at 6:00 p.m. at the Hall County Government Center, 2nd 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, November 9, 2023. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,
Ana Dominguez
Planning Commission Clerk
Hall County Community Development and Infrastructure
(770) 531-6810 | www.hallcounty.org

HALL COUNTY
GEORGIA
We have it all in Hall

Human trafficking impacts every corner of the globe, including our state and local communities. Georgia DOT is committed to end human trafficking in Georgia through education enabling its employees and the public to recognize the signs of human trafficking and how to react in order to help make a change. To learn more about the warning signs of human trafficking, visit https://doas.ga.gov/human-resources-administration/human-trafficking-awareness. To report any suspicious activity, call the Georgia Human Trafficking Hotline at 866-363-4842. Let's band together to end human trafficking in Georgia.

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

DIRECTOR
Srikanth Yamala

PUBLIC WORKS AND
UTILITIES DIRECTOR
Bill Nash, P.E.

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PUBLIC WORKS AND UTILITIES

M E M O R A N D U M

To: Randi Doveton, Director of Planning and Development

From: Bill Nash, Director of Public Works and Utilities

Date: August 31, 2023

Subject: October 2, 2023 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the October 2, 2023 meeting. Upon review, we provide the following comments.

1. (A) **8730 Forrester Road | Use Subject to County Commission Approval** | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: expansion of commercial kennel** | ** Commission District 3 **| Steven & Holly Crumley, applicants.**
   (B) **8730 Forrester Road | Variance** | from 17.240.060 to reduce the setback for commercial kennels from 200 feet to 48 feet | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: commercial kennel structures** | ** Commission District 3 | **Steven & Holly Crumley, applicants.**
   (C) **8730 Forrester Road | Variance** | from 17.240.060 to reduce the setback for commercial kennels from 200 feet to 44 feet | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: commercial kennel structures** | ** Commission District 3 | **Steven & Holly Crumley, applicants.**

   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:** No Comment
   c. **Utilities:** No Comment

2. **4057 Sargent Circle | Variance |** from 17.240.010 to reduce the front yard setback from 55 feet from centerline to 41 feet from centerline on a 0.85± acre parcel located on the east side of Sargent Circle approximately 210 feet from its intersection with Cochran Road | Zoned R-I; Tax Parcel 10120 000071 | **Proposed Use: single-family residence** | * Commission District 2 **| Dennis Drees, Applicant**

   a. **Engineering:** No Comment
   b. **Traffic:** No Comment
   c. **Utilities:** No Comment

3. (A) **812 Atlanta Highway | Use Subject to Planning Commission Approval |** on a 0.25± acre parcel located on the west side of Atlanta Highway at its intersection with Conner Street | Zoned H-B, Tax Parcel 00127 002001 |

Proposed Use: expansion of a non-conforming use | * Commission District 4 **| Robert Murillo, applicant.**
(B) **812 Atlanta Highway | Variance** | from 17.240.010 to reduce the front yard setback from 55 feet from centerline to 14 feet from centerline of road on a 0.25± acre parcel located on the west side of Atlanta Highway at its intersection with Conner Street | Zoned H-B, Tax Parcels 00127 002001 | **Proposed Use: residential addition** | * Commission District 4 | **Robert Murillo, applicant.**

a. **Engineering:** No Comment
b. **Traffic:** No Comment
c. **Utilities:** No Comment

4. **2122 & 0 Browns Bridge Road | Use Subject to County Commission Approval |** on a 1.708± acre tract located on the west side of Browns Bridge Road, approximately 62 feet from its intersection with Hilton Drive | Zoned H-B / GCOD; Tax Parcel 00122 001021 & 001031B | **Proposed use: used vehicle sales lot |** ** Commission District 4 **| Antonio Duran, 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 stream buffer and impervious setback from wrested vegetation not centerline of stream.
FEMA and Hall County studied Flood plains present on site.
b. **Traffic:** Improvements along Baker Lane and Baker Circle may be required
c. **Utilities:** No sewer available

5. **3321 Montvale Drive | Use Subject to County Commission Approval |** on a 7.88± acre tract located on the south side of Montvale Drive, at its intersection with Manor Ridge | Zoned R-I & AR-III; Tax Parcel 10046 000015 **| Proposed use: 4-lot subdivision |** ** Commission District 2 **| Zachary Lewis Boyd Milne, applicant.**

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 Comment
c. **Utilities:** No Comment

6. **3902 & 0 Belmont Highway | Rezone |** from Agricultural Residential IV (AR-IV) to Planned Industrial Development (PID) /GCOD on 15.75± acres located on the southeastern side of Belmont Highway, approximately 1,780 feet north of its intersection with Mountain Creek Road | Zoned AR-IV, Tax Parcels: 15013 000017B and 000074 (pt.) **| Proposed Use: truck parking and office|** ** Commission District 3 **| Gus E. Simpson, 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 stream buffer and impervious setback from wrested vegetation not centerline of stream.
b. **Traffic:** Access must be approved/permitted by GDOT
c. **Utilities:** No Comment

7. **0, 4611,4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road | Rezone |** from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on 117.31± acres located on the east side of J M Turk Road at its intersection with Guth Road | Zoned AR-III; Tax Parcels 15043 000027, 000109, 000128, 000201 & 15044 000035, 000035B, 000043, 000100, 000127 **| Proposed Use: 324 lot residential development |** ** Commission District 1 **| Thompson O'Brien Kappler & Nasuti PC, applicant.**

a. Engineering: No dead end streets
Show stream buffer and impervious setback from wrested vegetation not centerline of stream
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: A left turn lane and decel lane will be required for the entrance.
Any required roadway improvements will be the financial responsibility of the developer
A cul-de-sac should be provided for Guth Road at the proposed end of county maintenance

c. Utilities: No sanitary sewer in area.

8. **6777 and 6804 Spout Springs Road | Rezone |** from Agricultural Residential III (AR-III) and Planned Residential Development (PRD) to Planned Residential Development (PRD) on a combined 22.88± acres located on the west side of Spout Springs Road, approximately 100 feet from its intersection with Lancaster Crossing | Zoned AR-III & PRD; Tax Parcels 15042 000018 and 000140 (pt.) **| Proposed Use: 95-unit townhome development |** ** Commission District 1 **| Walker Anderson Homes, 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 stream buffer and impervious setback from wrested vegetation not centerline of stream
Current layout provided for zoning does not meet Hall County Road standards
No on-street parking on public right-of-way.
Floodplain present on site

b. Traffic: will need to coordinate entrance design and location with Hall County Engineering with regards to Spout Springs Road Phase 2 Widening.

c. Utilities: Sewer required off-site easement
Must extend 30 feet sanitary sewer to up stream proposed line.

9. **6804 Spout Springs Road | Amend Condition of PRD |** on a 20.37± acre parcel located on the west side of Spout Springs Road, at its intersection with Lancaster Crossing | Zoned PRD; Tax Parcels 15042 000018 **| Proposed Use: 95-unit townhome development |** ** Commission District 1 **| Walker Anderson Homes, 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 stream buffer and impervious setback from wrested vegetation not centerline of stream
Current layout provided for zoning does not meet Hall County Road standards
No on-street parking on public right-of-way.
Floodplain present on site

b. **Traffic:** will need to coordinate entrance design and location with Hall County Engineering with regards to Spout Springs Road Phase 2 Widening.
c. **Utilities:** Sewer required off-site easement
Must extend 30 feet sanitary sewer to up stream proposed line.

10. **Public Hearing to Amend sections 17.410,** Standards for Telecommunication Antennas and Towers, and 17.412,Standards for Small Wireless Facilities Placed in the County Right-of-Way, Title 17 of the Official Code of Hall County, Georgia; to repeal conflicting ordinances and resolutions; and for other purposes. **** | Hall County Planning Staff, applicant.**

a. **Engineering:** No Comment
b. **Traffic:** No Comment
c. **Utilities:** No Comment

Anael Dominguez (CDI: Planning)

From: John Hornick (Fire Services)
Sent: Tuesday, August 29, 2023 10:13 AM
To: Anael Dominguez (CDI: Planning)
Cc: Randi Doveton (CDI: Planning)
Subject: Fire Comments

Monday, October 2, 2023 Hall County Planning Commission Meeting.

3 (A) **812 Atlanta Highway | Use Subject to Planning Commission Approval |** on a 0.25± acre parcel located on the west side of Atlanta Highway at its intersection with Conner Street | Zoned H-B, Tax Parcel 00127 002001 | **Proposed Use: expansion of a non-conforming use |** * Commission District 4 **| Robert Murillo, applicant.**

(B) **812 Atlanta Highway | Variance** | from 17.240.010 to reduce the front yard setback from 55 feet from centerline to 14 feet from centerline of road on a 0.25± acre parcel located on the west side of Atlanta Highway at its intersection with Conner Street | Zoned H-B, Tax Parcels 00127 002001 | **Proposed Use: residential addition** | * Commission District 4 | **Robert Murillo, applicant.**

The Hall County Fire Marshal's Office has no comments regarding A or B as proposed.

Regards,

John Hornick, NPQ Fire Service Plans Examiner 1
Lieutenant, Hall County Fire Rescue
Hall County Government
Main: 770-531-6838 | Cell: 404-597-0083
Website: 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: ROBERT MURILLO
REQUEST:
USE SUBJECT TO PLANNING COMMISSION
APPROVAL FOR EXPANSION OF A NON-CONFORMING USE
PUBLIC HEARINGS WILL BE HELD ON:
PLANNING COMMISSION
Date: Oct 2, 2023
Time: 5:15 p.m.
IF APPEALED
COUNTY COMMISSION
Date: Nov 9, 2023
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 WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY
APPLICANT: ROBERT MURILLO
REQUEST:
VARIANCE TO REDUCE FRONT YARD SETBACK FROM 55 FT FROM CENTERLINE OF ROAD TO 14 FT FROM CENTERLINE FOR RESIDENTIAL ADDITION
PUBLIC HEARINGS WILL BE HELD ON:
PLANNING COMMISSION
Date: OCT 2, 2023
Time: 5:15 PM
IF APPEALED
COUNTY COMMISSION
Date: NOV 9, 2023
Time: 6:00 PM
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: ROBERT MURILLO
REQUEST: USE SUBJECT TO PLANNING COMMISSION APPROVAL FOR EXPANSION OF A NON-CONFORMING USE
PUBLIC HEARINGS WILL BE HELD ON:
PLANNING COMMISSION Date: Oct 2, 2023 Time: 5:15 p.m.
IF appealed
COUNTY COMMISSION Date: Nov 9, 2023 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 WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY
APPLICANT: ROBERT MURILLO
REQUEST: VARIANCE TO REDUCE FRONT YARD SETBACK FROM 55FT FROM CENTERLINE TO 14FT FROM CENTERLINE FOR RESIDENTIAL ADDITION.
PUBLIC HEARINGS WILL BE HELD ON:
PLANNING COMMISSION Date: OCT 2, 2023 Time: 5:15PM.
IF APPEALED
COUNTY COMMISSION Date: NOV 9, 2023 Time: 6:00PM.
HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA
FOR MORE INFORMATION CALL: (770) 531-6809

AGENDA ITEM

Planning and Development

REPORT TO: **Work Session (11/06/23)**

REPORT TO: **Voting Meeting (11/09/23)**

ITEM NO: 638/2023

SUBJECT: Public Hearing to amend section 17.410 entitled "Standards for Telecommunication Antennas and Towers" and section 17.412 entitled "Standards for Small Wireless Facilities Placed in the County Right-of-Way" within Title 17 of the Official Code of Ordinances of Hall County, Georgia; to repeal conflicting ordinances and resolutions; and for other purposes.

Meetings:

Work Session Date: 11/06/23 **Voting Meeting Date:** 11/09/23

Executive Summary:

Presenter: RD

Recommendation:
Approval.

Purpose of Request:
Public Hearing to amend section 17.410 entitled "Standards for Telecommunication Antennas and Towers", and section 17.412 entitled "Standards for Small Wireless Facilities Placed in the County Right-of-Way" within Title 17 of the Official Code of Ordinances of Hall County, Georgia; to repeal conflicting ordinances and resolutions; and for other purposes.

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.?	Yes
Has it been reviewed by the County Attorney?	Yes
Is there a deadline for this item?	

Approvals:

Submit	Approve	Attorney	Administration
AD	RD	WLI	CR
Clerk			
JR			

Attachments:
Board Memo
Telecommunications Ordinance Amendments Presentation
Resolution
Exhibit A (Ordinance Revisions)

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435

GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR
Srikanth Yamala

PLANNING AND DEVELOPMENT
DIRECTOR
Randi Doveton

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PLANNING AND DEVELOPMENT

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

From: Randi Doveton, Director of Planning & Development

Date: October 23, 2023

Subject: Public Hearing to **Amend sections 17.410**, Standards for Telecommunication Antennas and Towers, and **17.412**,Standards for Small Wireless Facilities Placed in the County Right-of-Way, Title 17 of the Official Code of Hall County, Georgia; to repeal conflicting ordinances and resolutions; and for other purposes.

The request before you is the request of the Hall County Planning Staff to amend sections 17.410 and 17.412 of Title 17 of the official code of Hall County, Georgia.

At their October 2, 2023 meeting, the Hall County Planning Commission voted to recommend approval **(5-0)**.

There were **no 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.

Telecommunications facilities are highly regulated by both the federal and state laws; this proposed amendment will ensure that Hall County's regulations are compliant with the state and federal regulations while providing grounds on which telecommunication antennae or tower applications may be denied.

- Chapter 17.410 – This rewrite will establish guidelines for the siting of all wireless, cellular, television and radio telecommunications towers and antennas, encourage location of towers in non-residential areas, minimize the total number of towers within the community commensurate with needs, encourage joint use of new and existing tower sites (co-location), locate towers where adverse impacts are minimal, encourage design and construction of towers and antennas to minimize visual impacts, and enhance the ability of providers to deliver telecommunications services to the community effectively and efficiently.

- Chapter 17.412 – This rewrite on small wireless facilities and antennas will take into account federal and state law and will establish requirements, specifications, and reasonable conditions regarding placement of small wireless facilities and poles in the public right-of-way.
  The goal is to reasonably manage and protect the public rights-of-way and its uses in the County, implement Georgia's Streamlining Wireless Facilities and Antennas Act, ensure the use of public rights-of-way is consistent with the design, appearance, and other features of nearby land uses, protect the integrity of historic, cultural, and scenic resources, and prevent harm to residents' qualify of life

Telecommunications Ordinance Amendments (Cell Towers and Facilities)

August, 2023

William Linkous, County Attorney

Telecommunications Ordinance Revision (Cell Towers and Facilities)

- Telecommunications towers and facilities are highly regulated
- Federal Laws Relating to Towers and Facilities:
  - Section 704 of the Federal Telecommunications Act of 1996 (Governs siting of telecommunications towers and facilities)
  - 47 U.S.C. § 332
  - Nothing shall limit or affect the authority of a state or local government over decisions regarding the placement of cell towers (statement gives lip service to local government authority)
  - But ….

HALL COUNTY
GEORGIA

Telecommunications Ordinance Revision (Cell Towers and Facilities)

- The FTA restricts local governments as follows:
- Local governments shall not unreasonably discriminate among providers of functionally equivalent services
- Local governments shall not prohibit or have the effect of prohibiting the provision of personal wireless services
- Local governments shall act on any request for authorization to place, construct, or modify personal wireless service facilities within a reasonable period of time after the request is duly filed (shot clock)
- Local governments shall render decisions to deny a request to place, construct, or modify personal wireless service facilities in writing and support them with “substantial evidence” contained in a written record (Requires the hiring of an expert engineer to present at public hearings)
- Local governments may not regulate the placement, construction, and modification of personal wireless service facilities on the basis of the “environmental effects of radio frequency emissions” to the extent that such facilities comply with FCC regulations
- “Any person adversely affected” by local government action may appeal to court within 30 days

HALL COUNTY
GEORGIA

Telecommunications Ordinance Revision (Cell Towers and Facilities)

- Georgia Laws Relating to Towers and Facilities:
  - O.C.G.A. §§ 36-66B-1 to 36-66B-7 (Mobile Broadband Infrastructure Leads to Development Act) provides comprehensive regulations
  - O.C.G.A. §§ 36-66C-1 to 36-66C-21 (Streamlining Wireless Facilities and Antennas Act) also provides comprehensive regulations
  - O.C.G.A. § 32-4-42 (6) provides that counties have the authority to establish reasonable regulations for the installation, construction, maintenance, etc. of cables, wires, poles, towers, and other equipment or facilities in, on, along, over, or under public roads of the county (this is helpful)

HALL COUNTY
GEORGIA

Telecommunications Ordinance Revision (Cell Towers and Facilities)

- The County currently has two ordinances that govern telecommunications towers and facilities
- Chapter 17.410 – Standards for Telecommunication Antennas and Towers
- Chapter 17.412 – Standards for Small Wireless Facilities Placed in the County Right of Way
- **The County's two telecommunications ordinances were last revised in 2002**

HALL COUNTY
GEORGIA

Telecommunications Ordinance Revision (Cell Towers and Facilities)

- Hall County's current ordinances contain provisions that need to be changed – examples include:
  - We currently disfavor sites within 4 tower lengths of residentially-zoned property
  - We require setbacks of at least 2 tower lengths from the base of the tower to all property lines
  - We require setbacks from any residential structure of either 4 tower lengths or 500 feet, whichever is greater
  - There are no tower height restrictions in any non-residential zoning districts (only 195 foot height restriction in AR-III and AR-IV)
  - Our fees may in some instances exceed legal maximums (up to $3000)
  - We do not currently have a process for hiring an engineer to evaluate cell tower applications based upon factors that may be legitimate grounds for denial of applications
  - Our ordinances do not require conformity with the FCC's shot clock requirements (especially for towers and antennas)

HALL COUNTY
GEORGIA

Telecommunications Ordinance Revision (Cell Towers and Facilities)

- In order to successfully deny any cell tower application, we must first revise our ordinances
- Our best option is a full re-write of Chapters 17.410 and 17.412
- Van Stephens drafted the model for the ordinance re-write with assistance from Gerard Lederer – Best Best & Krieger, LLP (Washington, D.C.)

HALL COUNTY
GEORGIA

Telecommunications Ordinance Revision (Cell Towers and Facilities)

- Chapter 17.410 – This rewrite will establish guidelines for the siting of all wireless, cellular, television and radio telecommunications towers and antennas
  - Encourage location of towers in non-residential areas
  - Minimize the total number of towers within the community commensurate with needs
  - Encourage joint use of new and existing tower sites (co-location)
  - Locate towers where adverse impacts are minimal
  - Encourage design and construction of towers and antennas to minimize visual impacts
  - Enhance the ability of providers to deliver telecommunications services to the community effectively and efficiently

HALL COUNTY
GEORGIA

Telecommunications Ordinance Revision (Cell Towers and Facilities)

- Chapter 17.412 – This rewrite on small wireless facilities and antennas will take into account federal and state law and will:
  - Establish requirements, specifications, and reasonable conditions regarding placement of small wireless facilities and poles in the public right-of-way
  - Goal is to reasonably manage and protect the public rights-of-way and its uses in the County
  - Implement Georgia's Streamlining Wireless Facilities and Antennas Act
  - Ensure the use of public rights-of-way is consistent with the design, appearance, and other features of nearby land uses
  - Protect the integrity of historic, cultural, and scenic resources
  - Prevent harm to residents' qualify of life

HALL COUNTY
GEORGIA

Telecommunications Ordinance Revision – Major Points

- The new ordinance applies to all telecommunications towers and antennas that are installed at a height of 50 feet or more
- Government facilities and structures are exempted
- Pre-existing towers are exempt - except from federal requirements and building/safety codes
- Amateur radio antennas less than 75 feet are exempt if they are receive-only or owned and operated by a federally-licensed amateur radio operator

HALL COUNTY
GEORGIA

Telecommunications Ordinance Revision – Major Points

- Towers not operated for a continuous period of six months are considered abandoned and must be removed within 60 days of receipt of notice of designation as abandoned
- If not removed within 60 days of receipt of notice, the County may remove the antenna or tower at the owner's expense under O.C.G.A. §§ 41-2-7 to 41-2-17
- Prior to issuance of a permit for tower/antenna construction, the owner must post a bond of not less than $25,000 conditioned upon removal of the tower/antenna
- The bond must be from a Georgia surety with a Hall County office

HALL COUNTY
GEORGIA

Telecommunications Ordinance Revision – Major Points

- Each calendar year the owner of a telecommunications tower must register the tower with the Director of Planning and Development on County forms
- The registration requires disclosure of all relevant information, including information on all structures and equipment on site
- The owner must disclose any ownership transfers or modifications to the tower
- After ten years, the tower must be inspected every three years by an appropriate engineer and certified as not hazardous
- Yearly registration fees are $100.00 (first year) and $50.00 thereafter

HALL COUNTY
GEORGIA

Telecommunications Ordinance Revision – Major Points

- The Planning and Development Department must maintain an inventory of all towers or alternative tower structures present in the County
- Essential information, including suitability for co-location, shall be maintained
- Tower/antenna applicants must submit affidavits setting forth an inventory of its existing towers and structures present in the County or its cities, or within 1 mile of the County border
- Tower/antenna applicants must submit specific information about each such tower, including coordinates, height, design, tower type, suitability for co-location, etc.
- The information can be shared with other applicants by the County

HALL COUNTY
GEORGIA

Telecommunications Ordinance Revision – Major Points

- All towers must be designed to accommodate co-location of other cellular telecommunications antennas
- Towers up to 125 feet must be designed to accommodate at least two providers
- Towers greater than 125 feet must be designed to accommodate at least four providers
- All towers must also meet all applicable building and safety codes

HALL COUNTY
GEORGIA

Telecommunications Ordinance Revision – Major Points

- No new tower shall be permitted unless the applicant demonstrates to the satisfaction of the Department and Board of Commissioners that no existing tower or alternative structure can accommodate the applicant's proposed antenna
- All evidence must be signed and sealed by appropriate licensed professionals and industry experts
- The ordinance provides a list of evidence that must be provided by the applicant to show co-location is not possible
- The applicant must include, for each listed evidentiary conclusion, an affidavit listing the existing towers which were considered and rejected and a detailed explanation of why the existing towers are not useable

HALL COUNTY
GEORGIA

Telecommunications Ordinance Revision – Major Points

- The new ordinance contains extensive provisions on aesthetics
  - Tower finish
  - Landscaping, color, and material to blend into environment
  - Neutral color antennas when not on towers
  - No lighting unless required by the FAA and lighting alternatives should be considered (including lowering tower)
  - No signs or commercial identifying markings on towers or antennas

HALL COUNTY
GEORGIA

Telecommunications Ordinance Revision – Major Points

- The ordinance includes setbacks and separation requirements:
  - ½ the height of the tower from tower base to any public way or property line
  - Towers in residentially zoned areas in excess of 50 feet require a setback of one full tower height from any adjoining off-site residential structure
  - In zoning districts other than S-S, H-B, I-I, and I-II, towers over 100 feet in height cannot be located closer than 1500 feet from any existing tower that is over 100 feet

HALL COUNTY
GEORGIA

Telecommunications Ordinance Revision – Major Points

- The ordinance requires installation of security chain-link fencing and anti-climbing devices
- The ordinance contains extensive landscaping requirements for the area surrounding and in the vicinity of towers
- The Department must review applications to ensure that any proposed tower structure does not interfere with County public airways or the operation of airports
- Towers must meet or exceed all federal standards, including FCC and FAA standards or face removal at owner's expense
- Towers must meet all building codes and safety standards
- The Department must be notified of all transfers of ownership

HALL COUNTY
GEORGIA

Telecommunications Ordinance Revision – Major Points

- Permitted zoning uses:
  - Co-location is required unless applicant demonstrates that that co-location is not possible
  - Towers are permitted uses in S-S, H-B, I-I, and I-II districts provided that towers must be located a minimum of 2 times the tower height from any residentially zoned property and all setback, screening, and buffer requirements are satisfied
  - Installation of antennas up to 20 feet in height on existing structures (other than a tower) that are 50 or more feet in height is a permitted use in S-S, H-B, I-I, and I-II

HALL COUNTY
GEORGIA

Telecommunications Ordinance Revision – Major Points

- Permitted zoning uses that are subject to the Board of Commissioners' approval:
  - Co-location is required unless applicant demonstrates that that co-location is not possible
  - Towers are uses subject to the approval of the Board in AR-III and AR-IV districts provided that towers must be located a minimum of 2 times the tower height from any residentially zoned property and all setback, screening, and buffer requirements are satisfied
  - Towers on residentially-zoned property cannot exceed 100 feet in height

HALL COUNTY
GEORGIA

Telecommunications Ordinance Revision – Major Points

- Uses that can be approved by the Department after an administrative review:
  - Antennas less than 20 feet in height installed on any alternative tower structure
  - Antennas less than 20 feet in height on an existing tower of any height

Telecommunications Ordinance Revision – Major Points

- Applications for building permits for tower construction trigger public notice via signs and newspaper advertisement
- If an objection is raised to the permit application, then the Planning Commission determines the validity of the application
- The ordinance contains strict timing requirements for such appeals
- Appeals to the Planning Commission are also allowed for Department administrative denials of building permits

HALL COUNTY
GEORGIA

Telecommunications Ordinance Revision – Major Points

- Tall Structure Permit (TSP) – Required in any zoning district when the proposed location, height, setback, or other aspect of a tower or antenna cannot comply with the minimum requirements in the ordinance

  - In granting a TSP, the Board may impose necessary conditions to minimize adverse effects
  - New towers on residentially-zoned property may not exceed **100 feet in height**, and all other new towers cannot exceed **195 feet in height**
  - Applicants must submit all listed applicable information from experts and engineers
  - County then sends the information to a radio-frequency engineer for review and recommendation which is then submitted to the Board and the Applicant for review
  - The Applicant is given the opportunity to withdraw its application
  - If no withdrawal, the Board holds an advertised public hearing on the TSP
  - Application fee consistent with law and calculated to reimburse County for services of processing TSP application

HALL COUNTY
GEORGIA

Telecommunications Ordinance Revision – Major Points

- TSP permit timelines comply with the FCC's shot clock requirements
- Any denial of a request to place, construct, or modify a telecommunications facility must be in writing and supported by substantial evidence contained in a resolution signed by the Chairman and Board – Complies with federal law
- The ordinance lists various legitimate factors that the Board may consider in acting upon a TSP

HALL COUNTY
GEORGIA

Telecommunications Ordinance Revision – Small Wireless Facilities

- Applies to all equipment at a fixed location or locations that enable communication or surface wave communication between user equipment and a communications network and:
  - Each provider's antenna could fit within an enclosure of six cubic feet, and
  - All other associated wireless equipment is cumulatively no more than 28 cubic feet in volume
  - Does not include pole(s) or cables

HALL COUNTY
GEORGIA

Telecommunications Ordinance Revision – Small Wireless Facilities

- A permit is required to co-locate a small wireless facility (SWF) in the public ROW or to install, modify, or replace a pole or decorative pole in the ROW
- State law exempts certain activities from the permit requirement
- Permits are sought via applications
- Pre-application meetings with Planning and Development are required 30 days or more prior to submitting an application
- Applications are required to include certain listed information
- Application fees are consistent with Georgia law maximums together with built-in increases ($100/$250/$1000)
- Application review periods consistent with Georgia law

HALL COUNTY
GEORGIA

Telecommunications Ordinance Revision – Small Wireless Facilities

- The ordinance contains a list of reasons why an SWF application may be denied. Examples:
  - Interferes with operation of traffic control equipment
  - Interferes with sight lines or clear zones for transportation or pedestrians
  - Fails to comply with federal law relating to disabled pedestrian access
  - Fails to comply with applicable codes or Georgia law

HALL COUNTY
GEORGIA

Telecommunications Ordinance Revision – Small Wireless Facilities

- In residential zones the Department can propose alternate locations within 100 feet of the location set forth in the application
- Permit holders must submit to the County the maximum occupancy fee payment allowed by Georgia law on an annual basis, including built-in annual increases ($100/$200/$40 attachment fee)
- The County charges permit fees as allowed by Georgia law
- The County may revoke permits if the wireless provider or its equipment is not in compliance with the ordinance or Georgia law relating to small wireless facilities
- Co-location on County poles is allowed and the provider will need to perform the “make-ready” work or pay the estimated cost thereof

HALL COUNTY
GEORGIA

Telecommunications Ordinance Revision – Small Wireless Facilities

- The ordinance includes strong provisions relating to removal, relocation, replacement, and abandonment of SWFs
  - Upon removal of a SWF the ordinance requires the ROW to be restored, otherwise the County can recover its costs plus a penalty up to $500
  - The County can require relocation to accommodate certain County projects
  - Providers must notify the County upon abandonment of SWFs

HALL COUNTY
GEORGIA

Telecommunications Ordinance Revision – Small Wireless Facilities

- The ordinance also contains SWF standards:
  - All SWFs must have a permit, must comply with applicable codes, and comply with State law prior to installation
  - SWFs in historic districts and on decorative poles must also be permitted and comply with applicable codes
  - All SWFs are subject to standards for concealment designed to reduce visual impact, including pole integration, shrouds, height, and neat cabling

HALL COUNTY
GEORGIA

Telecommunications Ordinance Revision (Cell Towers and Facilities)

- Points of Discussion:
- Should we move forward with changes to the County's Cell Towers and Small Wireless Facilities ordinances?
- Should we begin discussions with the Cities about a possible Cell Tower Comprehensive Plan for the entire County, including the municipalities?

HALL COUNTY
GEORGIA

Questions and Further Discussion

STATE OF GEORGIA

COUNTY OF HALL

A RESOLUTION TO AMEND THE CODE OF ORDINANCES OF HALL COUNTY WITH REGARD TO TELECOMMUNICATIONS, TELECOMMUNICATION ANTENNAS AND TOWERS, AND SMALL WIRELESS FACILITIES AND ANTENNAS

WHEREAS, Hall County has enacted ordinances entitled "Standards for Telecommunication Antennas and Towers" found in Chapter 17.410 and entitled "Standards for Small Wireless Facilities Placed in the County Right-of-Way" found in Chapter 17.412 of The Official Code of Hall County, Georgia; and

WHEREAS, the County has conducted a review and analysis of said Chapters 17.410 and 17.412 of its Official Code and determined that revisions to said Chapters are warranted; and

WHEREAS, the warranted changes include changes to said Chapters to clarify and modernize the County's entire system of addressing Telecommunications, Telecommunication Antennas and Towers, and Small Wireless Facilities and Antennas issues, and to bring the County's system of addressing those facilities and issues into line with systems in other jurisdictions that operate efficiently and which have withstood legal challenge; and

WHEREAS, the changes to said Chapters 17.410 and 17.412 of the Official Code of Hall County are attached hereto as Exhibit A; and

WHEREAS, the Board of Commissioners has determined that the revisions to Chapters 17.410 and 17.412 of The Official Code of Hall County, Georgia attached hereto as Exhibit A are in the best interest of the residents of Hall County, and will promote the health, safety, and general welfare of the residents and businesses in Hall County.

NOW, THEREFORE, the Board of Commissioners does hereby amend The Official Code of Hall County, Georgia as follows:

1.

Chapter 17.410 of The Official Code of Hall County is hereby amended by deleting Chapter 17.410 in its entirety and by inserting in lieu thereof a new Chapter 17.410 which provides exactly as described in Exhibit A attached hereto.

2.

Chapter 17.412 of The Official Code of Hall County is hereby amended by deleting Chapter 17.412 in its entirety and by inserting in lieu thereof a new Chapter 17.412 which provides exactly as described in Exhibit A attached hereto.

3.

The remaining provisions of The Official Code of Hall County shall remain as they were, unchanged by this amendment.

SO RESOLVED, this the _____ day of _____, 2023.

HALL COUNTY BOARD OF COMMISSIONERS

By: _____
Richard Higgins, Chairman

ATTEST:

_____ (SEAL)
Jennifer Rivera, County Clerk

APPROVED AS TO FORM:

_____
William J. Linkous III, County Attorney

Exhibit A

CHAPTER 17.410 – TELECOMMUNICATIONS

ARTICLE I. – TOWERS AND ANTENNAS

DIVISION 1 – GENERALLY

17.410.010. – Purpose.

The purpose of this Chapter is to establish guidelines for the siting of all wireless, cellular, television, and radio telecommunications towers and antennas. The goals of this Chapter include the following.

1. To encourage the location of towers in nonresidential areas;
2. To minimize the total number of towers within the community necessary to provide adequate personal wireless communications services to residents of the county;
3. To encourage the joint use of new and existing tower sites among service providers;
4. To locate telecommunications towers and antennas in areas where adverse impacts on the community are minimized;
5. To encourage design and construction of towers and antennas to minimize adverse visual impacts; and
6. To enhance the ability of the telecommunications service providers to deliver such services to the community effectively and efficiently.

17.410.020. – Definitions.

(a) Except as specifically defined herein, all words used in this Chapter shall be as defined in The Latest Illustrated Book of Development Definitions (2007, Rutgers). Words not defined herein or in the above-referenced text shall be construed to have the meaning given by common and ordinary usage and shall be interpreted within the context of the sentence, section, and article in which they occur.

(b) For the purpose of this Chapter, certain words or terms used herein shall be defined as follows.

1. The term “erected” includes the terms “constructed,” “located,” and/or “relocated.”
2. The term “map” or “zoning map” means the official zoning map of the county.
3. The term “parcel” includes the terms “plot” and/or “lot.”
4. The terms “used” or “occupied” include the words “intended, arranged, or designed to be used or occupied.”

(c) Definitions. The following words, terms, and phrases, when used in this Chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alternative tower structure means clock towers, bell towers, church steeples, light/power poles, electric transmission towers, manmade trees (without accessory buildings/structures), and similar natural or manmade alternative-design mounting structures that camouflage or conceal the presence of antennas or towers.

Antenna means any exterior apparatus designed for wireless telecommunication, radio, or television communications through the sending and/or receiving of electromagnetic waves.

Co-location means the placement of the antennas of two or more service providers upon a single tower or alternative tower structure.

Department means the county department of planning and development.

FAA means the Federal Aviation Administration.

FCC means the Federal Communications Commission.

Geographic antenna placement area means the general vicinity within which the placement of an antenna is necessary to meet the engineering requirements of an applicant's cellular network or other broadcasting need.
Governing authority means the Hall County Board of Commissioners.
Height means the distance measured from ground level of a tower or other structure to the highest point on the same tower structure or lightning rod or appurtenance attached to the tower, when the term is used to refer to a tower or other structure.
Pre-existing tower and/or antenna(s) means structures as set forth in subsection 17.410.030 (d).
Public officer means the director of the county department of planning and development when used in reference to the procedures and legal remedies found in O.C.G.A. §§ 41-2-7 to 41-2-17.
Scenic views means those geographic areas containing visually significant or unique natural features, as indicated on the county's comprehensive plan or other official county documentation.
Tower means any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers, or monopole towers. The term "tower" includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telecommunication towers, manmade trees (with accessory buildings/structures), and other similar structures.
Visual quality means the appropriate design, arrangement, and location of tower structures in relation to the built or natural environment to avoid abrupt or severe differences.

17.410.030. – Application of chapter.

(a) *District height limitations.* Except as set forth in subsection (c) of this section, the requirements of this chapter shall govern the location of telecommunications towers that exceed, and antennas that are installed at a height in excess of, 50 feet.
(b) *Governmental exemption.* The provisions of this chapter shall not apply to governmental facilities and structures, including those of Hall County, Georgia.
(c) *Amateur radio; receive-only antennas.* This chapter shall not govern any tower, or the installation of any antenna, which is 75 feet or less in height and is owned and operated by a federally-licensed amateur radio station operator from the operator's residence, or which is 75 feet or less in height and is used exclusively as a receive-only antenna.
(d) *Pre-existing towers and antennas.* Any tower or antenna for which a permit has been properly issued prior to the effective date of the ordinance from which this chapter is derived shall not be required to meet the provisions of this chapter, other than the requirements of sections 17.410.160 and 17.410.170. Any such towers or antennas shall be referred to in this chapter as "pre-existing towers" or "pre-existing antennas."
(e) *Additional antennas.* If an additional antenna is co-located upon a pre-existing tower after adoption of this chapter, then fencing and landscaping requirements of sections 17.410.130 and 17.410.140 shall be met as part of the permitting process.

17.410.040. – Removal of abandoned towers and antennas.

(a) Any tower or antenna that is not operated for a continuous period exceeding six months shall be considered abandoned, and the owner of any such antenna or tower shall remove the structure within 60 days of receipt of notice from the department that the tower or antenna is considered by the county to be abandoned.
(b) If, after receipt of notice of abandonment from the department, the owner of a tower or antenna does not remove the abandoned tower or antenna within 60 days, the governing authority may, in the

manner provided by O.C.G.A. §§ 41-2-7 to 41-2-17, remove such antenna or tower at the owner's expense. If there are two or more users of a single abandoned tower or antenna, then notice shall not be sent by the department until all users cease to utilize the tower or antenna.

(c) Prior to the issuance of a permit for the construction of a tower or antenna, the owner of the tower or antenna facility shall procure a bond or a letter of credit from a surety doing business in the State of Georgia with an office located in Hall County, Georgia, in an amount not less than $25,000.00 conditioned upon the removal of the tower and/or antenna, should it be deemed abandoned under the provisions set forth in this section. Such bond or letter of credit must be renewed at least every two years during the life of the tower or antenna, and the failure to renew a bond or letter of credit shall be grounds for revocation of the tower or antenna permit.

17.410.050. – Legal status provisions.

Whenever the regulations of this chapter require a greater width, depth, or size of yard or impose other more restrictive standards than are required in or under any other statute or covenants, the requirements of this chapter shall govern. Whenever the provisions of any other statute or covenants require more restrictive standards than those of this chapter, the provisions of such statutes or covenants shall govern.

17.410.060. – Annual registration of telecommunications towers.

(a) On or before May 1 of each calendar year, the owner of any telecommunications tower shall register such tower with the director of the county department of planning and development on a form (or via electronic means) prescribed by the department. The initial annual registration shall identify such telecommunications tower by tax parcel number, physical street address, and/or GIS coordinates, and shall describe all structures and equipment on site associated with such telecommunications tower. Annually thereafter, each subsequent registration shall identify any transfer of ownership or such tower, and/or any modifications to such tower which occurred during the preceding calendar year.

(b) For all telecommunications towers which were constructed more than ten years prior to the submittal of the annual registration, at least once every three years the owner of such tower shall submit certification to the director that such tower was inspected and that a registered professional engineer has determined that no signs of defect, disrepair, or other hazardous condition exist.

(c) Any telecommunications tower owner which owns more than 20 towers that are subject to subsection (b) of this section shall be deemed to be in compliance with its requirements so long as all of such tower owner's towers which are more than ten years old are inspected within three years of the first deadline for registration under this section.

(d) The annual registration fee for each telecommunications tower shall be $100.00 for the first registration year and $50.00 per tower per year thereafter.

DIVISION 2 – GENERAL PROVISIONS

17.410.070. – Principal or accessory use.

A tower and/or antenna is considered a principal use if located on any lot or parcel of land as the sole or primary structure, and is considered an accessory use if located on a lot or parcel shared with a different existing primary use or existing structure. An existing use or structure on the same lot or parcel shall not preclude the installation of an antenna or tower. For purposes of determining whether the installation of a tower or antenna complies with zoning district requirements, including, but not limited

to, setback, buffer, and other requirements, the dimensions of the entire lot or parcel shall control, even though the antenna or tower may be located on a leased area within such lot or parcel. Towers that are constructed, and antennas that are installed, in accordance with the provisions of this chapter shall not be deemed to constitute the expansion of a nonconforming use or structure.

17.410.080. – Inventory of existing sites.

(a) The county's department of planning and development shall maintain an inventory of all towers or alternative tower structures, active and inactive, which are present in the county. This inventory shall include specific information about the location (latitude and longitude coordinates), height, design, tower type, and general suitability for antenna co-location of each tower, and other pertinent information as may be decided by the department.

(b) To facilitate the co-location of antennas, each applicant seeking to locate a new tower, alternative tower structure, or antenna, or modify any such existing structure, shall provide to the department an affidavit setting forth an inventory of its existing towers or alternative tower structures as provided for below. The applicant shall specifically identify its towers or alternative structures, active or inactive, which are present in the county. Applicants seeking to erect an amateur radio tower or antenna shall be exempt from this provision.

(c) The applicant's affidavit shall include all of its structures that are within the jurisdiction of the governing authority; within a municipality located in whole or in part within the county; or within one mile of the border of the county, and shall include specific information about the location (latitude and longitude coordinates), height, design, tower type, and general suitability for antenna co-location of each such tower, and other pertinent information as may be required by the department. The department may share such information with other applicants for a tall structure permit under this chapter or other organizations seeking to locate towers or antennas within the jurisdiction of the governing authority, provided however that the department shall not, by sharing such information, in any way be deemed to have represented or warranted that such sites are available or suitable.

(d) An application for a tall structure permit shall not be considered complete without this affidavit of inventory.

17.410.090. – Co-location; design requirements.

In addition to all applicable building and safety codes, all towers, except amateur radio towers, shall be designed to accommodate the co-location of cellular telecommunication antennas according to the following criteria:

1. For towers up to 125 feet in height, the structure and fenced compound shall be designed to accommodate at least two providers; and
2. For towers greater than 125 feet in height, the structure and fenced compound shall be designed to accommodate at least four providers.

17.410.100. – Co-location; availability of suitable existing structures.

(a) No new tower, except amateur radio towers, shall be permitted unless the applicant demonstrates to the satisfaction of the department and board of commissioners that no existing tower or existing alternative tower structure can accommodate the applicant's proposed antenna. All evidence submitted shall be signed and sealed by appropriate licensed professionals or qualified industry experts and shall consist of more than mere conclusory statements that no

existing tower is suitable. Evidence submitted to demonstrate that no existing tower or structure can accommodate the proposed antenna shall consist of one or more of the following:

1. That no existing towers or suitable alternative tower structures are located within the geographic antenna placement area required to meet the applicant's engineering requirements.
2. That existing towers or structures do not have sufficient structural strength to support the applicant's antenna and related equipment.
3. That the applicant's proposed antenna(s) would cause electromagnetic interference with the antenna(s) on the existing towers or structures, or the antenna(s) on the existing towers or structures would cause interference with the applicant's proposed antenna(s).
4. That the cost or contractual provisions required by the tower owner to share an existing tower or structure or to adapt an existing tower or structure for sharing are unreasonable. Costs exceeding new tower development are presumed to be unreasonable.
5. That the applicant adequately demonstrates that there are other limiting factors that render existing towers and structures unsuitable.

(b) For each of the above, the applicant must submit an affidavit listing the existing towers which were considered, and ultimately rejected, by the applicant and provide a detailed explanation of why the existing towers are not useable.

17.410.110. – Aesthetics.

The guidelines set forth in this section shall govern the design and construction of all towers, and the installation of all antennas governed by this chapter.

1. Towers and/or antennas shall either maintain a galvanized steel or concrete finish, or, subject to any applicable standards of the FAA, be painted a neutral color so as to reduce visual obtrusiveness.
2. At all tower sites, the design of all buildings and related structures shall use materials, colors, textures, screening, and landscaping that will blend the tower facilities to the natural setting and building environment.
3. For antennas installed on a structure other than a tower, the antenna and supporting electrical and mechanical ground equipment shall be a neutral color so as to make the antenna and related equipment visually unobtrusive.
4. Towers shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the governing authority may review the available lighting alternatives and approve the design that would cause the least disturbance to the surrounding views. In the event that a tower requires lighting by virtue of its height, the county may require the construction of the tower at a lower height in order to avoid lighting requirements.
5. No signage or other identifying markings of a commercial nature shall be permitted upon any tower or alternative tower structure within the county.

17.410.120. – Setbacks and separation.

The following setbacks and separation requirements shall apply to all towers:

1. Towers shall be set back a distance equal to one-half of the height of the tower, from its base, to any public way or property line of the lot or parcel containing the tower. All towers in

residentially-zoned areas in excess of 50 feet shall be set back a distance equal to the full height of the tower from any adjoining off-site residential structure.

2. Guy-wires and accessory buildings and facilities shall meet the minimum accessory use location and setback requirements.
3. In zoning districts other than S-S, H-B, I-I, and I-II, or county-owned property, towers over 100 feet in height shall not be located closer than 1,500 feet from any existing tower that is over 100 feet in height. This requirement shall not apply to amateur radio towers.

17.410.130. – Security fencing/anti-climbing devices.

(a) All towers and supporting equipment shall be enclosed by fencing not less than six feet in height and shall also be equipped with appropriate anti-climbing devices. Fencing shall be of chain link, work, or other approved alternative.
(b) Amateur radio towers and antennas, or receive-only antennas, shall not be subject to the provisions of this section unless compliance is required by the board of commissioners through the tall structure permit process.

17.410.140. – Landscaping.

The following requirements shall govern landscaping surrounding (and in the general vicinity of) all towers:

1. Where adequate vegetation is not present, tower facilities shall be landscaped with a strip of plant materials which effectively screens the view of the tower, accessory buildings and equipment, and the tower compound generally. Landscaped strips of plant material shall be a minimum of ten feet in width and located outside the fenced perimeter of the tower compound. Landscaped strips of plat material shall satisfy the minimum design and planting requirements for landscaped buffers established in the county's tree protection ordinance and other applicable ordinances relating to buffers.
2. Existing mature tree growth and natural land forms on the site shall be preserved to the maximum extent possible. Where natural vegetation around the perimeter of the site would provide an adequate visual screen, an undisturbed buffer may be utilized.
3. Amateur radio towers and antennas, or receive-only antennas, shall not be subject to the provisions of this section unless compliance is required by the board of commissioners through the tall structure permit process.

17.410.150. – Review of tower and antenna erection.

If, upon receipt of an application for the erection of any tower or alternative tower structure governed by this chapter, the department deems that the proposed structure may interfere with the use of the airway of the county by the public or interfere with the operation of existing or proposed airport facilities, a copy of the application shall be submitted by the department for review to the appropriate governmental or aviation authority.

17.410.160. – Federal requirements.

All towers must meet or exceed current standards and regulation of the FAA, FCC, and any other agency of the federal government with the authority to regulate towers and antennas. If such standards

and regulations are changed, the owners of the towers and antennas governed by this chapter shall bring such towers and antennas into compliance with any such revised standards and regulations within six months of the effective date of such standards and regulations unless a more or less stringent compliance schedule is mandated by the controlling federal agency. Failure to bring towers and antennas into compliance with such revised standards and regulations shall constitute grounds for the removal of the tower or antenna at the owner's expense. Any such removal by the governing authority shall be in the manner provided by O.C.G.A. §§ 41-2-7 through 41-2-17.

17.410.170. – Building codes; safety standards.

To ensure the structural integrity of towers, the tower's or alternative tower structure's owner, permittee, or subsequent lessee shall ensure that it is maintained in compliance with standards contained in applicable local building codes and the applicable standards for towers that are published by the Electronic Industries Association, as amended. If, upon inspection, the department concludes that a tower fails to comply with all applicable codes and standards, or constitutes a danger to persons or property, then upon receipt of written notice to the owner, permittee, or lessee of the tower, said party shall have 15 days to bring the tower into compliance with such standards. If the owner, permittee, or lessee fails to bring the tower into compliance within the 15-day period, the governing authority may remove the tower at the expense of the owner, permittee, or lessee. Prior to the removal of any tower, the department may consider detailed plans submitted by the owner, permittee, or subsequent lessee for repair of substandard towers, and may grant a reasonable extension of the above-referenced compliance period. Any such removal by the governing authority shall be in the manner provided in O.C.G.A. §§ 41-2-7 through 41-2-17.

17.410.180. – Change of ownership notification.

Upon transfer of ownership of any tower, alternative tower structure, or lot upon which such a structure has been erected, the tower permittee shall notify the department of the transaction in writing within 30 days of the effective date of the transaction.

DIVISION 3 – PERMITTED USES

17.410.190. – Generally.

The uses listed in this division are deemed to be permitted uses and shall not require administrative review or approval of a tall structure permit. However, all such uses shall comply with requirements set forth in division 2 of this article and all other applicable codes and ordinances.

17.410.200. – Co-location of antennas required.

Applicants for the erection of a tower or placement of an antenna shall be required to co-locate upon an existing tower or alternative tower structure. An exception to co-location shall only be made if the applicant adequately demonstrates that an existing tower suitable for co-location does not exist in the geographic antenna placement area utilizing the tower inventory maintained by the department, and that no suitable alternative tower structure is available as set forth in section 17.410.100.

17.410.210. – Uses.

(a) If it is adequately demonstrated that antenna co-location, as required by section 17.410.200, is not possible for a given geographic antenna placement area, the following uses are permitted uses.

1. Constructing a new tower, including the placement of a service building or other supporting equipment used in connection with said tower or antenna, in the following zoning districts provided, however, that all structures shall meet the setback, screening, and buffer requirements contained herein, and shall be located a minimum distance of two times the height of the tower from any residentially-zoned property:

    A. S-S (Suburban Shopping District);
    B. H-B (Highway Business District);
    C. I-I (Industrial District);
    D. I-II (Heavy Industrial District).

2. Installation of an antenna on an existing structure other than a tower (such as a building, sign, light pole, water tower, or other freestanding nonresidential structure) that is 50 feet in height or greater, if the additional antenna height adds no more than 20 feet to the height of the existing structure, subject to the zoning district restrictions of subsection (1) of this section in the following zoning districts:

    A. S-S (Suburban Shopping District);
    B. H-B (Highway Business District);
    C. I-I (Industrial District);
    D. I-II (Heavy Industrial District);
    E. POD (Planned Office District);
    F. PCD (Planned Commercial District);
    G. PID (Planned Industrial District).

(b) If it is adequately demonstrated that antenna co-location, as required by section 17.410.200, is not possible for a given geographic antenna placement area, the following uses are permitted subject to approval by the county's board of commissioners per the provisions of section 17.380 et seq. of the Hall County Code of Ordinances.

1. Constructing a new tower, including the placement of a service building or other supporting equipment used in connection with said tower or antenna, in the following zoning districts provided, however, that all structures shall meet the setback, screening, and buffer requirements contained herein, and shall be located a minimum distance of two times the height of the tower from any residentially-zoned property:

    A. AR-III (Agricultural Residential - III District);
    B. AR-IV (Agricultural Residential – IV District).

17.410.220. – Public Notice/appeal.

(a) At least ten days prior to the issuance of a building permit for the construction of a tower as a permitted use, the department of planning and development shall cause a sign to be posted on the property and the publication of public notice in a newspaper of general circulation within the territorial boundaries of the county. Said public notice shall state the nature of the application, street location of the proposal and height of the proposed structure.

(b) If during the public notice period an objection to the building permit application is raised, the validity of the application and all pertinent documentation shall be determined by the county's planning commission. The objection shall be placed on the first available agenda of a regularly scheduled meeting following the expiration of the ten day appeal period. The planning commission shall dispense with the objection by either determining that the application is valid and meets all applicable criteria of this chapter, which shall result in the issuance of a building permit, or determining that the application is in error. Applications found to be in error must, as a result, be processed through the tall structure permit process set forth in division 5 of this article.

17.410.230. – Appeal of administrative determination.

If a building permit application for a tower as a permitted use is determined by the department of planning and development to not meet all applicable criteria of this chapter, the building permit applicant may appeal the determination to the county's planning commission. The planning commission shall dispense with the objection by either:

1. Determining that the application is valid and meets all applicable criteria of this chapter, which shall result in the issuance of a building permit; or
2. Determining that the application does not satisfy all applicable criteria of this chapter. Applications that do not satisfy all applicable criteria must, as a result, be processed through the tall structure permit process set forth in division 5 of this article.

DIVISION 4 – ADMINISTRATIVE APPROVALS

17.410.240. – General.

(a) The department may administratively approve the placement of additional antennas upon towers or alternative tower structures as set forth in section 17.410.260.

(b) Each applicant requesting an administrative approval under this chapter shall submit a scaled site plan, scaled elevation view and supporting drawings, calculations, and other documentation, signed and sealed by appropriate licensed professionals, showing the location and dimensions of all improvements, including topography (utilizing minimum two-foot contour intervals), tower height requirements, setbacks, access driveways or easements, parking, fencing, landscaping, adjacent uses, and any other information deemed by the department to be necessary to assess compliance with this chapter and compatibility with surrounding uses.

(c) Amateur radio antennas shall meet the requirements of the county's construction code. Certain documentation requirements of this section may be waived by the director for amateur radio antenna applications.

(d) The department shall respond to each application within 30 days of its receipt by either approving or denying it. One 30-day extension of this review period may be exercised by the department if such additional time is deemed necessary to adequately assess the request. If the department fails to respond to the applicant within a maximum of 60 days, the application shall be deemed to be approved.

(e) As part of any administrative approval, the department may administratively reduce setback requirements by up to ten percent to compensate for irregularly shaped lots or parcels.

(f) If a request for administrative approval is denied, the applicant may appeal the decision to the county's planning commission. In such an instance, the planning commission may authorize such variances from the terms of the telecommunications tower and antenna ordinance as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the ordinance will, in an individual case, result in unnecessary hardship, so that the spirit of the ordinance shall be observed, public safety and welfare secured, and substantial justice done. Such variances may be granted in such individual cases of unnecessary hardship upon a finding by the planning commission that the denial of the variance presents a significant detriment to the telecommunications service provider making application, and that the denial of the variance is insubstantially related to the public welfare.

17.410.250. – Co-location of antennas required.

Applicants for the erection of an antenna, except for amateur radio operators, shall be required to co-locate upon an existing tower structure. An exception to co-location shall only be made if the applicant adequately demonstrates that an existing tower suitable for co-location does not exist in the geographic antenna placement area utilizing that tower inventory maintained by the department, and that no suitable alternative tower structure is available as set forth in section 17.410.100. The applicant must present an affidavit that lists the available existing towers and reasons why co-location on those towers is not possible.

17.410.260. – Uses allowed by administrative approval.

The following uses may be approved by the department after conducting an administrative review.

1. Installation of an antenna on any alternative tower structure, and further including the placement of additional structures or other supporting equipment used in connection with said antenna, provided that any such addition does not add more than 20 feet to the height of the existing structure;
2. Installation of an antenna on an existing tower of any height, including a pre-existing tower, and further including the placement of additional buildings or other supporting equipment used in connection with said antenna, provided that any such addition does not add more than 20 feet to the height of the existing tower.

DIVISION 5 – TALL STRUCTURE PERMIT REQUIRED

17.410.270. – Generally.

(a) If the proposed location, height, setback, or other aspect of a tower or antenna cannot comply with the minimum requirements established in division 3 or division 4 of this article, then a

tall structure permit shall be required for the construction of a tower or the placement of an antenna in any zoning district.

(b) The following provisions shall also govern the issuance of tall structure permits for telecommunications and personal wireless service towers and antennas:

1. In granting a tall structure permit, the board of commissioners may impose conditions to the extent that the board concludes such conditions are necessary to minimize adverse effects from the proposed tower on adjoining or nearby properties, including limiting the height of proposed towers located in or near residential areas. In no event shall a new tower exceeding 100 feet in height be placed on residentially-zoned property, nor shall a new tower exceeding 195 feet in height be placed on property with any zoning classification.
2. All information of an engineering nature that the applicant submits, whether civil, mechanical, or electrical, shall be certified by a licensed professional engineer or qualified industry expert.
3. Amateur radio antennas shall meet the requirements of all applicable county codes.

17.410.280. – Application; contents; fee.

All applications for tall structure permits shall be submitted to the department of planning and development. Each application shall contain as a part thereof detailed plans and specifications as set forth in section 17.410.290. An application for a tall structure permit shall not be accepted for processing without the information required in this chapter. An application fee shall be charged by the department for each such application consistent with applicable law in an amount calculated to reimburse the County for the cost of processing and administering the tall structure application.

17.410.290. – Exhibits required.

Each applicant requesting a tall structure permit under this chapter shall submit a scaled site plan, scaled elevation view, and supporting drawings, calculations, and other documentation signed and sealed by appropriate licensed professionals or qualified industry experts, showing the location and dimensions of all improvements, including topography (utilizing minimum two-foot contour intervals), tower height requirements, setbacks, access driveways or easements, parking, fencing, landscaping, adjacent uses, affidavit of inventory as set forth in section 17.410.080, and any other information deemed by the department to be necessary to assess compliance with this chapter and compatibility with surrounding uses.

17.410.300. – Review of application by radio-frequency engineer.

(a) Within five business days of accepting a tall structure permit application, the department of planning and development shall refer that tall structure permit application to a radio-frequency engineer for review and recommendation. Within 30 business days after receiving the tall structure permit application for review, the radio-frequency engineer shall submit a detailed report and findings regarding the application to the department of planning and development, including, but not limited to, the need for the tower in the proposed location, whether or not the height of the tower should be lower than the height requested by the applicant, and possible alternatives for the location of the tower. These findings shall be submitted to the county's board of commissioners and the applicant for review within ten business days of receipt by the department of planning and development, along with any staff report or

recommendations prepared by the department of planning and development for the board of commissioners' consideration.

(b) The applicant shall have ten business days after receiving the findings of the radio-frequency engineer and staff report to withdraw the tall structure permit application without prejudice. If the application is not withdrawn by the applicant within such time period, it shall be placed on the next available agenda for a public hearing by the board of commissioners, consistent with the notice requirements of section 17.410.320.

17.410.310. – Co-location of antennas required.

Applicants for the erection of a tower or antenna, except amateur radio operators, shall be required to co-locate upon an existing tower structure. An exception to co-location shall only be made if the applicant adequately demonstrates that an existing tower suitable for co-location does not exist in the geographic antenna placement area utilizing the tower inventory maintained by the department, and that no suitable alternative tower structure is available as set forth in section 17.410.100. An applicant must provide a detailed affidavit listing all towers within one mile of the proposed tower and explain why it cannot co-locate on each of the existing towers.

17.410.320. – Public hearing.

Before taking action upon the proposed tall structure permit, the board of commissioners shall hold a public hearing on the matter. At least 30 days prior to the date of the public hearing, the following notice requirements shall be met by the applicant:

1. A sign shall be erected, in a conspicuous location, on or adjacent to each road frontage of the property under consideration. The sign shall state the time, place, location, and purpose of the public hearing.
2. A letter shall be sent by regular mail to all property owners of record of abutting parcels, and all residentially-zoned parcels lying in whole or in part within a distance of 1,000 feet of the subject property, giving notice of the public hearing. Owners of record shall be as indicated by the county tax commissioner's records. The letter shall state the same information as required for the sign, referenced in subsection (1) of this section.

17.410.330. – Considerations in approval or denial of a tall structure permit.

Any denial of a request to place, construct, or modify a telecommunications facility shall be in writing and supported by substantial evidence contained in a resolution signed by the chairman of the county's board of commissioners. The governing authority shall consider, but is not limited to, the following factors in acting upon a tall structure permit application under the provisions of this chapter:

1. The height and setbacks of the proposed tower;
2. The proximity of the tower to residential structures and residential district boundaries;
3. The nature of uses, as well as the height of existing structures, on adjacent and nearby properties;
4. The surrounding topography;
5. The surrounding tree coverage and foliage;
6. The design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness;
7. The proposed ingress and egress to the tower area;

8. The availability of suitable existing towers or other structures for antenna co-location;
9. The impact of the proposed tower upon scenic views and the visual quality of the surrounding area;
10. The evidence submitted regarding the need for the tower in the area, including, but not limited to, propagation maps and other similar materials;
11. The portion of the tower that will be visible from adjacent and nearby residential properties;
12. The number of required trips to the tower site on a monthly basis;
13. The tower's effect on property values of adjacent and nearby residential properties;
14. The ratio of the height of the proposed tower to the height of the tallest adjacent and nearby residential structure;
15. Safety concerns associated with the proposed tower or antenna;
16. The tower's effect upon potential purchasers of adjacent and nearby residentially-zoned property; and
17. The coverage or lack of coverage experienced by cell phone users in the area of the proposed tower.

CHAPTER 7.412 – SMALL WIRELESS FACILITIES AND ANTENNAS

ARTICLE I – GENERALLY

17.412.010. – Authority and applicable law.

Federal law, specifically Title 47 U.S.C. § 253 (c) provides that counties, including Hall County, have the authority to manage their public rights-of-way. State law, specifically O.C.G.A. § 32-4-42 (6) provides that counties, including Hall County, have the authority to establish reasonable regulations for the installation, construction, maintenance, renewal, removal, and relocation of pipes, mains, conduits, cables, wires, poles, towers, traffic signals and other signals, and other equipment, facilities, or appliances in, on, along, over, or under the public roads of the county. Finally, the Georgia Streamlining Wireless Facilities and Antennas Act, found at O.C.G.A. Title 36, Chapter 66C (the "SWFAA"), addresses the placement of small wireless facilities in the public rights-of-way belonging to counties.

17.412.020. – Findings.

The county finds that it is in the best interest of the county, and its residents and businesses to establish requirements, specifications, and reasonable conditions regarding placement of small wireless facilities and poles in the public rights-of-way. These requirements, specifications, and conditions are adopted in order to protect the public health, safety, and welfare of the residents and businesses of the county and to reasonably manage and protect the public rights-of-way and its uses in the county. The goals of this chapter are to: (i) implement the SWFAA and (ii) ensure use of the public rights-of-way is consistent with the design, appearance, and other features of nearby land uses; protects the integrity of historic, cultural, and scenic resources; and does not harm residents' qualify of life.

17.412.030. – Definitions.

(a) Words not defined shall be construed to have the meaning given by common and ordinary usage and shall be interpreted within the context of the sentence, section, and article in which they occur.
(b) The following words shall be defined as follows in the following subsections.

Antenna means communications equipment that transmits, receives, or both transmits and receives electromagnetic radio frequency signals used in the provision of wireless services or other wireless communications; or other similar equipment used for the transmission, reception, or both transmission and reception of surface waves. Such term shall not include television broadcast antennas, antennas designed for amateur radio use, or satellite dishes for residential or household purposes.

Applicable laws means applicable local, state, and federal law, including uniform building, fire, safety, electrical, plumbing, or mechanical codes adopted by a recognized national code organization to the extent such codes have been adopted by the state or county or are otherwise applicable in the county.

Applicant means any person that submits an application.

Application means a written request submitted by an applicant to the county for a permit to (i) co-locate a small wireless facility in a right-of-way, or (ii) install, modify, or replace a pole or decorative pole in a right-of-way on which a small wireless facility is or will be co-located.

Articles means Articles I, II, and III of chapter 7.412 of the Official Code of Hall County, Georgia.

Authority pole means a pole owned, managed, or operated by or on behalf of the county. Such term shall not include poles, support structures, electric transmission structures, or equipment of any type owned by an electric supplier.

Co-locate or co-location means to install, mount, modify, or replace a small wireless facility on or adjacent to a pole, decorative pole, or support structure.

Communications facility means the set of equipment and network components, including wires and cables and associated equipment and network components, used by a communications service provider to provide communications services.

Communications service provider means a provider of communications services.

Communications services means cable service as defined in 47 U.S.C. § 522 (6); telecommunications service as defined in 47 U.S.C. § 153 (53); information service as defined in 47 U.S.C. § 153 (24), as each such term existed on January 1, 2019; or wireless services.

Consolidated application means an application for the co-location of multiple small wireless facilities on existing poles or support structures or for the installation, modification, or replacement of multiple poles and the co-location of associated small wireless facilities.

Decorative pole means an authority pole that is specially designed and placed for aesthetic purposes.

Electric supplier means any electric light and power company subject to regulation by the Georgia Public Service Commission, any electric membership corporation furnishing retail service in this state, and any municipality which furnishes such service within this state.

Eligible facilities request means an eligible facilities request as set forth in 47 U.S.C. § 1.40001(b)(3), as it existed on January 1, 2019.

FCC means the Federal Communications Commission of the United States.

Fee means a one-time, nonrecurring charge based on time and expense.

Historic site means: (i) any site, building, structure, or object included in, or eligible for inclusion in, the National Register of Historic Places maintained by the secretary of the interior of the United States in accordance with Section VI.D.1.a.iv of the Nationwide Programmatic Agreement codified by 47 U.S.C. § Part 1; (ii) any area designated as a historic district under Article 2 of Chapter 10 of Title 44, referred to as the Georgia Historic Preservation Act; or (iii) any area designated as a historic district or property by law prior to April 26, 2019.

Law means and includes any and all federal, state, or local laws, statutes, common laws, codes, rules, regulations, orders, or ordinances.

Micro wireless facility means a small wireless facility not larger in dimension than 24 inches in length, 15 inches in width, and 12 inches in height that has an exterior antenna, if any, no longer than 11 inches.

Permit means a written authorization, in electronic or hard copy format, required to be issued by the county to initiate, continue, or complete the collocation of a small wireless facility or the installation, modification, or replacement of a pole or decorative pole upon which a small wireless facility is collocated.

Person means and individual, corporation, limited liability company, partnership, association, trust, or other entity or organization.

Pole means a vertical pole such as a utility, lighting, traffic, or similar pole made of wood, concrete, metal, or other material that is lawfully located or to be located within a right-of-way, including without limitation a replacement pole and an authority pole. Such term shall not include a support structure, decorative pole, or electric transmission structure.

Rate means a recurring charge.

Reconditioning work means the activities associated with substantially painting, reconditioning, improving, or repairing authority poles.

Replace, replacement, or replacing means to replace a pole or decorative pole with a new pole or a new decorative pole, similar in design, size, and scale to the existing pole or decorative pole consistent with 47 C.F.R. § 1.40001 (b) (7) as it existed on January 1, 2019, in order to address limitations of, or change requirements applicable to, the existing pole to structurally support the collocation of a small wireless facility.

Replacement work means the activities associated with replacing an authority pole.

Right-of-way means, generally, property or any interest therein, whether or not in the form of a strip, which is acquired for or devoted to a public road; provided, however, that such term shall apply only to property or an interest therein that is under the ownership or control of the county and shall not include property or any interest therein acquired for or devoted to an interstate highway or the public rights, structures, sidewalks, facilities, and appurtenances of buildings for public equipment and personnel used

for or engaged in administration, construction, or maintenance of public roads or research pertaining thereto or scenic easements and easements of light, air, view, and/or access.

Small wireless facility means radio transceivers; surface wave couplers; antennas; coaxial, fiber optic, or other cabling; power supply; backup batteries; and comparable and associated equipment, regardless of technological configuration, at a fixed location or fixed locations that enable communication or surface wave communication between user equipment and a communications network and that meet both of the following qualifications:

1. Each wireless provider's antenna could fit within an enclosure of no more than six cubic feet in volume; and
2. All other wireless equipment associated with the facility is cumulatively no more than 28 cubic feet in volume, measured based upon the exterior dimensions of height by width by deptch of any enclosure that may be used. The following types of associated ancillary equipment are not included in the calculation of the volume of all other wireless equipment associated with any such facility:

    a. Electric meters;
    b. Concealment elements;
    c. Telecommunications demarcation boxes;
    d. Grounding equipment;
    e. Power transfer switches;
    f. Cut-off switches; and
    g. Vertical cable runs for connection of power and other services.

Such term shall not include a pole, decorative pole, or support structure on, under, or within which the equipment is located or collocated or to which the equipment is attached and shall not include any wireline backhaul facilities or coaxial, fiber optic, or other cabling that is between small wireless facilities, poles, decorative poles, or support structures or that is not otherwise immediately adjacent to or directly associated with a particular antenna.

State means the State of Georgia.

Support structure means a building, water tank, or any other structure to which a small wireless facility is or may be attached. Such term shall not include a decorative pole, electrical transmission structure, or pole.

Wireless infrastructure provider means any person, including a person authorized to provide telecommunications services in this state, that builds, installs, or operates small wireless facilities, poles, decorative poles, or support structures on which small wireless facilities are or are intended to be used for collocation but that is not a wireless services provider.

Wireless provider means a wireless infrastructure provider or a wireless services provider.

Wireless services means any services provided to the public using licensed or unlicensed spectrum, including the use of Wi-Fi, whether at a fixed location or mobile.

Wireless services provider means a person that provides wireless services.

Wireline backhaul facility means an above ground or underground wireline facility used to transport communications data from a telecommunications demarcation box associated with a small wireless facility or facilities to a network.

(c) In the event that any federal or state law containing definitions used in this chapter is amended, the definition in the referenced section, as amended, shall control.

17.412.040. – Permit.

A permit is required to co-locate a small wireless facility in the public right-of-way or to install, modify, or replace a pole or a decorative pole in the public right-of-way. A permit is not required to perform the activities described in O.C.G.A. § 36-66C-6 (e) or (f).

17.412.050. – Application.

Any person seeking to collocate a small wireless facility in the public right-of-way or to install, modify, or replace a pole or decorative pole in the public right-of-way shall submit an application to the county department of planning and development for a permit. Applications are available from the county department of planning and development. Any material change to information contained in an application shall be submitted in writing to the county department of planning and development within 30 days after the events necessitating the change.

17.412.060. – Pre-application meeting.

Any person who intends to submit an application to the county pursuant to this chapter shall meet with the county department of planning and development at least 30 days prior to the submitting an application for a permit. The purpose of such meeting shall be to inform the county, in good faith, when the applicant expects to commence deployment of small wireless facilities and poles within the county, the number of small wireless facilities and poles it expects to deploy during the 24 months after commencement, and the expected timing of such deployment. All documents or other information provided by the applicant in the course of or in association with such pre-application meeting shall be presumed confidential and proprietary and a trade secret as such term is defined in O.C.G.A. § 10-1-761 and exempt from disclosure as specified in Article 4 of Chapter 18 of Title 50, known as the Georgia Open Records Act.

17.412.070. – Requirements for application.

All small wireless facility permit applications required by this chapter shall be filed via the county's electronic permitting system. Each application shall be submitted by the applicable wireless provider or its duly authorized representative and shall contain the following:

1. The applicant's name, address, telephone number, and e-mail address, including emergency contact information for the applicant;
2. The names, addresses, telephone numbers, and e-mail addresses of all consultants, if any, action on behalf of the applicant with respect to filing the application;
3. A general description of the proposed work and the purposes and intent of the proposed facility. The scope and detail of such description shall be appropriate to the nature and

character of the physical work to be performed, with special emphasis on those matters likely to be affected or impacted by the physical work proposed;

4. Detailed construction drawings regarding the proposed use of the right-of-way;
5. To the extent the proposed facility involves collocation on a pole or support structure, a structural report performed by a duly licensed engineer evidencing that the pole or support structure will structurally support the collocation (or that the pole or support structure can and will be modified to meet structural requirements) in accordance with applicable codes;
6. For any new above-ground facilities, visual depictions or representations if not included in the construction drawings;
7. Information indicating the horizontal and approximate vertical location, relative to the boundaries of the right-of-way, of the small wireless facility for which the application is being submitted;
8. If the application is for the installation of a pole, a certification that complies with O.C.G.A. § 36-66C-6(k).
9. If the small wireless facility will be collocated on a pole or support structure owned by a third party, a certification that the wireless provider has permission from the owner to collocate on the pole or support structure;
10. If the applicant is not a wireless services provider, a certification that a wireless services provider has requested in writing that the applicant collocate the small wireless facilities or install, modify, or replace the pole or decorative pole at the requested location; and
11. The applicant may designate portions of its application materials that it reasonably believes contains trade secrets or other proprietary or confidential information by submitting with it an affidavit affirmatively declaring that specific information in the records constitutes trade secrets pursuant to Article 27 of Chapter 1 of Title 10. The applicant shall be solely responsible for clearly identifying and labeling as "proprietary" or "confidential" each page of such materials, but shall undertake all reasonable efforts to minimize the scope and frequency of such designations. If the applicant submits such an affidavit, the county and the applicant shall follow the requirements of O.C.G.A. § 50-18-72 (a) (34).

17.412.080. – Application fees.

Each application for a permit shall include the maximum application fees permitted under O.C.G.A. § 36-66C-5 (a) (1), (a) (2), and (a) (3). Such maximum application fees shall automatically increase on January 1 of each year beginning on January 1, 2024, as provided under O.C.G.A. § 36-66C-5 (b).

17.412.090. – Application review period.

The county department of planning and development shall review applications for permits according to the timelines and using the procedures identified in O.C.G.A. §§ 36-66C-7 and 36-66C-13.

17.412.100. – Approval of application.

Applications for permits shall be approved unless the requested collocation of a small wireless facility or the requested installation, modification, or replacement of a pole or decorative pole:

1. Interferes with the operation of traffic control equipment;
2. Interferes with sight lines or clear zones for transportation or pedestrians;

3. Fails to comply with the Americans with Disabilities Act, 42 U.S.C. Section 12101, et seq., or similar laws of general applicability regarding pedestrian access or movement;
4. Requests that ground-mounted small wireless facility equipment be located more than seven and one-half feet in radial circumference from the base of the pole, decorative pole, or support structure to which the small wireless facility antenna would be attached, provided that the county shall not deny the application if a greater distance from the base of the pole, decorative pole, or support structure is necessary to avoid interfering with sight lines or clear zones for transportation or pedestrians or to otherwise protect public safety;
5. Fails to comply with applicable codes;
6. Fails to comply with the maximum limitations set forth in O.C.G.A. § 36-66C-7 (h) or (i);
7. With respect to an application to install a pole or decorative pole, interferes with the widening, repair, reconstruction, or relocation of a public road or highway by the county or the department of transportation that has been advertised for bid and scheduled for completion within six months after the application is filed;
8. With respect to an application to install a pole or decorative pole, interferes with a public works construction project governed by Chapter 91 of Title 36 which is advertised for bid and scheduled for completion within six months after the application is filed;
9. Fails to comply with O.C.G.A. § 36-66C-10, O.C.G.A. § 36-66C-11, or O.C.G.A. § 36-66C-12;
10. Fails to comply with laws of general applicability addressing pedestrian and vehicular traffic and safety requirements; or
11. Fails to comply with laws of general applicability that address the occupancy or management of the right-of-way and that are not inconsistent with this division.

17.412.110. – Special rules for deployment in residentially zoned areas.

For application for new poles in the public right-of-way in areas zoned for residential use, the county department of planning and development may propose an alternate location in the public right-of-way within 100 feet of the location set forth in the application, and the wireless provider shall use the county department of planning and development proposed alternate location unless the location imposes technical limits or significant additional costs. The wireless provider shall certify that it has made such a determination in good faith, based on the assessment of a licensed engineer, and it shall provide a written summary of the basis for such determination to the county department of planning and development.

17.412.120. – Nature of permission authorized by permit.

A permit issued under this chapter shall authorize such person to occupy the public rights-of-way to: (i) collocate a small wireless facility on or adjacent to a pole or a support structure that does not exceed the limitations set forth in O.C.G.A. § 36-66C-7 (h) (3) or on or adjacent to a decorative pole in compliance with O.C.G.A. § 36-66C-12; and (ii) install, modify, or replace a pole or decorative pole for collocation of a small wireless facility that does not exceed the limitation set for the in O.C.G.A. § 36-66C-7 (h) (1) and (h) (2).

17.412.130. – Annual payments.

Upon the issuance of a permit under this division, and on each anniversary of such issuance, every person issued a permit shall submit to the county the maximum annual payments permitted under O.C.G.A. § 36-66C-5 (a) (4) and (a) (5); provided, however, that if such person removes its small wireless facilities from the public rights-of-way pursuant to O.C.G.A. § 36-66C-5 (e), then such person shall be

responsible for the pro rata portion of the annual payment based on the number of days of occupation since the last annual payment. Upon making such pro rata payment and removal of the small wireless facilities, the person's annual payment obligations under this section shall cease as of the date of the actual removal. The maximum annual payments shall automatically increase on January 1 of each year beginning on January 1, 2023, as provided under O.C.G.A. § 36-66C-5 (b).

17.412.140. – Permit fees.

Any person issued a permit shall pay the fees identified in O.C.G.A. § 36-66C-5 (a) (6) and (a) (7), as applicable.

17.412.150. – Revocation of permit.

The county may revoke a permit issued pursuant to this chapter if the wireless provider or its equipment placed in the public right-of-way under that permit subsequently is not in compliance with any provision of this chapter or the Georgia Streamlining Wireless Facilities and Antennas Act. Upon revocation, the county may proceed according to section 17.412.160.

17.412.160. – Restoration of right-of-way upon revocation.

If a wireless provider occupies the public rights-of-way without obtaining a permit required by this chapter or without complying with the SWFAA, then the county may, at the sole discretion of the county, restore the right-of-way to the extent practicable in the reasonable judgment of the county, to its condition prior to the unpermitted collocation or installation and to charge the responsible wireless provider the reasonable, documented cost of the county in doing so, plus a penalty not to exceed $1,000.00. The county may suspend the ability of the wireless provider to receive any new permits from the county under this chapter until the wireless provider has paid the amount assessed for such restoration costs and the penalty assessed, if any; provided, however, that the county may not suspend such ability of any applicant that has deposited the amount in controversy in escrow pending an adjudication of the merits of the dispute by a court of competent jurisdiction.

17.412.170. – Public inspection of applications.

All accepted applications for permits shall be publicly available subject to the limitations identified herein and in O.C.G.A. § 36-66C-6 (c).

17.412.180. – Consolidated application for multiple installations.

An applicant may file a consolidated application related to multiple small wireless facilities, poles, or decorative poles so long as such consolidated application meets the requirements of O.C.G.A. § 36-66C-13.

17.412.190. – Completion of installation.

Activities authorized under a permit shall be completed within the timelines provided in O.C.G.A. § 36-66C-7 (k) (2).

17.412.200. – Authorized activities.

Issuance of a permit authorizes the applicant to: (i) undertake the collocation, installation, modification, or replacement approved by the permit and (ii) operate and maintain the small wireless facilities and any associated pole covered by the permit for a period of ten years.

17.412.210. – Permit renewal.

Permits shall be renewed following the expiration of the term identified in section 17.412.200 upon the terms and conditions identified in O.C.G.A. § 36-66C-7 (k) (2) (B).

17.412.220. – Collocation on county poles.

If an application for a permit seeks to collocate small wireless facilities on authority poles in the public rights-of-way, then the county shall, within 60 days of receipt of the completed application: (i) provide a good faith estimate for any make-ready work necessary to enable the authority pole to support the proposed facility; or (ii) notify the wireless provider that the wireless provider will be required to perform the make-ready work. Any make-ready work performed by the county shall be completed pursuant to and in accordance with the provisions of O.C.G.A. § 36-66C-7 (n).

ARTICLE II – REMOVAL, RELOCATION, RECONDITIONING, REPLACEMENT, AND ABANDONMENT

17.412.300. – Removal by owner/operator.

A person may remove his or her small wireless facilities from the public rights-of-way according to the procedures of O.C.G.A. § 36-66C-5 (e).

17.412.310. – Required restoration upon removal and county's recovery of costs.

In the event of a removal under section 17.412.300. the right-of-way shall be, to the extent practicable in the reasonable judgment of the county, restored to its condition prior to the removal. If a person fails to return the right-of-way to its condition prior to the removal as determined by the county's reasonable judgment within 90 days of the removal, the county may, at its sole discretion, restore the right-of-way to such condition and charge the person at issue the county's reasonable and documented cost of removal and restoration, plus a penalty not to exceed $500.00. The county may also suspend the person's ability to receive any new permits until the person has paid the amount assessed for such restoration costs and the penalty assessed, if any; provided, however, that the county will not suspend the ability of any person to receive any new permits who has deposited the amount in controversy in escrow pending an adjudication of the merits of the dispute by a court of competent jurisdiction.

17.412.320. – Relocation to accommodate certain county projects.

If, in the reasonable exercise of police powers, the county determines: (i) a pole or support structure unreasonably interferes with the widening, repair, reconstruction, or relocation of a public road or highway, or (ii) relocation of poles, support structures, or small wireless facilities is required as a result of a public project, the wireless provider shall relocate such poles, support structures, or small wireless facilities pursuant to and in accordance with the provisions of O.C.G.A. § 36-66C-7 (I). If the wireless provider fails to relocate a pole, support structure, or small wireless facility or fails to provide a written

good faith estimate of the time needed to relocate the pole, support structure, or small wireless facility within the time period prescribed in O.C.G.A. § 36-66C-7 (l), then the county may take any action authorized by O.C.G.A. § 36-66C-7 (o), in addition to any other powers under applicable law.

17.412.330. – Reconditioning and replacing county poles.

The county shall recondition and replace authority poles consistent with the provisions of O.C.G.A. § 36-66C-7 (m). Wireless providers shall accommodate and cooperate with reconditioning and replacement consistent with the provisions of O.C.G.A. § 36-66C-7 (m).

17.412.340. – Required notification upon abandonment.

A wireless provider must notify the county of its decision to abandon any small wireless facility, support structure, or pole pursuant to and in accordance with the provisions of O.C.G.A. § 36-66C-7 (p) (1). The wireless provider shall perform all acts and duties identified in O.C.G.A. § 36-66C-7 (p) regarding abandonment. The county may take all actions and exercise all powers authorized under O.C.G.A. § 36-66C-7 (p) upon abandonment, in addition to any other powers authorized by applicable law.

ARTICLE III – STANDARDS

17.412.400. – Standards applying to installations.

Small wireless facilities and new, modified, or replacement poles to be used for collocation of small wireless facilities are authorized in the public right-of-way: (i) upon a receipt of a permit; (ii) subject to applicable codes; and (iii) so long as such small wireless facilities and new, modified, or replacement poles to be used for collocation of small wireless facilities comply with the appropriate provisions of O.C.G.A. § 36-66C-7 (h).

17.412.410. – Concealment.

Unless it is determined that another design is less intrusive, or placement is required under applicable law, small wireless facilities shall be concealed as follows:

(1) Antennas located at the top of poles and support structures shall be incorporated into the pole or support structure, or placed within shrouds of a size such that the antenna appears to be part of the pole or support structure;
(2) Antennas placed elsewhere on a pole or support structure shall be integrated into the pole or support structure, or be designed and placed to minimize visual impacts;
(3) Radio units or equipment cabinets holding radio units and mounted on a pole shall be placed as high as possible, located to avoid interfering with, or creating any hazard to, any other use of the public rights-of-way, and located on one side of the pole. Unless the radio units or equipment cabinets can be concealed by appropriate traffic signage, radio units or equipment cabinets mounted below the communications space on poles shall be designed so that the largest dimension is vertical, and the width is such that the radio units or equipment cabinets are minimally visible from the opposite side of the pole on which they are placed.
(4) Wiring and cabling shall be neat and concealed within or flush to the pole or support structure, ensuring concealment of these components to the greatest extent and degree possible.

17.412.420. – Historic place or district.

Notwithstanding any provision of this chapter to the contrary, an applicant may collocate a small wireless facility within a historic district, and may place or replace a pole within a historic district only upon satisfactory issuance of a permit pursuant to this chapter and compliance with applicable codes.

17.412.430. – Collocation on decorative poles.

Notwithstanding any provision of this chapter to the contrary, an applicant may collocate a small wireless facility on a decorative pole, or may replace a decorative pole with a new decorative pole, in the event the existing decorative pole will not structurally support the attachment, only upon satisfactory issuance of a permit pursuant to this chapter and compliance with applicable codes.

17.412.440. – Existing right-of-way agreements for deployment of small wireless facilities.

Any existing right-of-way agreement for small wireless facility deployment by and between the county and any wireless provider that is effective and not terminated prior to the effective date of this Chapter shall remain in effect until its expiration or earlier termination and provided therein, to the extent permissible by law.

AGENDA ITEM

Public Works and Utilities

REPORT TO: **Work Session (11/06/23)**

REPORT TO: **Voting Meeting (11/09/23)**

ITEM NO: 639/2023

SUBJECT: Approve the collection of a $95,002.00 Guaranty Performance/Maintenance Agreement for the Streets, Stormwater Management Facilities, and sidewalks in Stephens Point Subdivision Phase II. Commission District 2.

Meetings:

Work Session Date: 11/06/23 **Voting Meeting Date:** 11/09/23

Executive Summary:

Presenter: BN

Recommendation:
Approve.

Purpose of Request:
Approve the collection of a $95,002.00 Guaranty Performance/Maintenance Agreement for the Streets, Stormwater Management Facilities, and sidewalks in Stephens Point Subdivision Phase II. Commission District 2.

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:

Submit	Approve	Budget	Finance
WS	BN	TS	TS

Attorney	Administration	Clerk

Attorney	Administration	Clerk
WLI	CR	JR

Attachments:
Memorandums
Guaranty Performance/Maintenance Agreement
Final Plat Information

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435

GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

DIRECTOR
Srikanth Yamala

PUBLIC WORKS AND
UTILITIES DIRECTOR
Bill Nash, P.E.

COUNTY ENGINEER
Frank Miller, P.E.

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
ENGINEERING DIVISION

MEMORANDUM

TO: Mr. William Linkous III, County Attorney

FROM: Tammie Croy, Senior Engineer TC

SUBJECT: Collection of Guaranty Performance/Maintenance Agreement for Stephens Point 2

DATE: October 23, 2023

This office has submitted a request to the County Commission to authorize your office to collect the guaranty performance/maintenance agreement held in behalf of Hall County. Enclosed is a copy of the letters notifying the developer and financial institution of the new bond requirement and existing bond expiration, a copy of the bond, and a copy of the final plat information.

Please advise if any additional information is needed regarding this matter.

cc: Board of Commissioners
Zachary Propes

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

FRANKLIN P. MILLER, P.E.
County Engineer

Hall County Government
PUBLIC WORKS AND UTILITIES
ENGINEERING DIVISION

September 15, 2023

Lennar Georgia, Inc.
1000 Holcomb Woods Parkway,
Bld. 400, Suite 450
Roswell, GA 30076

RE: Bond # 800051644

To whom it may concern;

Our records pertaining to **Stephens Point Phase 2** indicate that the bond associated with this development will expire on November 25, 2023. In order for the development to be in compliance with Hall County specifications it will be necessary to fix curb, sidewalks and install street signs before **October 20 2023.**

Thank you for working in Hall County.

Should you have any questions, please do not hesitate to contact me at (770) 531-6800.

Sincerely,

Tammie Croy
Civil Engineer III

cc: Will Allison
File

Hall County Government
PUBLIC WORKS AND UTILITIES
ENGINEERING DIVISION

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

T: 770.531.6800 | F: 770.531.3945

FRANKLIN P. MILLER, P.E.
County Engineer

September 15, 2023

Atlantic Specialty Insurance Company
605 Highway 169 North
Suite 800
Plymouth, MN 55441

RE: Bond # 800051644

To whom it may concern;

Our records pertaining to **Stephens Point Phase 2** indicate that the bond associated with this development will expire on November 25, 2023. In order for the development to be in compliance with Hall County specifications it will be necessary to fix curb, sidewalks and install street signs before **October 20 2023.**

Thank you for working in Hall County.

Should you have any questions, please do not hesitate to contact me at (770) 531-6800.

Sincerely,

Tammie Croy
Civil Engineer III

cc: Will Allison
File

SURETY RIDER

To be attached to and form a part of

Bond No. 000051644

dated effective November 25, 2019
(MONTH-DAY-YEAR)

executed by Lennar Georgia, Inc. , as Principal,
(PRINCIPAL)

and by Atlantic Specialty Insurance Company , as Surety,

in favor of Hall County Board of Commissioners
(OBLIGEE)

In consideration of the mutual agreements herein contained the Principal and the Surety hereby consent to changing

Term renewed: November 25, 2022 to November 25, 2023

Principal name to read: Lennar Georgia, LLC

Nothing herein contained shall vary, alter or extend any provision or condition of this bond except as herein expressly stated.

This rider is effective November 25, 2022
(MONTH-DAY-YEAR)

Signed and Sealed October 17, 2022
(MONTH-DAY-YEAR)

Lennar Georgia, LLC, a Georgia limited liability company
(PRINCIPAL)

By: _____
(PRINCIPAL)

Atlantic Specialty Insurance Company
(SURETY)

By: _____
Mary Ann Garcia, Attorney-In-Fact

S-0443/GEEF 10/99

intact INSURANCE

Power of Attorney

Surety Bond No: 800051644

Principal: Lennar Georgia, LLC

Obligee: Hall County Board of Commissioners

KNOW ALL MEN BY THESE PRESENTS, that ATLANTIC SPECIALTY INSURANCE COMPANY, a New York corporation with its principal office in Plymouth, Minnesota, does hereby constitute and appoint: Mary Ann Garcia, each individually if there be more than one named, its true and lawful Attorney-in-Fact, to make, execute, seal and deliver, for and on its behalf as surety, any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof; provided that no bond or undertaking executed under this authority shall exceed in amount the sum of: unlimited and the execution of such bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof in pursuance of these presents, shall be as binding upon said Company as if they had been fully signed by an authorized officer of the Company and sealed with the Company seal. This Power of Attorney is made and executed by authority of the following resolutions adopted by the Board of Directors of ATLANTIC SPECIALTY INSURANCE COMPANY on the twenty-fifth day of September, 2012:

Resolved: That the President, any Senior Vice President or Vice-President (each an "Authorized Officer") may execute for and in behalf of the Company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and affix the seal of the Company thereto; and that the Authorized Officer may appoint and authorize an Attorney-in-Fact to execute on behalf of the Company any and all such instruments and to affix the Company seal thereto; and that the Authorized Officer may at any time remove any such Attorney-in-Fact and revoke all power and authority given to any such Attorney-in-Fact.

Resolved: That the Attorney-in-Fact may be given full power and authority to execute for and in the name and on behalf of the Company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and any such instrument executed by any such Attorney-in-Fact shall be as binding upon the Company as if signed and sealed by an Authorized Officer and, further, the Attorney-in-Fact is hereby authorized to verify any affidavit required to be attached to bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof.

This power of attorney is signed and sealed by facsimile under the authority of the following Resolution adopted by the Board of Directors of ATLANTIC SPECIALTY INSURANCE COMPANY on the twenty-fifth day of September, 2012:

Resolved: That the signature of an Authorized Officer, the signature of the Secretary or the Assistant Secretary, and the Company seal may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing an Attorney-in-Fact for purposes only of executing and sealing any bond, undertaking, recognizance or other written obligation in the nature thereof, and any such signature and seal where so used, being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

IN WITNESS WHEREOF, ATLANTIC SPECIALTY INSURANCE COMPANY has caused these presents to be signed by an Authorized Officer and the seal of the Company to be affixed this twenty-seventh day of April, 2020.

ATLANTIC SPECIALTY INSURANCE COMPANY CORPORATE SEAL 1986 NEW YORK

By _____
Paul J. Brehm, Senior Vice President

STATE OF MINNESOTA
HENNEPIN COUNTY

On this twenty-seventh day of April, 2020, before me personally came Paul J. Brehm, Senior Vice President of ATLANTIC SPECIALTY INSURANCE COMPANY, to me personally known to be the individual and officer described in and who executed the preceding instrument, and he acknowledged the execution of the same, and being by me duly sworn, that he is the said officer of the Company aforesaid, and that the seal affixed to the preceding instrument is the seal of said Company and that the said seal and the signature as such officer was duly affixed and subscribed to the said instrument by the authority and at the direction of the Company.

ALISON DWAN NASH-TROUT
NOTARY PUBLIC - MINNESOTA
My Commission Expires
January 31, 2025

_____
Notary Public

I, the undersigned, Secretary of ATLANTIC SPECIALTY INSURANCE COMPANY, a New York Corporation, do hereby certify that the foregoing power of attorney is in full force and has not been revoked, and the resolutions set forth above are now in force.

Signed and sealed. Dated 17th day of October, 2022

ATLANTIC SPECIALTY INSURANCE COMPANY CORPORATE SEAL 1986 NEW YORK

_____
Kara Barrow, Secretary

Please direct bond verifications to [illegible]

Bond No. 800051644

STATE OF GEORGIA,
COUNTY OF HALL

GUARANTY PERFORMANCE/MAINTENANCE AGREEMENT

KNOW ALL MEN BY THESE PRESENTS, that we, Lennar Georgia, Inc. (owner/principal, hereinafter referred to as "Principal"), and Atlantic Specialty Insurance Company (surety), a company entitled and licensed to do business as a surety in the State of Georgia and Hall County, (hereinafter referred to as "Surety"), are held and bound unto Hall County, Georgia in the sum of $ 95,002.00 * (hereinafter referred to as "bonded amount") for payment of which we bind ourselves, our heirs, executors, administrators and assigns.

WHEREAS, Lennar Georgia, Inc. (principal) is owner of the Subdivision known as Stephens Point 2 Subdivision, which subdivision is shown on a plat prepared by Rochester & Associates, Inc., Georgia Registered Surveyor Number LSF000484, and

WHEREAS, Lennar Georgia, Inc. (principal) wishes to induce the Board of Commissioners of Hall County, Georgia to approve the street system shown on the Final Plat of Stephens Point 2 Subdivision for recording purposes, and

WHEREAS, Lennar Georgia, Inc. (principal) wishes to induce the Board of Commissioners of Hall County, Georgia to accept the streets shown on the Final Plat of Stephens Point 2 Subdivision for public maintenance (not applicable to private developments);

Lennar Georgia, Inc. (principal) and Atlantic Specialty Insurance Company (surety) agree in consideration of the foregoing,

NOW, THEREFORE BE IT RESOLVED, Lennar Georgia, Inc. (principal) agrees that all construction of the street system of Stephens Point 2

Subdivision will be completed and maintained for fifteen (15) months according to the terms and requirements as shown on the recorded Final Plat and of the Subdivision Regulations in force in Hall County, Georgia.

Lennar Georgia, Inc. (principal), and

Atlantic Specialty Insurance Company (surety) agree to the following:

Sidewalks will be completed throughout entire subdivision as shown on recorded final plat within one (1) year of signing of said final plat. One inch of "F" mix asphalt may be placed anytime prior to final platting or up to one (1) year after final plat approval. In addition, Principal and Surety agree that if either the sidewalks, cuts, fills, sub-grades, shoulders, pavement, grassing, storm water management facilities, or traffic signs in Stephens Point 2 Subdivision are improperly maintained or are found to be defective from faults in design, materials or workmanship as shown on the recorded Final Plat, or as set out in the Subdivision Regulations in force in Hall County, Georgia, then upon demand from Hall County,

Atlantic Specialty Insurance Company (surety) shall pay the bond amount to Hall County.

Terms of Guaranty:

Lennar Georgia, Inc. (principal) and

Atlantic Specialty Insurance Company (surety) shall be bound by the provisions of this agreement until a properly authorized letter is received by

Atlantic Specialty Insurance Company (surety) from Hall County authorizing release of

Lennar Georgia, Inc. (principal) and

Atlantic Specialty Insurance Company (surety) from this Guaranty Agreement.

NOTWITHSTANDING the above provisions, this Guaranty Performance/Maintenance Agreement is hereby issued on 11/25/2019 (Date) and expires on 11/25/2021 (Date, minimum 24 months from date of issuance), and the Issuer will have no more liability after that date. When

the indicated expiration date falls on Sunday or a legal holiday, or for any reason the Issuer is not open for business, the expiration date shall be extended to the next succeeding business day. Jurisdiction for any civil litigation necessary for collection of bond claims hereunder shall be in the Superior Court of Hall County, Georgia.

IN WITNESS WHEREOF, the undersigned have hereunto signed their names and affixed their seals this 25th day of November, 2019.

Lennar Georgia, Inc., a Georgia corporation
PRINCIPAL

By: _____
(Corporate Officer or other authorized representative)

Principal's Address:
1000 Holcomb Woods Pkwy., Bldg. 400/Suite 460
Roswell, GA 30076

Atlantic Specialty Insurance Company
SURETY

By: _____
(Authorized Representative)
Surety's Address: Mechelle Larkin, Attorney-In-Fact

605 Highway 169 North, Suite 800, Plymouth, MN 55441

Approved:
Hall County
By: _____
(Chairman)

* The amount of the bond equals 30 percent of all completed infrastructure including base, paving, grassing, stormwater management facilities, and sidewalks plus 100 percent of the cost of all incomplete infrastructure such as remaining sidewalks and asphalt topping. The unit cost data used in the calculations will be based upon the latest Georgia Department of Transportation (GADOT) Item Mean Summary, or the latest Hall County contract data, whichever is higher.

OneBeacon
INSURANCE GROUP

Power of Attorney

KNOW ALL MEN BY THESE PRESENTS, that ATLANTIC SPECIALTY INSURANCE COMPANY, a New York corporation with its principal office in Plymouth, Minnesota, does hereby constitute and appoint: Kori Davis, Tenzer V. Cunningham, Brenda Wong, Martha Gonzales, Joaquin Perez, My Hun, Mechelle Larkin, Kathy R. Mah, each individually if there be more than one named, its true and lawful Attorney-in-Fact, to make, execute, seal and deliver, for and on its behalf as surety, any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof; provided that no bond or undertaking executed under this authority shall exceed in amount the sum of: sixty million dollars ($60,000,000) and the execution of such bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof in pursuance of these presents, shall be as binding upon said Company as if they had been fully signed by an authorized officer of the Company and sealed with the Company seal. This Power of Attorney is made and executed by authority of the following resolutions adopted by the Board of Directors of ATLANTIC SPECIALTY INSURANCE COMPANY on the twenty-fifth day of September, 2012:

Resolved: That the President, any Senior Vice President or Vice-President (each an "Authorized Officer") may execute for and in behalf of the Company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and affix the seal of the Company thereto; and that the Authorized Officer may appoint and authorize an Attorney-in-Fact to execute on behalf of the Company any and all such instruments and to affix the Company seal thereto; and that the Authorized Officer may at any time remove any such Attorney-in-Fact and revoke all power and authority given to any such Attorney-in-Fact.

Resolved: That the Attorney-in-Fact may be given full power and authority to execute for and in the name and on behalf of the Company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and any such instrument executed by any such Attorney-in-Fact shall be as binding upon the Company as if signed and sealed by an Authorized Officer and, further, the Attorney-in-Fact is hereby authorized to verify any affidavit required to be attached to bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof.

This power of attorney is signed and sealed by facsimile under the authority of the following Resolution adopted by the Board of Directors of ATLANTIC SPECIALTY INSURANCE COMPANY on the twenty-fifth day of September, 2012:

Resolved: That the signature of an Authorized Officer, the signature of the Secretary or the Assistant Secretary, and the Company seal may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing an Attorney-in-Fact for purposes only of executing and sealing any bond, undertaking, recognizance or other written obligation in the nature thereof, and any such signature and seal where so used, being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

IN WITNESS WHEREOF, ATLANTIC SPECIALTY INSURANCE COMPANY has caused these presents to be signed by an Authorized Officer and the seal of the Company to be affixed this twenty-sixth day of October, 2017.

ATLANTIC SPECIALTY INSURANCE COMPANY CORPORATE SEAL 1986 NEW YORK

By _____
Paul J. Brehm, Senior Vice President

STATE OF MINNESOTA
HENNEPIN COUNTY

On this twenty-sixth day of October, 2017, before me personally came Paul J. Brehm, Senior Vice President of ATLANTIC SPECIALTY INSURANCE COMPANY, to me personally known to be the individual and officer described in and who executed the preceding instrument, and he acknowledged the execution of the same, and being by me duly sworn, that he is the said officer of the Company aforesaid, and that the seal affixed to the preceding instrument is the seal of said Company and that the said seal and the signature as such officer was duly affixed and subscribed to the said instrument by the authority and at the direction of the Company.

TARA JANELLE STAFFORD
NOTARY PUBLIC - MINNESOTA
My Commission Expires
January 31, 2020

_____
Notary Public

I, the undersigned, Secretary of ATLANTIC SPECIALTY INSURANCE COMPANY, a New York Corporation, do hereby certify that the foregoing power of attorney is in full force and has not been revoked, and the resolutions set forth above are now in force.

Signed and sealed. Dated NOV 27 2019 day of _____, _____.

ATLANTIC SPECIALTY INSURANCE COMPANY CORPORATE SEAL 1986 NEW YORK

This Power of Attorney expires
October 1, 2019

_____
Christopher V. Jerry, Secretary

Final Plat Information

Consider collection of $95,002.00 Guaranty Performance/Maintenance Agreement for Streets, Stormwater Management Facilities, and Sidewalks in Stephens Point Subdivision Phase 2.

Subject Subdivision is located off of Stephens Road.

NAME OF SUBDIVISION:	Stephens Point
NAME OF OWNER/DEVELOPER:	Lennar Georgia, Inc.
ADDRESS:	1000 Holcomb Woods Parkway, Bld. 400, Suite 450 Roswell, GA 30076
TYPE OF MAINTENANCE BOND:	Guaranty Performance/Maintenance
DATE OF BOND:	November 25, 2019
AMOUNT OF BOND:	$95,002.00
FINANCIAL INSTITUTION: AND ADDRESS:	Atlantic Specialty Insurance Company 605 Highway 169 North, Suite 800 Plymouth, MN 55441
Account No.:	800051644

COMM. DIST.	STREET NAME	R/W IN FEET	LENGTH IN FEET	WIDTH IN FEET	TYPE OF SURFACE	STATE REF. NO.
2	Flying Scott Way	50	998	20	P.M.	----

NOTES:

NUMBER OF LOTS:	22
CURB & GUTTER:	24" Rolled Back
TOTAL ACRES OF S/D:	58.497 AC

AGENDA ITEM

Sheriff's Office

REPORT TO: **Work Session (11/06/23)**

REPORT TO: **Voting Meeting (11/09/23)**

ITEM NO: 636/2023

SUBJECT: Approve the award of IFB #026-44 Sheriff's Office Training Center Metal Storage Building for the Sheriff's Office to KBP Construction Plus, LLC, of Winder, GA, in the amount of $103,932.65.

Meetings:

Work Session Date: 11/06/23

Voting Meeting Date: 11/09/23

Executive Summary:

Presenter: LSW

Recommendation:
Approve.

Purpose of Request:
Approve the award of IFB #026-44 Sheriff's Office Training Center Metal Storage Building for the Sheriff's Office to KBP Construction Plus, LLC, of Winder, GA, in the amount of $103,932.65.

History:
IFB #026-44 generated five bid responses with KBP Construction Plus entering the lowest responsible and responsive bid.

Facts and Issues:
Construct a 40X40X12 metal building onsite at 2684 Allen Creek Road Gainesville, GA 30507. Building will be used to store lawn maintenance equipment, firing range equipment and provide temporary storage for vehicles in the event protection from weather is required. With the anticipation of the new training facility being constructed, additional storage will be needed for supplies for the firing ranges. The areas currently being used for storage will be repurposed for and used for seating for employees attending training.

Options:

Funding Requested	$ 103,932.65
Are funds within current budget?	Yes
Source of Funds	SPLOST VIII
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:

Buyer	Submit	Approve	Purchasing
MH	SC	SC	AP
Budget	**Finance**	**Attorney**	**Administration**
TS	WG	WLI	CR
Clerk			
JR			

Attachments:
Financial Supplement
Contract
Exhibit B (Mandatory Cost Proposal Worksheet)
Bid Tab
Invitation for Bid
Addendum 1

HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT

AGENDA ITEM 636/2023

Funds Requested: $ 103,932.65

Request Budgeted: Yes

Proposed Source of Funding:

SPLOST VIII

Budget Transfer Requested:

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2024	324-SPLOST VIII	3310-SHERIFFâ€OPERATIONS	541300-BUILDING AND IMPROVEMENTS	$103,932.65

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions: LSW

Phone: (770) 503-3123

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GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

DIRECTOR
Wesley Geddings

Hall County Government

FINANCIAL SERVICES

Notice – Addendum 1
Project Name: Sheriff's Office Training Center Storage Building
IFB#: 026-44

October 13, 2023

An optional pre-bid meeting for IFB#: 026-44, Sheriff's Office Training Center Storage Building, was held on October 5, 2023 at 10:00 AM at the Sheriff's office training center located at 2684 Allen Creek Road in Gainesville, Georgia.

The vendors in attendance asked the following questions and Hall County's answers follow:

Q: For grading & utilities, is the contractor only to provide an unstamped/non-permit site plan for the storage building/slab including water line, sanitary stub-up and power line to the meter?
A: Yes.

Q: Will a topography map be made available?
A: Yes, if we can obtain an electronic copy.

Q: Will suitable dirt be available on the site that can be used by the contractor for grading fill, if needed?
A: Yes.

Q: Will the underground sanitary line from the utility sink end at a stub-up outside the building on the left-hand side, looking at the front of the building from the parking lot?
A: Yes.

Q: Is the underground water line to connect to the existing water vault located near the existing buildings?
A: Yes

Q: What is the size of the water line that is required and will there be any tap fees that need to be included? If tap fees are required, what is an allowance we should include in our bid?
A: There are no tap fees. Since this is only to operate a utility sink, a 1" line should be sufficient, but we will defer to the contractor on this point.

Q: Will the existing pavilion structure and roof be demolished by Hall County prior to construction, and is the intent to use the existing slab as a driveway to the new building?
A: Yes, although we would like to see what additional cost might be incurred by having the contractor disassemble the structure for later use.

Q: Will a 4” reinforced concrete slab be sufficient for the building?
A: Yes.

Q: What is the intended location and size of the steel man door, and is there any lock/deadbolt hardware desired?
A: Left side of the building, looking at the front from the parking lot. 36”x80” with commercial deadbolt lock set.

Q: Will the two (2) garage doors be manual operation?
A: Yes.

Q: The required PEMB roof insulation was not specified. Is it to be furnished in compliance with governing codes & standards?
A: Yes.

Q: Will 6” gutters & downspouts on the front and back of the building, ending in splash blocks, need to be added to the project?
A: Yes.

Q: Will an exhaust fan be needed as well?
A: Yes, one (1) electric exhaust fan with exterior louver, to be located at one end of the building on the upper wall under the roof peak.

Q: Can you provide an example of the commercial grade utility sink (Plastic or Stainless Steel) and sink fixture that is desired?
A: Yes.- https://www.uline.com/BL_3776/Stainless-Steel-UtilitySink?pricode=WC4107&AdKeyword=industrial%20sinks&AdMatchtype=p&gclid=Cj0KCQjwj5mpBhDJARIsAOVjBdqHdpEMSShMXQGtO0shKRYZh8aqJYppq4AfeL7poICofpi_jwcypacaAhv6EALw_wcB

Q: Will an exterior hose bib be needed?
A: Yes.

Q: Will low voltage service, including security or alarm, be needed?
A: No.

Q: Will exterior lighting be required?
A: Yes, please add a wall-pack light fixture to the front, between the roll-up doors.

Q: Will a concrete driveway be needed?
A: No, just dirt/gravel access.

Q: Will you need any floor treatment or drains?
A: No.

Q: What type of sewer line will be required?
A: To be determined at a later date with the winning vendor.

Q: Will a wall be constructed between the building and the berm?
A: No.

Q: Will there be a ditch/trench drain between the building and the berm?
A: No.

Q: Will a heater or an air conditioner be required?
A: No.

Q: Do windows need to be installed?
A: No.

Q: Is a civil design needed?
A: No, just a P&E plan.

Q: What style of roof would you like?
A: Peaked.

Q: Will background checks be required for workers, since it is at the firing range?
A: No.

Q: What is the accessibility to the work site?
A: Maintenance is on site at 5:30 AM to unlock the gates. The workers can work late if needed, as long as they lock the gate when they leave.

EXHIBIT B
MANDATORY COST PROPOSAL FORM

HALL COUNTY

INVITATION FOR BID (IFB)

FOR

HALL COUNTY SHERIFF'S OFFICE

TRAINING CENTER STORAGE BUILDING

Description	Cost Proposal
TASK 1: Project Design Phase	$ 6500
TASK 2: Preliminary Design Approval/changes	$ 32,861.75
TASK 3: Final Design	$ 8500
TASK 4: Permitting	$ 3500
TASK 5: Construction Services	
1) Site prep	$ 3650
2) Water/electricity installation	$ 14000
3) Concrete slab	$ 18,490
4) Structural assembly	$ 16,430.90
TOTAL	$ 103,932.65

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GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

DIRECTOR
Wesley Geddings

Hall County Government

FINANCIAL SERVICES

Notice – Addendum 1
Project Name: Sheriff's Office Training Center Storage Building
IFB#: 026-44

October 13, 2023

An optional pre-bid meeting for IFB#: 026-44, Sheriff's Office Training Center Storage Building, was held on October 5, 2023 at 10:00 AM at the Sheriff's office training center located at 2684 Allen Creek Road in Gainesville, Georgia.

The vendors in attendance asked the following questions and Hall County's answers follow:

Q: For grading & utilities, is the contractor only to provide an unstamped/non-permit site plan for the storage building/slab including water line, sanitary stub-up and power line to the meter?
A: Yes.

Q: Will a topography map be made available?
A: Yes, if we can obtain an electronic copy.

Q: Will suitable dirt be available on the site that can be used by the contractor for grading fill, if needed?
A: Yes.

Q: Will the underground sanitary line from the utility sink end at a stub-up outside the building on the left-hand side, looking at the front of the building from the parking lot?
A: Yes.

Q: Is the underground water line to connect to the existing water vault located near the existing buildings?
A: Yes

Q: What is the size of the water line that is required and will there be any tap fees that need to be included? If tap fees are required, what is an allowance we should include in our bid?
A: There are no tap fees. Since this is only to operate a utility sink, a 1" line should be sufficient, but we will defer to the contractor on this point.

Q: Will the existing pavilion structure and roof be demolished by Hall County prior to construction, and is the intent to use the existing slab as a driveway to the new building?
A: Yes, although we would like to see what additional cost might be incurred by having the contractor disassemble the structure for later use.

Q: Will a 4” reinforced concrete slab be sufficient for the building?
A: Yes.

Q: What is the intended location and size of the steel man door, and is there any lock/deadbolt hardware desired?
A: Left side of the building, looking at the front from the parking lot. 36”x80” with commercial deadbolt lock set.

Q: Will the two (2) garage doors be manual operation?
A: Yes.

Q: The required PEMB roof insulation was not specified. Is it to be furnished in compliance with governing codes & standards?
A: Yes.

Q: Will 6” gutters & downspouts on the front and back of the building, ending in splash blocks, need to be added to the project?
A: Yes.

Q: Will an exhaust fan be needed as well?
A: Yes, one (1) electric exhaust fan with exterior louver, to be located at one end of the building on the upper wall under the roof peak.

Q: Can you provide an example of the commercial grade utility sink (Plastic or Stainless Steel) and sink fixture that is desired?
A: Yes.- https://www.uline.com/BL_3776/Stainless-Steel-UtilitySink?pricode=WC4107&AdKeyword=industrial%20sinks&AdMatchtype=p&gclid=Cj0KCQjwj5mpBhDJARIsAOVjBdqHdpEMSShMXQGtO0shKRYZh8aqJYppq4AfeL7poICofpi_jwcypacaAhv6EALw_wcB

Q: Will an exterior hose bib be needed?
A: Yes.

Q: Will low voltage service, including security or alarm, be needed?
A: No.

Q: Will exterior lighting be required?
A: Yes, please add a wall-pack light fixture to the front, between the roll-up doors.

Q: Will a concrete driveway be needed?
A: No, just dirt/gravel access.

Q: Will you need any floor treatment or drains?
A: No.

Q: What type of sewer line will be required?
A: To be determined at a later date with the winning vendor.

Q: Will a wall be constructed between the building and the berm?
A: No.

Q: Will there be a ditch/trench drain between the building and the berm?
A: No.

Q: Will a heater or an air conditioner be required?
A: No.

Q: Do windows need to be installed?
A: No.

Q: Is a civil design needed?
A: No, just a P&E plan.

Q: What style of roof would you like?
A: Peaked.

Q: Will background checks be required for workers, since it is at the firing range?
A: No.

Q: What is the accessibility to the work site?
A: Maintenance is on site at 5:30 AM to unlock the gates. The workers can work late if needed, as long as they lock the gate when they leave.

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IFB#: 026-44

October 13, 2023

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The vendors in attendance asked the following questions and Hall County's answers follow:

Q: For grading & utilities, is the contractor only to provide an unstamped/non-permit site plan for the storage building/slab including water line, sanitary stub-up and power line to the meter?
A: Yes.

Q: Will a topography map be made available?
A: Yes, if we can obtain an electronic copy.

Q: Will suitable dirt be available on the site that can be used by the contractor for grading fill, if needed?
A: Yes.

Q: Will the underground sanitary line from the utility sink end at a stub-up outside the building on the left-hand side, looking at the front of the building from the parking lot?
A: Yes.

Q: Is the underground water line to connect to the existing water vault located near the existing buildings?
A: Yes

Q: What is the size of the water line that is required and will there be any tap fees that need to be included? If tap fees are required, what is an allowance we should include in our bid?
A: There are no tap fees. Since this is only to operate a utility sink, a 1" line should be sufficient, but we will defer to the contractor on this point.

Q: Will the existing pavilion structure and roof be demolished by Hall County prior to construction, and is the intent to use the existing slab as a driveway to the new building?
A: Yes, although we would like to see what additional cost might be incurred by having the contractor disassemble the structure for later use.

Q: Will a 4” reinforced concrete slab be sufficient for the building?
A: Yes.

Q: What is the intended location and size of the steel man door, and is there any lock/deadbolt hardware desired?
A: Left side of the building, looking at the front from the parking lot. 36”x80” with commercial deadbolt lock set.

Q: Will the two (2) garage doors be manual operation?
A: Yes.

Q: The required PEMB roof insulation was not specified. Is it to be furnished in compliance with governing codes & standards?
A: Yes.

Q: Will 6” gutters & downspouts on the front and back of the building, ending in splash blocks, need to be added to the project?
A: Yes.

Q: Will an exhaust fan be needed as well?
A: Yes, one (1) electric exhaust fan with exterior louver, to be located at one end of the building on the upper wall under the roof peak.

Q: Can you provide an example of the commercial grade utility sink (Plastic or Stainless Steel) and sink fixture that is desired?
A: Yes.- https://www.uline.com/BL_3776/Stainless-Steel-UtilitySink?pricode=WC4107&AdKeyword=industrial%20sinks&AdMatchtype=p&gclid=Cj0KCQjwj5mpBhDJARIsAOVjBdqHdpEMSShMXQGtO0shKRYZh8aqJYppq4AfeL7poICofpi_jwcypacaAhv6EALw_wcB

Q: Will an exterior hose bib be needed?
A: Yes.

Q: Will low voltage service, including security or alarm, be needed?
A: No.

Q: Will exterior lighting be required?
A: Yes, please add a wall-pack light fixture to the front, between the roll-up doors.

Q: Will a concrete driveway be needed?
A: No, just dirt/gravel access.

Q: Will you need any floor treatment or drains?
A: No.

Q: What type of sewer line will be required?
A: To be determined at a later date with the winning vendor.

Q: Will a wall be constructed between the building and the berm?
A: No.

Q: Will there be a ditch/trench drain between the building and the berm?
A: No.

Q: Will a heater or an air conditioner be required?
A: No.

Q: Do windows need to be installed?
A: No.

Q: Is a civil design needed?
A: No, just a P&E plan.

Q: What style of roof would you like?
A: Peaked.

Q: Will background checks be required for workers, since it is at the firing range?
A: No.

Q: What is the accessibility to the work site?
A: Maintenance is on site at 5:30 AM to unlock the gates. The workers can work late if needed, as long as they lock the gate when they leave.

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POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

DIRECTOR
Wesley Geddings

Hall County Government

FINANCIAL SERVICES

Notice – Addendum 1
Project Name: Sheriff's Office Training Center Storage Building
IFB#: 026-44

October 13, 2023

An optional pre-bid meeting for IFB#: 026-44, Sheriff's Office Training Center Storage Building, was held on October 5, 2023 at 10:00 AM at the Sheriff's office training center located at 2684 Allen Creek Road in Gainesville, Georgia.

The vendors in attendance asked the following questions and Hall County's answers follow:

Q: For grading & utilities, is the contractor only to provide an unstamped/non-permit site plan for the storage building/slab including water line, sanitary stub-up and power line to the meter?
A: Yes.

Q: Will a topography map be made available?
A: Yes, if we can obtain an electronic copy.

Q: Will suitable dirt be available on the site that can be used by the contractor for grading fill, if needed?
A: Yes.

Q: Will the underground sanitary line from the utility sink end at a stub-up outside the building on the left-hand side, looking at the front of the building from the parking lot?
A: Yes.

Q: Is the underground water line to connect to the existing water vault located near the existing buildings?
A: Yes

Q: What is the size of the water line that is required and will there be any tap fees that need to be included? If tap fees are required, what is an allowance we should include in our bid?
A: There are no tap fees. Since this is only to operate a utility sink, a 1" line should be sufficient, but we will defer to the contractor on this point.

Q: Will the existing pavilion structure and roof be demolished by Hall County prior to construction, and is the intent to use the existing slab as a driveway to the new building?
A: Yes, although we would like to see what additional cost might be incurred by having the contractor disassemble the structure for later use.

Q: Will a 4” reinforced concrete slab be sufficient for the building?
A: Yes.

Q: What is the intended location and size of the steel man door, and is there any lock/deadbolt hardware desired?
A: Left side of the building, looking at the front from the parking lot. 36”x80” with commercial deadbolt lock set.

Q: Will the two (2) garage doors be manual operation?
A: Yes.

Q: The required PEMB roof insulation was not specified. Is it to be furnished in compliance with governing codes & standards?
A: Yes.

Q: Will 6” gutters & downspouts on the front and back of the building, ending in splash blocks, need to be added to the project?
A: Yes.

Q: Will an exhaust fan be needed as well?
A: Yes, one (1) electric exhaust fan with exterior louver, to be located at one end of the building on the upper wall under the roof peak.

Q: Can you provide an example of the commercial grade utility sink (Plastic or Stainless Steel) and sink fixture that is desired?
A: Yes.- https://www.uline.com/BL_3776/Stainless-Steel-UtilitySink?pricode=WC4107&AdKeyword=industrial%20sinks&AdMatchtype=p&gclid=Cj0KCQjwj5mpBhDJARIsAOVjBdqHdpEMSShMXQGtO0shKRYZh8aqJYppq4AfeL7poICofpi_jwcypacaAhv6EALw_wcB

Q: Will an exterior hose bib be needed?
A: Yes.

Q: Will low voltage service, including security or alarm, be needed?
A: No.

Q: Will exterior lighting be required?
A: Yes, please add a wall-pack light fixture to the front, between the roll-up doors.

Q: Will a concrete driveway be needed?
A: No, just dirt/gravel access.

Q: Will you need any floor treatment or drains?
A: No.

Q: What type of sewer line will be required?
A: To be determined at a later date with the winning vendor.

Q: Will a wall be constructed between the building and the berm?
A: No.

Q: Will there be a ditch/trench drain between the building and the berm?
A: No.

Q: Will a heater or an air conditioner be required?
A: No.

Q: Do windows need to be installed?
A: No.

Q: Is a civil design needed?
A: No, just a P&E plan.

Q: What style of roof would you like?
A: Peaked.

Q: Will background checks be required for workers, since it is at the firing range?
A: No.

Q: What is the accessibility to the work site?
A: Maintenance is on site at 5:30 AM to unlock the gates. The workers can work late if needed, as long as they lock the gate when they leave.

AGENDA ITEM

Sheriff's Office

REPORT TO: **Work Session (11/06/23)**

REPORT TO: **Voting Meeting (11/09/23)**

ITEM NO: 613/2023

SUBJECT: Approve the award of IFB #025-44 Furnish and Install Security Fencing for the Hall County Courthouse Parking Deck for the Sheriff's Office to Blue Ridge Fence, Inc. of Lula, GA, in the amount of $63,639.00.

Meetings:

Work Session Date: 11/06/23 **Voting Meeting Date:** 11/09/23

Executive Summary:

Presenter: CKE

Recommendation:
Approve.

Purpose of Request:
Approve the award of IFB #025-44 Furnish and Install Security Fencing for the Hall County Courthouse Parking Deck for the Sheriff's Office to Blue Ridge Fence, Inc. of Lula, GA, in the amount of $63,639.00.

History:

Facts and Issues:
Security issues with transients harrassing courthouse employees after dark.

Galvanized steel fencing with card reader and electrial motor for opening and closing gate.

Options:

Funding Requested	$ 63,639.00
Are funds within current budget?	Yes
Source of Funds	Capital Projects Fund
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:

Buyer	Submit	Approve	Purchasing
CW	SC	SC	AP
Budget	**Finance**	**Attorney**	**Administration**
EW	WG	WLI	CR
Clerk			
JR			

Attachments:
Financial Supplement
Contract
Signature Page
Exhibit C (Mandatory Cost Proposal Worksheet)
Bid Tab
Invitation for Bid

HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT

AGENDA ITEM 613/2023

Funds Requested: $ 63,639.00

Request Budgeted: Yes

Proposed Source of Funding:

Capital Projects Fund

Budget Transfer Requested:

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2024	350-CAPITAL PROJECTS FUND	3360-SHERIFFâ€COURT SERVICES	541300-BUILDING AND IMPROVEMENTS	$63,639.00

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions: CKE

Phone: 770-531-7090

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Wesley Geddings

Hall County Government

FINANCIAL SERVICES

EXHIBIT B – CONTRACT FOR SERVICES

STATE OF GEORGIA **CONTRACT # 025-44**
COUNTY OF HALL

For the provision of

Furnish & install security fencing for Hall County Courthouse parking deck

ARTICLE #101 - INTRODUCTION

This Contract for Furnish & install security fencing for Hall County Courthouse parking deck (hereinafter "Services") as entered into on October 9, 2023, and with an Effective Date of October 9, 2023, is by and between; Hall County, Georgia, Board of Commissioners, (hereinafter "County") located at 2875 Browns Bridge Rd, Gainesville, Georgia 30504, and Blue Ridge Fence, Inc, (Hereinafter "Contractor"), located at 781 Silver Shoals Road, Lula, GA 30554. Contractor is an entity that is legally registered and qualified, and holding any such licenses and certifications as may be required to render Services to do business in the State of Georgia. County and Contractor are known individually as a "Party" and collectively as the "Parties".

Whereas, the Parties do mutually desire to enter into this Contract to document the provision of Services or other good and valuable consideration by the Contractor to the County in exchange for payment as compensation, and

Whereas, this contract will become legally binding and executed upon signature by both parties, and

Whereas, this Contract is the result of the competitively Bid IFB #025-44, the Contractor's bid response, acceptance of the Scope of Work, its Exhibits, Attachments, and references are all incorporated herein by reference, and

NOW, THEREFORE and in consideration of the terms, conditions, mutual promises, covenants and agreements made as expressed and contained herein, or attached and incorporated and made a part hereof, and other good and valuable consideration, expressed by a valid offer and acceptance, the receipt and sufficiency of which the parties hereby acknowledge, the Parties hereto agree as follows:

ARTICLE #102 – CONTRACT

A. Contractor agrees to provide the Services to the County as detailed herein as the **Scope of Work**, and for locations and services as described in the solicitation document and the Bidder's response.

B. County hereby agrees as good and valuable compensation as provided in the attached bidder's response entitled Exhibit C – Mandatory Cost Proposal Worksheet**,** as incorporated herein by reference, (including Performance & Payment Bonds and all permits if required) shown below:

Contractor is to invoice the County after substantial completion of project in arrears. County will pay Contractor progress payments as further described herein;

C. **Price Escalation Clause**. (Non-applicable) Contractor may request up to, but no more than, a three-percent (3%) price escalation adjustment to this contract at each time of contract renewal.

ARTICLE #103 - NOTICES:

To the extent that either party to this Contract are required to provide notice(s) to the other party in compliance herewith, then the party shall direct notice(s) to the following persons:

COUNTY PROJECT MANAGER
Kelley Edwards
Captain
Hall County Sheriff's Office
2859 Browns Bridge Rd
Gainesville, GA 30504
kedwards@hallcounty.org
Ph: (770) 538-5312

COUNTY ISSUING OFFICER
Cheryl Wright
Issuing Officer
Hall County Purchasing Division
2875 Browns Bridge Rd
Gainesville, GA 30504
cwright@hallcounty.org
Ph: (770) 535-8263

CONTRACTOR'S CONTACT INFO
Keith Segars
President
Blue Ridge Fence, Inc.
781 Silver Shoals Rd
Lula, GA 30554
keith@blueridgefence.com
706-677-3719

ARTICLE #104 – NON-EXCLUSIVE RIGHTS:

The Contract is not exclusive. The County reserves the right to select other Contractors to provide the Services similar to those described in this Contract, during the term of the Contract should the need arise or the contractor fail to perform.

ARTICLE #105 – CONTRACT TERM:

For construction projects, until substantial and final completion of services according to the time-schedule and after all sub-contractor(s) and material suppliers liens are satisfied.

ARTICLE #106 - CONTRACT AMENDMENTS AND MODIFICATION:

This Contract can only be modified, amended, or added to in writing and fully executed by both parties hereto. This Contract document constitutes the sole and entire Contract and understanding between the parties as to the subject matter hereof, and no verbal promises have been made by either party in relation hereto.

ARTICLE # 107 – REMEDIES AND CONTRACT PERFORMANCE:

In the event that either party to this Contract breaches this Contract, including by failure to meet the timetables set forth herein, the non-breaching party shall provide written notice to the breaching party which describes the breach of this Contract. The party whose breach is alleged shall have thirty (30) days from the date of receipt of the written notice to cure the breach or to otherwise negotiate a resolution of the breach.

If the breach has not been cured and the parties hereto have not resolved the issue described in the notice letter by thirty (30) days after receipt of the notice letter, the party authoring the letter shall be entitled to seek any and all remedies allowed by Georgia law, including damages, equitable relief, declaratory relief, specific performance, and/or seeking relief as to any bonds issued hereon. Additional provisions are;

A. **Delay or Impossibility of Performance**. Any failure or delay must be beyond the control of and without the fault or negligence of the Contractor. If the Services to be provided to the County are interrupted by a Force Majeure Event, as defined below, the County will be entitled to an equitable adjustment to the fees and other payments due to the Contractor under this Contract. If delay results from a subcontractor's negligent conduct or failure to perform, the Contractor shall not

be excused from compliance with the terms and obligations of the Contract. Epidemics and pandemics are not considered Force Majeure events by the County.

Neither party shall be held liable or responsible to the other party nor be deemed to have defaulted under or breached this Agreement for failure or delay in fulfilling or performing any obligation under this Agreement when such failure or delay is caused by or results from causes beyond the reasonable control of the affected party, including but not limited to fire, floods, embargoes, acts of war, civil unrest, insurrections, riots, strikes, lockouts or other labor disturbances, or acts of God; provided, however, that the party so affected shall use reasonable commercial efforts to avoid or remove such causes of nonperformance, and shall continue performance hereunder with reasonable dispatch whenever such causes are removed. Either party shall provide the other party with prompt written notice of any delay or failure to perform that occurs by reason of Force Majeure.

Definition: The term 'force majeure' as defined in Black's Law Dictionary, is 'an event or effect that can be neither anticipated nor controlled. It is a contractual provision allocating the risk of loss if performance becomes impossible or impracticable, especially as a result of an event that the parties could not have anticipated or controlled."

B. Obligations beyond Contract Term. The Contract shall remain in full force and effect to the end of the specified term or until terminated or canceled pursuant to the Contract.

C. Transition Cooperation with the County and Cooperation with other Contractors. Contractor agrees that upon termination of this Contract for any reason, it shall provide sufficient efforts and reasonable cooperation and assistance to the County to ensure an orderly and efficient transition to the County or an alternative Contractor. Further, in the event that the County has entered into or enters into contracts with other Contractors related to the Services, Contractor agrees to cooperate fully with such other Contractors. Contractor shall not engage in any act that will interfere with the performance of work by any other Contractor(s).

ARTICLE # 108 - TERMINATION:

The County may terminate this Contract by providing sixty (60) days written notice to the other party at any time. Should either party terminate this Contract prior to the date of automatic termination, Contractor shall provide the County with all deliverables up to the date of termination thirty (30) days after the Notice to Terminate is issued. The County shall pay the Contractor for all work properly performed in compliance with the terms of the Contract up to the date of termination.

A. **Termination for Convenience**. Following sixty (60) days written notice, either party may terminate the Contract in whole or in part for any reason without the payment of any penalty or incurring any further obligation to the Contractor.

B. **Termination for Cause**. The occurrence of any one or more of the following events shall constitute cause for the County to declare the Contractor in default of its obligations under the Contract:

1. The Contractor fails to deliver or has delivered nonconforming Services or fails to perform, to the County's satisfaction, any material requirement of the Contract or is in violation of a material provision of the Contract, including, but without limitation, the express warranties made by the Contractor.

2. The County determines that contractor's satisfactory performance of the Contract substantially endangered or that default is likely to occur.

3. The Contractor fails to make substantial and timely progress toward performance of the Contract.

4. The Contractor becomes subject to any bankruptcy or insolvency proceeding under federal or state law to the extent allowed by applicable federal or state law including bankruptcy laws; the Contractor terminates or suspends its business; or the County reasonably believes that the Contractor has become insolvent or unable to pay its obligations as they accrue consistent with applicable federal or state law.

5. The Contractor has failed to comply with applicable federal, state and local laws, rules, County ordinances, regulations and orders when performing within the scope of the Contract.

6. The Contractor has engaged in conduct that has or may expose the County or the State to liability, as determined in the County's sole discretion; or a material breach of the terms of the Contract by County upon County's failure to cure such material breach after written notice thereof has been delivered in accordance with ARTICLE #108.C. below constitutes cause for the Contractor to declare that the County is in default of its obligations under the Contract.

C. **Notice of Default**. If either party causes one or more of the default events set out in ARTICLE #108, then either party shall issue a written Notice-of-Default to the party that causes one or more of the default events, requesting that the breach or noncompliance be remedied within the period of time specified in the party's Notice-of-Default to the Contractor. If the breach or noncompliance is not remedied within the period specified in the written notice, the non-breaching party may:

1. Immediately terminate the Contract for default without additional written notice.

2. In the event of a breach by the Contractor, the County may procure substitute Services from another source and charge the difference between the Contract and the substitute Contract to the defaulting Contractor; and/or,

3. Enforce the terms and conditions of the Contract and seek any legal or equitable remedies.

D. Termination Due to Non-Availability of Funds.

This Contract will terminate immediately and absolutely if the County determines that adequate funds are de-appropriated such that the County cannot fulfill its obligations under the Contract, such determination being at the County's sole discretion and conclusive. County agrees to provide prompt written notice to Contractor in the event of any de-appropriation.

E. Termination due to Failure of Contractor to Act.

The County may terminate the Contract for any one or more of the following reasons effective immediately without advance notice:

1. In the event that the Contractor must be certified or licensed as a condition precedent to providing the Services, the revocation or loss of such license or certification may result in immediate termination of the Contract effective as of the date on which the license or certification is no longer in effect.

2. The County determines that the actions, or failure to act, of the Contractor, its agents, employees or sub-Contractors have caused, or reasonably could cause, life, health or safety to be jeopardized.

3. The Contractor furnished any statement, representation, or certification in connection with the Contract or the bidding process, which is materially false, deceptive, criminal activity, incorrect or incomplete.

4. Failure of the Contractor to obtain, provide, maintain, and deliver the Performance and Payment Bonds (if required) as and when required under this Contract, or failure to comply with any requirement pertaining to the appropriate amounts thereof as set forth in ARTICLE #123 - PERFORMANCE AND PAYMENT BOND REQUIREMENT.

F. Payment Limitation in Event of Termination. In the event of termination of the Contract for any reason by either party, the County shall pay only those amounts, if any, due and owing to the Contractor for Services actually received and accepted by the County up to and including the date of termination of the Contract and for which the County is obligated to pay pursuant to the Contract.

G. The Contractor's Termination Duties. Upon receipt of notice of termination, the Contractor shall:

1. Cease work under the Contract and take all necessary or appropriate steps to limit disbursements and minimize costs and furnish a report within thirty (30) days of the date of notice of termination, describing the status of all work under the Contract, including, without limitation, results accomplished, conclusions resulting therefrom, and any other matters the County may require.

2. Immediately cease using and return to the County, any personal property or materials, whether tangible or intangible, provided by the County to the Contractor.

3. Comply with the County's instructions for the timely transfer of any active files and work product produced by the Contractor under the Contract.

4. Cooperate in good faith with the County, its employees, agents, and Contractors during the transition period between the notification of termination and the substitution of any replacement Contractor; and

5. Contractor is to immediately return any payments made by the County for goods and services that were not delivered by the Contractor.

H. **Liquidated Damages.** In the event that the Contractor unreasonably delays completion of the project, or who abandons the project before completion, the Contractor shall pay the County liquidated damages an amount equal to the percentage of work not completed.

ARTICLE # 109 – NO DEFENSE OR INDEMNIFICATION BY COUNTY:

The parties agree that the County shall not be responsible for defending or indemnifying any Contractor from any claim brought by any third party against the Contractor.

ARTICLE #110 - ASSIGNMENT AND DELEGATION BY CONTRACTOR:

The Contractor shall not assign or delegate this Contract, or any performance required by it, in whole or in part, without the prior express written consent of the County.

ARTICLE #111 – USE OF THIRD PARTIES (SUB-CONTRACTORS):

This Contract is for the benefit of the parties hereto only and is not intended to benefit any third-party or give rise to any duty or causes of action for any third party. All restrictions, obligations and responsibilities of the Contractor under the Contract shall

also apply to third parties such as sub-Contractors, if allowed in writing by the County. Any Contract with a subcontractor must also preserve the rights of the County.

ARTICLE #112 – SUPERSEDES FORMER CONTRACTS

Unless otherwise specified in the Contract, this Contract supersedes all prior Contracts or Agreements between the County and the Contractor for the Services provided in connection with the Contract.

ARTICLE #113 - SEVERABILITY:

If any paragraph, sub-paragraph, sentence, clause, phrase, or portion of this Contract is declared invalid or unconstitutional by any Court of competent jurisdiction or if the provisions of any part of this Contract as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the remaining portions of this Contract not so held to be invalid or the application of this Contract to other circumstances not so held to be invalid.

ARTICLE # 114 - RECORDS:

A. **Public Records Request**. The Georgia Open Records Act, as provided in O.C.G.A. § 50-18-70 et seq, requires procurement records and all other records received by or prepared or maintained on behalf of the County, shall be made open to public inspection, unless otherwise provided by law.

B. **Record Retention and Access**. The Contractor shall maintain books, records, and documents in accordance with generally accepted accounting principles and procedures and which sufficiently and properly document and calculate all charges billed to the County throughout the term of the Contract for a period of at least five (5) years following the date of final payment or completion of any required audit, whichever is later. Records to be maintained include both financial records and service records.

ARTICLE # 115 - ADDITIONAL TERMS:

A. The County shall not be bound by any terms and conditions included in any Contractor's literature, packaging, invoice, catalog, brochure, technical data sheet, on-line representation, warranties or service level agreement or other document which attempts to impose any condition in variance with or in addition to the terms and conditions contained herein.

B. The County shall not be bound to any Terms and Conditions of the Contractor that are only accessible by hyper-link. All Terms and Conditions must be in print and approved by the County.

ARTICLE # 116 - WAIVER:

The failure of any party hereto to seek a remedy for any alleged breach of this Contract shall not constitute a waiver of any claim, cause of action, or remedy allowed by Georgia law for breach thereof.

ARTICLE # 117 - CONTRACTOR AND COUNTY RIGHTS AND OBLIGATIONS:

A. The County has the right at any time to require the Contractor to put an immediate stop to any procedure, or the use of any equipment (chemical, material, etc., if applicable) considered by the County to be hazardous (or toxic) to persons, buildings, or surfaces. The Contractor will utilize acceptable substitutes as quickly as possible. In the event of such replacement, Contractor shall notify County of any resulting replacement, (ii) introduce the individual serving as the replacement to County, and (iii) provide County with a résumé and any other information regarding the individual that may be reasonably requested by County.

B. The County has the right to require the Contractor to reassign or remove any employee or subcontractor's employee from the premises temporarily or permanently when, in the County's sole opinion, the employee is not suitable. The County's decision on this matter shall be final, and Contractor will remove this employee immediately and replace with a person of at least equivalent training, experience and requisite qualifications as quickly as possible, subject to the County's prior approval.

C. Contractor agrees to obtain prior written approval from the County for the use of sub-Contractors to provide the Services described in *SCOPE OF SERVICES* prior to subcontractor's performance of work.

ARTICLE # 118– INSURANCE REQUIREMENTS:

Workers Compensation Insurance: Required for all contracts.

a. $500,000 Bodily Injury by Accident Each Accident
b. $500,000 Bodily Injury by Disease Each Disease
c. $500,000 Bodily Injury by Disease Each Employee

Additional Provisions: Waiver of Subrogation. The insurer agrees to waive all rights of subrogation against Hall County Board of Commissioners (BOC), its elected or appointed officers, officials, agents, authorized volunteers and employees for losses paid under the terms of this policy which arise from work performed by the Named Insured for Hall County BOC; but this provision applies regardless of whether or not Hall County BOC has received a waiver of subrogation from the insurer.

General Liability Insurance: Required for all contracts.

a. $2,000,000 General Aggregate
b. $2,000,000 Products & Completed Operations Aggregate
c. $1,000,000 Each Occurrence
d. $1,000,000 Personal & Advertising Injury
e. $500,000 Damages to Premises / Fire / Legal
f. $5,000 Medical Payments

Commercial Auto Liability Insurance: Required for all contracts, except for Goods and/or Services that are remote in nature and/or are delivered by a professional delivery service.

a. $1,000,000 Combined Single Limit OR
b. $500,000 per Person
c. $500,000 per Occurrence
d. $100,000 Property Damage
e. $1,000 for Medical Payments (no fault coverage)

Additional Provisions:

a. Uninsured motorists coverage should be equal to the per occurrence limit except for contracts with other governmental entities
b. Coverage shall be included for any owned, leased, hired, or non-owned autos
c. For any contracts involving the transportation of hazardous materials, limited pollution endorsement ISO form CA9948 or its equivalent shall be on the policy

Umbrella Liability Insurance: Required for all contracts

a. $1,000,000 per Occurrence

Additional Provisions:

a. Underlying coverage shall be General Liability, Automobile Liability, and Employers Liability (Workers Compensation)
b. Minimum limit of $5,000,000 per occurrence for all contracts over $1,000,000 or involving any special risks or high hazard activities
c. Minimum limit of $5,000,000 for automobile coverage for any transportation contracts involving seniors, special education, transit services, students, or youths.
d. Concurrent policy dates with primary liability policies except for workers compensation

Cyber Insurance (If applicable): Required for all software, computer hardware installation, data access, data integrations, data usage, cloud storage, SaaS, and or technology related contracts.

a. $1,000,000 Each Claim/Wrongful Act
b. $2,000,000 Annual Aggregate
c. $1,000,000 Business Interruption
d. $1,000,000 Data Recovery
e. $500,000 Cyber Extortion Expenses
f. $50,000 Cyber Extortion/Ransom Payments

Additional Provisions: (If applicable): Coverage shall include at a minimum:

a. Information Security & Privacy Liability
b. Regulatory Fines and Penalties
c. Payment Card Industry (PCI) – if credit cards and/or banking information is obtained or accessed
d. Ransomware

Professional Liability Insurance (Errors & Omissions): Required for all professional service contracts. This shall include any consultants, medical, legal, technical, insurance agents, or other professions that require proper licenses.

a. $1,000,000 Each Claim/Wrongful Act
b. $2,000,000 General Aggregate

Builders Risk: (If Applicable) Recommended for most new construction projects

a. With any construction project, Hall County should consider purchasing Builders Risk Coverage on a direct basis or have the contractor provide the coverage for projects under $5,000,000 in value.
b. For projects over $5,000,000 in value, Hall County BOC should obtain Builders Risk Coverage on a direct basis to ensure coverage consistency and additional protections are made for Hall County BOC.

ARTICLE # 119 – NO WAIVER:

A. **Authority to Enter into Contract.** The Contractor represents and warrants that it has full authority to enter into and perform its obligations under the Contract and that the Contract constitutes a legal, valid, and binding obligation upon the Contractor in accordance with its terms. The representatives of the parties hereto also represent and warrant that they are authorized to sign this Contract on behalf of each party hereto."

B. **Solicitation**. The Contractor warrants that no person or selling agency (except bona fide employees or selling agents maintained for the purpose of securing business) has been employed or retained to solicit and secure the Contract upon an agreement or understanding for commission, percentage, brokerage or contingency.

C. **Vehicles and Equipment.** With the exception of any specified County Owned Equipment and Vehicles listed herein, Contractor warrants that no Contractor employees, sub-contractors or others will not use County owned vehicles or equipment in the performance of this Contract without express written consent. Contractor shall be responsible for providing all transportation necessary to deliver Services under the Contract.

ARTICLE # 120 – INTELLECTUAL PROPERTY RIGHTS and OWNERSHIP:

Contractor agrees it will not use the name or any intellectual property, including but not limited to, County trademarks or logos in any manner, including commercial advertising or as a business reference, without the expressed prior written consent of the County.

ARTICLE # 121 - COMPENSATION:

A. The County will pay the Contractor for the Services provided pursuant to this Contract and in accordance with the prices quoted and conditions set forth in the Bidder's response on Exhibit C – Mandatory Cost Proposal Worksheet**,** which is attached hereto and incorporated into this Contract as if fully set forth herein. Payments will be made monthly in arrears to the Contractor after acceptance of the Contractor's delivered Services by the County, and after receipt of undisputed invoice to the County.

B. Prices quoted shall be firm and fixed throughout the term of this Contract, unless otherwise Amended or Modified by mutual agreement.

C. Cost may be prorated for Services added or removed under this Contract to align cost with the remaining term of Contract.

D. It is understood that this bid or proposal is made without collusion or fraud. Contractor understands and acknowledges that collusive bidding is a violation of state and federal law and may result in the cancellation of the Contract.

ARTICLE # 122 - COUNTY PAYMENT TO CONTRACTOR:

A. The County will issue a Notice to Proceed (NTP) to the Contractor, and Purchase Order(s) (herein after 'PO'). The terms of this Contract shall be incorporated by reference into any and all PO(s) issued prior to the expiration or termination of this Contract. The County will issue the PO by electronic mail (e-mail) to the Contractor's representative in *ARTICLE #103 - NOTICES*. A PO is considered "issued" when the e-mail containing the PO is sent by the County to the Contractor.

The Contractor shall not deliver any Services, equipment, devices, or components thereof until authorized in writing by the County through issuance of a PO, which shall provide a commencement Notice to Proceed date. Any work, including but not limited to travel, preliminary meetings, planning, etc., performed outside of the terms and conditions of and before the issuance of the PO will not be considered for payment. Contractors are not to begin work or ship any product on any verbal communication from within the County. The County

will not be liable for payment for any work or product with the issuance of a verbal communication.

The Scope of Services shall remain in effect from the Notice to Proceed to completion of the project. The Parties agree that the County will not pay or otherwise compensate the Contractor for any Services, materials, equipment, devices or components thereof outside of the Scope of Work and/or beyond the term of this Contract, unless specifically authorized in writing as evidenced by an amendment (see *ARTICLE #106 - CONTRACT AMENDMENTS &, MODIFICATION*), a time extension letter, or as otherwise authorized by the County.

B. **Invoice/Payment.**

1. Contractor shall invoice the County via email each month solely to accountspayable@hallcounty.org and only after the County inspects and accepts the Services provided. Receipt of the Services does not constitute acceptance. Invoice amounts shall not exceed the Contractor's pricing set forth in *ARTICLE #102.*
2. Each invoice shall include the Contractor's current "Remit to" address; a description of the Services provided; the invoice amount; the Contract number; and the associated PO number issued. Each properly prepared invoice must be sent in accordance with the instructions listed on the PO. Standard payment terms are net 30 days (N30) in arrears from the date the invoice is accepted, following delivery of the Services.
3. The County does not pay for services not yet received but only in arrears.
4. The Contractor shall be solely responsible for paying all costs, expenses and charges it incurs in connection with its performance under the Contract.

C. **Unsatisfactory Performance; Delay of Payment.**

1. If the County determines that the quality of the Services provided are deficient, unacceptable, or unsatisfactory, the County's Project Manager identified in *ARTICLE #103* shall issue a written notice to Contractor. Contractor agrees that upon receipt of the written notice, it shall make every effort to correct the deficiency (ies) within the timeframe prescribed therein. If the Contractor fails to timely correct the deficiencies, the County reserves the right to delay or deny payment pursuant to this *ARTICLE #122* or terminate the Contract (*ARTICLE #108 – TERMINATION PROVISIONS*).
2. **Delay of Payment Due to Contractor's Failure.** If the County determines that the Contractor has failed to perform or deliver any Services as required by the Contract, the Contractor shall not be entitled to any compensation under the Contract until such Services are delivered and accepted. In this event, the County may withhold that portion of the Contractor's compensation, which represents payment for Services that were not delivered. To the extent that the Contractor's failure to perform or deliver

in a timely manner causes the County to incur costs, the County may deduct the amount of such incurred costs as liquidated damages from any amounts payable to Contractor. The County's authority to deduct such incurred costs shall not in any way affect the County's authority to terminate the Contract.

D. **Set-Off Against Sums Owed by the Contractor**. In the event that the Contractor owes the County any sum under the terms of the Contract, pursuant to any judgment, or pursuant to any law, the County may set off the sum owed by the Contractor against any sum owed to the Contractor, in the County's sole discretion.

E. **Final Payment.** Contractor shall issue an invoice for final payment to the County no later than thirty (30) days following the expiration or termination date of the Contract.

F. The Contractor must not "Factor or Assign Payments" to another or a financial institution. The County will only pay the party to whom it is contracted with. The County will not in any circumstances pay a third-party.

ARTICLE #123 – PERFORMANCE AND PAYMENT BONDS

The Contractor must furnish to the County both a Performance and Payment Bond, both equal to one-hundred percent (100%) of the Contract's total initial award dollar amount. The County will only issue a Notice-to-Proceed after the bonds are received. Only surety companies licensed to do business in the State of Georgia are acceptable. The Contractor is required to provide new bonds at the issuance of each Renewal Option Term(s) or Extension(s) that follow.

The Contractor must provide all required bonding instruments to the County prior to commencement of any work. The County will consider any work done prior to the receipt of bonding instruments as null-and-void and thus not eligible for compensation.

ARTICLE #124 – RETAINAGE

The County may retain funds to be withheld from compensation in compliance with Georgia law. Hall County may hold up to five-percent (5%) retainage throughout the entire project and will release said retainage at the point of completion and final acceptance by the County.

ARTICLE #125 – VENUE AND GOVERNING LAW

The parties agree that this Contract shall be interpreted, construed, and enforced in accordance with the laws of the State of Georgia. To the extent that either party may bring a legal suit to enforce the terms of this Contract, including suit in equity, the parties agree and consent to file any such suit in the Superior Court of Hall County, Georgia.

ARTICLE # 126 - NOTICE OF INTENT TO LITIGATE

Contractor hereby agrees not to file any civil action of disputes or claims relating to the Contract except after first giving thirty days (30) written notice to the County of the claim and the intent to initiate a civil action.

ARTICLE # 127- GEORGIA SECURITY AND IMMIGRATION COMPLIANCE ACT (E-Verify):

A. By signing this Contract, the Contractor certifies that prior to and throughout the performance of all applicable work under this Contract it will remain in full compliance with all federal and state immigration laws, including but not limited to 8 U.S.C. § 1324a and the Georgia Security and Immigration Compliance Act (O.C.G.A. §13-10-90 et seq.), as amended by the Illegal Immigration Reform and Enforcement Act of 2011, regarding the verification of employment eligibility of employees under the Immigration Reform and Control Act of 1986. Contractor will ensure that only persons who are citizens or nationals of the United States or non-citizens authorized under federal immigration laws are employed to perform services under this Contract or any subcontract or sub-subcontract hereunder.

B. Contractor further certifies its compliance with the aforementioned federal and state immigration laws set forth by signing a sworn affidavit, the Georgia Security and Immigration Compliance Act Affidavit, notarized by an Official Notary Public, and obtaining the same affidavits from any sub-contractor providing services pursuant to this Contract.

ARTICLE # 128 – ORDER OF PRECEDENCE:

In the event of any inconsistency, ambiguity, or conflict among the specific provisions of the Contract and the Contractor's Response, the order of precedence shall be as follows:

A. First, any amendments to the Contract, including all Exhibits thereto.
B. Second, the Contract itself, including all Exhibits thereto.
C. Third, Attachments appended to the Contract.

ARTICLE # 129– CONTRACT EXHIBITS AND ATTACHMENTS:

The Parties mutually acknowledge that all Exhibits and Attachments listed below made a part of this Contract, as though expressly written in the IFB documents and the bidder's response, are-herein-incorporated into this contract by reference.

ARTICLE # 130 - ENTIRE CONTRACT:

This Contract, as executed and approved, shall constitute the entire agreement between the Parties and supersedes all other prior and contemporaneous statements, agreements, and understandings between the Parties. No written or oral statements, agreements, or understandings that are not set out, referenced, or specifically incorporated in this Contract shall in any way be binding or of effect between the Parties.

ARTICLE # 131– VALIDITY

If any paragraph, sub-paragraph, sentence, clause, phrase or any portion of this agreement shall be declared invalid or unconstitutional by any Court of competent jurisdiction or if the provisions of any part of this agreement as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be constructed to affect the portions of this agreement not so held to be invalid or the application of this agreement to other circumstances not so held to be invalid. The parties hereby declare that this is the intent of the parties to this agreement is to provide for separate and divisible parts.

ARTICLE #132 – SALES TAX EXEMPTION STATUS

The County is exempt from Federal Excise Taxes and from Georgia State and Local Sales and Use Taxes on the Services. The Contractor may request a copy of the County's Georgia Sales and Use Tax Exemption Certificate.

ARTICLE #133 – HOLD HARMLESS AGREEMENT

The successful respondent hereby agrees to indemnify, hold free and harmless, Hall County Government, County Commissioners, its agents, servants, employees, officers, directors and elected officials, or any other person(s) against any loss or expense. This includes attorney fees, because of any liability imposed by law upon the County, except in cases of the County's sole negligence, sustained by any person(s) on account of bodily injury or property damage arising out of or in the consequence of this agreement.

ARTICLE # 134 – CONTRACT TERMS AND CONDITIONS

1. All purchases must comply with The Official Code of Hall County Sections 3.10.010 – 3.10.190.
2. If any conflict or ambiguity arises between the Terms and Conditions herein, and The Official Code of Hall County, the latter will govern.
3. The Terms and Conditions set forth herein shall supersede and govern over all Contractor's Terms and Conditions or Service Level Agreements.

4. Hall County, Georgia, herein referred to as 'The County', retains the right to 'red-line' sections of the Supplier's Terms and Conditions if such are in conflict with the best interest of the County.
5. Acceptance of a Purchase Order (PO) and delivery of Goods or Services serves as the Supplier's full and complete acceptance of The County's Terms and Conditions.
6. The terms; supplier, vendor, bidder, offeror, Contractor, Contractor, designer, distributor, dealer or manufacturer or otherwise purveyor or source of supply or performance of service shall mean one-and-the-same, herein denoted as 'Supplier' for goods and 'Contractor' for services.
7. Furthermore, the terms; goods, materials, commodities, components, drawings, drafts, renderings, plans, physical or digital, software, SaaS, Engineering, Architectural, capital asset equipment, vehicles, heavy earth-moving or other equipment, purchased or leased, or other such deliverables are herein denoted as 'Goods' and shall mean one-and-the-same.
8. 'Services' shall mean all services, either financial, advisory, consultative, labor, staff augmentation, construction, rehabilitation, restoration, repair, support or maintenance, communication, telephony, internet, TV or streaming, pest control, grounds maintenance, custodial and janitorial, street or paved surfaces cleaning, drain cleaning or otherwise where services are offered for consideration.
9. The County's payment terms are Net 30 days.
10. The Supplier shall transfer and deliver all goods or services described on the attached PO for the consideration set forth herein.
11. The Supplier shall only deliver goods and services as described on the PO and within the Scope of Work and the Supplier's Bid Response.
12. The County holds no obligation to pay for goods delivered or services rendered unless specified on a written Purchase Order or a Change Order of such.
13. The Supplier shall not construe any verbal consent to purchase goods or services as valid.
14. The County does not accept substitutions of services or goods that do not comply with the Scope of Work or Specifications set forth in the Purchase Order, Contract or Agreement, unless mutually agreed in writing by both parties.
15. The County does not accept automatic contract renewals with the exception of monthly subscription services.
16. The County only pays for services rendered in arrears. The County does not pay for services not yet rendered.
17. The County does not pay deposits towards goods ordered. Exceptions exist for custom made items (such as window coverings and blinds, or carpet, tile etc.), fabrication, decoration, or otherwise custom designed specifically for the County.
18. The County will accept backorders only if goods are out of stock and with prior written notice. Supplier's shall ship all quantities that it has in stock and hold orders for backorders.
19. The County participates in Cooperative Purchasing Agreements, State of Georgia Statewide Contracts, and other state, local, Intergovernmental Agreements, Memorandums-of-Understanding and other such Agreements.
20. In all cases, the jurisdiction shall be the State of Georgia, County of Hall, for arbitration or other legalities
21. Deliveries go to the ship-to addresses listed on the PO and within the time specified. The Supplier must follow instructions if multiple ship-to address exist on the PO.
22. Risk of loss of the goods shall pass to The County upon inspection and acceptance only.
23. Receipt of goods or services does not constitute acceptance.
24. Title to the goods shall remain with the Supplier until acceptance by The County.

25. The Supplier warrants that the goods are merchantable and that the Supplier has a legal right to deliver the goods and services and as described herein.
26. The County shall have the right to inspect all goods or services at the time and place of delivery.
27. Vendor agrees not to assign in full or part of the Contract to another party without the County's express written consent. Any attempted assignment or delegation shall void and make ineffectual for all purposes unless made in conformity with this paragraph.
28. The County is exempt from Federal Excise Tax and Georgia Sales and Use Tax.
29. This issuance of the PO shall not violate the Code of Ethics and Conflicts of Interest for Public Officers and Employees for Government Service set forth in the 2020 Section 45-1020 *et seq.* of the Official Code of Georgia Annotated and the Official Code of Hall County Section 3.10.070 governing Ethics.
30. All goods and services supplied pursuant to this PO shall, unless otherwise noted, must conform exactly to all of the descriptions, specifications, Exhibits and attachments contained in the Bid Solicitation upon which a PO is based and all the terms, conditions, and specifications of the Bid Solicitation are incorporated herein by reference and made a part hereof.
31. Any-and-all media production, recordings, videos, photography, artwork, plates, engravings, and other printed or digital media materials paid in full by The County is considered County property and shall be delivered to The County upon request.
32. Invoices submitted to The County will reflect the language of the PO with the PO Number printed on each invoice submitted.
33. In the event that a PO has an attached Contract or Agreement, the terms and conditions of the latter shall govern in the event of any conflict with these terms and conditions.
34. The Supplier may be suspended, terminated, or debarred if it is determined that the Supplier has made false certification(s) or has violated such certification(s) by failure to carry out the requirements herein.
35. The Supplier certifies that it and its subcontractors are not been debarred, suspended, or declared ineligible by any agency of the County, or State of Georgia or as defined in the Federal Acquisition Regulation (FAR) 48 C.F.R. Ch. 1 Subpart 9.4.
36. The Supplier certifies that the Supplier is not currently engaged in an active or pending lawsuit or other grievance, injunction, or levy against the County.
37. Goods are Free-On-Board (F.O.B.) destination and freight, shipping and delivery shall be pre-paid and added to the invoice as a separate line item.
38. The County does not pay late fees nor interest charges.
39. The Supplier shall charge the County the exact amount of freight, delivery, handling and insurance charges.
40. The County is not bound to any minimum or maximum quantity or dollar amount set by the Supplier
41. In the event there is a discrepancy between the unit price and extended price, the unit price shall govern.

[Signature Page Follows]

IN WITNESS WHEREOF, said Parties have hereunto affixed their signature and seal on the day, month, and year first above written:

COMPANY'S FULL LEGAL NAME

Blue Ridge Fence, Inc._____

By: _____
(Signature)
Print Name: Keith Segars_____
Title: President_____

Sworn to and subscribed before me this

_____ Day of _____, 2023

Notary Public: _____

Notary commission expires: _____

[Locus Sigilli – Seal or Stamp]

HALL COUNTY, GEORGIA

By. _____

Richard Higgins, Chairman
Hall County Board of Commissioners

Date: _____

Attestation: _____
County Clerk

Approved as to Form

_____
William J. Linkous III, County Attorney

IN WITNESS WHEREOF, said Parties have hereunto affixed their signature and seal on the day, month, and year first above written:

COMPANY'S FULL LEGAL NAME

Blue Ridge Fence, Inc.

By: _____
(Signature)

Print Name: Keith Segars

Title: President

HALL COUNTY, GEORGIA

By. _____

Richard Higgins, Chairman
Hall County Board of Commissioners

Date: _____

Attestation: _____
County Clerk

Approved as to Form

_____
William J. Linkous III, County Attorney

Sworn to and subscribed before me this

6th Day of October, 2023

Notary Public: Becky Carlan

Notary commission expires: May 20, 2024

[Locus Sigilli – Notary Stamp]

BECKY CARLAN
NOTARY PUBLIC
BANKS COUNTY, GEORGIA
MY COMMISSION EXPIRES
MAY 20, 2024

HALL COUNTY
GEORGIA
We have it all in Hall

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

DIRECTOR
Wesley Geddings

Hall County Government
FINANCIAL SERVICES

EXHIBIT C

IFB # 025-44

Furnish & install security fencing for Hall County Courthouse parking deck

Company Name: Blue Ridge Fence, Inc.

Bidder's Name: Keith Segars

Bidder's Signature: Keith Segars

Date: 09-27--2023

Line		Cost
Lump Sum	HySecurity Alternate	$63,639.00

Alternate Bid for HySecurity Brand Gate Operator

Due to unpredictable conditions of current markets and short supply of raw materials some items are extremely slow to ship from the manufacturer. While we strive to complete work in as timely manner as possible installations my take longer than normal due to conditions beyond our control. Prices are fluctuating constantly therefore we must adhere to a strict pricing schedule for our protection as well as our customers. We will gladly confirm pricing after the date listed below.

Prices valid until October 27, 2023

SUMMATION OF BIDS RECEIVED	Blue Ridge	Blue Ridge	Chapman	Hasbun	Security	All State	Allie	Gateway	Martin-Robbins
IFB # 025-44	Fence	Fence	Fence	Construction	Fence Co	Fence	Fence	Fence Co	Fence Co
Furnish & Install security fencing for Hall County Courthouse parking deck	Lula, GA	Lula, GA	Jefferson, GA	Alpharetta, GA	Braselton, GA	Lynchburg, VA	Mableton, GA	Cleveland, GA	Snellville, GA
	Liftmaster	HySecurity							
	Option 1	Option 2							
Total Bid	$63,021.000	$63,639.000	$122,350.000	$74,506.580	$122,000.000	No Bid	No Bid	No Bid	No Bid
Sheriff's Office Recommendation is Blue Ridge Fence Option 2									
BIDS MAILED: 44 (H) 8									
BIDS RECEIVED: 4 (H) 0 No bids (4)									
DEPARTMENT: Sheriff - All									
Hall County Courthouse									

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Wesley Geddings

Hall County Government
FINANCIAL SERVICES

INVITATION FOR BID

IFB # 025-44

For the provision of:

Furnish & install security fencing for Hall County Courthouse parking deck

Hall County, Georgia Board of Commissioners is seeking qualified contractors to Furnish & install security fencing for Hall County Courthouse parking deck located adjacent to 225 Green Street SE, Gainesville, GA 30501 (herein "Services"). The County seeks to award one (1) contractor to perform all the services.

The County will make any extension of the bidding period by a formal written addendum and publicly posted on the County Website.

Date IFB Issued: 09/18/2023
Pre-Bid Site Visit: By appointment
Bidder's Questions Due Date: 09/26/2023
Bid Due Date: 09/28/2023

Pre-Bid On-Site Visit: Bidders must contact the project manager Cpt. Kelly Edwards at 770-538-5312 or by email at kedwards@hallcounty.org to schedule pre-bid on-site visits.

Bidding Process: Hall County (herein "County") is now accepting sealed bids for the provision of Services in the County's Purchasing Division, located on the fourth (4th) floor of the Hall County Government Center, 2875 Browns Bridge Road, Gainesville, GA 30504, until 2:00 p.m., EST.

Bidders must submit two (2) copies of their bid along with all completed mandatory documents, signed affidavits in hardcopy and also include on one (1) USB Flash Drive.

Proposal Documents: Bidders may download bid submittal documents via the County's Website at https://www.hallcounty.org/Bids.aspx then choose Security fencing for courthouse parking deck at the bottom of the bid solicitation page.

General Qualifications: Bidders must be in the regular business of providing similar services, be licensed, insured, and bonded if required to do so in the State of Georgia. A Bid bond is not required but a Letter of Bondability is required.

Bid Retention: Bidders may not withdraw their bid after the bid opening. Bids must be valid for one-hundred and twenty (120) calendar days. The County reserves the right to retain all bids submitted and use any idea(s) in a bid regardless of award. The County shall have the right to waive any informality or irregularity of immaterial deviation in any bid received. All forms and documents entitled 'Mandatory' must be completed and returned with the bid. Please sign Exhibit B - Contract.

Award Process: The County reserves the option to reject any or all bids, in whole or part, or to select any bidder, without liability on part of the County to the Bidder to complete the described Work. The County will award the contract to one (1) company to perform all work to the lowest cost, responsible and responsive bidder. Lead times and length of time to complete the services may also be a factor in award. The Bidder expressly understands that the County may reject bids for any reason. The County may take into consideration lead times in its decision to award.

1.0 SCOPE OF WORK

Parking Deck

Upstairs:
250' of 6' tall 9 gauge galvanized chain link fence.
50' of 4' tall 9 gauge galvanized chain link fence.
115' of 7' tall 9 gauge galvanized chain link fence.
All posts to be plated and anchored on concrete.
1- 24' opening cantilever slide gate.
4- Poly cantilever gate rollers.
1- Cantilever gate latch.
1- Liftmaster commercial slide gate operator w/ battery backup.
1- Liftmaster long range rfid tag reader.
2- Liftmaster loop detectors.
2- Saw cut, sand and seal loops (1-free exit/safety inside and 1-safety outside)
1- Liftmaster wireless safety edge sensor.
1- Liftmaster safety beam.
1- Ditek 120vac surge protector.
2- HES electric rim door strikes.
2- Honeywell card readers.
2- Honeywell door status contacts.

Downstairs:
160' of 4' tall 9 gauge galvanized chain link fence.
25' of 8' tall 9 gauge galvanized chain link fence.
All posts to be plated and anchored on concrete.
1- Cantilever gate latch.
1- Liftmaster commercial slide gate operator w/ battery backup.

1- Liftmaster long range RFID tag reader.
2- Liftmaster loop detectors.
2- Saw cut, sand and seal loops (1-free exit/safety inside and 1-safety outside)
1- Liftmaster wireless safety edge sensor.
1- Liftmaster safety beam.
1- Ditek 120vac surge protector.
1- HES electric rim door strike.
1- Honeywell card reader.
1- Honeywell door status contact.
50 pack of Liftmaster RFID windshield tags.

County to provide all electrical and conduit requirements for operators and doors.
Third party provider, Icotech, coordinated by the county will connect 3 new doors and 2 new gate operators into owner's access control system.

Bidders may propose alternate brands if equivalent in fit, form and function. Owner will determine equivalency.

2.0 SUBMISSION OF BIDS

2.01 Complete and include all the Mandatory Exhibit Documents shown below in 2.03. Failure to include any of the mandatory documents listed may result in disqualification. All responses must be in writing.

2.02 Bidders must submit their response in a sealed envelope clearly marked with "**INVITATION FOR BID #025-44** on the outside. The submittal must be signed. Faxed or emailed bids are not accepted.

2.03 Follow these instructions carefully. Complete and return the following Mandatory Documents included in your bid envelope.

Exhibit A - Bid Response Sheet
Exhibit B – Signed Contract
Exhibit C - Cost Proposal
Exhibit D – Mandatory Questions
Exhibit E - Mandatory W-9 Form
Exhibit F - E-Verify Affidavit
Exhibit G – Ethics Affidavit
Copy of Business License
Letter of Bondability
Certificate of Insurance

2.04 Bidders are responsible to review and comply any Addenda regarding this IFB posted on the County Website.

2.05 All bids must be sealed.
2.06 Any exceptions or alternatives to specifications must be in writing and enclosed in the bid response.
2.07 Include the company's Certificate of Insurance in the Bid Response.

2.08 Bids openings are open to the public and bidders may attend but are not required to do so.

2.09 All bids, supporting materials and correspondence relating to this IFB become property of Hall County when received.

2.10 Bidder bears all responsibility for expenses incurred in responding to this IFB and such to be borne exclusively by the proposer.

2.11 Bidders may submit bids to the following address by the deadline date and time.

Deliver Bids in person or by FedEx/UPS/USPS or Courier to:

Cheryl Wright
Issuing Officer
Hall County Government Center
Purchasing Division - 4th Floor,
2875 Browns Bridge Road,
Gainesville, Georgia 30504

Or by Mailing to:

Cheryl Wright
Issuing Officer
Purchasing Division - 4th Floor
P.O. Drawer 1435
Gainesville, GA. 30503

NOTICE! Bidders are responsible for delivering their bids to the Purchasing Department on the 4th Floor of the Hall County Government Center before 2:00pm on the due date provided. Bids delivered to the lobby area, receptionist or the mail room may be delayed and thus may not be evaluated if arriving after 2:00pm.

If you desire to submit a "NO BID", response then please indicate by checking here:

_____ No Bid.

Please list reason for no bid below.

_____

_____

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POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

DIRECTOR
Wesley Geddings

Hall County Government

FINANCIAL SERVICES

EXHIBIT A

MANDATORY BID RESPONSE FORM

Bidders must complete and return this form with their bid

By submitting a proposal, the respondent certifies that they have fully read and understand the proposal's Scope of Work and requirements needed to complete the project. The services offered and the cost proposal must be valid for at least one-hundred twenty days (120) from date of signature.

Bid Name: Security Fencing for Courthouse Parking Deck **Bid No: 44-025**

Date of Bid Submittal:_____

Affirmation: Bidder affirms the following by affixing a signature in blue ink below or digitally:

> "I, the undersigned, agree to abide by all terms and conditions of this solicitation and certify that I am authorized to sign this bid proposal".

Company Name: _____

Bidder Signature: _____ Date: _____

Print Name: _____

Title: _____

Print Name: _____

Phone Number: _____

Email Address: _____

Physical Address: _____

Physical Address 2: _____

Bids not signed may be declared as "Non-Responsive" and may not be evaluated.

If you desire to submit a "No Bid" then please indicate by checking one or both of the reasons listed below and explain.

_____ Bidder does not offer this service

_____ Unable to meet specifications

Scheduling Conflict

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GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

DIRECTOR
Wesley Geddings

Hall County Government

FINANCIAL SERVICES

EXHIBIT B – CONTRACT FOR SERVICES

STATE OF GEORGIA **CONTRACT # 025-44**
COUNTY OF HALL

For the provision of

Furnish & install security fencing for Hall County Courthouse parking deck

ARTICLE #101 - INTRODUCTION

This Contract for Furnish & install security fencing for Hall County Courthouse parking deck (hereinafter "Services") as entered into on _____, and with an Effective Date of _____, is by and between; Hall County, Georgia, Board of Commissioners, (hereinafter "County") located at 2875 Browns Bridge Rd, Gainesville, Georgia 30504, and _____ (Hereinafter "Contractor"), located at _____. Contractor is an entity that is legally registered and qualified, and holding any such licenses and certifications as may be required to render Services to do business in the State of Georgia. County and Contractor are known individually as a "Party" and collectively as the "Parties".

Whereas, the Parties do mutually desire to enter into this Contract to document the provision of Services or other good and valuable consideration by the Contractor to the County in exchange for payment as compensation, and

Whereas, this contract will become legally binding and executed upon signature by both parties, and

Whereas, this Contract is the result of the competitively Bid IFB #025-44, the Contractor's bid response, acceptance of the Scope of Work, its Exhibits, Attachments, and references are all incorporated herein by reference, and

NOW, THEREFORE and in consideration of the terms, conditions, mutual promises, covenants and agreements made as expressed and contained herein, or attached and incorporated and made a part hereof, and other good and valuable consideration, expressed by a valid offer and acceptance, the receipt and sufficiency of which the parties hereby acknowledge, the Parties hereto agree as follows:

ARTICLE #102 – CONTRACT

A. Contractor agrees to provide the Services to the County as detailed herein as the **Scope of Work**, and for locations and services as described in the solicitation document and the Bidder's response.

B.

County hereby agrees as good and valuable compensation as provided in the attached bidder's response entitled Exhibit C – Mandatory Cost Proposal Worksheet**,** as incorporated herein by reference, (including Performance & Payment Bonds and all permits if required) shown below:

Contractor is to invoice the County after substantial completion of project in arrears. County will pay Contractor progress payments as further described herein;

C. **Price Escalation Clause**. (Non-applicable) Contractor may request up to, but no more than, a three-percent (3%) price escalation adjustment to this contract at each time of contract renewal.

ARTICLE #103 - NOTICES:

To the extent that either party to this Contract are required to provide notice(s) to the other party in compliance herewith, then the party shall direct notice(s) to the following persons:

COUNTY PROJECT MANAGER
Kelley Edwards
Captain
Hall County Sheriff's Office
2859 Browns Bridge Rd
Gainesville, GA 30504
kedwards@hallcounty.org
Ph: (770) 538-5312

COUNTY ISSUING OFFICER
Cheryl Wright
Issuing Officer
Hall County Purchasing Division
2875 Browns Bridge Rd
Gainesville, GA 30504
cwright@hallcounty.org
Ph: (770) 535-8263

CONTRACTOR'S CONTACT INFO
Name
Title
Company Name
Address 1
Address 2
Email
Phone

REMIT-TO ADDRESS (if different).

ARTICLE #104 – NON-EXCLUSIVE RIGHTS:

The Contract is not exclusive. The County reserves the right to select other Contractors to provide the Services similar to those described in this Contract, during the term of the Contract should the need arise or the contractor fail to perform.

ARTICLE #105 – CONTRACT TERM:

For construction projects, until substantial and final completion of services according to the time-schedule and after all sub-contractor(s) and material suppliers liens are satisfied.

ARTICLE #106 - CONTRACT AMENDMENTS AND MODIFICATION:

This Contract can only be modified, amended, or added to in writing and fully executed by both parties hereto. This Contract document constitutes the sole and entire Contract and understanding between the parties as to the subject matter hereof, and no verbal promises have been made by either party in relation hereto.

ARTICLE # 107 – REMEDIES AND CONTRACT PERFORMANCE:

In the event that either party to this Contract breaches this Contract, including by failure to meet the timetables set forth herein, the non-breaching party shall provide written notice to the breaching party which describes the breach of this Contract. The party whose breach is alleged shall have thirty (30) days from the date of receipt of the written notice to cure the breach or to otherwise negotiate a resolution of the breach.

If the breach has not been cured and the parties hereto have not resolved the issue described in the notice letter by thirty (30) days after receipt of the notice letter, the party authoring the letter shall be entitled to seek any and all remedies allowed by Georgia law, including damages, equitable relief, declaratory relief, specific performance, and/or seeking relief as to any bonds issued hereon. Additional provisions are;

A. **Delay or Impossibility of Performance**. Any failure or delay must be beyond the control of and without the fault or negligence of the Contractor. If the Services to be provided to the County are interrupted by a Force Majeure Event, as defined below, the County will be entitled to an equitable adjustment to the fees and other payments due to the Contractor under this Contract. If delay results from a subcontractor's negligent conduct or failure to perform, the Contractor shall not be excused from compliance with the terms and obligations of the Contract. Epidemics and pandemics are not considered Force Majeure events by the County.

Neither party shall be held liable or responsible to the other party nor be deemed to have defaulted under or breached this Agreement for failure or delay in fulfilling or performing any obligation under this Agreement when such failure or delay is caused by or results from causes beyond the reasonable control of the affected party, including but not limited to fire, floods, embargoes, acts of war, civil unrest, insurrections, riots, strikes, lockouts or other labor disturbances, or acts of God; provided, however, that the party so affected shall use reasonable commercial efforts to avoid or remove such causes of nonperformance, and shall continue performance hereunder with reasonable dispatch whenever such causes are removed. Either party shall provide the other party with prompt written notice of any delay or failure to perform that occurs by reason of Force Majeure.

Definition: The term 'force majeure' as defined in Black's Law Dictionary, is 'an event or effect that can be neither anticipated nor controlled. It is a contractual provision allocating the risk of loss if performance becomes impossible or impracticable, especially as a result of an event that the parties could not have anticipated or controlled."

B. Obligations beyond Contract Term. The Contract shall remain in full force and effect to the end of the specified term or until terminated or canceled pursuant to the Contract.

C. Transition Cooperation with the County and Cooperation with other Contractors. Contractor agrees that upon termination of this Contract for any reason, it shall provide sufficient efforts and reasonable cooperation and assistance to the County to ensure an orderly and efficient transition to the County or an alternative Contractor. Further, in the event that the County has entered into or enters into contracts with other Contractors related to the Services, Contractor agrees to cooperate fully with such other Contractors. Contractor shall not engage in any act that will interfere with the performance of work by any other Contractor(s).

ARTICLE # 108 - TERMINATION:

The County may terminate this Contract by providing sixty (60) days written notice to the other party at any time. Should either party terminate this Contract prior to the date of automatic termination, Contractor shall provide the County with all deliverables up to the date of termination thirty (30) days after the Notice to Terminate is issued. The County shall pay the Contractor for all work properly performed in compliance with the terms of the Contract up to the date of termination.

A. **Termination for Convenience**. Following sixty (60) days written notice, either party may terminate the Contract in whole or in part for any reason without the payment of any penalty or incurring any further obligation to the Contractor.

B. **Termination for Cause**. The occurrence of any one or more of the following events shall constitute cause for the County to declare the Contractor in default of its obligations under the Contract:

1. The Contractor fails to deliver or has delivered nonconforming Services or fails to perform, to the County's satisfaction, any material requirement of the Contract or is in violation of a material provision of the Contract, including, but without limitation, the express warranties made by the Contractor.

2. The County determines that contractor's satisfactory performance of the Contract substantially endangered or that default is likely to occur.

3. The Contractor fails to make substantial and timely progress toward performance of the Contract.

4. The Contractor becomes subject to any bankruptcy or insolvency proceeding under federal or state law to the extent allowed by applicable federal or state law including bankruptcy laws; the Contractor terminates or suspends its business; or the County reasonably believes that the Contractor has become insolvent or unable to pay its obligations as they accrue consistent with applicable federal or state law.

5. The Contractor has failed to comply with applicable federal, state and local laws, rules, County ordinances, regulations and orders when performing within the scope of the Contract.

6. The Contractor has engaged in conduct that has or may expose the County or the State to liability, as determined in the County's sole discretion; or a material breach of the terms of the Contract by County upon County's failure to cure such material breach after written notice thereof has been delivered in accordance with ARTICLE #108.C. below constitutes cause for the Contractor to declare that the County is in default of its obligations under the Contract.

C. **Notice of Default**. If either party causes one or more of the default events set out in ARTICLE #108, then either party shall issue a written Notice-of-Default to the party that causes one or more of the default events, requesting that the breach or noncompliance be remedied within the period of time specified in the party's Notice-of-Default to the Contractor. If the breach or noncompliance is not remedied within the period specified in the written notice, the non-breaching party may:

1. Immediately terminate the Contract for default without additional written notice.

2. In the event of a breach by the Contractor, the County may procure substitute Services from another source and charge the difference

between the Contract and the substitute Contract to the defaulting Contractor; and/or,

3. Enforce the terms and conditions of the Contract and seek any legal or equitable remedies.

D. Termination Due to Non-Availability of Funds.

This Contract will terminate immediately and absolutely if the County determines that adequate funds are de-appropriated such that the County cannot fulfill its obligations under the Contract, such determination being at the County's sole discretion and conclusive. County agrees to provide prompt written notice to Contractor in the event of any de-appropriation.

E. Termination due to Failure of Contractor to Act.

The County may terminate the Contract for any one or more of the following reasons effective immediately without advance notice:

1. In the event that the Contractor must be certified or licensed as a condition precedent to providing the Services, the revocation or loss of such license or certification may result in immediate termination of the Contract effective as of the date on which the license or certification is no longer in effect.

2. The County determines that the actions, or failure to act, of the Contractor, its agents, employees or sub-Contractors have caused, or reasonably could cause, life, health or safety to be jeopardized.

3. The Contractor furnished any statement, representation, or certification in connection with the Contract or the bidding process, which is materially false, deceptive, criminal activity, incorrect or incomplete.

4. Failure of the Contractor to obtain, provide, maintain, and deliver the Performance and Payment Bonds (if required) as and when required under this Contract, or failure to comply with any requirement pertaining to the appropriate amounts thereof as set forth in ARTICLE #123 - PERFORMANCE AND PAYMENT BOND REQUIREMENT.

F. Payment Limitation in Event of Termination. In the event of termination of the Contract for any reason by either party, the County shall pay only those amounts, if any, due and owing to the Contractor for Services actually received and accepted by the County up to and including the date of termination of the Contract and for which the County is obligated to pay pursuant to the Contract.

G. The Contractor's Termination Duties. Upon receipt of notice of termination, the Contractor shall:

1. Cease work under the Contract and take all necessary or appropriate steps to limit disbursements and minimize costs and furnish a report within thirty (30) days of the date of notice of termination, describing the

status of all work under the Contract, including, without limitation, results accomplished, conclusions resulting therefrom, and any other matters the County may require.

2. Immediately cease using and return to the County, any personal property or materials, whether tangible or intangible, provided by the County to the Contractor.

3. Comply with the County's instructions for the timely transfer of any active files and work product produced by the Contractor under the Contract.

4. Cooperate in good faith with the County, its employees, agents, and Contractors during the transition period between the notification of termination and the substitution of any replacement Contractor; and

5. Contractor is to immediately return any payments made by the County for goods and services that were not delivered by the Contractor.

H. **Liquidated Damages.** In the event that the Contractor unreasonably delays completion of the project, or who abandons the project before completion, the Contractor shall pay the County liquidated damages an amount equal to the percentage of work not completed.

ARTICLE # 109 – NO DEFENSE OR INDEMNIFICATION BY COUNTY:

The parties agree that the County shall not be responsible for defending or indemnifying any Contractor from any claim brought by any third party against the Contractor.

ARTICLE #110 - ASSIGNMENT AND DELEGATION BY CONTRACTOR:

The Contractor shall not assign or delegate this Contract, or any performance required by it, in whole or in part, without the prior express written consent of the County.

ARTICLE #111 – USE OF THIRD PARTIES (SUB-CONTRACTORS):

This Contract is for the benefit of the parties hereto only and is not intended to benefit any third-party or give rise to any duty or causes of action for any third party. All restrictions, obligations and responsibilities of the Contractor under the Contract shall also apply to third parties such as sub-Contractors, if allowed in writing by the County. Any Contract with a subcontractor must also preserve the rights of the County.

ARTICLE #112 – SUPERSEDES FORMER CONTRACTS

Unless otherwise specified in the Contract, this Contract supersedes all prior Contracts or Agreements between the County and the Contractor for the Services provided in connection with the Contract.

ARTICLE #113 - SEVERABILITY:

If any paragraph, sub-paragraph, sentence, clause, phrase, or portion of this Contract is declared invalid or unconstitutional by any Court of competent jurisdiction or if the provisions of any part of this Contract as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the remaining portions of this Contract not so held to be invalid or the application of this Contract to other circumstances not so held to be invalid.

ARTICLE # 114 - RECORDS:

A. **Public Records Request**. The Georgia Open Records Act, as provided in O.C.G.A. § 50-18-70 et seq, requires procurement records and all other records received by or prepared or maintained on behalf of the County, shall be made open to public inspection, unless otherwise provided by law.

B. **Record Retention and Access**. The Contractor shall maintain books, records, and documents in accordance with generally accepted accounting principles and procedures and which sufficiently and properly document and calculate all charges billed to the County throughout the term of the Contract for a period of at least five (5) years following the date of final payment or completion of any required audit, whichever is later. Records to be maintained include both financial records and service records.

ARTICLE # 115 - ADDITIONAL TERMS:

A. The County shall not be bound by any terms and conditions included in any Contractor's literature, packaging, invoice, catalog, brochure, technical data sheet, on-line representation, warranties or service level agreement or other document which attempts to impose any condition in variance with or in addition to the terms and conditions contained herein.

B. The County shall not be bound to any Terms and Conditions of the Contractor that are only accessible by hyper-link. All Terms and Conditions must be in print and approved by the County.

ARTICLE # 116 - WAIVER:

The failure of any party hereto to seek a remedy for any alleged breach of this Contract shall not constitute a waiver of any claim, cause of action, or remedy allowed by Georgia law for breach thereof.

ARTICLE # 117 - CONTRACTOR AND COUNTY RIGHTS AND OBLIGATIONS:

A. The County has the right at any time to require the Contractor to put an immediate stop to any procedure, or the use of any equipment (chemical, material, etc., if applicable) considered by the County to be hazardous (or toxic) to persons, buildings, or surfaces. The Contractor will utilize acceptable substitutes as quickly as possible. In the event of such replacement, Contractor shall notify County of any resulting replacement, (ii) introduce the individual serving as the replacement to County, and (iii) provide County with a résumé and any other information regarding the individual that may be reasonably requested by County.

B. The County has the right to require the Contractor to reassign or remove any employee or subcontractor's employee from the premises temporarily or permanently when, in the County's sole opinion, the employee is not suitable. The County's decision on this matter shall be final, and Contractor will remove this employee immediately and replace with a person of at least equivalent training, experience and requisite qualifications as quickly as possible, subject to the County's prior approval.

C. Contractor agrees to obtain prior written approval from the County for the use of sub-Contractors to provide the Services described in *SCOPE OF SERVICES* prior to subcontractor's performance of work.

ARTICLE # 118– INSURANCE REQUIREMENTS:

Workers Compensation Insurance: Required for all contracts.

a. $500,000 Bodily Injury by Accident Each Accident
b. $500,000 Bodily Injury by Disease Each Disease
c. $500,000 Bodily Injury by Disease Each Employee

Additional Provisions: Waiver of Subrogation. The insurer agrees to waive all rights of subrogation against Hall County Board of Commissioners (BOC), its elected or appointed officers, officials, agents, authorized volunteers and employees for losses paid under the terms of this policy which arise from work performed by the Named Insured for Hall County BOC; but this provision applies regardless of whether or not Hall County BOC has received a waiver of subrogation from the insurer.

General Liability Insurance: Required for all contracts.

a. $2,000,000 General Aggregate
b. $2,000,000 Products & Completed Operations Aggregate
c. $1,000,000 Each Occurrence

d. $1,000,000 Personal & Advertising Injury
e. $500,000 Damages to Premises / Fire / Legal
f. $5,000 Medical Payments

Commercial Auto Liability Insurance: Required for all contracts, except for Goods and/or Services that are remote in nature and/or are delivered by a professional delivery service.

a. $1,000,000 Combined Single Limit OR
b. $500,000 per Person
c. $500,000 per Occurrence
d. $100,000 Property Damage
e. $1,000 for Medical Payments (no fault coverage)

Additional Provisions:

a. Uninsured motorists coverage should be equal to the per occurrence limit except for contracts with other governmental entities
b. Coverage shall be included for any owned, leased, hired, or non-owned autos
c. For any contracts involving the transportation of hazardous materials, limited pollution endorsement ISO form CA9948 or its equivalent shall be on the policy

Umbrella Liability Insurance: Required for all contracts

a. $1,000,000 per Occurrence

Additional Provisions:

a. Underlying coverage shall be General Liability, Automobile Liability, and Employers Liability (Workers Compensation)
b. Minimum limit of $5,000,000 per occurrence for all contracts over $1,000,000 or involving any special risks or high hazard activities
c. Minimum limit of $5,000,000 for automobile coverage for any transportation contracts involving seniors, special education, transit services, students, or youths.
d. Concurrent policy dates with primary liability policies except for workers compensation

Cyber Insurance (If applicable): Required for all software, computer hardware installation, data access, data integrations, data usage, cloud storage, SaaS, and or technology related contracts.

a. $1,000,000 Each Claim/Wrongful Act
b. $2,000,000 Annual Aggregate
c. $1,000,000 Business Interruption
d. $1,000,000 Data Recovery
e. $500,000 Cyber Extortion Expenses
f. $50,000 Cyber Extortion/Ransom Payments

Additional Provisions: (If applicable): Coverage shall include at a minimum:

a. Information Security & Privacy Liability
b. Regulatory Fines and Penalties
c. Payment Card Industry (PCI) – if credit cards and/or banking information is obtained or accessed

d. Ransomware

Professional Liability Insurance (Errors & Omissions): Required for all professional service contracts. This shall include any consultants, medical, legal, technical, insurance agents, or other professions that require proper licenses.

a. $1,000,000 Each Claim/Wrongful Act
b. $2,000,000 General Aggregate

Builders Risk: (If Applicable) Recommended for most new construction projects

a. With any construction project, Hall County should consider purchasing Builders Risk Coverage on a direct basis or have the contractor provide the coverage for projects under $5,000,000 in value.
b. For projects over $5,000,000 in value, Hall County BOC should obtain Builders Risk Coverage on a direct basis to ensure coverage consistency and additional protections are made for Hall County BOC.

ARTICLE # 119 – NO WAIVER:

A. **Authority to Enter into Contract.** The Contractor represents and warrants that it has full authority to enter into and perform its obligations under the Contract and that the Contract constitutes a legal, valid, and binding obligation upon the Contractor in accordance with its terms. The representatives of the parties hereto also represent and warrant that they are authorized to sign this Contract on behalf of each party hereto."

B. **Solicitation**. The Contractor warrants that no person or selling agency (except bona fide employees or selling agents maintained for the purpose of securing business) has been employed or retained to solicit and secure the Contract upon an agreement or understanding for commission, percentage, brokerage or contingency.

C. **Vehicles and Equipment.** With the exception of any specified County Owned Equipment and Vehicles listed herein, Contractor warrants that no Contractor employees, sub-contractors or others will not use County owned vehicles or equipment in the performance of this Contract without express written consent. Contractor shall be responsible for providing all transportation necessary to deliver Services under the Contract.

ARTICLE # 120 – INTELLECTUAL PROPERTY RIGHTS and OWNERSHIP:

Contractor agrees it will not use the name or any intellectual property, including but not limited to, County trademarks or logos in any manner, including commercial advertising or as a business reference, without the expressed prior written consent of the County.

ARTICLE # 121 - COMPENSATION:

A. The County will pay the Contractor for the Services provided pursuant to this Contract and in accordance with the prices quoted and conditions set forth in the Bidder's response on Exhibit C – Mandatory Cost Proposal Worksheet**,** which is attached hereto and incorporated into this Contract as if fully set forth herein. Payments will be made monthly in arrears to the Contractor after acceptance of the Contractor's delivered Services by the County, and after receipt of undisputed invoice to the County.

B. Prices quoted shall be firm and fixed throughout the term of this Contract, unless otherwise Amended or Modified by mutual agreement.

C. Cost may be prorated for Services added or removed under this Contract to align cost with the remaining term of Contract.

D. It is understood that this bid or proposal is made without collusion or fraud. Contractor understands and acknowledges that collusive bidding is a violation of state and federal law and may result in the cancellation of the Contract.

ARTICLE # 122 - COUNTY PAYMENT TO CONTRACTOR:

A. The County will issue a Notice to Proceed (NTP) to the Contractor, and Purchase Order(s) (herein after 'PO'). The terms of this Contract shall be incorporated by reference into any and all PO(s) issued prior to the expiration or termination of this Contract. The County will issue the PO by electronic mail (e-mail) to the Contractor's representative in *ARTICLE #103 - NOTICES*. A PO is considered "issued" when the e-mail containing the PO is sent by the County to the Contractor.

The Contractor shall not deliver any Services, equipment, devices, or components thereof until authorized in writing by the County through issuance of a PO, which shall provide a commencement Notice to Proceed date. Any work, including but not limited to travel, preliminary meetings, planning, etc., performed outside of the terms and conditions of and before the issuance of the PO will not be considered for payment. Contractors are not to begin work or ship any product on any verbal communication from within the County. The County will not be liable for payment for any work or product with the issuance of a verbal communication.

The Scope of Services shall remain in effect from the Notice to Proceed to completion of the project. The Parties agree that the County will not pay or otherwise compensate the Contractor for any Services, materials, equipment, devices or components thereof outside of the Scope of Work and/or beyond the term of this Contract, unless specifically authorized in writing as evidenced by an

amendment (see *ARTICLE #106 - CONTRACT AMENDMENTS &, MODIFICATION*), a time extension letter, or as otherwise authorized by the County.

B. **Invoice/Payment.**

1. Contractor shall invoice the County via email each month solely to accountspayable@hallcounty.org and only after the County inspects and accepts the Services provided. Receipt of the Services does not constitute acceptance. Invoice amounts shall not exceed the Contractor's pricing set forth in *ARTICLE #102.*
2. Each invoice shall include the Contractor's current "Remit to" address; a description of the Services provided; the invoice amount; the Contract number; and the associated PO number issued. Each properly prepared invoice must be sent in accordance with the instructions listed on the PO. Standard payment terms are net 30 days (N30) in arrears from the date the invoice is accepted, following delivery of the Services.
3. The County does not pay for services not yet received but only in arrears.
4. The Contractor shall be solely responsible for paying all costs, expenses and charges it incurs in connection with its performance under the Contract.

C. **Unsatisfactory Performance; Delay of Payment.**

1. If the County determines that the quality of the Services provided are deficient, unacceptable, or unsatisfactory, the County's Project Manager identified in *ARTICLE #103* shall issue a written notice to Contractor. Contractor agrees that upon receipt of the written notice, it shall make every effort to correct the deficiency (ies) within the timeframe prescribed therein. If the Contractor fails to timely correct the deficiencies, the County reserves the right to delay or deny payment pursuant to this *ARTICLE #122* or terminate the Contract (*ARTICLE #108 – TERMINATION PROVISIONS*).
2. **Delay of Payment Due to Contractor's Failure.** If the County determines that the Contractor has failed to perform or deliver any Services as required by the Contract, the Contractor shall not be entitled to any compensation under the Contract until such Services are delivered and accepted. In this event, the County may withhold that portion of the Contractor's compensation, which represents payment for Services that were not delivered. To the extent that the Contractor's failure to perform or deliver in a timely manner causes the County to incur costs, the County may deduct the amount of such incurred costs as liquidated damages from any amounts payable to Contractor. The County's authority to deduct such incurred costs shall not in any way affect the County's authority to terminate the Contract.

D. **Set-Off Against Sums Owed by the Contractor**. In the event that the Contractor owes the County any sum under the terms of the Contract, pursuant to any

judgment, or pursuant to any law, the County may set off the sum owed by the Contractor against any sum owed to the Contractor, in the County's sole discretion.

E. **Final Payment.** Contractor shall issue an invoice for final payment to the County no later than thirty (30) days following the expiration or termination date of the Contract.

F. The Contractor must not "Factor or Assign Payments" to another or a financial institution. The County will only pay the party to whom it is contracted with. The County will not in any circumstances pay a third-party.

ARTICLE #123 – PERFORMANCE AND PAYMENT BONDS

The Contractor must furnish to the County both a Performance and Payment Bond, both equal to one-hundred percent (100%) of the Contract's total initial award dollar amount. The County will only issue a Notice-to-Proceed after the bonds are received. Only surety companies licensed to do business in the State of Georgia are acceptable. The Contractor is required to provide new bonds at the issuance of each Renewal Option Term(s) or Extension(s) that follow.

The Contractor must provide all required bonding instruments to the County prior to commencement of any work. The County will consider any work done prior to the receipt of bonding instruments as null-and-void and thus not eligible for compensation.

ARTICLE #124 – RETAINAGE

The County may retain funds to be withheld from compensation in compliance with Georgia law. Hall County may hold up to five-percent (5%) retainage throughout the entire project and will release said retainage at the point of completion and final acceptance by the County.

ARTICLE #125 – VENUE AND GOVERNING LAW

The parties agree that this Contract shall be interpreted, construed, and enforced in accordance with the laws of the State of Georgia. To the extent that either party may bring a legal suit to enforce the terms of this Contract, including suit in equity, the parties agree and consent to file any such suit in the Superior Court of Hall County, Georgia.

ARTICLE # 126 - NOTICE OF INTENT TO LITIGATE

Contractor hereby agrees not to file any civil action of disputes or claims relating to the Contract except after first giving thirty days (30) written notice to the County of the claim and the intent to initiate a civil action.

ARTICLE # 127- GEORGIA SECURITY AND IMMIGRATION COMPLIANCE ACT (E-Verify):

A. By signing this Contract, the Contractor certifies that prior to and throughout the performance of all applicable work under this Contract it will remain in full compliance with all federal and state immigration laws, including but not limited to 8 U.S.C. § 1324a and the Georgia Security and Immigration Compliance Act (O.C.G.A. §13-10-90 et seq.), as amended by the Illegal Immigration Reform and Enforcement Act of 2011, regarding the verification of employment eligibility of employees under the Immigration Reform and Control Act of 1986. Contractor will ensure that only persons who are citizens or nationals of the United States or non-citizens authorized under federal immigration laws are employed to perform services under this Contract or any subcontract or sub-subcontract hereunder.

B. Contractor further certifies its compliance with the aforementioned federal and state immigration laws set forth by signing a sworn affidavit, the Georgia Security and Immigration Compliance Act Affidavit, notarized by an Official Notary Public, and obtaining the same affidavits from any sub-contractor providing services pursuant to this Contract.

ARTICLE # 128 – ORDER OF PRECEDENCE:

In the event of any inconsistency, ambiguity, or conflict among the specific provisions of the Contract and the Contractor's Response, the order of precedence shall be as follows:

A. First, any amendments to the Contract, including all Exhibits thereto.
B. Second, the Contract itself, including all Exhibits thereto.
C. Third, Attachments appended to the Contract.

ARTICLE # 129– CONTRACT EXHIBITS AND ATTACHMENTS:

The Parties mutually acknowledge that all Exhibits and Attachments listed below made a part of this Contract, as though expressly written in the IFB documents and the bidder's response, are-herein-incorporated into this contract by reference.

ARTICLE # 130 - ENTIRE CONTRACT:

This Contract, as executed and approved, shall constitute the entire agreement between the Parties and supersedes all other prior and contemporaneous statements, agreements, and understandings between the Parties. No written or oral statements, agreements, or understandings that are not set out, referenced, or specifically incorporated in this Contract shall in any way be binding or of effect between the Parties.

ARTICLE # 131– VALIDITY

If any paragraph, sub-paragraph, sentence, clause, phrase or any portion of this agreement shall be declared invalid or unconstitutional by any Court of competent jurisdiction or if the provisions of any part of this agreement as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be constructed to affect the portions of this agreement not so held to be invalid or the application of this agreement to other circumstances not so held to be invalid. The parties hereby declare that this is the intent of the parties to this agreement is to provide for separate and divisible parts.

ARTICLE #132 – SALES TAX EXEMPTION STATUS

The County is exempt from Federal Excise Taxes and from Georgia State and Local Sales and Use Taxes on the Services. The Contractor may request a copy of the County's Georgia Sales and Use Tax Exemption Certificate.

ARTICLE #133 – HOLD HARMLESS AGREEMENT

The successful respondent hereby agrees to indemnify, hold free and harmless, Hall County Government, County Commissioners, its agents, servants, employees, officers, directors and elected officials, or any other person(s) against any loss or expense. This includes attorney fees, because of any liability imposed by law upon the County, except in cases of the County's sole negligence, sustained by any person(s) on account of bodily injury or property damage arising out of or in the consequence of this agreement.

ARTICLE # 134 – CONTRACT TERMS AND CONDITIONS

1. All purchases must comply with The Official Code of Hall County Sections 3.10.010 – 3.10.190.
2. If any conflict or ambiguity arises between the Terms and Conditions herein, and The Official Code of Hall County, the latter will govern.
3. The Terms and Conditions set forth herein shall supersede and govern over all Contractor's Terms and Conditions or Service Level Agreements.
4. Hall County, Georgia, herein referred to as 'The County', retains the right to 'red-line' sections of the Supplier's Terms and Conditions if such are in conflict with the best interest of the County.
5. Acceptance of a Purchase Order (PO) and delivery of Goods or Services serves as the Supplier's full and complete acceptance of The County's Terms and Conditions.
6. The terms; supplier, vendor, bidder, offeror, Contractor, Contractor, designer, distributor, dealer or manufacturer or otherwise purveyor or source of supply or performance of service shall mean one-and-the-same, herein denoted as 'Supplier' for goods and 'Contractor' for services.
7. Furthermore, the terms; goods, materials, commodities, components, drawings, drafts, renderings, plans, physical or digital, software, SaaS, Engineering, Architectural, capital asset equipment, vehicles, heavy earth-moving or other equipment, purchased or leased, or other such deliverables are herein denoted as 'Goods' and shall mean one-and-the-same.
8. 'Services' shall mean all services, either financial, advisory, consultative, labor, staff augmentation, construction, rehabilitation, restoration, repair, support or maintenance, communication, telephony, internet, TV or streaming, pest control, grounds maintenance,

custodial and janitorial, street or paved surfaces cleaning, drain cleaning or otherwise where services are offered for consideration.

9. The County's payment terms are Net 30 days.
10. The Supplier shall transfer and deliver all goods or services described on the attached PO for the consideration set forth herein.
11. The Supplier shall only deliver goods and services as described on the PO and within the Scope of Work and the Supplier's Bid Response.
12. The County holds no obligation to pay for goods delivered or services rendered unless specified on a written Purchase Order or a Change Order of such.
13. The Supplier shall not construe any verbal consent to purchase goods or services as valid.
14. The County does not accept substitutions of services or goods that do not comply with the Scope of Work or Specifications set forth in the Purchase Order, Contract or Agreement, unless mutually agreed in writing by both parties.
15. The County does not accept automatic contract renewals with the exception of monthly subscription services.
16. The County only pays for services rendered in arrears. The County does not pay for services not yet rendered.
17. The County does not pay deposits towards goods ordered. Exceptions exist for custom made items (such as window coverings and blinds, or carpet, tile etc.), fabrication, decoration, or otherwise custom designed specifically for the County.
18. The County will accept backorders only if goods are out of stock and with prior written notice. Supplier's shall ship all quantities that it has in stock and hold orders for backorders.
19. The County participates in Cooperative Purchasing Agreements, State of Georgia Statewide Contracts, and other state, local, Intergovernmental Agreements, Memorandums-of-Understanding and other such Agreements.
20. In all cases, the jurisdiction shall be the State of Georgia, County of Hall, for arbitration or other legalities
21. Deliveries go to the ship-to addresses listed on the PO and within the time specified. The Supplier must follow instructions if multiple ship-to address exist on the PO.
22. Risk of loss of the goods shall pass to The County upon inspection and acceptance only.
23. Receipt of goods or services does not constitute acceptance.
24. Title to the goods shall remain with the Supplier until acceptance by The County.
25. The Supplier warrants that the goods are merchantable and that the Supplier has a legal right to deliver the goods and services and as described herein.
26. The County shall have the right to inspect all goods or services at the time and place of delivery.
27. Vendor agrees not to assign in full or part of the Contract to another party without the County's express written consent. Any attempted assignment or delegation shall void and make ineffectual for all purposes unless made in conformity with this paragraph.
28. The County is exempt from Federal Excise Tax and Georgia Sales and Use Tax.
29. This issuance of the PO shall not violate the Code of Ethics and Conflicts of Interest for Public Officers and Employees for Government Service set forth in the 2020 Section 45-1020 *et seq.* of the Official Code of Georgia Annotated and the Official Code of Hall County Section 3.10.070 governing Ethics.
30. All goods and services supplied pursuant to this PO shall, unless otherwise noted, must conform exactly to all of the descriptions, specifications, Exhibits and attachments contained in the Bid Solicitation upon which a PO is based and all the terms, conditions, and

specifications of the Bid Solicitation are incorporated herein by reference and made a part hereof.

31. Any-and-all media production, recordings, videos, photography, artwork, plates, engravings, and other printed or digital media materials paid in full by The County is considered County property and shall be delivered to The County upon request.
32. Invoices submitted to The County will reflect the language of the PO with the PO Number printed on each invoice submitted.
33. In the event that a PO has an attached Contract or Agreement, the terms and conditions of the latter shall govern in the event of any conflict with these terms and conditions.
34. The Supplier may be suspended, terminated, or debarred if it is determined that the Supplier has made false certification(s) or has violated such certification(s) by failure to carry out the requirements herein.
35. The Supplier certifies that it and its subcontractors are not been debarred, suspended, or declared ineligible by any agency of the County, or State of Georgia or as defined in the Federal Acquisition Regulation (FAR) 48 C.F.R. Ch. 1 Subpart 9.4.
36. The Supplier certifies that the Supplier is not currently engaged in an active or pending lawsuit or other grievance, injunction, or levy against the County.
37. Goods are Free-On-Board (F.O.B.) destination and freight, shipping and delivery shall be pre-paid and added to the invoice as a separate line item.
38. The County does not pay late fees nor interest charges.
39. The Supplier shall charge the County the exact amount of freight, delivery, handling and insurance charges.
40. The County is not bound to any minimum or maximum quantity or dollar amount set by the Supplier
41. In the event there is a discrepancy between the unit price and extended price, the unit price shall govern.

[Signature Page Follows]

IN WITNESS WHEREOF, said Parties have hereunto affixed their signature and seal on the day, month, and year first above written:

COMPANY'S FULL LEGAL NAME

_____

By: _____
(Signature)
Print Name: _____
Title: _____

Sworn to and subscribed before me this

_____ Day of _____, 2023

Notary Public: _____

Notary commission expires: _____

[Locus Sigilli – Seal or Stamp]

HALL COUNTY, GEORGIA

By. _____

Richard Higgins, Chairman
Hall County Board of Commissioners

Date: _____

Attestation: _____
County Clerk

Approved as to Form

_____
William J. Linkous III, County Attorney

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GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

DIRECTOR
Wesley Geddings

Hall County Government

FINANCIAL SERVICES

EXHIBIT C

IFB # 025-44

Furnish & install security fencing for Hall County Courthouse parking deck

Company Name:

Bidder's Name:

Bidder's Signature:

Date:

Line	Cost
Lump Sum	

Form **W-9**
(Rev. October 2018)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

▶ **Go to *www.irs.gov/FormW9* for instructions and the latest information.**

Give Form to the requester. Do not send to the IRS.

Print or type. See **Specific Instructions** on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only **one** of the following seven boxes.

☐ Individual/sole proprietor or single-member LLC ☐ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/estate

☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is **not** disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

☐ Other (see instructions) ▶

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) _____

Exemption from FATCA reporting code (if any) _____

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.

Requester's name and address (optional)

6 City, state, and ZIP code

7 List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN,* later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number

			–			–				

or

Employer identification number

		–							

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here **Signature of U.S. person** ▶ **Date** ▶

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to *www.irs.gov/FormW9.*

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, *later.*

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DIRECTOR
Wesley Geddings

Hall County Government
FINANCIAL SERVICES

EXHIBIT E
MANDATORY E-VERIFY AFFIDAVIT

The undersigned contractor ("Contractor") executes this Affidavit to comply with O.C.G.A § 13-10-91 related to any contract to which Contractor is a party that is subject to O.C.G.A. § 13-10-91 and hereby verifies its compliance with O.C.G.A. § 13-10-91, attesting as follows:

a) The Contractor has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program;

b) The Contractor will continue to use the federal work authorization program throughout the contract period, including any renewal or extension thereof;

c) The Contractor will notify the public employer in the event the Contractor ceases to utilize the federal work authorization program during the contract period, including renewals or extensions thereof;

d) The Contractor understands that ceasing to utilize the federal work authorization program constitutes a material breach of Contract;

e) The Contractor will contract for the performance of services in satisfaction of such contract only with subcontractors who present an affidavit to the Contractor with the information required by O.C.G.A. § 13-10-91(a), (b), and (c);

f) The Contractor acknowledges and agrees that this Affidavit shall be incorporated into any contract(s) subject to the provisions of O.C.G.A. § 13-10-91 for the project listed below to which Contractor is a party after the date hereof without further action or consent by Contractor; and

g) Contractor acknowledges its responsibility to submit copies of any affidavits, drivers' licenses, and identification cards required pursuant to O.C.G.A. § 13-10-91 to the public employer within five business days of receipt.

_____ _____
Federal Work Authorization User Identification Number Date of Authorization

_____ _____
Name of Contractor Name of Project

Hall County, Georgia
Name of Public Employer

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on _____, _____, 2023 in _____ (city), _____ (state).

_____
Signature of Authorized Officer or Agent

_____
Printed Name and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME
ON THIS THE _____ DAY OF _____, 20_____.

_____
NOTARY PUBLIC

My Commission Expires: _____ [Locus Sigilli]

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Hall County Government

FINANCIAL SERVICES

EXHIBIT F

MANDATORY ETHICS AFFIDAVIT

Contractors, consultants, and vendors of any service or commodity to Hall County, Georgia must read and affirm to adhere to the following ethics requirements for compliance with the Official Code 3.10.070 of Hall County - Ethics.

A. It is the policy of Hall County to seek the best overall value when procuring goods and services. Toward this end, the county finds and declares that its objectives will best be achieved through an open, competitive process with a broad range of responsible vendors wishing to furnish products and services to the county. Hall County will establish and conduct a procurement program that maximizes service benefit to the community and awards contracts to vendors who offer the best quality and value.

B. Hall County declares that county employees and officials, along with those wishing to do business with the county, have the shared responsibility for avoiding biased, anticompetitive, or unethical practices.

C. Hall County employees, officials, and their family members are prohibited from seeking, requesting, or receiving any material payment, gift, job offer, security, promise of future benefit, or any other tangible or intangible thing of value when such receipt has the potential to influence a procurement decision or to gain undue advantage in a procurement competition.

D. Prospective vendors must compete for county business within the parameters of the solicitation process and are prohibited from seeking to obtain inside information, attempting to skew the writing of specifications, or influencing a procurement decision through any means outside the process established for the particular solicitation. This principle applies to any contractor, subcontractor, representative, employee, or agent that may be associated with a procurement transaction.

E. Bidders and proposers shall disclose on competitive bid responses any individual(s), firm(s), and/or county official(s) who do business with the county if there is an appearance of a conflict of interest.

F. Ethical business practices are important, both, during a solicitation, and after the decision to grant an award. The county seeks to establish relationships with business partners whose ongoing ethical standards of business conduct are congruent with those outlined here. The purchasing manager, subject to the approval of the director of financial services, is charged with establishing methods for ongoing monitoring for non-compliance with these principles. The prohibition against the offering of or the acceptance of kickbacks, gratuities, payments or any other instrument of value extends beyond and outside any specific procurement or solicitation.

G. A vendor's contract compliance history with Hall County and other contractual parties is a valid element in the decision to award, or not, a contract.

H. Hall County stipulates that the furtherance of its strategic goals for job creation, stability and growth in the tax base, business retention, and other fiscal and economic development objectives may be considered during the procurement process. The purchasing manager, subject to the approval of the director of financial services, is authorized to establish procurement initiatives consistent with the county's strategic economic development objectives. These procurement practices shall be applied consistently and equitably and shall have a direct relationship to the county's goals.

I. Hall County employees, officials, and their family members are generally prohibited from participation in any procurement decision or any gain of undue advantage in a procurement competition as a result of contemporaneous employment with a potential or actual business partner.

J. It is unethical for any county employee to purchase commodities or services from a county contract for personal use.

K. With the exception of solicitations for the sale of real property, individuals, firms and businesses seeking an award of a Hall County contract may not initiate or continue any verbal or written communications regarding a solicitation with any county officer, elected official, employee or other county representative other than the purchasing associate named in the solicitation, or the county's financial advisor, between the date of the issuance of the solicitation and the date of the final contract award by the board of commissioners. The purchasing manager will review violations. If determined that such communication has compromised the competitive process, the offer submitted by the individual, firm or business may be disqualified from consideration for award. Solicitations for the sale of real property may allow for verbal or written communications with the appropriate Hall County representative.

L. All county commissioners, officials, and employees shall adhere to the standards outlined in the Hall County Code of Ethics.

M. **(AMENDED)** The purchasing division of the financial services department shall determine and implement methods of educating all prospective contractors, bidders, proposers, and vendors on the requirements and provisions of Code Section 3.10.070, including, but not limited to, requiring each prospective contractor, bidder, proposer, and vendor that expresses an intent to do business with the County to sign an affidavit attesting that they have read this Chapter and have more specifically also read Code Section 3.10.070." (Res. of 11-14-19(1), § 1 (Exh. A))

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on _____, _____, 20_____ in _____ (city),

_____ (state) _____ (Zip Code)

_____
Signature of Authorized Officer or Agent

_____
Printed Name and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME

On This the _____ Day of _____, 20_____.

_____
NOTARY PUBLIC

My Commission Expires: _____

[Locus Sigilli]

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Wesley Geddings

Hall County Government

FINANCIAL SERVICES

EXHIBIT G

MANDATORY QUESTIONS/RESPONSES

Bidder's company name: _____

Please Answer Each Question. You may use additional pages if needed.

1. Does your company have at least three (3) sequential years of experience in providing services as detailed in the Scope of Work outlined in the IFB document?

2. Describe in narrative form at least three (3) projects within the past five (5) years, in similar size and scope that you have completed with project names, entity name, references names and contact details.

3. Will any of the proposed services be subcontracted out to a third-party? If so, denote the work, the percentage of total, and list each of the legal entity's company names of the third-party(s).

4. Do you affirm that neither your firm, nor its principals, are currently in litigation with Hall County, Georgia?

5 Has your company been terminated from a project due to failure to deliver services or deliver services on time?

AGENDA ITEM

County Administrator

REPORT TO: **Work Session (11/06/23)**

REPORT TO: **Voting Meeting (11/09/23)**

ITEM NO: 519/2023

SUBJECT: Approve the 2024 Board of Commissioners Meeting Schedule.

Meetings:

Work Session Date: 11/06/23 **Voting Meeting Date:** 11/09/23

Executive Summary:

Presenter: ZP

Recommendation:
Approval.

Purpose of Request:
Approve the 2024 Board of Commissioners Meeting Schedule.

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	Attorney	Administration	Clerk
JR	WLI	CR	JR

Attachments:

DRAFT Meeting Schedule

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HALL COUNTY BOARD OF COMMISSIONERS
2024 Commission Meeting Schedule
Hall County Government Center 2nd Floor
2875 Browns Bridge Road, Gainesville, GA 30504

WORK SESSIONS	VOTING MEETINGS
Monday, January 8 at 3:00	Thursday, January 11 at 6:00
Monday, January 22 at 3:00	Thursday, January 25 at 6:00
Monday, February 5 at 3:00	Thursday, February 8 at 6:00
Monday, February 19 at 3:00	Thursday, February 22 at 6:00
Monday, March 11 at 3:00	Thursday, March 14 at 6:00
Monday, March 25 at 3:00	Thursday, March 28 at 6:00
Monday, April 8 at 3:00	Thursday, April 11 at 6:00
Monday, April 22 at 3:00	**Tuesday**, April 23 at 6:00
Monday, May 6 at 3:00	**Wednesday**, May 8 at 6:00
Monday, May 20 at 3:00	Thursday, May 23 at 6:00
Monday, June 10 at 3:00	Thursday, June 13 at 6:00
Monday, June 24 at 3:00	Thursday, June 27 at 6:00
Monday, July 8 at 3:00	Thursday, July 11 at 6:00
Monday, July 22 at 3:00	Thursday, July 25 at 6:00
Monday, August 5 at 3:00	Thursday, August 8 at 6:00
Monday, August 19 at 3:00	Thursday, August 22 at 6:00
Monday, September 9 at 3:00	Thursday, September 12 at 6:00
Monday, September 23 at 3:00	Thursday, September 26 at 6:00
Monday, October 7 at 3:00	Thursday, October 10 at 6:00
Monday, October 21 at 3:00	Thursday, October 24 at 6:00
Monday, November 11 at 3:00	Thursday, November 14 at 6:00
Monday, December 9 at 3:00	Thursday, December 12 at 6:00

DRAFT

Hall County Board of Commissioners Work Session Meetings are scheduled for Mondays prior to the 2nd and 4th Thursdays of each month. Voting Meetings are scheduled for the 2nd and 4th Thursdays of each month.

All Meetings are scheduled to be held at the Hall County Government Center (2875 Browns Bridge Road, Gainesville, GA) on the 2nd floor.

Any amendments to the schedule listed above will be noticed to the public as State law requires.

Please direct questions and/or concerns to Jennifer Rivera, Hall County Commission Clerk, (770) 297-2684 jrivera@hallcounty.org.