



## **HALL COUNTY BOARD OF COMMISSIONERS MEETING AGENDA**

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

**Streamed Live on Hall County Government's Website - [www.hallcounty.org](http://www.hallcounty.org)  
Monday, November 14, 2022 - 03:00 PM**

### **Call to Order**

### **Planning and Development**

- 1 Approve the Letter of Intent and subsequent contract to purchase digital orthophotography as part of the 2023 GMRC Orthoimagery and LiDAR Project for Planning and Development from Georgia Mountains Regional Commission (GMRC) of Gainesville, GA, in the amount of \$110,565.00.
- 2 Application of Scott Puckett, Inc to rezone from Agricultural Residential-III (AR-III) to Planned Residential Development (PRD) on a 115.98± acre tract located on the south side of Friendship Circle at its intersection with Friendship Place; a. k. a. 3746, 3760, & 3774 Friendship Circle & 3654 Friendship Road; Zoned AR-III; Tax Parcel 15048 000007, 000008, 000025C, & 000204. Proposed Use: 349 unit residential development. Commission District 1.
- 3 Application of Phillip Edwards, Chad & Clint Shoaf to rezone from Residential-I (R-I) to Planned Commercial Development (PCD) on a 3.54± acre tract located on the north side of Mountain View Road at its intersection with Old Oakwood Road; a.k.a. 2928 Mountain View Road; Zoned R-I; Tax Parcel 08012 003006S. Proposed Use: self-storage warehouses. Commission District 4.
- 4 Application of Ridgeline Land Planning, Inc. for a front yard setback variance subject to County Commission approval from 30 feet to 15 feet on a .61± acre tract located at the terminus of River Station Drive; a.k.a. 6595 River Station Drive; Zoned PRD; Tax Parcel 09079C000036. Proposed Use: single family dwelling. Commission District 3.
- 5 Application of Ridgeline Land Planning, Inc. for a front yard setback variance subject to County Commission approval from 30 feet to 15 feet on a .51± acre tract located at the terminus of River Station Drive; a.k.a. 6599 River Station Drive; Zoned PRD; Tax Parcel 09079C000035. Proposed Use: single family dwelling. Commission District 3.
- 6 Application of Atlas Development Services, Inc. to rezone from Agricultural Residential-IV (AR-IV) to Planned Residential Development (PRD) on a 19.21± acre tract located at the intersection of Old Winder Highway and Union Church Road; a.k.a. 5540, 5548, 5556, 5564, 5572, & 5580 Old Winder Highway & 5925, 5919, 5911, & 5901 Union Church Road; Zoned AR-IV; Tax Parcel 15039A000018 — 000023 & 000025 — 000028. Proposed Use: 135 unit single-family townhomes. Commission District 1.

## **Tax Assessors**

- 7 Approve the purchase of Commercial & Industrial Appraisal Cost Tables to be updated for Tax Year 2023 for the Tax Assessor's Office to Georgia Mass Appraisal Solutions and Services, Inc. (GMASS, Inc) of Norwood, GA, in the amount of \$50,000.00.

## **County Administrator**

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

## **Commission Time**

## **Adjourn**

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





## AGENDA ITEM

### Planning and Development

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**REPORT TO:** Meeting (11/14/22)

**REPORT TO:** Meeting (11/17/22)

**ITEM NO:** 591/2022

**SUBJECT:** Approve the Letter of Intent and subsequent contract to purchase digital orthophotography as part of the 2023 GMRC Orthoimagery and LiDAR Project for Planning and Development from Georgia Mountains Regional Commission (GMRC) of Gainesville, GA, in the amount of \$110,565.00.

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#### Meetings:

**Work Session Date:** 11/14/22

**Voting Meeting Date:** 11/17/22

#### Executive Summary:

**Presenter:** RD

**Recommendation:**

Approve a letter of intent and subsequent contract with Georgia Mountains Regional Commission (GMRC) to participate in the GMRC regional project to acquire digital orthophotography in the amount of \$33,388.00 and LiDAR in the amount of \$72,177.00, plus project administration in the amount of \$5,000.00 for a total cost of \$110,565.00.

**Purpose of Request:**

**History:**

The Georgia Mountains Regional Commission (GMRC) is organizing a regional aerial photography and LiDAR project which includes 16 counties & 2 cities in northern Georgia. Photography will be captured between January & February 2023. The final photography product will be 6" resolution color imagery, which is the same resolution and specification as our previous imagery acquisitions. The county's cost is \$33,388.00. The LiDAR acquisition, meeting USGS QL2 standards, will include 2' contours. The data will be collected during the same timeframe as the photography acquisition. Hall County last acquired contours in 2010. The LiDAR project cost is \$72,177.00. The final product delivery for both photography & LiDAR products is September 2023. These requested products are part of the GIS program strategy to maintain current data for staff and citizens.

Hall County has participated in a number of previous GMRC regional projects. By participating in these regional projects, the county has realized a significant cost savings over acquiring aerial photography and LiDAR individually. GMRC is contracting with Quantum Spatial, Inc. to carry out the project. Quantum Spatial was the contractor for our most recent orthophotography project in 2021. As with all our GIS expenditures, the cost will be shared between our GIS partners, Gainesville (25%), Oakwood (4%), & Flowery Branch (4%).

**Facts and Issues:**

**Options:**

<b>Funding Requested</b>	\$ 110,565.00
<b>Are funds within current budget?</b>	Yes
<b>Source of Funds</b>	Capital Projects
<b>Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?</b>	No
<b>Has it been reviewed by the County Attorney?</b>	Yes
<b>Is there a deadline for this item?</b>	2022-11-11

**Approvals:**

Submit	Approve	Budget	Finance
WS	RD	EW	WG
Attorney	Administration	Clerk	
WLI	LJ	AO	

**Attachments:**

Financial Supplement  
Letter of Intent



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

**AGENDA ITEM 591/2022**

**Funds Requested:** \$ 110,565.00

**Request Budgeted:** Yes

**Proposed Source of Funding:**

**Budget Transfer Requested:**

Capital Projects

No

**Funding Source Items:**

Fiscal Year	Fund	Division	Account	Amount
2023	005 - CAPITAL PROJECTS	506 - PLANNING	6008 - COMPUTERS/SOFTWARE	\$110,565.00

**Budget Transfer Items:**

**Additional Information/Comments:**

**Contact for Questions:**

**Phone:**



October 28, 2022

Mr. Mark Lane  
Hall County  
P.O. Drawer 1435  
Gainesville, GA 30503

Dear Mark,

Enclosed you will find a Letter of Intent for Hall County to obtain digital orthophotography and LiDAR as part of the Georgia Mountains Regional Commission's (GMRC) regional project. Within the Letter of Intent, Hall County's total project costs for participation are detailed there. These costs are calculated based on the enclosed map/area of interest. By approaching this project regionally, we have saved our project participants approximately 40% of the cost of conducting the same kind of project individually.

During the September GMRC Council and Executive Committee meetings, Quantum Spatial was approved as the vendor for this project. The flight will occur during the prime leaf off season from December 2022 through January 2023, with the delivery of final products to the county by September 30, 2023.

***Please return the signed Letter of Intent or Opt Out Letter to our office no later than November 11, 2022.*** I can be reached at (770)538-2614 or via email at [fbryan@gmrc.ga.gov](mailto:fbryan@gmrc.ga.gov) if you have any questions regarding the project or need additional information. We appreciate the opportunity to assist Hall County and look forward to working with you on this project.

Sincerely,

Faith D. Bryan, GISP  
Director of Information Services

Enclosures

## LETTER OF INTENT

It is Hall County's intention to purchase the following digital products through the 2023 GMRC Orthoimagery and LiDAR Project:

Hall County – 491 Square Miles

6" Pixel Resolution 4-Band Color Infrared Digital Orthophotography (@ \$68 per square mile)	\$ 33,388.00
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QL2 LiDAR including 2' Contours (@ \$147 per square mile)	\$ 72,177.00
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GMRC Project Administration	<u>\$ 5,000.00</u>
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Total Hall County Project Cost - <b>(Based on enclosed Area of Interest Map)</b>	\$110,565.00
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**We agree the Area of Interest for Hall County is 491 square miles**

\_\_\_\_\_  
Richard Higgins, Chairman  
Hall County Board of Commissioners

\_\_\_\_\_  
Date

\_\_\_\_\_  
Jennifer Rivera, County Clerk  
WITNESSED

\_\_\_\_\_  
Date

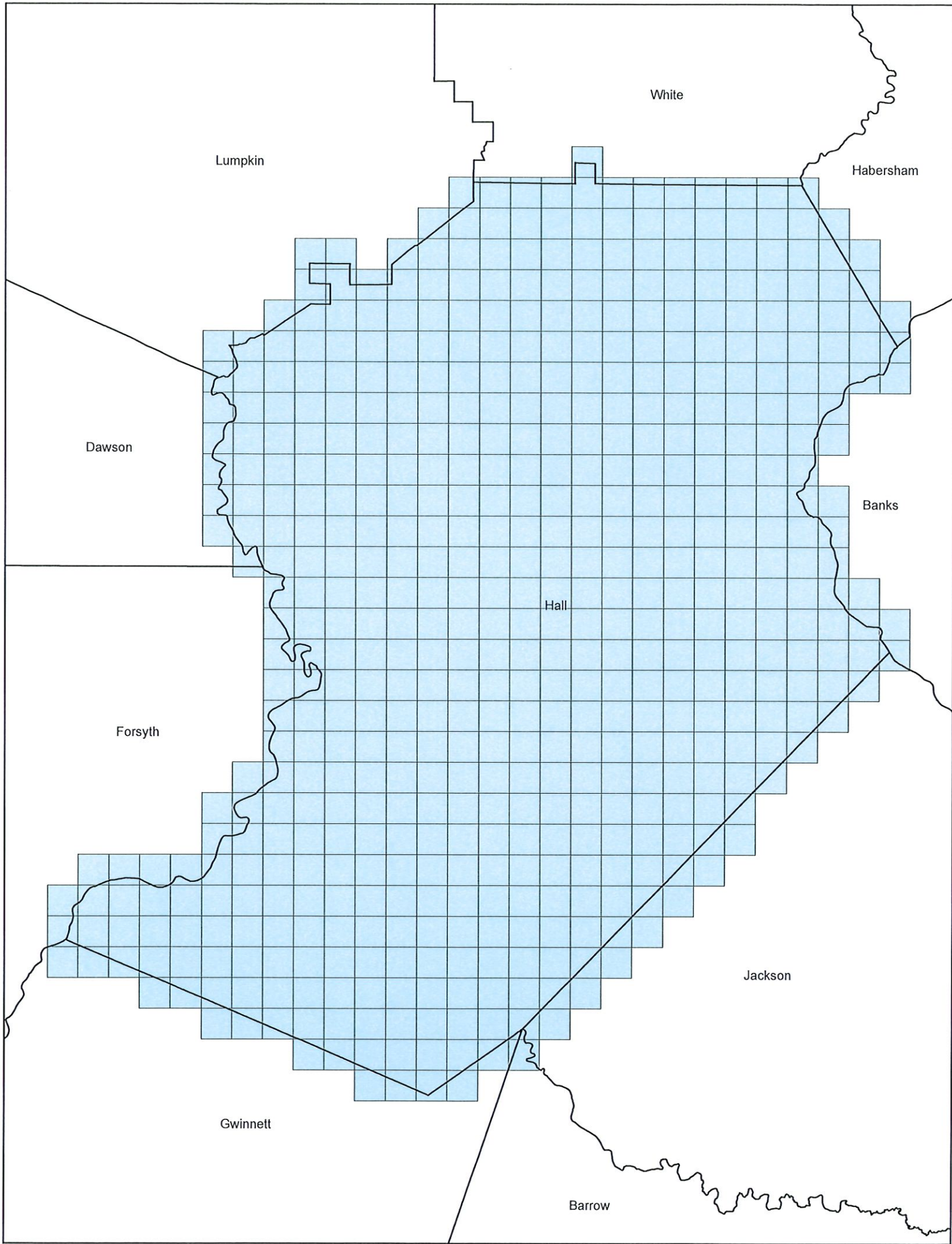
Seal

Georgia Mountains Regional Commission

\_\_\_\_\_  
Heather Feldman, Executive Director

\_\_\_\_\_  
Date





White

Lumpkin

Habersham

Dawson

Banks

Hall

Forsyth

Jackson

Gwinnett

Barrow

## Opt Out Letter

As of \_\_\_\_\_, 2022, Hall County wishes to ***NOT PARTICIPATE*** in the 2023 GMRC Orthoimagery Project and ***NOT*** acquire digital orthophotography and LiDAR for our county through this consortium effort.

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Richard Higgins, Chairman  
Hall County Board of Commissioners

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Jennifer Rivera, County Clerk

WITNESSED

Seal



## AGENDA ITEM

### Planning and Development

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**REPORT TO:** Meeting (11/14/22)

**REPORT TO:** Meeting (11/17/22)

**ITEM NO:** 593/2022

**SUBJECT:** Application of Scott Puckett, Inc to rezone from Agricultural Residential-III (AR-III) to Planned Residential Development (PRD) on a 115.98± acre tract located on the south side of Friendship Circle at its intersection with Friendship Place; a. k. a. 3746, 3760, & 3774 Friendship Circle & 3654 Friendship Road; Zoned AR-III; Tax Parcel 15048 000007, 000008, 000025C, & 000204. Proposed Use: 349 unit residential development. Commission District 1.

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#### Meetings:

**Work Session Date:** 11/14/22

**Voting Meeting Date:** 11/17/22

#### Executive Summary:

**Presenter:** RD  
**Recommendation:**



Approval, with conditions: 1. The development shall occur as depicted on the site plan and described in the project narrative, per all conditions stated below. The Planning Director can approve any necessary changes provided: a. No increase in overall density greater than 3.0 units per acre; b. No decreased minimum lot area or width; c. No decrease in minimum building setbacks; d. No decrease in buffers. e. In geological or topographical constraints identified during development or engineering plans. 2. The developer shall be responsible for the cost of any improvements identified by the traffic study, and/or required by Hall County Engineer or the Georgia Department of Transportation. 3. The proposed residential development shall conform to Â§17.180.060 Planned Residential Development (PRD) standards. No variances are granted as part of this request, unless specifically identified during the motion. 4. The proposed residential development shall confirm to Â§16.60. a. All site plans shall indicate that the distance from the rear of the sidewalk to the garage meets or exceeds a minimum of 22 feet. b. Open Space: minimum of 30%. c. The Open Space and lot configuration shall be redesigned to meet Â§17.430.110.E and Â§17.430.110.F, including the requirement that "F. The open space shall be directly accessible to the largest practicable number of lots within the subdivision. Non-adjointing lots shall be provided with safe, convenient access to the open space." The redesigned lot layout shall be approved by the Planning Director prior to submission of the application for a Preliminary Plat/ LDP application. d. Buffers: A minimum 50 undisturbed buffer shall be retained around the perimeter except along the rights-of-way of Friendship Circle and Friendship Rd. These shall have a 25FT landscaped buffer which will provide dense screening of the development. The landscape plan shall be approved by the Planning Director prior to the issuance of the LDP. e. Architectural standards: All facades of all residences, shall be finished with brick, stone, stucco, wood siding, wood shakes, or fiber cement type siding. The front facades shall incorporate changes in building material, texture, and/or color. Vinyl siding on all residential and non-residential buildings shall be prohibited. 5. A homeowners association shall be required to maintain the common ownership elements of the development. 6. The proposed Stormwater BMP (pond) shall be a part of the open space and shall be provided a county approved maintenance access. 7. Encroachment of state waters and stream buffers shall be allowed on individual lots, however encroachment into any of the 50 to 75 foot buffered area located on individual lots shall not be allowed, including any fencing, patios, construction improvements, or de-vegetation. 8. 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." 9. All conditions of zoning shall be made part of any plats created for the property. 10. This approval shall be valid for 12 months after sewage is available to this property.

#### **Purpose of Request:**

Application of Scott Puckett, Inc to rezone from Agricultural Residential-III (AR-III) to Planned Residential Development (PRD) on a 115.98± acre tract located on the south side of Friendship Circle at its intersection with Friendship Place; a. k. a. 3746, 3760, & 3774 Friendship Circle & 3654 Friendship Road; Zoned AR-III; Tax Parcel 15048 000007, 000008, 000025C, & 000204. Proposed use: 349-unit residential development. Commission District 1.

#### **History:**

#### **Facts and Issues:**

#### **Options:**

#### **Funding Requested**

\$ 0.00

#### **Are funds within current budget?**

No

#### **Source of Funds**

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

No

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

Yes

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

#### **Approvals:**

<b>Submit</b>	<b>Approve</b>	<b>Budget</b>	<b>Finance</b>
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<b>Submit</b>	<b>Approve</b>	<b>Budget</b>	<b>Finance</b>
AD	RD	EW	WG
<b>Attorney</b>	<b>Administration</b>	<b>Clerk</b>	
WLI	LJ	AO	

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**Attachments:**

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



# Hall County Government

## PLANNING & DEVELOPMENT

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR  
Randi Doveton

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

**From:** Randi Doveton, Director

**Date:** October 25, 2022

**Subject:** Application of Scott Puckett, Inc to rezone from Agricultural Residential-III (AR-III) to Planned Residential Development (PRD) on a 115.98± acre tract located on the south side of Friendship Circle at its intersection with Friendship Place; a. k. a. 3746, 3760, & 3774 Friendship Circle & 3654 Friendship Road; Zoned AR-III; Tax Parcel 15048 000007, 000008, 000025C, & 000204. Proposed use: 349-unit residential development. Commission District 1.

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The application before you is a request to rezone 115.98± acres from Agricultural Residential-III (AR-III) to Planned Residential Development (PRD) to allow a 349-unit residential development.

At their October 17, 2022 meeting, the Hall County Planning Commission voted to recommend approval (4-0) of this request with the following ten (10) conditions:

1. *The development shall occur as depicted on the site plan and described in the project narrative, per all conditions stated below. The Planning Director can approve any necessary changes provided:*
  - a. *No increase in overall density greater than 3.0 units per acre;*
  - b. *No decreased minimum lot area or width;*
  - c. *No decrease in minimum building setbacks;*
  - d. *No decrease in buffers.*
  - e. *In geological or topographical constrains identified during development or engineering plans.*
2. *The developer shall be responsible for the cost of any improvements identified by the traffic study, and/or required by Hall County Engineer or the Georgia Department of Transportation.*
3. *The proposed residential development shall conform to §17.180.060 Planned Residential Development (PRD) standards. **No variances are granted as part of this request, unless specifically identified during the motion.***
4. *The proposed residential development shall confirm to §16.60.*

- a. *All site plans shall indicate that the distance from the rear of the sidewalk to the garage meets or exceeds a minimum of 22 feet.*
  - b. *Open Space: minimum of 30%.*
  - c. *The Open Space and lot configuration shall be redesigned to meet §17.430.110.E and §17.430.110.F, including the requirement that "F. The open space shall be directly accessible to the largest practicable number of lots within the subdivision. Non-adjoining lots shall be provided with safe, convenient access to the open space." The redesigned lot layout shall be approved by the Planning Director prior to submission of the application for a Preliminary Plat/ LDP application.*
  - d. *Buffers: A minimum 50 undisturbed buffer shall be retained around the perimeter except along the rights-of-way of Friendship Circle and Friendship Rd. These shall have a 25FT landscaped buffer which will provide dense screening of the development. The landscape plan shall be approved by the Planning Director prior to the issuance of the LDP.*
  - e. *Architectural standards: All facades of all residences, shall be finished with brick, stone, stucco, wood siding, wood shakes, or fiber cement type siding. The front facades shall incorporate changes in building material, texture, and/or color. **Vinyl siding on all residential and non-residential buildings shall be prohibited.***
5. *A homeowners association shall be required to maintain the common ownership elements of the development.*
6. *The proposed Stormwater BMP (pond) shall be a part of the open space and shall be provided a county approved maintenance access.*
7. *Encroachment of state waters and stream buffers shall be allowed on individual lots, however encroachment into any of the 50 to 75 foot buffered area located on individual lots shall not be allowed, including any fencing, patios, construction improvements, or de-vegetation.*
8. *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."*
9. *All conditions of zoning shall be made part of any plats created for the property.*
10. *This approval shall be valid for 12 months after sewage is available to this property.*

There were two (2) written comments in opposition submitted in advance of the Planning Commission meeting and one (1) person spoke in opposition during the public hearing on October 17, 2022.

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

**HALL COUNTY PLANNING COMMISSION  
RECOMMENDATION REPORT**

**Applicant**.....Scott Puckett, Inc

**Request**.....Agricultural Residential-III (AR-III) to Planned  
Residential Development (PRD)

**Proposed Use**.....349-unit residential subdivision

**Size**.....118.05± acres

**Zoning**.....AR-III

**Location**.....On the south side of Friendship Circle at its  
intersection with Friendship Place; a. k. a.  
3746, 3760, & 3774 Friendship Circle & 3654  
Friendship Road; Tax Parcel 15048 000007,  
000008, 000025C, & 000204.

**Commission District**.....One

**Planning Commission Date**.....October 17, 2022

**Staff Recommendation**..... **Denial**

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

**Vote: 4-0**

**Conditions:**

1. *The development shall occur as depicted on the site plan and described in the project narrative, per all conditions stated below. The Planning Director can approve any necessary changes provided:*
  - a. *No increase in overall density greater than 3.0 units per acre;*
  - b. *No decreased minimum lot area or width;*
  - c. *No decrease in minimum building setbacks;*
  - d. *No decrease in buffers.*
  - e. *In geological or topographical constraints identified during development or engineering plans.*
2. *The developer shall be responsible for the cost of any improvements identified by the traffic study, and/or required by Hall County Engineer or the Georgia Department of Transportation.*

3. *The proposed residential development shall conform to §17.180.060 Planned Residential Development (PRD) standards. **No variances are granted as part of this request, unless specifically identified during the motion.***
4. *The proposed residential development shall conform to §16.60.*
  - a. *All site plans shall indicate that the distance from the rear of the sidewalk to the garage meets or exceeds a minimum of 22 feet.*
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  - c. *The Open Space and lot configuration shall be redesigned to meet §17.430.110.E and §17.430.110.F, including the requirement that “F. The open space shall be directly accessible to the largest practicable number of lots within the subdivision. Non-adjoining lots shall be provided with safe, convenient access to the open space.” The redesigned lot layout shall be approved by the Planning Director prior to submission of the application for a Preliminary Plat/ LDP application.*
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  - e. *Architectural standards: All facades of all residences, shall be finished with brick, stone, stucco, wood siding, wood shakes, or fiber cement type siding. The front facades shall incorporate changes in building material, texture, and/or color. **Vinyl siding on all residential and non-residential buildings shall be prohibited.***
5. *A homeowners association shall be required to maintain the common ownership elements of the development.*
6. *The proposed Stormwater BMP (pond) shall be a part of the open space and shall be provided a county approved maintenance access.*
7. *Encroachment of state waters and stream buffers shall be allowed on individual lots, however encroachment into any of the 50 to 75 foot buffered area located on individual lots shall not be allowed, including any fencing, patios, construction improvements, or de-vegetation.*
8. *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.”*
9. *All conditions of zoning shall be made part of any plats created for the property.*
10. *This approval shall be valid for 12 months after sewage is available to this property.*

## **Applicant Proposal**

The applicant is requesting approval to rezone 118.5 acres, per the applicant's site plan, from Agricultural Residential III (ARIII) to Planned Residential Development (PRD) for the purpose of developing a 349-unit single family attached and detached subdivision.

- **It should be noted that the applicant's narrative states the development is 116 but parcels being rezoned have a cumulative acreage of 118.5; therefore, all staff calculations are based on the cumulative acreage of the parcels being rezoned.**

The overall density for the development is 2.94 units per acre.

- The gross density for the single-family detached component is 2.32 units per acre.
  - Net density is 3.56 units per acre.
- The gross density for the single-family attached (townhomes) is 5.37 units per acre.
  - Net density is 6.68 units per acre.
- **The gross density for Riverbrook (Price Rd/Thompson Bridge Rd), approved in 2021, was 4.14 units per acre with a net density of 7.05 units per acre. Riverbrook is located in an area designated as an Activity Center on the Future Land Use Maps. The subject parcels are shown as Residential and Mixed Use Corridor on the Future Land Use map, with some conservation areas. The residential character anticipates 2 units per acre but the mixed-use corridor anticipates higher density residential where the same is found on adjacent properties. At present adjacent properties are large residential/agricultural tracts or residential developments with half acre parcels. There is some higher density residential on the adjacent property located within Gwinnett County.**

The applicant's narrative states that the proposed design allows for the flexible placement, arrangement, and orientation of residential structures given the property's characteristics, including streams located on the property. The proposed development will include both single family detached homes and single-family attached homes (townhomes). Two landscaped entrances will be provided, the primary entrance will be onto Friendship Circle into the single family residential section of the development. The second entrance will connect directly to Friendship Road (State Route 347) for the townhome component. Per the narrative, grading will be in accordance with site characteristics, topography, and the presence of streams.

From the primary entrance on Friendship Circle you will enter the detached single family residential component of the development and can take a left towards a small section of single family homes, past the homes you will find the an amenity site with a pool and clubhouse, then continues to the townhome portion development. Alternatively you can continue straight from the entrance to the larger section of single family homes. Multiple side streets with cul-de-sac branch off from the primary road and at least 4 creek crossings are shown. The entrance road continues through the single family development before looping and connecting to the townhome component, and ultimately connecting to Friendship Road.

Of the 349 proposed parcels, 209 will be developed as single-family detached dwellings. The lots will be a minimum of 8,000 square feet in size, with a minimum lot width of 60 feet. The minimum heated floor area of the detached homes will be 2,000 to 2,500 square feet. Four (4) foot sidewalks



are proposed on both sides of the street and a 50 foot undisturbed exterior buffer surrounds the development, including the single-family attached component.

The attached single family residential, townhome, component will make up the remaining 140 units within the development. The townhomes are proposed to have a minimum lot width of 24 feet. The minimum heated floor area for the townhomes is proposed to be 1,600 – 1,800 square feet in area and the minimum lot area is proposed to be 1,200 square feet.

The project will include 35.46 cumulative acres of open space and common area for the proposed development. The site plan anticipates 5.11 acres of open space and common area for the single-family attached development and 30.35 acres of open space and common area for the single-family detached portion. The narrative explains that the common areas are to include an open-air cabana for the pool. Other amenities include, but are not limited to, a dog park, an open-air covered pavilion with outdoor rated bodyweight workout equipment, and grilling/gathering places for the residents. Mailbox kiosks will be located throughout the development, per the narrative.

- **It should be noted that no amenity area is shown for the single-family attached (townhome) component. The Planning Commission should seek clarity on whether the amenity area shown will be for both components.**

The narrative states that the architectural style of the community will be traditional 1-2 story single family detached homes and townhomes with 2-car garages. Architectural renderings were submitted for reference. The narrative continues that the homes will have brick and stone accents on the front of the homes. The remaining front façade will be board and batten, shake, or lap fiber cement siding. The side and rear of the homes will be fiber cement lap siding. All grass areas and all front and side yards will be sodded.

The narrative states that dependent upon permitting and approvals, the applicant anticipates 12 to 36 month development period.

### **History and Existing Land Uses**

The subject parcels comprise of approximately 118.5± acres and are zoned Agricultural Residential III (AR-III). The properties are currently developed with single family residences and various outbuildings over the 4 parcels. The structures will be removed prior to development of the subdivision.

Properties along Friendship Road (SR 347) are a mixture of residentially zoned parcels, including properties zoned AR-III, R-I, and PRD. Across Friendship Road to the west is the Vulcan Rock Quarry, located in the City of Flowery Branch and zoned Manufacturing.

### **Comprehensive Plan Land Use Designation**

The Comprehensive Plan's future land use designation for the subject parcel is "Residential" but is also within a "Mixed-Use Corridor".

- **Residential Areas** are characterized by moderate-density (2 dwellings per acre) residential development and neighborhoods. Street networks are defined by curvilinear streets and green space is largely provided on individual lots but neighborhood open space and/or park amenities may also be provided. Pedestrian connectivity is moderate, where sidewalks may be internal to a neighborhood but may not currently connect nearby parks and schools. Future development will continue to be detached, single-family homes at moderate densities, with opportunities for variations in housing size and types through the Planned Development District zoning classification. New development should provide opportunities for open space/greenspace, including shared areas for the benefit of residents and ample tree cover. Future land use include moderate density residential uses, greenways, and trails, civic benefit uses such as community centers, libraries, schools, and places of worship.
- **Corridors in Residential** and Rural Residential areas, and multi-jurisdictional corridors (Atlanta Highway and Browns Bridge Road), are generally those roadways that are intended to accommodate a variety of nonresidential uses without encroaching upon or replacing adjacent residential neighborhoods. Non-residential uses along corridors in Residential and Rural Areas should be located in close proximity to Community Crossroads or Activity Centers. Access should be from secondary roads so as not to impede traffic flow, and adjacent businesses should share interparcel access. Corridors with interstate or rail access that support industrial or more intensive commercial uses are intended to provide additional larger-scale employment generators. Corridors adjacent to Lake Lanier should accommodate lake-oriented commercial uses with effective screening, where appropriate. Corridors are located throughout Hall County and are classified into three categories: **Mixed-Use**, Employment, and Lake Supportive. Primary Future Land Uses: **Mixed-Use Corridor: Retail activities, office based employment, civic uses, single-family residential - Low-impact industrial or higher density residential only where the same is found on adjacent properties**

### **Development Support and Constraints**

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

In an email dated August 12, 2022 Emily McGahee stated “No comment. Public sewer.”

#### **Hall County Fire Services**

In an email dated August 15, 2022, Lieutenant John Hornick, stated that the Hall County Fire Marshal’s Office had no comments regarding the concept plan for the 349 unit residential development.

*Per Hall County GIS, the subject parcel is located approximately 4 miles from Hall County Fire Station #14, located at 7065 Dove Point Lane. The nearest fire hydrant is located at the terminus of Friendship Circle.*

### Hall County Public Works and Utilities

In a letter dated June 13, 2022, Bill Nash, P.E., Assistant Director of Public Works and Utilities, provided a letter confirming availability of sewer service at this time. The project will not be able to obtain an LDP for this project until one year prior to the anticipated Friendship Road Sewer Extension Project Completion. A completion date was not provided.

In a memo dated August 18, 2022, from Srikanth Yamala, Director of Public Works and Utilities, the following comments were provided:

#### Engineering

1. 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.
2. Show stream buffers and impervious setback from wretched vegetation not centerline of stream.
3. Show flood Hall County studied and FEMA.
4. Roads must meet all Hall County standards.
5. Stormwater ponds must be out of flood.
6. Development is not allowed in flood.

#### Traffic Engineering

1. GDOT approval/permitting required.
2. Improvements/modifications to the intersection of Friendship Circle and Friendship Place may be required.
3. Improvements/modifications (possibly including signalization) may be required for the intersection of Friendship Road (SR347) and Friendship Place/Swansey Road.
4. Developer should be financially responsible for all required roadway improvements/modifications and they should be constructed concurrently with the development.

#### Utilities

1. Hall County sewer district.
2. No sewer available.
3. No application for land disturbance permit can be made prior to Friendship Road sewer project construction is less than one year from its anticipated completion. No final plat will be approved until Friendship Road sewer is installed and operating.

### Hall County Tax Assessors

No comments were provided.

### Gainesville Water Resources

In a letter dated June 21, 2022 Nick Swafford, Permitting Services Manager for the City of Gainesville Water Resources department, provided a letter confirming water availability for a period of 1 year from the date of the letter.

Per Hall County GIS, there is public water line operated by the City of Gainesville in the right-of-way along Friendship Road (SR 347).

### Georgia Department of Transportation

Per an email dated August 18, 2022, Parker Niebauer, District 1 Traffic Operations Supervisor, confirmed that this project will require GDOT coordination.

The applicant also submitted a letter dated June 13, 2022 from Jason Dykes, District 1 Traffic Engineer, confirming the work would be approved if all of the GDOT requirements are met.

### Zoning Analysis

- The proposed use request is inconsistent with the Comprehensive Plan, as the proposed density exceeds the density standard within the “Residential” land use designation but is located within a “Mixed-Use” Corridor which allows for higher density residential when adjacent to other uses with similar densities. The subject property is adjacent to vacant or moderate density properties within Hall County but adjacent to high density residential in Gwinnett County.
- The applicant is requesting to rezone the property from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) for the purpose of developing a 349-unit single family attached and detached subdivision.
- Per §17.180.060, a PRD 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. **The proposal is using the natural features to enhance the development but the net density is higher than the adjacent uses within Hall County. The overall gross density for the project is 2.94 units per acres.**
- Per §17.180.060.B.2, dimensional standards for single-family residences are detailed below. If standards are not specifically proposed, then the applicable standards in the Residential-I (R-I) district shall apply.
  - Detached Single Family Lots:
    - Lot area. Minimum lot area standards of 8,000 square feet for lots served by sanitary sewer. The overall gross density not to exceed two units per acre.
      - Per the site plan, the minimum lot size is 8,000 square feet. This standard **is met.**
    - Lot width. Minimum lot width of 50 feet.
      - Per the site plan, the minimum lot width is 60 feet. This standard **is met.**
    - Setbacks:

- Minimum front yard setback from the property line of 25 feet.
    - Per the site plan, the front setback is 25 feet. This standard **is met**.
  - Minimum side yard setback from the property line of five feet.
    - Per the site plan, the side yard setback is 5 feet. This standard **is met**.
  - Minimum rear yard setback from the property line of 20 feet.
    - Per the site plan, the rear setback is 20 feet. This standard **is met**.
- Attached Single Family:
  - Lot area, per §17.180.060.B.4.a.i, for a one-story multi-family residence and/or townhouse with the minimum three attached single-family units, the minimum lot area standard of 35,000 square feet will apply. ***It should be noted that these are not multi-family units but single-family attached units. Each*** of these dwellings will be on a ***separate parcel*** as opposed to a ***multi-family*** development which has ***multiple structures*** containing ***multiple units*** on ***one parcel***.
- Per §17.180.060.B.5, a minimum 50 foot planted buffer shall be established along the perimeter of all property boundaries adjacent to residential and/or non-residential zoning districts to ensure that the planned residential development is appropriately screened.
  - Per the applicant's narrative and site plan, a 50 foot buffer exterior buffer is proposed. This standard **is met**.
- Per §17.180.060.B.6, a minimum of two trees per lot shall be provided or preserved in the front, side, or rear yard of each lot.
  - The narrative and site plan do not reference any tree plantings. This standard **is not met**.
- Per §17.180.060.B.7.a, residential developments with greater than 150 lots shall include at least two vehicular entrances connecting to a city, state, or county-maintained public road.
  - One entrance is proposed from Friendship Road (SR 347) and a second entrance is proposed from Friendship Circle. This standard **is met**.
- Per §17.180.060.B.7.b, all planned residential developments shall construct sidewalks on both sides of the streets that are a minimum of five feet wide.
  - The applicant's narrative states 5 foot sidewalks for the development. This standard **is met**.
- Per §17.180.060.B.8, the development shall conform to all open space requirements of sections §17.430.100 through §17.430.150, as shown under the conservation subdivision design option chapter. The only open space requirement that may differ from those standards set forth in section §17.430.110 is the open space shall comprise at least 30 percent of the gross tract area. The open space requirements include:
  - At least 75 percent of the open space shall be in a contiguous tract. The open space should adjoin any neighboring areas of open space, other protected areas, and non-protected natural areas that would be candidates for inclusion as part of a future area of protected open space.

- The open space shall be directly accessible to the largest practicable number of lots within the subdivision. Non-adjoining lots shall be provided with safe, convenient access to the open space. **The majority of the lots abut greenspace; the project provides sidewalks, these should have access to the greenspace should the Commission approve the project.**
- Per §17.430.120, permitted uses of open space, the following uses are permitted: conservation of natural, archeological or historical resources; meadows, woodlands, wetlands, wildlife corridors, game preserves, or similar conservation oriented areas; walking or bicycle trails, provided they are constructed of porous paving materials; passive recreation areas; active recreation areas, provided that they are limited to no more than ten percent of the total open space and are not located within primary conservation areas; agriculture, horticulture, silviculture or pasture uses; nonstructural stormwater management practices; easements for drainage, access, and underground utility lines; golf courses; or other conservation-oriented uses compatible with the purposes of this chapter.
  - **The project appears to meet this requirement based on the narrative but clarification during the hearing is required.**
- Per §17.180.060.B.9, provides design guidelines and standards for planned residential developments.
  - All facades of all residences shall be finished with brick, stone, stucco, wood siding, wood shakes, or fiber cement type siding. The front facades shall incorporate changes in building material, texture, and/or color. Vinyl siding on all residential and non-residential buildings shall be prohibited.
    - **The applicant has listed the following information in the narrative: the homes will have brick and stone accents on the front of the homes. The remaining front façade will be board and batten, shake, or lap fiber cement siding. The side and rear of the homes will be fiber cement lap siding**
    - Architectural renderings were submitted as part of this request but the materials were not identified.
- Per §17.180.060.B.9.b, single-family residence garages, garage placement shall be if the following: semi-flush, recessed, side-loaded, carriage court, or detached.
  - The architectural renderings and narrative suggest that the applicant is proposing to develop the semi-flush placement type of garage, which requires the following: garage doors shall be oriented towards the street and shall be positioned between five and 20 feet behind the front wall plane of the residence, extending no more than 40 percent of the width of the residence. **It cannot be determined if this standard is met as the renderings submitted do not provide dimensions.**
- Per §17.180.060.B.11, all new subdivisions are required to provide a cluster mailbox unit (CBU) for regular mail service delivery.
  - The narrative states that mail kiosks will be provided throughout the development. **Because they are not depicted it cannot be determined if this standard is met.**

- Per §17.380.050 of the Official Code of Hall County requires any application proposing the development of 100 or more residential dwelling units to submit a traffic impact study as part of an application.
  - The proposed development contains 349 units. A traffic study was prepared by Atlas Technical Consultants in July 2022.
    - One intersection was study as part of this report, the intersection. Friendship Road (SR 347) and Swansey Road.
    - The study concludes that the project is expected to warrant a signal at this intersection. The report states that the signalized level of service LOS is expected to be failing on the side street approach at full buildout of the development
- Per comment from the Georgia Department of Transportation, this project will require coordination with them.
- The narrative indicates water will be provided by the City of Gainesville through a waterline along Friendship Road (SR 347) right-of-way.

### **Staff Recommendation**

Staff recommends **denial** of the applicant's request as it is inconsistent with the maximum density for the Residential future land use designation of the Hall County Comprehensive Plan.

### ***If the Planning Commission should choose to recommend approval of the request, staff recommends the following conditions:***

11. The development shall occur as depicted on the site plan and described in the project narrative, modified for compliance with zoning conditions and Hall County regulations, and geological or topographical constraints identified during development of engineered plans. The Planning Director can approve the changes provided:
  - a. No increase in density;
  - b. No decreased minimum lot area or width;
  - c. No decrease in minimum building setbacks;
  - d. No decrease in buffers.
12. The developer shall be responsible the cost of any improvements identified by the traffic study, and/or required by Hall County Engineer or the Georgia Department of Transportation.
13. The proposed residential development shall conform to §17.180.060 Planned Residential Development (PRD) standards. **No variances are granted as part of this request, unless specifically identified during the motion.**
14. The proposed residential development shall confirm to §16.60. No variances are granted as part of this request.
  - a. All site plans shall indicate that the distance from the rear of the sidewalk to the garage meets or exceeds 22 feet.
  - b. Open Space: minimum of 30%.
  - c. The Open Space and lot configuration shall be redesigned to meet §17.430.110.E and §17.430.110.F, including the requirement that "*F. The open space shall be*

*directly accessible to the largest practicable number of lots within the subdivision. Non-adjoining lots shall be provided with safe, convenient access to the open space.”* The redesigned lot layout shall be approved by the Planning Director prior to submission of the application for a Preliminary Plat/ LDP application.

- d. A recreational trail system shall be constructed with low impact/ non-pervious materials (mulch or other approved materials) in the Open Space with a connection to the sidewalk system. The trail system shall have a minimum length of 1,500 and a width of four (4) feet that generally follows the stream to the south of the property. The Open Space shall connect to the street system to provide access to the trail system. The trail system is allowed to encroach into the buffers. The trail system design shall be approved by the Planning Director prior to submission of the application for a Preliminary Plat/ LDP application.
  - e. Buffers: A minimum 50 undisturbed buffer shall be retained around the perimeter except along the rights-of-way of Friendship Circle and Friendship Rd. These shall have a 25FT landscaped buffer which will provide dense screening of the development. The landscape plan shall be approved by the Planning Director prior to the issuance of the LDP.
  - f. Architectural standards: All facades of all residences, shall be finished with brick, stone, stucco, wood siding, wood shakes, or fiber cement type siding. The front facades shall incorporate changes in building material, texture, and/or color. **Vinyl siding on all residential and non-residential buildings shall be prohibited.**
15. A homeowners association is required to maintain the common ownership elements of the development.
16. The proposed Stormwater BMP (pond) shall be on a separate “utility” lot that is not a part of the open space and will provide an access and maintenance easement.
17. The lots shall be designed so that all state waters and required buffers (75') do not encroach on individual lots.
18. 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.”
19. All conditions of zoning shall be made part of any plats created for the property.

#### **Excerpts from the minutes of the October 17, 2022 meeting**

##### **Applicant’s Presentation:**

**Ellis Still, Assistant Planning Director**, presented a summary of the request.



**Tyler Smith, 340 Jesse Jewell Parkway, Gainesville,** presented the request. The applicant stated the community would have two entrances, landscaping, monuments, and homes would be single and double story. The applicant stated that the homes would not exceed a height of 35 foot, driveways for the single family homes and townhomes would be 40 foot in length and 20 feet wide. The applicant stated that for single family home units they are requesting 2.32 units per acre for a 2000-2500 square foot conditioned area and for townhome units they are requesting 5.37 units per acre for a 1600-1800 square foot conditioned area. Single family homes will have three to five bedrooms per unit while townhomes will have three to four bedrooms per unit. The applicant stated that the common area will be 31 percent of the site including an open air cabana, pool, open air covered pavilion, Dog Park, exercise section and gathering spaces with 5 foot wide sidewalks and may include a walking trail of at least 1500 linear feet. The applicant stated that the homes will have brick and stone accents on the front facing the street. The applicant stated the homes will have at least two trees, one in the front and one in the backyard. The applicant stated that there will be a bio detention pond and it is under review to expand. The applicant presented the variances for the project as follows: 1. There will be a 75-foot impervious stream buffer, inclusive of a 50-foot undisturbed stream buffer, from the top of the stream bank (point of rested vegetation). Some of the impervious stream buffer area (outside the 50-foot undisturbed stream buffer) will be included as a part of the individual lots, subject to the buffer requirements. If a variance is allowed for inclusion of those stream buffer areas within the lots, Scott Puckett, Inc. requests that the variance be allowed. 2. Scott Puckett, Inc, requests any variances required to accomplish the following densities: a. allow the density of the Single Family Section to be 2.32 units per acre, and b. allow the density of the Town Home Section to be 5.37 units per acre.

#### *Rebuttal*

The applicant stated that they can entertain requests to protect adjacent property owner's property but the creek buffer along the property lines should take care of it.

#### **Public Forum:**

**Chris Puckett, 3516 Friendship Road, Buford,** spoke in opposition. Concerns were walking trails, fencing, and privacy.

#### **Planning Commission Comments:**

Mr. Braswell questioned if the amenity area was for all of the development. The applicant stated that was correct. Mr. Hunt questioned the time limit based on sewer availability from the county. Ms. Doveton stated the time limit should be adjusted based on the availability of the sewer. Mr. Varner wanted to address the possibility of a fence. Mr. Hunt stated a fence might impede on the creek buffer. Mr. Braswell stated that there is already an undisturbed 50 foot and 25 foot stream buffer along the property lines.

**Motion: A motion to approve, with conditions was made by Mr. Hunt and seconded by Mr. Varner. Vote: 4-0**

*Conditions:*

1. The development shall occur as depicted on the site plan and described in the project narrative, per all conditions stated below. The Planning Director can approve any necessary changes provided:
  - a. No increase in overall density greater than 3.0 units per acre;
  - b. No decreased minimum lot area or width;
  - c. No decrease in minimum building setbacks;
  - d. No decrease in buffers.
  - e. In geological or topographical constraints identified during development or engineering plans.
2. The developer shall be responsible for the cost of any improvements identified by the traffic study, and/or required by Hall County Engineer or the Georgia Department of Transportation.
3. The proposed residential development shall conform to §17.180.060 Planned Residential Development (PRD) standards. **No variances are granted as part of this request, unless specifically identified during the motion.**
4. The proposed residential development shall conform to §16.60.
  - a. All site plans shall indicate that the distance from the rear of the sidewalk to the garage meets or exceeds a minimum of 22 feet.
  - b. Open Space: minimum of 30%.
  - c. The Open Space and lot configuration shall be redesigned to meet §17.430.110.E and §17.430.110.F, including the requirement that “F. The open space shall be directly accessible to the largest practicable number of lots within the subdivision. Non-adjointing lots shall be provided with safe, convenient access to the open space.” The redesigned lot layout shall be approved by the Planning Director prior to submission of the application for a Preliminary Plat/ LDP application.
  - d. Buffers: A minimum 50 undisturbed buffer shall be retained around the perimeter except along the rights-of-way of Friendship Circle and Friendship Rd. These shall have a 25FT landscaped buffer which will provide dense screening of the development. The landscape plan shall be approved by the Planning Director prior to the issuance of the LDP.
  - e. Architectural standards: All facades of all residences, shall be finished with brick, stone, stucco, wood siding, wood shakes, or fiber cement type siding. The front facades shall incorporate changes in building material, texture, and/or color. **Vinyl siding on all residential and non-residential buildings shall be prohibited.**
5. A homeowners association shall be required to maintain the common ownership elements of the development.
6. The proposed Stormwater BMP (pond) shall be a part of the open space and shall be provided a county approved maintenance access.
7. Encroachment of state waters and stream buffers shall be allowed on individual lots, however encroachment into any of the 50 to 75 foot buffered area located on individual lots shall not be allowed, including any fencing, patios, construction improvements, or de-vegetation.
8. 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.”*

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

10. *This approval shall be valid for 12 months after sewage is available to this property.*

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

RECEIVED

APR 18 2022

Planning & Zoning Department



## ZONING APPLICATION

### Applicant (Name & Mailing Address)

Scott Puckett, Inc.

3215 Thompson Mill Road

Buford, GA 30519

Phone 678-761-4399

Email Address wspuckett@gmail.com

Proposed Use Residential Subdivision

### Property Owner (Name & Mailing Address)

Brenda B. Williams

3774 Friendship Circle

Buford, GA 30519

Phone \_\_\_\_\_

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

### Contact Person (Name & Mailing Address)

M. Tyler Smith - Smith, Gilliam, Williams & Miles, P.A.

P.O. Box 1098

Gainesville, GA 30503-1098

Phone 770-536-3381

Email Address tsmith@sgwmfirm.com

Tax Parcel Number 15048-00204

Location Address 3774 Friendship Circle, Buford, GA 30519

### Status of Applicant

☐ Owner

☐ Option to Purchase

☐ Area Resident

☐ Other

### Requested Action

Existing Zoning: R-3

Rezone to: PRD

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

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

Check #: 00027806

Acreage 1.5 acres of 3 acre tract

118.05±

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

Sign \_\_\_\_\_

Date: 4/14/2022

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

Application Withdrawal: I hereby withdraw the application.

Sign \_\_\_\_\_

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

### Staff Use Only

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

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

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

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

County Commission District: 3

2022-00069

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

RECEIVED

APR 18 2022

Planning & Zoning Department



## ZONING APPLICATION

**Applicant (Name & Mailing Address)**  
Scott Puckett, Inc.

**Property Owner (Name & Mailing Address)**  
Scott Puckett, Inc.

3215 Thompson Mill Road

3215 Thompson Mill Road

Buford, GA 30519

Buford, GA 30519

Phone 678-761-4399

Phone 678-761-4399

Email Address wspuckett@gmail.com  
Proposed Use Residential Subdivision

Email Address wspuckett@gmail.com

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

M. Tyler Smith

Smith, Gilliam, Williams & Miles, P.A.

P.O. Box 1098, Gainesville, GA 30503-1098  
770-536-3381

Phone \_\_\_\_\_  
Email Address tsmith@sgwmfirm.com

Tax Parcel Number 15048 000025C

Location Address 3746 Friendship Circle, Buford, GA 30519

**Status of Applicant**

**Requested Action**

☒ Owner

Existing Zoning: AR-III

☐ Option to Purchase

Rezone to: PRD

☐ Area Resident

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

☐ Other

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

Check #: 000 27803

Acreage 6.2 acres

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

Sign \_\_\_\_\_

Date: April 18, 2022

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

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

Sign \_\_\_\_\_

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

### Staff Use Only

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

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

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

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

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

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



## ZONING APPLICATION

Planning & Zoning Department

### Applicant (Name & Mailing Address)

Scott Puckett, Inc.

3215 Thompson Mill Road

Buford, GA 30519

678-761-4399

Phone \_\_\_\_\_

Email Address wspuckett@gmail.com

Proposed Use Residential Subdivision

### Property Owner (Name & Mailing Address)

Charles D. Bell, Alice Bell Pruett

Brenda Bell Williams, Sandra Bell Dowdy

3774 Friendship Circle

Buford, GA 30519

Phone \_\_\_\_\_

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

### Contact Person (Name & Mailing Address)

M. Tyler Smith

Smith, Gilliam, Williams & Miles, P.A.

P.O. Box 1098

Gainesville, GA 30503-1098

770-536-3381

Phone \_\_\_\_\_

Email Address tsmith@sghwmfirm.com

Tax Parcel Number 15048 000007

Acreage 37.98 acres

Location Address 3760 Friendship Circle, Buford, GA 30519

### Status of Applicant

☐ Owner

☒ Option to Purchase

☐ Area Resident

☐ Other

### Requested Action

Existing Zoning: AR-III

Rezone to: PRD

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

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

Check #: 00027805

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

Sign \_\_\_\_\_

Date: April 18, 2022

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

Application Withdrawal: I hereby withdraw the application.

Sign \_\_\_\_\_

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

### Staff Use Only

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

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

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

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

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

PLANNING AND DEVELOPMENT DEPARTMENT  
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504  
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RECEIVED  
APR 18 2022  
Planning & Zoning Department



## ZONING APPLICATION

### Applicant (Name & Mailing Address)

Scott Puckett, Inc.  
3215 Thompson Mill Road

Buford, GA 30519

Phone 678-761-4399

Email Address wspuckett@gmail.com

Proposed Use Residential Subdivision

### Property Owner (Name & Mailing Address)

David E. Williams  
Williams Family Holdings, LLP  
6855 Lake Sterling Boulevard

Flowery Branch, GA 30542

Phone \_\_\_\_\_

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

### Contact Person (Name & Mailing Address)

M. Tyler Smith  
Smith, Gilliam, Williams & Miles, P.A.

P.O. Box 1098  
Gainesville, GA 30503-1098

Phone 770-536-3381

Email Address tsmith@sgwmfirm.com

Tax Parcel Number 15048 000008

Location Address 3654 Friendship Road, Buford, GA 30519

### Status of Applicant

☐ Owner

☒ Option to Purchase

☐ Area Resident

☐ Other

### Requested Action

Existing Zoning: AR-III

Rezone to: PRD

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

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

Check #: 00027804

Acreage 70.87 acres

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

Sign [Signature] Date: 4/12/2022

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

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

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

### Staff Use Only

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

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

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



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



### AUTHORIZATION OF PROPERTY OWNERS

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

Name of owner(s) Brenda Bell Williams  
Address 3774 Friendship Cir.  
Buford, Georgia 30519  
Phone Number (678)316-7434

Name of applicant(s) Scott Puckett, Inc.  
Address 3215 Thompson Mill Rd.  
Buford, Georgia 30519  
Phone Number (678)761-4399

**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)

Brenda Bell Williams

Personally appeared before me

Brenda Bell Williams

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

Pamela B Jones  
Notary Public

2/3/2022  
Date

Pamela B Jones  
NOTARY PUBLIC  
Hall County, GEORGIA  
My Commission Expires 04/16/2025



PLANNING AND DEVELOPMENT DEPARTMENT  
2878 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30604  
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30603  
t: 770-531-6809 f: 770-531-3802



### AUTHORIZATION OF PROPERTY OWNERS

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

Name of owner(s) Charles D. Bell  
Address 3582 Carter Rd.  
Buford, Georgia 30518  
Phone Number (770)945-9683

Name of applicant(s) Scott Puckett, Inc.  
Address 3215 Thompson Mill Rd.  
Buford, Georgia 30519  
Phone Number (678)761-4399

**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)

Charles D. Bell

Personally appeared before me

Charles D. Bell

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

Pamela B Jones  
Notary Public

2/3/2022  
Date

Pamela B Jones  
NOTARY PUBLIC  
Hall County, GEORGIA  
My Commission Expires 04/16/2025

PLANNING AND DEVELOPMENT DEPARTMENT  
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30604  
MAILING ADDRESS: PO BOX 1495, GAINESVILLE, GA 30503  
t: 770-531-6809 f: 770-531-3902



### AUTHORIZATION OF PROPERTY OWNERS

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

Name of owner(s) Alice Bell Pruett  
Address 3592 Carter Rd.  
Buford, Georgia 30518  
Phone Number (770)540-3227

Name of applicant(s) Scott Puckett, Inc.  
Address 3215 Thompson Mill Rd.  
Buford, Georgia 30519  
Phone Number (678)761-4399

**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)

Alice Bell Pruett

Personally appeared before me

Alice Bell Pruett

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

Pamela B Jones  
Notary Public

2/3/2022  
Date

Pamela B Jones  
NOTARY PUBLIC  
Hall County, GEORGIA  
My Commission Expires 04/16/2025

PLANNING AND DEVELOPMENT DEPARTMENT  
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30604  
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30603  
t: 770-531-6809 | f: 770-531-3902



### AUTHORIZATION OF PROPERTY OWNERS

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

Name of owner(s) Sandra Bell Dowdy  
Address 4438 Strickland Rd.  
Flowery Branch, Georgia 30542  
Phone Number (678)897-1575

Name of applicant(s) Scott Puckett, Inc.  
Address 3215 Thompson Mill Rd.  
Buford, Georgia 30519  
Phone Number (678)761-4399

**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)

Sandra Bell Dowdy

Personally appeared before me

Sandra Bell Dowdy

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

Pamela B Jones

Notary Public

Pamela B Jones  
NOTARY PUBLIC  
Hall County, GEORGIA  
My Commission Expires 04/16/2025

2/3/2022  
Date



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



### AUTHORIZATION OF PROPERTY OWNERS

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

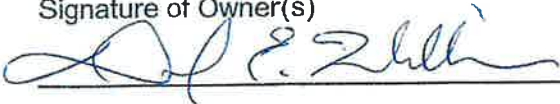
Name of owner(s) David E. Williams  
Address 1342 Fountain Dr.  
Sugar Hill, Georgia 30518  
Phone Number (404)386-4782

Name of applicant(s) Scott Puckett, Inc.  
Address 3215 Thompson Mill Rd.  
Buford, Georgia 30519  
Phone Number (678)761-4399

**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.**

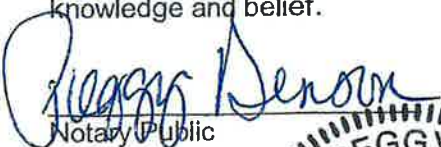
Signature of Owner(s)

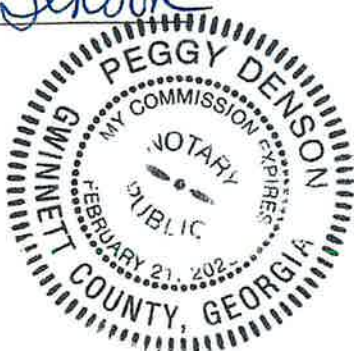


Personally appeared before me



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

  
Notary Public



Date 1/21/2022

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



### AUTHORIZATION OF PROPERTY OWNERS

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

Name of owner(s) Williams Family Holdings, LLLP

Address 6855 Lake Sterling Blvd.

Flowery Branch, GA 30542

Phone Number (678) 761-4399

Name of applicant(s) Scott Puckett, Inc.

Address 3215 Thompson Mill Rd.

Buford, GA 30519

Phone Number (678) 761-4399

**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) Williams Family Holdings, LLLP

By: Joan Williams  
Joan Williams, General Partner

Personally appeared before me

Peggy Denson

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

Peggy Denson  
Notary Public

Date 1/21/2022



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



## CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

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

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

- (b) When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant's application for the zoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:
- (3) The name and official position of the local government official to whom the campaign contribution was made; and
- (4) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- (b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

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

I have\*\* \_\_\_\_\_ I have not ☒

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

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

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

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

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

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

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

Date: 4/12/2022

Applicant's/Owner's Name (Printed): W. Scott Puckett, CEO

Scott Puckett, Inc.



PLANNING AND DEVELOPMENT DEPARTMENT  
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA. 30604  
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30603  
t: 770-531-6809 f: 770-531-3902



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

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

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

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

Applicant's/Owner's Signature: Brenda Bell Williams Date: 2-3-22

Applicant's/Owner's Name (Printed): Brenda Bell Williams

PLANNING AND DEVELOPMENT DEPARTMENT  
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30604  
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30603  
t: 770-531-6809 | f: 770-531-3902



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I have not ☒ \_\_\_\_\_

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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: Charles D. Bell

Date: 2-3-22

Applicant's/Owner's Name (Printed): Charles D. Bell



PLANNING AND DEVELOPMENT DEPARTMENT  
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30604  
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30603  
T: 770-531-6009 | F: 770-531-3902



## CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

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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: Alice Bell Pruett

Date: 2-3-22

Applicant's/Owner's Name (Printed): Alice Bell Pruett

PLANNING AND DEVELOPMENT DEPARTMENT  
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30604  
MAILING ADDRESS: PO BOX 1436, GAINESVILLE, GA 30603  
T: 770-531-6909 | F: 770-531-3902



## CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

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

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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: Sandra Bell Dowdy Date: 2-3-22

Applicant's/Owner's Name (Printed): Sandra Bell Dowdy

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



## CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

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

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

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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): n/a

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

Dollar Amount: n/a

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

Applicant's/Owner's Signature: [Signature]

Date: 1/21/2022

Applicant's/Owner's Name (Printed): David E. Williams



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



## CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

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

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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: Williams Family Holdings per Joan Williams Date: 1/21/22

Williams Family Holdings, LLLP by Joan Williams, General Partner  
Applicant's/Owner's Name (Printed): \_\_\_\_\_

**Revised Project Narrative**  
**Rezoning Applications of Scott Puckett, Inc.**

October 3, 2022

Scott Puckett, Inc. presents this revised narrative regarding its application to rezone four tracts of property to PRD for a Planned Residential Development. The PRD includes four parcels:

<u>Tax Parcel</u>	<u>Size</u>	
15048 000025C	6.2 acres	
15048 000007	37.98 acres	
15048 000008	70.87 acres	
15048 000204	3.0 acres	(PRD includes 1.5 acres for entrance)

Provided with this Project Narrative is a revised proposed site plan dated September 29, 2022. Included with the applications are renderings for the proposed single-family and townhomes.

**§ 17.180.060: Planned Residential Development (PRD)**

**A. Characteristics**

The proposed design allows for flexible placement, arrangement, and orientation of residential structures given the property's characteristics, including streams located on the property. The subdivision will be a mixed-use development consisting of single-family homes and townhomes. The community will have two entrances with landscaping and monuments. The proposed design will maximize natural features through creative site planning. Grading will be in accordance with site characteristics, topography, and the presence of streams.

**B.1: Proposed Size, Location, Number of Units, and Number of Bedrooms of All Residential Structures**

The proposed development includes a total of 116 acres. The site plan for the subject tract provides for 209 Single Family Residential lots with amenities on 89.95 acres (the "Single Family Section") and 140 Town Home units on 26.05 acres (the "Town Home Section"). Each residence will be a one-story or two-story home and will not exceed a height of 35 feet.

The Town Home Section incorporates zero lot lines for Town Home Lots. Rear entry town homes are not feasible on the site given the topography. However, the Town Home lots include the home site, back yard, front yard areas, and front driveways (approximately 40 feet in length and 20 feet wide) extending to the street right-of-way.

Overall density for the entire property is approximately 3.01 units per acre. Divided among the Sections, the density of the Single Family Section is 2.32 units per acre, and the density of the Town Home Section is 5.37 units per acre.

The single-family homes will be 2000-2500 square feet of conditioned area. The single-family homes will have 3-5 bedrooms.

The town homes will have 1600-1800 square feet of conditioned area. The town homes will have 3-4 bedrooms.

#### B.2: Streets and Common Open Spaces

The project will include an open space/common area of 36.96 acres total, approximately 31% of the total site area. (Stormwater management ponds are included in the open space/common area. If the stormwater management ponds are excluded, the open space/common area comprises approximately 25% of the total site area.) Of the total 35.46 acres of open space/common area, 30.35 acres is included within the Single-Family Section and 5.11 acres is included within the Town Home Section. The common areas are to include an open-air cabana for the pool. Other amenities include but are not limited to a dog park, an open-air covered pavilion with outdoor rated bodyweight workout equipment, and grilling/gathering spaces for the residents.

The mailbox kiosks will be strategically placed throughout the development.

The front of the townhomes will have a 40-foot driveway behind the right of way to allow for additional parking in the driveways. This is done to decrease or eliminate cars from parking on the streets. Please see the site rendering for an example of the town home parking.

The development will include sidewalks 5 feet wide. The development will include at least 1,500 linear feet of walking trails with a minimum width of 4 feet.

#### B.3: Architectural Style and Proposed Siding

The architectural style of the Single Family and townhome residence community will be a traditional 1-2 story single-family detached home with 2-car garages. The architectural renderings are included for both single-family residences and town homes. The homes will have brick and stone accents on the front of the homes. The remaining front facade will be Board and Batten, shake or lap fiber cement siding. The sides and rear of the home will be fiber cement lap siding. The facades of all residences will comply with § 17.180.060.B.9.a of the Hall County Code.

#### B.4: Development Controls

Each Single-Family residential lot will have a minimum width of 60 feet. The Townhomes will have a minimum width of 24 feet. All grass areas and all front and side yards will be sodded. There will be a minimum of 10 feet between structures.

There will be a 50-foot undisturbed buffer along the perimeter of the property, which shall be excluded from the individual lots. **There will be a 75-foot impervious stream buffer, inclusive of a 50-foot undisturbed stream buffer, from the top of the stream bank (point of rested vegetation). Some of the stream buffer area will be included as a part of the individual lots (subject to the buffer requirements). If a variance is allowed for inclusion of those stream buffer areas within the lots, Scott Puckett, Inc. requests that the variance be allowed.**

#### B.5: Commercial Uses

Currently, no intended commercial uses are included with the development.

#### B.6: Development Schedule

The proposed use is planned residential development. Depending upon permitting and approvals, the applicant anticipates a 12 to 36-month development period.

## **Project Narrative**

Scott Puckett, Inc. presents this narrative regarding its application to rezone four tracts of property to PRD for a Planned Residential Development. The PRD includes four parcels:

<u>Tax Parcel</u>	<u>Size</u>	
15048 000025C	6.2 acres	
15048 000007	37.98 acres	
15048 000008	70.87 acres	
15048 000204	3.0 acres	(PRD includes 1.5 acres for entrance)

Provided with this Project Narrative is a proposed site plan and renderings for the proposed single-family and townhomes.

### **§ 17.180.060: Planned Residential Development (PRD)**

#### **A. Characteristics**

The proposed design allows for flexible placement, arrangement, and orientation of residential structures given the property's characteristics, including streams located on the property. The subdivision will be a mixed-use development consisting of single-family homes and townhomes. The community will have two entrances with landscaping and monuments. The proposed design will maximize natural features through creative site planning. Grading will be in accordance with site characteristics, topography, and the presence of streams.

#### **B.1: Proposed Size, Location, Number of Units, and Number of Bedrooms of All Residential Structures**

The proposed development includes a total of 108.5 acres. The site plan for the subject tract provides for 209 Single Family Residential lots with amenities on 90.5 acres and 140 Town Home units on 18 acres. Each residence will be a one-story or two-story home and will not exceed a height of 35 feet.

The single-family home will be 2000-2500 square feet of conditioned area. The single-family homes will have 3-5 bedrooms.

The townhomes will have 1600-1800 square feet of conditioned area. The townhomes will have 3-4 bedrooms

#### **B.2: Streets and Common Open Spaces**

The project will include an open space/common area of 28.60 acres for the Single Family residences and 14.1 acres for the Townhomes. The common areas are to include an open-air cabana for the pool. Other amenities include but are not limited to a dog park, an open-air



covered pavilion with outdoor rated bodyweight workout equipment, and grilling/gathering spaces for the residents.

The mailbox kiosks will be strategically placed throughout the development.

The front of the townhomes will have a 40-foot driveway behind the right of way to allow for additional parking in the driveways. This is done to decrease or eliminate cars from parking on the streets. Please see the site rendering, for an example, of the townhome parking.

### B.3: Architectural Style and Proposed Siding

The architectural style of the Single Family and townhome residence community will be a traditional 1-2 story single-family detached home with 2-car garages. The architectural renderings are included for both single-family residences and town homes. The homes will have brick and stone accents on the front of the homes. The remaining front facade will be Board and Batten, shake or lap fiber cement siding. The sides and rear of the home will be fiber cement lap siding.

### B.4: Development Controls

Each Single-Family residential lot will have a minimum width of 60 feet. The Townhomes will have a minimum width of 24 feet. All grass areas and all front and side yards will be sodded. There will be a 50-foot undisturbed buffer along the perimeter of the property.

### B.5: Commercial Uses

Currently, no intended commercial uses are included with the development.

### B.6: Development Schedule

The proposed use is planned residential development. Depending upon permitting and approvals, the applicant anticipates a 12 to 36-month development period.















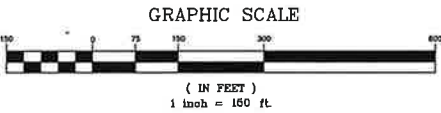
BY	DATE	REVISIONS



SINGLE FAMILY RESIDENTIAL  
209 LOTS

TOWN HOMES  
140 UNITS

TYPICAL TOWNHOME LAYOUT  
NOT TO SCALE



407 East Maple Street, Suite 107,  
Cumming, Georgia, 30040  
Tel: (770) 781-5507  
oneatlas.com

RESIDENTIAL MASTER PLAN  
FRIENDSHIP ROAD / FRIENDSHIP CIRCLE / RIDGE ROAD  
HALL COUNTY, GEORGIA  
FOR  
SCOTT PUCKETT, INC.

SHEET NO.:  
**C1.0**

HORIZONTAL SCALE  
1" = 150'  
VERTICAL SCALE  
N/A

DATE: 09-27-21  
DRAWN BY: NAA  
CHECKED BY: EWB  
JOB NO.: 21-5000-G101



DEVELOPMENT INFORMATION  
(SINGLE FAMILY RESIDENTIAL)

PROPOSED ZONING: PRD  
SINGLE FAMILY AREA: 90.5 ACRES  
PROPOSED USE: 209 SINGLE FAMILY RESIDENTIAL LOTS  
61.90 ACRES  
GROSS DENSITY: 2.31 LOTS / AC.  
PROPOSED COMMON AREA: 28.60 AC.  
PROPOSED MIN. WIDTH: 60' WIDE  
PROPOSED MIN. LOT AREA: 8,000 SF  
SETBACKS:  
FRONT YARD: 25'  
SIDE YARD: 5'  
REAR YARD: 20'

BY	DATE	REVISIONS

GENERAL NOTES

- ALL LOTS TO BE SEVERED BY HALL COUNTY SANITARY SEWER.
- WATER SERVICE PROVIDED BY CITY OF GAINESVILLE.
- A 50' FOOT UNDISTURBED VEGETATIVE BUFFER ADJACENT TO ALL RUNNING STREAMS AND CREEKS WILL BE LEFT AND MAINTAINED.
- HALL COUNTY WILL MAKE THE DETERMINATION OF STREAMS WITH BUFFERS.
- TOPOGRAPHIC INFORMATION BASED ON HALL COUNTY GIS.
- SITE PLAN IS CONCEPTUAL IN NATURE AND IS SUBJECT TO CHANGE BASED ON ACTUAL FIELD CONDITIONS.
- A 50' UNDISTURBED BUFFER IS LOCATED AT PERIMETER OF PROPERTY.

DEVELOPMENT INFORMATION  
(TOWN HOME RESIDENTIAL)

PROPOSED ZONING: PRD  
PROPERTY AREA: 18.00 AC.  
PROPOSED USE: 140 TOWN HOME UNITS  
GROSS DENSITY: 7.78 UNITS / AC.  
PROPOSED COMMON AREA: 14.1 AC.  
PROPOSED MIN. WIDTH: 24' WIDE  
PROPOSED MIN. LOT AREA: 1,200 SF

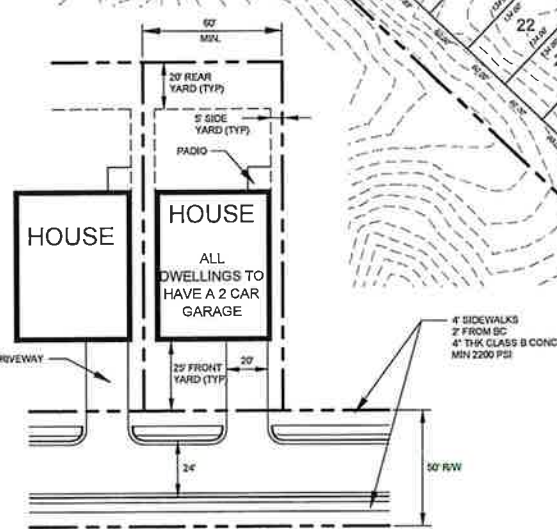
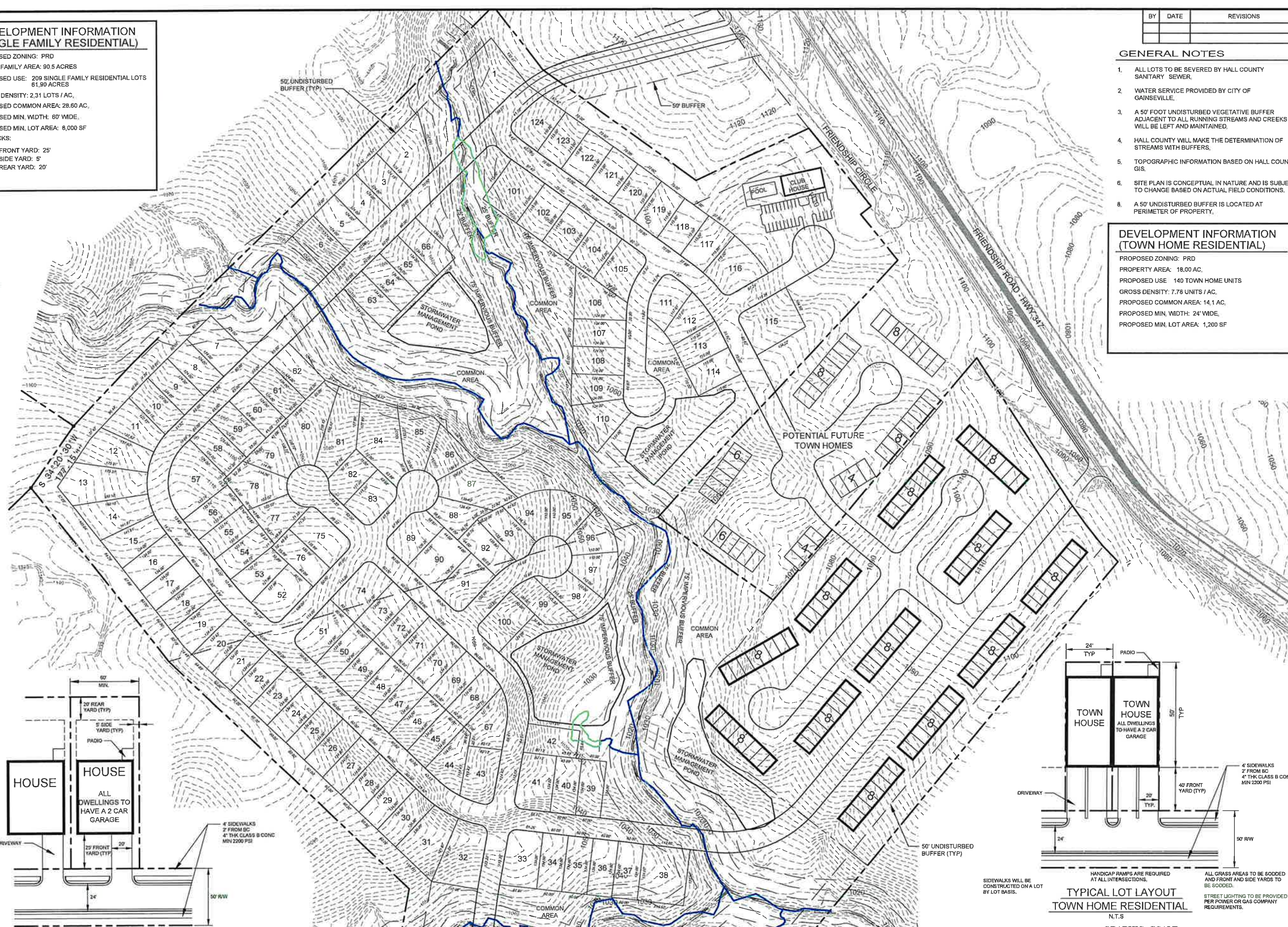
**ATLAS**  
407 East Maple Street, Suite 107,  
Cumming, Georgia 30040  
Tel: (770) 761-6607  
oneatlas.com



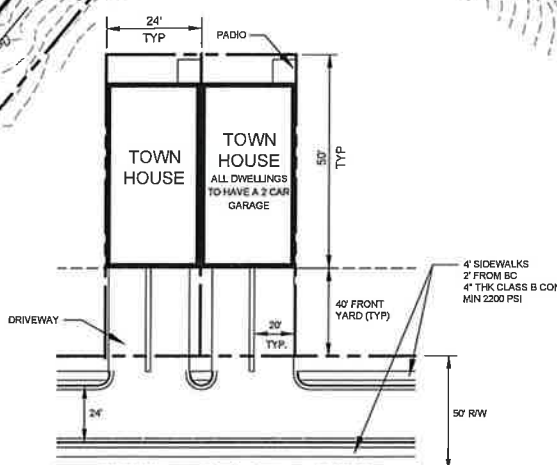
RESIDENTIAL MASTER PLAN  
FRIENDSHIP ROAD / FRIENDSHIP CIRCLE / RIDGE ROAD  
HALL COUNTY, GEORGIA  
FOR  
SCOTT PUCKETT, INC.

SHEET NO:  
**C1**

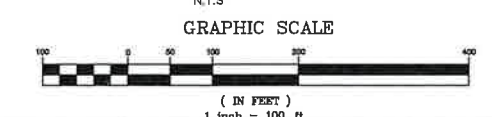
HORIZONTAL SCALE:  
1" = 100'  
VERTICAL SCALE:  
N/A  
DATE: 01-13-22  
DRAWN BY: NAA  
CHECKED BY: EWB  
JOB NO.: 21-5000-G101



TYPICAL LOT LAYOUT  
(SINGLE FAMILY RESIDENTIAL)  
N.T.S.



TYPICAL LOT LAYOUT  
TOWN HOME RESIDENTIAL  
N.T.S.



SEE SHEET C2 FOR CONTINUATION



SEE SHEET C1 FOR CONTINUATION

BY	DATE	REVISIONS



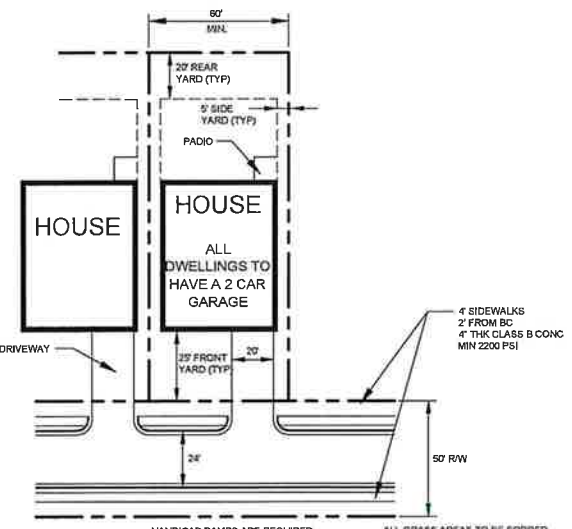
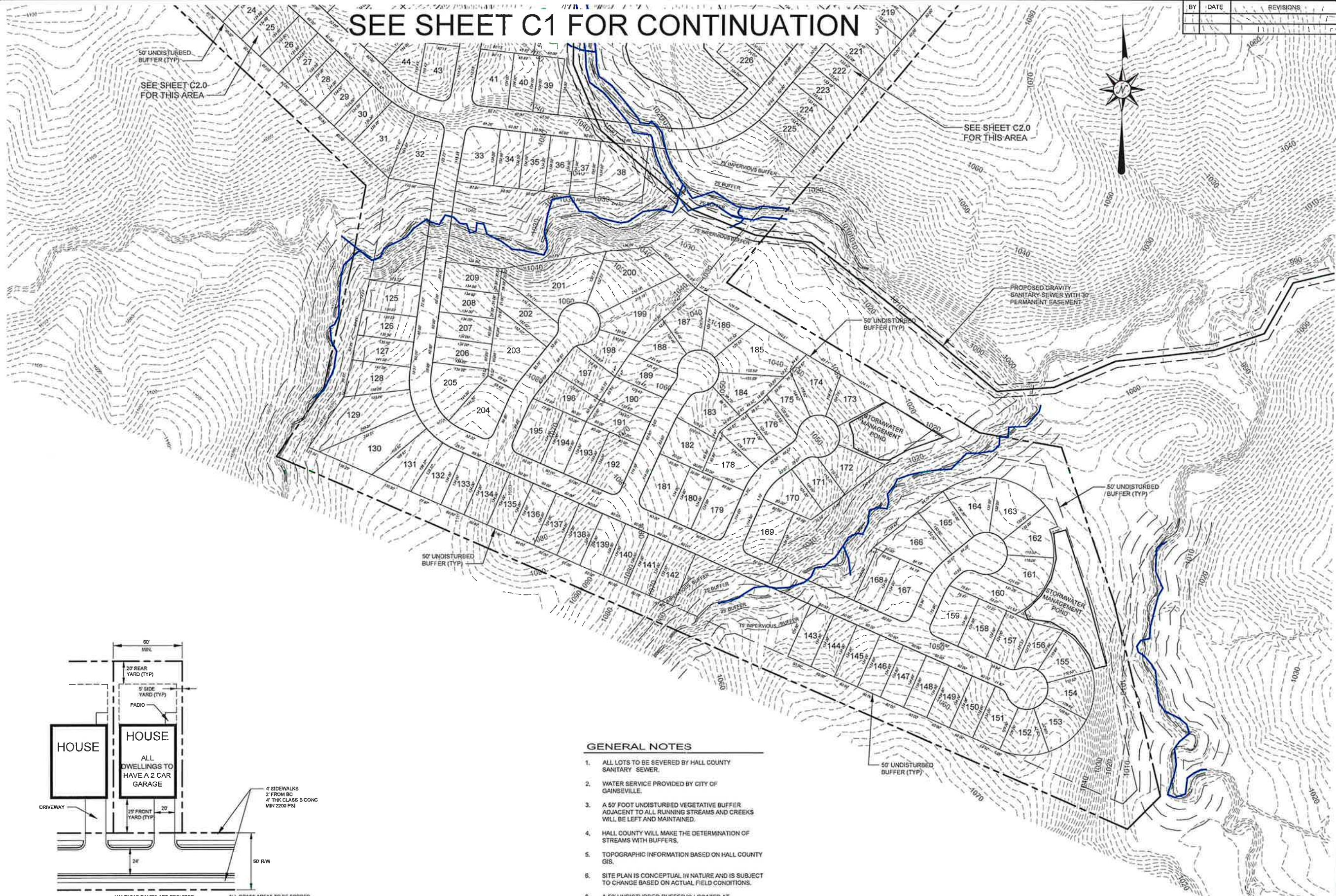
**ATLAS**  
407 East Maple Street, Suite 107,  
Cumming, Georgia 30040  
Tel: (770) 781-8607  
oneatlas.com



RESIDENTIAL MASTER PLAN  
FRIENDSHIP ROAD / FRIENDSHIP CIRCLE / RIDGE ROAD  
FOR  
HALL COUNTY, GEORGIA  
SCOTT RUCKETT, INC.

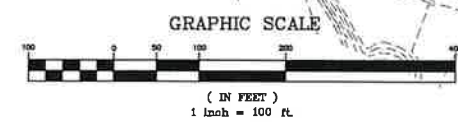
SHEET NO.:  
**C2**

HORIZONTAL SCALE:  
1" = 100'  
VERTICAL SCALE:  
N/A  
DATE: 10-28-21  
DRAWN BY: NAA  
CHECKED BY: EWB  
JOB NO.: 21-5000-G101



**GENERAL NOTES**

1. ALL LOTS TO BE SEVERED BY HALL COUNTY SANITARY SEWER.
2. WATER SERVICE PROVIDED BY CITY OF GAINESVILLE.
3. A 50' FOOT UNDISTURBED VEGETATIVE BUFFER ADJACENT TO ALL RUNNING STREAMS AND CREEKS WILL BE LEFT AND MAINTAINED.
4. HALL COUNTY WILL MAKE THE DETERMINATION OF STREAMS WITH BUFFERS.
5. TOPOGRAPHIC INFORMATION BASED ON HALL COUNTY GIS.
6. SITE PLAN IS CONCEPTUAL IN NATURE AND IS SUBJECT TO CHANGE BASED ON ACTUAL FIELD CONDITIONS.
7. A 50' UNDISTURBED BUFFER IS LOCATED AT PERIMETER OF PROPERTY.



SIDEWALKS WILL BE CONSTRUCTED ON A LOT BY LOT BASIS.  
HANDICAP RAMPS ARE REQUIRED AT ALL INTERSECTIONS.  
ALL GRASS AREAS TO BE SOLOD AND FRONT AND SIDE YARDS TO BE SOLOD.  
STREET LIGHTING TO BE PROVIDED PER POWER OR GAS COMPANY REQUIREMENTS.

**TYPICAL LOT LAYOUT**  
**(SINGLE FAMILY RESIDENTIAL)**  
N.T.S.



THE CERTIFICATION, AS SHOWN HEREON, IS PURELY A STATEMENT OF PROFESSIONAL OPINION BASED ON KNOWLEDGE, INFORMATION AND BELIEF, AND BASED ON EXISTING FIELD EVIDENCE AND DOCUMENTARY EVIDENCE AVAILABLE. THE CERTIFICATION IS NOT AN EXPRESSED OR IMPLIED WARRANTY OR GUARANTEE.

SURVEYOR CERTIFICATION:  
 AS REQUIRED BY SUBSECTION (2) 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 RECORDATION. THE SURVEYOR HAS REVIEWED ALL CALCULATIONS,  
 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  
 SURVEYING 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

NO PORTION OF SUBJECT PROPERTY LIES  
WITHIN A DESIGNATED 100 YEAR FLOOD  
HAZARD AREA AS DEPICTED BY SCALED MAP  
LOCATION AND GRAPHIC PLOTTING ONLY PER  
F.I.R.M. PANEL NO. 13139C0293 G, DATED  
APRIL 4, 2018

THIS PROPERTY ~~IS NOT~~ LOCATED IN THE  
HALL COUNTY FUTURE FLOOD ZONE PER  
HALL COUNTY GIS.

STRUCTURES VISIBLE ON THE DATE OF SURVEY ARE SHOWN HEREON

"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. (HALL COUNTY CODE § 8.170.070)"

NOTES:  
1) PROPERTY IS CURRENTLY ZONED AR-DL  
2) ALL IPS ARE 1/2" REBAR WITH PLASTIC CAPS.  
3) LOT TO BE SERVED BY ON-SITE SEWAGE SYSTEMS.  
4) NO LOT CAN BE RE-SUBDIVIDED WITHOUT GOING THRU THE  
HALL COUNTY SUBDIVISION PROCESS.

Owner's dedication certificate  
(COUNTY OF HALL)

The owner of the land shown on this plat and whose name is subscribed thereto, and in person or through a duly authorized agent, acknowledges that this plat was made from an actual survey and dedicates to the use of the public forever, all streets, parks, drains, easements, and public grounds thereon shown, which comprise a total of 0.00 acres, for the purposes therein expressed.

Owner Erica J. Williams

Date 4-19-2022

HALL COUNTY ENGINEERING

11/15/2021  
DATE

HALL COUNTY PLANNING

DATE 11/17/2014

HALL COUNTY HEALTH

11/16/21  
DATE

RECORDING PERMIT

BY [Signature] 11/13/2024  
HALL COUNTY PLANNING COMMISSION

HALL COUNTY  
DEPT. OF  
PUBLIC  
HEALTH  
EPM  
#2046

A TOPCON GTS-235 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 46,761 FEET AND AN ANGULAR ERROR OF 02" PER ANGLE POINT, AND WAS ADJUSTED USING THE LEAST SQUARES METHOD.

THIS MAP OR PLAT HAS BEEN CALCULATED  
FOR CLOSURE AND IS FOUND TO BE  
ACCURATE WITHIN ONE FOOT IN 181,903  
FEET AND CONTAINS 3.00 ACRES.

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.

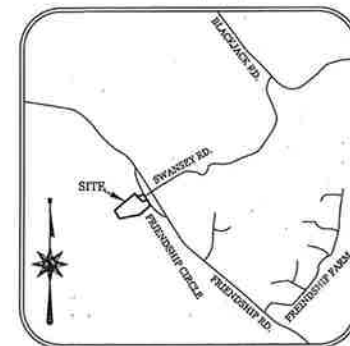
INFORMATION REGARDING THE ALLEGED PRESENCE, SIZE, CHARACTER AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS DRAWING. ALSO, UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. LACKING EXCAVATION, THE EXACT LOCATION OF UNDERGROUND FEATURES CANNOT BE ACCURATELY, COMPLETELY, AND RELIABLY DEPICTED. THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS AND HIS CONTRACTORS SHALL HEREBY DISTINCTLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION.

THIS FLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY NAMED IN THE CERTIFICATE HEREON. SAID CERTIFICATE DOES NOT EXTEND TO ANY UNNAMED PERSON WITHOUT AN EXPRESS RECERTIFICATION BY THE SURVEYOR NAMING SAID PERSON.

REFERENCES:

1. QUIT CLAIM DEED RECORDED IN DEED BOOK 7089, PAGE 810, HALL COUNTY RECORDS
2. MINOR SUBDIVISION PLAT RECORDED IN PLAT BOOK 845, PAGE 222, AFORESAID RECORDS
3. GEORGIA DEPARTMENT OF TRANSPORTATION PROJECT NO. ST-978(4) OF HALL COUNTY.
4. PLAT FOR FRIENDSHIP BAPTIST CHURCH PREPARED BY OWEN PATTON DATED 4/25/1967.
5. PROPERTY OF MRS. JUBY PUCKETT PREPARED BY OWEN PATTON DATED 9/17/1968.
6. PLAT FOR JANCIE A. CHANDLER PREPARED BY OWEN PATTON DATED 6/1/1969.
7. PROPERTY OF E. B. DEATON ESTATE PREPARED BY OWEN PATTON DATED 9/25/1968.
8. FRIENDSHIP BAPTIST CHURCH CEMETERY PREPARED BY OWEN PATTON DATED 12/21/1967.
9. SURVEY FOR EDGAR F. WILLIAMS PREPARED BY OWEN PATTON DATED 12/27/1961.

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR  
PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF  
THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND  
SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.



VICINITY MAP  
(NOT TO SCALE)



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 § 8.180.120 AND § 8.180.130)  
(PREVIOUS PARENT PARCEL NO. 15048 000204)

LEGEND

[illegible]

**EXEMPTION PLAT FOR:**

BRENDA BELL WILLIAMS

**GEORGIA PREMIER  
LAND SERVICES, INC.**  
PROFESSIONAL LAND SURVEYING  
3010 HAMILTON MILL ROAD  
BUPORD, GEORGIA 30519  
(770) 614-3004, FAX (770) 614-9956  
LAND SURVEYING COA #117



LOCATED IN FRIENDSHIP GMD 1419 - HALL COUNTY, GA. SCALE 1"=100'



DATE	NO	DESCRIPTION
------	----	-------------

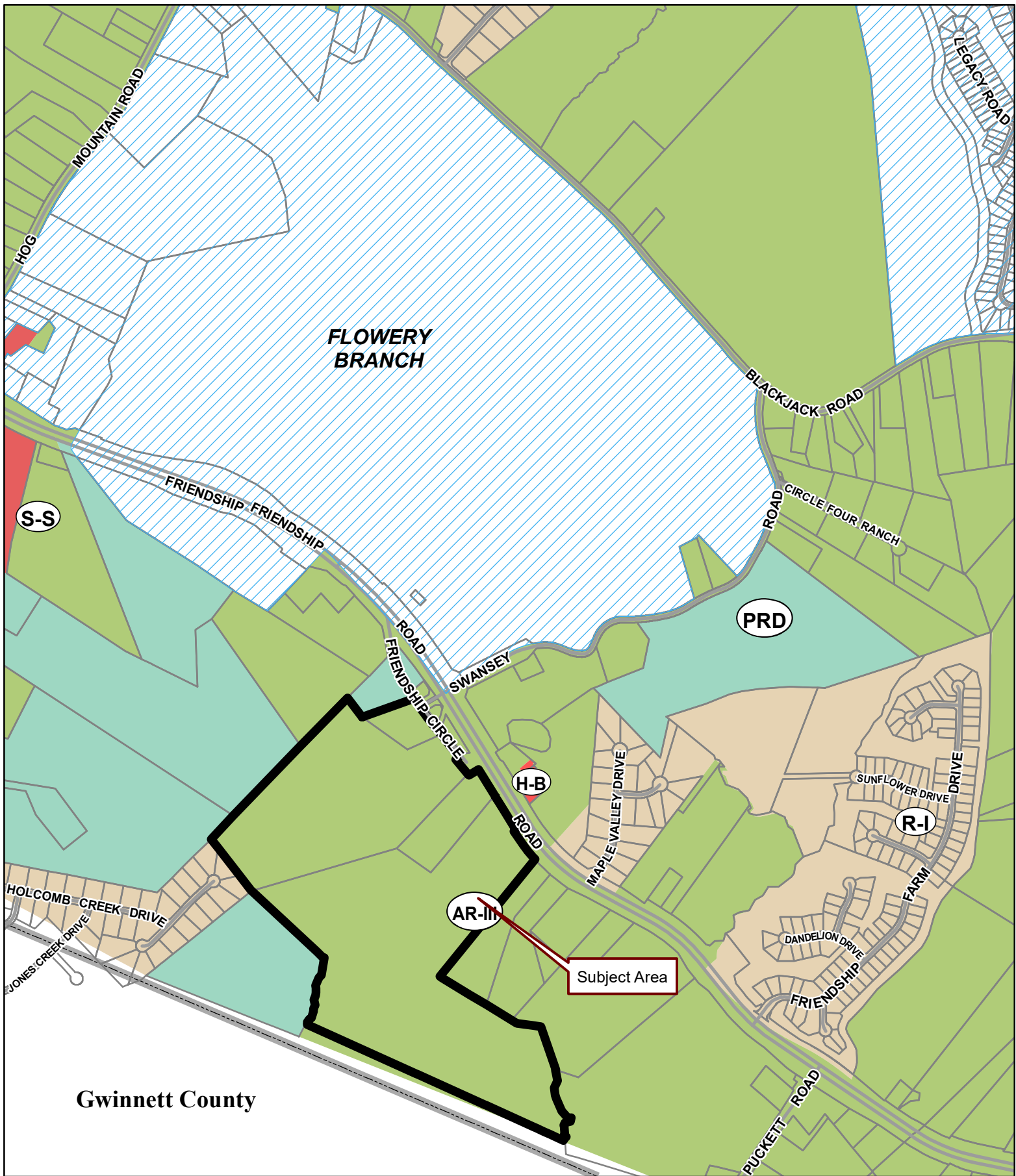
10/11/01

21361

DRAWN BY

1 of 1



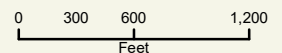


**Applicant:** SCOTT PUCKETT, INC.

**Tax Parcel #:** 15048 000007-000008, 000025C, 000204

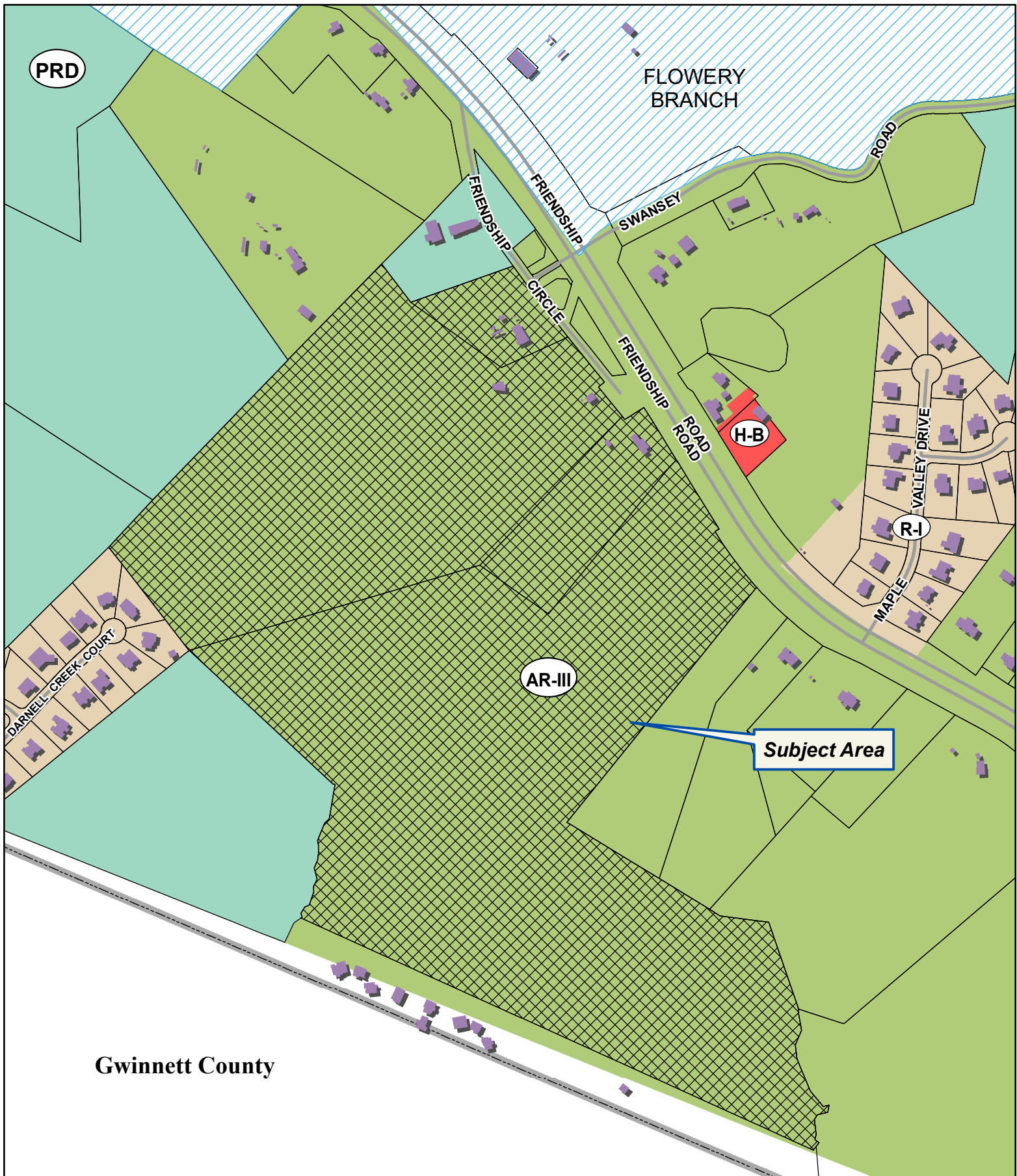
**Location:** 3760, 3746, 3774 FRIENDSHIP CIRCLE, & 3654 FRIENDSHIP ROAD,  
BUFORD, GA 30519

**Commission District 1**      **PC Mtg. Date:** 09/06/2022



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





**Applicant:** SCOTT PUCKETT, INC.

**Tax Parcel #:** 15048 000007-000008, 000025C, 000204

**Location:** 3760, 3746, 3774 FRIENDSHIP CIRCLE, & 3654 FRIENDSHIP ROAD,  
BUFORD, GA 30519

**Commission District 1**

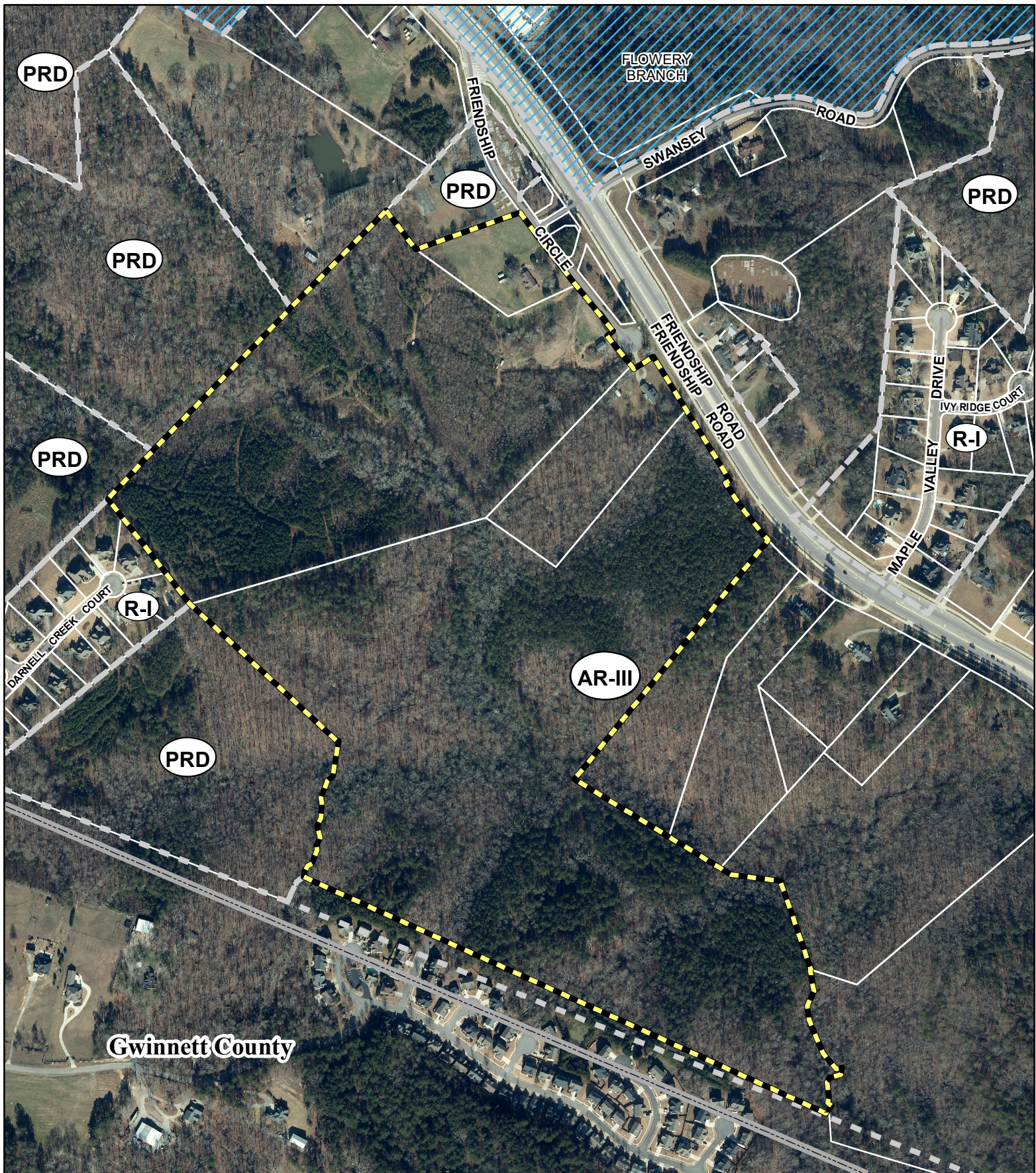
**PC Mtg. Date:** 09/06/2022

0 100 200 400  
Feet

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







**Applicant:** SCOTT PUCKETT, INC.

**Tax Parcel #:** 15048 000007-000008, 000025C, 000204

**Location:** 3760, 3746, 3774 FRIENDSHIP CIRCLE, & 3654 FRIENDSHIP ROAD,  
BUFORD, GA 30519

**Commission District 1**

**PC Mtg. Date:** 09/06/2022

0 150 300 600  
Feet

— Zoning Boundary

City Limits

Subject Area

N



























04077  
0185

042105

GEORGIA, HALL COUNTY, CLERK  
SUPERIOR COURT FILED IN OFFICE  
AND RECORDED IN BOOK 4077  
PAGE(S) 185-186 THIS 31  
DAY OF Dec 20 01 AT 11:10 AM  
DWIGHT S. WOOD, CLERK BY DE  
4150

000185

→ After Recording Return To: W. Carter Bates III; James, Bates, Pope & Spivey, LLP, P. O. Box 4283, Macon, GA 31208-4283 (742-4280)

**QUITCLAIM DEED**

STATE OF GEORGIA  
COUNTY OF HALL

THIS QUITCLAIM DEED is made and entered into as of this 1st day of December, 2001, by and between EDGAR F. WILLIAMS, JR. and HELEN DEATON WILLIAMS (hereinafter referred to as "Grantors"), and WILLIAMS FAMILY HOLDINGS, LLLP, a Georgia limited liability limited partnership, its successors, successors-in-title, and assigns (hereinafter referred to as "Grantee").

**WITNESSETH:**

That Grantors, for good and valuable consideration, the receipt of which is hereby acknowledged, have bargained, sold and do by these presents bargain, sell, remise, release and forever quitclaim to Grantee, its successors, successors-in-title and assigns, an UNDIVIDED ONE-HALF (1/2) INTEREST IN all of their right, title, interest, claim or demand to the real property more particularly described on Exhibit A attached hereto and by this reference incorporated herein, together with all the rights, members and appurtenances to the said described premises in anywise appertaining or belonging (the "Property").

TO HAVE AND TO HOLD the said described premises unto Grantee, its successors, successors-in-title and assigns, so that neither the Grantors nor any person or persons claiming under Grantors shall at any time, claim or demand any right, title or interest to the aforesaid described premises or its appurtenances.

HALL COUNTY, Georgia  
Real Estate Transfer Tax

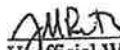
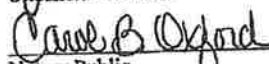
Paid \$ 0  
Date 12-21-01  
DWIGHT S. WOOD  
Clerk Superior Court  
By PK

IN WITNESS WHEREOF, Grantors have hereunto set their hands and affixed their seals as of the day and year above written.

GRANTORS:

 (SEAL)  
EDGAR F. WILLIAMS, JR.

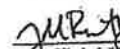
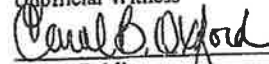
Signed, sealed and delivered  
in the presence of:

  
Unofficial Witness  
  
Notary Public

Commission expiration date:  CAROL B. OXFORD  
Notary Public  
STATE OF GEORGIA  
My Comm. Exp. 10/29/05  
[NOTARIAL SEAL]

 (SEAL)  
HELEN DEATON WILLIAMS

Signed, sealed and delivered  
in the presence of:

  
Unofficial Witness  
  
Notary Public

Commission expiration date:  CAROL B. OXFORD  
Notary Public  
STATE OF GEORGIA  
My Comm. Exp. 10/29/05  
[NOTARIAL SEAL]



EXHIBIT A

000187

TRACT ONE:

All of that small portion of road right of way located in Friendship Militia District of Hall County, Georgia as is shown on Tax Map 48 and on a plat made for Mrs. Ruby Puckett by Patton, Fless & Associates, Surveyors dated September 16, 1968 recorded in Plat Book 40, page 153, Hall County records being an abandoned portion of the old right of way of Friendship Circle from the intersection of said right of way with the southerly right of way of Friendship Road thence extending approximately 0.12 miles in a Northwesterly direction to the intersection with the current right of way of Friendship Circle.

TRACT TWO:

All of that tract and parcel of land lying and being in Friendship Militia District, Hall County, Georgia, and Puckett's Militia District, Gwinnett County, Georgia, containing 85.32 acres according to plat of survey of N. B. Deaton Estate prepared by Patton, Fless and Associates, Surveyors, April 22, 1968, said plat being recorded in Plat Book 40, pages 154-155, Hall County Records, and Plat Book Q, page 191, Gwinnett County Records, and being more particularly described as follows:

BEGINNING at a point where an old road crosses creek, marked by a "X" on rock under bridge, at property of Mrs. Ruby Puckett, and running thence South 59 degrees East along property of Mrs. Ruby Puckett a distance of 890.8 feet to a rock corner; thence South 79 degrees 47 minutes East a distance of 197.8 feet to an iron pin corner; thence South 21 degrees 29 minutes East a distance of 380.4 feet to a Maple tree; thence South 27 degrees 36 minutes East a distance of twenty (20) feet to a point in the center of creek; thence in a southerly direction along the center line of said creek, traverse lines from said survey being South 08 degrees 24 minutes West for 75 feet, and South 05 degrees 04 minutes West for 157 feet, and South 19 degrees 56 minutes East for 146 feet, and South 05 degrees 50 minutes East for 125 feet to an iron pin corner with property of George Smith near the County Line; thence South 36 degrees 53 minutes West along property of Smith and property of V. R. Puckett a distance of 706.7 feet to an iron pin corner; thence North 60 degrees 54 minutes West along property of Deaton Estate owned now or formerly by Edith Deaton Morton a distance of 2,080 feet to a point at a branch; thence in a Northerly direction along the center line of said branch, being property line of Glenn Jones, traverse lines from said survey being North 25 degrees 53 minutes East for 115.5 feet, and North 28 degrees 04 minutes East for 109.6 feet, and North 03 degrees 38 minutes West for 118.1 feet, and North 31 degrees 17 minutes East for 170 feet, and North 11 degrees 57 minutes East for 145.4 feet, and North 14 degrees 13 minutes East for 214 feet to an iron pin at a Poplar tree; thence North 09 degrees 17 minutes East along property of Jones a distance of 159.5 feet to a rock corner; thence North 46 degrees 31 minutes West along property of Jones a distance

EXHIBIT A CONTINUED

of 727.5 feet to an iron pin corner at a Red Oak tree; thence North 71 degrees 16 minutes East along property of Howell Ball a distance of 1,214 feet to a corner at a White Oak tree; thence South 54 degrees 10 minutes East a distance of 822.7 feet to an iron pin corner at property of Mrs. Ruby Puckett; thence South 47 degrees 33 minutes West along property of Mrs. Ruby Puckett a distance of 670.6 feet to the point of beginning.

Said property is conveyed subject to the terms and conditions set forth in the conveyance to Mrs. Helen Deaton Williams recorded at Deed Book 309, page 118, Gwinnett County Records and Deed Book 384, pages 439-440, Hall County Records.

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0185

042105

GEORGIA, HALL COUNTY, CLERK  
SUPERIOR COURT FILED IN OFFICE  
AND RECORDED IN BOOK 4077  
PAGE(S) 185-188 THIS 31  
DAY OF Dec 20 01 AT 11:10 AM  
DWIGHT S. WOOD, CLERK BY DA  
4150

000185

After Recording Return To: W. Carter Bates III; James, Bates, Pope & Spivey, LLP, P. O. Box 4283, Macon, GA 31208-4283 (742-4280)

**QUITCLAIM DEED**

STATE OF GEORGIA  
COUNTY OF HALL

THIS QUITCLAIM DEED is made and entered into as of this 1st day of December, 2001, by and between EDGAR F. WILLIAMS, JR. and HELEN DEATON WILLIAMS (hereinafter referred to as "Grantors"), and WILLIAMS FAMILY HOLDINGS, LLLP, a Georgia limited liability limited partnership, its successors, successors-in-title, and assigns (hereinafter referred to as "Grantee").

**WITNESSETH:**

That Grantors, for good and valuable consideration, the receipt of which is hereby acknowledged, have bargained, sold and do by these presents bargain, sell, remise, release and forever quitclaim to Grantee, its successors, successors-in-title and assigns, an UNDIVIDED ONE-HALF (1/2) INTEREST IN all of their right, title, interest, claim or demand to the real property more particularly described on Exhibit A attached hereto and by this reference incorporated herein, together with all the rights, members and appurtenances to the said described premises in anywise appertaining or belonging (the "Property").

TO HAVE AND TO HOLD the said described premises unto Grantee, its successors, successors-in-title and assigns, so that neither the Grantors nor any person or persons claiming under Grantors shall at any time, claim or demand any right, title or interest to the aforesaid described premises or its appurtenances.

HALL COUNTY, Georgia  
Real Estate Transfer Tax

Paid \$ 0  
Date 12-21-01  
DWIGHT S. WOOD  
Clerk Superior Court  
By DA

IN WITNESS WHEREOF, Grantors have hereunto set their hands and affixed their seals as of the day and year above written.

GRANTORS:

Edgar F. Williams, Jr. (SEAL)  
EDGAR F. WILLIAMS, JR.

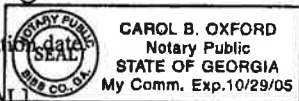
Signed, sealed and delivered  
in the presence of:

JURAT  
Unofficial Witness

Carol B. Oxford  
Notary Public

Commission expiration date:

[NOTARIAL SEAL]



Helen Deaton Williams (SEAL)  
HELEN DEATON WILLIAMS

Signed, sealed and delivered  
in the presence of:

JURAT  
Unofficial Witness

Carol B. Oxford  
Notary Public

Commission expiration date:

[NOTARIAL SEAL]

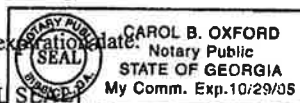




EXHIBIT A

000187

TRACT ONE:

All of that small portion of road right of way located in Friendship Militia District of Hall County, Georgia as is shown on Tax Map 48 and on a plat made for Mrs. Ruby Puckett by Patton, Fless & Associates, Surveyors dated September 16, 1968 recorded in Plat Book 40, page 153, Hall County records being an abandoned portion of the old right of way of Friendship Circle from the intersection of said right of way with the southerly right of way of Friendship Road thence extending approximately 0.12 miles in a Northwesterly direction to the intersection with the current right of way of Friendship Circle.

TRACT TWO:

All of that tract and parcel of land lying and being in Friendship Militia District, Hall County, Georgia, and Puckett's Militia District, Gwinnett County, Georgia, containing 85.32 acres according to plat of survey of N. B. Deaton Estate prepared by Patton, Fless and Associates, Surveyors, April 22, 1968, said plat being recorded in Plat Book 40, pages 154-155, Hall County Records, and Plat Book Q, page 191, Gwinnett County Records, and being more particularly described as follows:

BEGINNING at a point where an old road crosses creek, marked by a "X" on rock under bridge, at property of Mrs. Ruby Puckett, and running thence South 59 degrees East along property of Mrs. Ruby Puckett a distance of 890.8 feet to a rock corner; thence South 79 degrees 47 minutes East a distance of 197.8 feet to an iron pin corner; thence South 21 degrees 29 minutes East a distance of 380.4 feet to a Maple tree; thence South 27 degrees 36 minutes East a distance of twenty (20) feet to a point in the center of creek; thence in a Southerly direction along the center line of said creek, traverse lines from said survey being south 08 degrees 24 minutes West for 75 feet, and South 05 degrees 04 minutes West for 157 feet, and South 19 degrees 56 minutes East for 145 feet, and South 05 degrees 50 minutes East for 125 feet to an iron pin corner with property of George Smith near the County Line; thence South 36 degrees 53 minutes West along property of Smith and property of V. H. Puckett a distance of 706.7 feet to an iron pin corner; thence North 60 degrees 54 minutes West along property of Deaton Estate owned now or formerly by Edith Deaton Morton a distance of 2,080 feet to a point at a branch; thence in a Northerly direction along the center line of said branch, being property line of Glenn Jones, traverse lines from said survey being North 25 degrees 53 minutes East for 115.5 feet, and North 28 degrees 04 minutes East for 109.6 feet, and North 03 degrees 38 minutes West for 118.1 feet, and North 31 degrees 17 minutes East for 170 feet, and North 11 degrees 57 minutes East for 145.4 feet, and North 14 degrees 13 minutes East for 214 feet to an iron pin at a Poplar tree; thence North 09 degrees 17 minutes East along property of Jones a distance of 159.5 feet to a rock corner; thence North 46 degrees 31 minutes West along property of Jones a distance

EXHIBIT A CONTINUED

of 727.5 feet to an iron pin corner at a Red Oak tree; thence North 71 degrees 16 minutes East along property of Howell Ball a distance of 1,214 feet to a corner at a White Oak tree; thence South 54 degrees 10 minutes East a distance of 622.7 feet to an iron pin corner at property of Mrs. Ruby Puckett; thence South 47 degrees 33 minutes West along property of Mrs. Ruby Puckett a distance of 670.6 feet to the point of beginning.

Said property is conveyed subject to the terms and conditions set forth in the conveyance to Mrs. Helen Deaton Williams recorded at Dood Book 309, page 118, Gwinnett County Records and Deed Book 384, pages 439-440, Hall County Records.

07089  
00612

THE McCORMACK  
LAW FIRM, P.C.  
1730 THOMPSON BRIDGE ROAD  
GAINESVILLE, GEORGIA 30501

HALL COUNTY, Georgia  
Real Estate Transfer Tax

000612

Paid \$ -0-  
Date 11-8-12  
Charles Baker  
Superior Court Clerk  
By JN  
PT61 069-2012 007290

GEORGIA, HALL COUNTY, CLERK SUPERIOR COURT  
Filed in office, this 8 day of November  
20 12 at 11:33 Am. Recorded in Deed  
Book 7089 Page(s) 612-614  
Charles Baker, Clerk By JN

025045

STATE OF GEORGIA,  
COUNTY OF HALL.

**QUIT CLAIM DEED**

THIS INDENTURE made this 29<sup>th</sup> day of October, 2012, by and between  
**CHARLES D. BELL, ALICE BELL PRUETT, BRENDA BELL WILLIAMS and SANDRA  
BELL DOWDY** party of the first part, hereinafter referred to as "Grantor", **BRENDA BELL  
WILLIAMS** party of the second part hereinafter referred to as "Grantee", the words "Grantor" and  
"Grantee" to include the neuter, masculine, and feminine genders, the singular and the plural;

**WITNESSETH:**

**FOR AND IN CONSIDERATION** of the sum of One Dollar and other good and valuable  
consideration delivered to Grantor by Grantee at and before the execution, sealing and delivery  
hereof, the receipt and sufficiency of which is hereby acknowledged, the Grantor has and hereby  
does remise, convey, and forever quitclaim unto Grantee and the heirs, legal representatives,  
successors and assigns of Grantee:

***All that tract or parcel of land as more particularly described on the attached  
Exhibit "A" which is incorporated herein by reference.***

***The purpose of this Quit Claim Deed is to release all of Grantors' interest in and  
to the property herein described on the attached Exhibit "A" to Grantee herein.***

**NO TITLE WORK PERFORMED**

**TO HAVE AND TO HOLD** said tract or parcel of land in order that neither Grantor nor any person claiming under Grantor shall at any time, by any means or ways, have, claim or demand any right or title to said land or any of the rights, members and appurtenances thereof.

**IN WITNESS WHEREOF**, the Grantor has signed and sealed this deed, the day and year first above written.

Mark McNeal

Unofficial Witness

Danelyn Reed Reckner  
Notary Public

Charles D. Bell (SEAL)  
CHARLES D. BELL  
NO. 44  
PUBLIC  
EXPIRES 11/11/12

Mark McNeal

Unofficial Witness

Danelyn Reed Reckner  
Notary Public

Alice Bell Pruett (SEAL)  
ALICE BELL PRUETT

Mark McNeal

Unofficial Witness

Danelyn Reed Reckner  
Notary Public

Brenda Bell Williams (SEAL)  
BRENDA BELL WILLIAMS

Mark McNeal

Unofficial Witness

Danelyn Reed Reckner  
Notary Public

Sandra Bell Dowdy (SEAL)  
SANDRA BELL DOWDY

DANALYN REED RECKNER  
NOTARY  
PUBLIC  
EXPIRES NOV 11 2012  
JACKSON COUNTY, GEORGIA

**EXHIBIT "A"**

All that tract or parcel of land lying and being in Hall County, Georgia, Friendship District and being designated as Tract 2 on a Plat of Survey for Charles D. Bell and Alice Bell Pruett dated April 15, 2012 by Georgia Premier Land Surveying, Inc. Said plat is recorded in Plat Book 865, page 222 of the Hall County, Georgia, Plat Records. Said plat and the description therein are incorporated herein by reference for a more complete description of the property.

This being a portion of the same property as described in a Warranty Deed from H. D. Puckett to H. C. Bell as recorded in Deed Book 223, page 479-480 of the Hall County, Georgia Deed Records.

This also being a portion of the same property as described in a Quit Claim Deed dated May 19, 2006 from Howell C. Bell by and through Alice Pruett and Charles Bell, Trustees to Mildred M. Bell as recorded on Deed Book 5692, pages 182-183 of the Hall County, Georgia Deed Records.

This also being a portion of the same property as described in Quit Claim Deed dated September 2011 from Mildred M. Bell to Charles B. Bell, Alice Bell Pruett, Brenda Bell Williams and Sandra Bell Dowdy as recorded on the Hall County, Georgia Deed Records, and Quit Claim Deed dated October 27, 2011 for a 1% interest recorded in Deed Book 6907, pages 68-70.

This also being a portion of the same property as included in a Affidavit of Survivorship dated February 2012.

004082

000227

THE McCORMACK  
LAW FIRM, P.C.  
1730 THOMPSON BRIDGE ROAD  
GAINESVILLE, GEORGIA 30501

GEORGIA, HALL COUNTY

GEORGIA, HALL COUNTY, CLERK SUPERIOR COURT  
Filed in office, this 23 day of February  
20 12 at 11:44 AM. Recorded in Deed  
Book 6960 Page(s) 227-229  
Charles Baker, Clerk By SN

Re: Property of Mildred M. Bell, Charles D. Bell,  
Alice Bell Pruett, Brenda Bell Williams and  
Sandra Bell Dowdy  
Deed Book 6907, pages 68-70

AFFIDAVIT

ALICE BELL PRUETT, first being duly sworn, on oath states as follows:

The captioned property was conveyed to **MILDRED M. BELL, CHARLES D. BELL, ALICE BELL PRUETT, BRENDA BELL WILLIAMS and SANDRA BELL DOWDY** by warranty deed with rights of survivorship from **CHARLES D. BELL, ALICE BELL PRUETT, BRENDA BELL WILLIAMS and SANDRA BELL DOWDY**, dated October 27, 2011, and recorded at deed book 6907, pages 68-70.

**MILDRED M. BELL** died January 30, 2012. A copy of her death certificate is attached as an exhibit.

This affidavit is executed and recorded in order to vest full, fee simple title to the captioned property in **CHARLES D. BELL, ALICE BELL PRUETT, BRENDA BELL WILLIAMS and SANDRA BELL DOWDY**.

This 21<sup>st</sup> day of February, 2012.

Alice Bell Pruett  
ALICE BELL PRUETT

Sworn to and subscribed before  
me, this 21<sup>st</sup> day of February, 2012.

Tammy E. Lunsford  
Notary Public  
TAMMY E. LUNSFORD  
Notary Public  
Hall County  
State of Georgia  
Exp. May 19, 2013



## GEORGIA DEATH CERTIFICATE

000228

A. BIRTH CERTIFICATE NUMBER

B. STATE FILE NUMBER

1. DECEDENT'S LEGAL FULL NAME (FIRST, MIDDLE, LAST) Mildred Montine Bell		1a. LAST NAME AT BIRTH (IF FEMALE) Benefield		2. SEX F	2a. DATE OF DEATH (MO/DAY/YR) 1/30/2012
3. SOCIAL SECURITY NUMBER 256-78-6261		4a. AGE (YEARS) 96	4b. UNDER 1 YEAR: MONTHS DAYS	4c. UNDER 1 DAY: HOURS MINUTES	5. DATE OF BIRTH (MO/DAY/YR) 1/15/1916
6. BIRTH PLACE (CITY AND STATE OR FOREIGN COUNTRY) Braselton, GA		7a. STREET AND NUMBER OF RESIDENCE 3774 Friendship Circle		7b. ZIP CODE 30519	7c. CITY OR TOWN OF RESIDENCE Buford
7d. COUNTY OF RESIDENCE Hall		7e. STATE OF RESIDENCE GA	7f. COUNTRY USA	7g. INSIDE CITY LIMITS: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown	
8a. OCCUPATION Homemaker		8b. NATURE OF BUSINESS Own Home		8c. EMPLOYER	
9. MARITAL STATUS <input type="checkbox"/> Married <input type="checkbox"/> Divorced <input type="checkbox"/> Married, but separated <input type="checkbox"/> Never Married <input checked="" type="checkbox"/> Widowed <input type="checkbox"/> Unknown		10. SPOUSE'S NAME (IF WIFE, GIVE NAME PRIOR TO FIRST MARRIAGE) Howell Cobb Bell		11. FATHER'S NAME (FIRST, MIDDLE, LAST) Melvin Benefield	
12. MOTHER'S NAME PRIOR TO FIRST MARRIAGE (FIRST, MIDDLE, LAST) Pearl Moulder		13. DECEDENT'S EDUCATION (HIGHEST LEVEL) <input type="checkbox"/> 8th grade or less <input type="checkbox"/> Bachelor's degree (e.g., BA, BS) <input type="checkbox"/> 9th - 12th grade, no diploma <input type="checkbox"/> Master's degree (e.g., MA, MS, MEd, MEng, MScW) <input type="checkbox"/> High school graduate or GED completed <input type="checkbox"/> Doctorate (e.g., PhD, EdD) or professional degree (e.g., MD, DDS, DVM, LLB, JD) <input type="checkbox"/> Some college credit, but no degree <input type="checkbox"/> Associate degree (e.g., AA, AS) <input type="checkbox"/> Unknown		14a. INFORMANT'S NAME (FIRST, MIDDLE, LAST) Alice Bell Pruett	
14b. RELATIONSHIP TO DECEDENT Daughter		14c. MAILING ADDRESS (STREET AND NUMBER, CITY, COUNTY, STATE, ZIP CODE) 3592 Carter Road, Buford, Hall, GA 30518			
15. HISPANIC ORIGIN <input checked="" type="checkbox"/> No, not Spanish/Hispanic/Latino <input type="checkbox"/> Yes, Puerto Rican <input type="checkbox"/> Yes, Mexican, Mexican American, Chicano <input type="checkbox"/> Yes, Cuban <input type="checkbox"/> Yes, other Spanish/Hispanic/Latino (specify) <input type="checkbox"/> Unknown		16. DECEDENT'S RACE <input type="checkbox"/> White <input type="checkbox"/> Black/African American <input type="checkbox"/> Samoan <input type="checkbox"/> Japanese <input type="checkbox"/> Korean <input type="checkbox"/> American Indian/Alaska Native <input type="checkbox"/> Asian Indian <input type="checkbox"/> Vietnamese <input type="checkbox"/> Other Asian <input type="checkbox"/> Chinese <input type="checkbox"/> Native Hawaiian <input type="checkbox"/> Other Pacific Islander <input type="checkbox"/> Filipino <input type="checkbox"/> Guamanian/Chamorro <input type="checkbox"/> Other <input type="checkbox"/> Unknown			
17a. IF DEATH OCCURRED IN HOSPITAL <input type="checkbox"/> Inpatient <input type="checkbox"/> Emergency Room/Outpatient <input type="checkbox"/> Died on Arrival		17b. IF DEATH OCCURRED OTHER THAN HOSPITAL <input type="checkbox"/> Hospice Facility <input type="checkbox"/> Nursing Home/Long Term Care Facility <input checked="" type="checkbox"/> Decedent's Home <input type="checkbox"/> Other <input type="checkbox"/> Unknown			
18. FACILITY NAME Residence		19. FACILITY ADDRESS (STREET AND NUMBER, CITY, STATE, ZIP CODE) 3774 Friendship Cir., Buford, GA 30518		20. COUNTY OF DEATH Hall	
21. METHOD OF DISPOSITION <input checked="" type="checkbox"/> Burial <input type="checkbox"/> Donation <input type="checkbox"/> Removal from State <input type="checkbox"/> Cremation <input type="checkbox"/> Entombment <input type="checkbox"/> Other		22. PLACE OF DISPOSITION (NAME AND COMPLETE ADDRESS) Broadlawn Memorial Gardens 5979 New Bethan Road Buford, GA 30518		23. DATE OF DISPOSITION (MO/DAY/YR) 2/1/2012	
24a. EMBALMER'S NAME & CERTIFIED INITIALS Junior E. Flanigan		24b. LICENSE NUMBER 2750			
25. FUNERAL HOME NAME Flanigan Funeral Home		25a. FUNERAL HOME ADDRESS (STREET AND NUMBER, CITY, COUNTY, STATE, ZIP CODE) 4400 S. Lee Street, Buford, Gwinnett, GA 30518			
26. FUNERAL DIRECTOR'S NAME (PRINT) Junior E. Flanigan		26a. SIGNATURE OF FUNERAL DIRECTOR <i>Junior E. Flanigan</i>		26b. LICENSE NUMBER 2818	
27. DATE PRONOUNCED DEAD (MO/DAY/YR) 1/30/2012		28. TIME PRONOUNCED DEAD 8:00 am		29a. PRONOUNCER'S NAME AND TITLE (PRINT) Rachel M. Germinara, RN	
29b. PRONOUNCER'S LICENSE NUMBER RN 208498				30. ACTUAL OR PRESUMED TIME OF DEATH 8:00 am	
31. Part I. Enter the chain of events, diseases, injuries, or complications that directly caused the death. DO NOT enter terminal events such as cardiac arrest, respiratory arrest, or ventricular fibrillation without showing the etiology. DO NOT ABBREVIATE. IMMEDIATE CAUSE (Final disease or condition resulting in death) Stroke Due to, or as a consequence of Due to, or as a consequence of Due to, or as a consequence of Due to, or as a consequence of				Approximate interval between onset and death Not Known	
Part II. Enter other significant conditions contributing to death but not resulting in the underlying cause given in Part I.				32. WAS AUTOPSY PERFORMED <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown	
33. WERE AUTOPSY FINDINGS AVAILABLE TO COMPLETE THE CAUSE OF DEATH? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown		33a. WAS AN INJURY OF ANY KIND INDICATED IN THE CAUSE OF DEATH FOR PART I OR PART II WITH THE DECEDENT <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown		34. WAS CASE REFERRED TO MEDICAL EXAMINER OR CORONER <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown	
35. TOBACCO USE CONTRIBUTE TO DEATH <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown <input type="checkbox"/> Probably		36. IF FEMALE <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/> Not pregnant within the past year <input type="checkbox"/> Not pregnant, but pregnant within 42 days of death <input type="checkbox"/> Not pregnant, but pregnant 43 days to 1 year before death <input type="checkbox"/> Pregnant at the time of death <input type="checkbox"/> Unknown if pregnant within the past year		37. MANNER OF DEATH <input type="checkbox"/> Accident <input checked="" type="checkbox"/> Natural <input type="checkbox"/> Could not be determined <input type="checkbox"/> Pending investigation <input type="checkbox"/> Homicide <input type="checkbox"/> Suicide	
38. DATE OF INJURY (MO/DAY/YR)		39. TIME OF INJURY		40. PLACE OF INJURY (e.g., Decedent's home, construction site, park, school, wooded area)	
41. INJURY AT WORK <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown					
42. LOCATION OF INJURY (STREET AND NUMBER, CITY, STATE, COUNTY, ZIP CODE)					
43. DESCRIBE HOW INJURY OCCURRED		44. IF TRANSPORTATION INJURY <input type="checkbox"/> Driver/Operator <input type="checkbox"/> Passenger <input type="checkbox"/> Pedestrian <input type="checkbox"/> Other			
45. To the best of my knowledge death occurred at the time, date, place, and due to the causes stated. Medical Examiner (Name, Title, License No.) Taylor Henson, MD 029885 <i>Taylor Henson</i>		46. On the basis of examination and/or investigation, in my opinion death occurred at the time, date, place, and due to the causes stated. Medical Examiner/Coroner (Name, Title, License No.) <i>Taylor Henson</i>			
45a. DATE SIGNED (MO/DAY/YR) 2/1/12		45b. HOUR OF DEATH 8:00 am		46a. DATE SIGNED (MO/DAY/YR)	
47. PERSON COMPLETING CAUSE OF DEATH (NAME, ADDRESS, COUNTY, ZIP CODE) Taylor Henson, MD 1240 Jesse Jewell Parkway, Gainesville, Hall, GA 30501				48. HOUR OF DEATH	
48. REGISTRAR SIGNATURE (PRINT AND SIGN) ALICIA FLORES Alicia Flores		49. DATE FILED (REGISTRAR) (MO/DAY/YR) February 16, 2012			

Form 3803 (Rev. 06/2006)

This certificate does not constitute a certified copy without the appropriate certification on the back.

"CERTIFICATE OF RECORD"

THIS IS AN EXACT COPY OF THE DEATH CERTIFICATE RECEIVED FOR FILING IN HALL  
COUNTY, GEORGIA.

**FEB 16 2012**

DATE ISSUED

*Alina Flores, D.C.*

ISSUED BY

*Alejandra Rosario*  
LOCAL COUNTY CUSTODIAN

000064

→ THE McCORMACK  
LAW FIRM, P.C.  
1730 THOMPSON BRIDGE ROAD  
GAINESVILLE, GEORGIA 30501

HALL COUNTY, Georgia  
Real Estate Transfer Tax

Paid \$ 0

Date 10/28/11

Charles Baker  
Superior Court Clerk

By ER

PT61 069-2011-006637

GEORGIA, HALL COUNTY, CLERK SUPERIOR COURT  
Filed in office, this 28 day of October  
20 11 at 1:09 PM. Recorded in Deed  
Book 6907 Page(s) 64-67  
Charles Baker, Clerk By ER

020307

STATE OF GEORGIA,  
COUNTY OF HALL.

**QUIT CLAIM DEED**

THIS INDENTURE made this 27<sup>th</sup> day of October, 2011, by and between  
MILDRED M. BELL party of the first part, hereinafter referred to as "Grantor", CHARLES  
D. BELL, ALICE BELL PRUETT, BRENDA BELL WILLIAMS and SANDRA BELL  
DOWDY party of the second part hereinafter referred to as "Grantee", the words "Grantor" and  
"Grantee" to include the neuter, masculine, and feminine genders, the singular and the plural;

**WITNESSETH:**

FOR AND IN CONSIDERATION of the sum of One Dollar and other good and valuable  
consideration delivered to Grantor by Grantee at and before the execution, sealing and delivery  
hereof, the receipt and sufficiency of which is hereby acknowledged, the Grantor has and hereby  
does remise, convey, and forever quitclaim unto Grantee and the heirs, legal representatives,  
successors and assigns of Grantee:

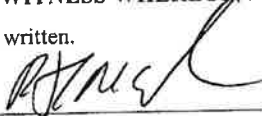
*All that tract or parcel of land as more particularly described on the attached  
Exhibit "A" which is incorporated herein by reference.*

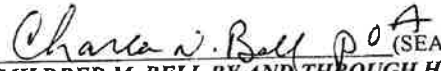
*The purpose of this Quit Claim Deed is to release all of Grantor's interest in and  
to the property herein described to Grantees herein.*

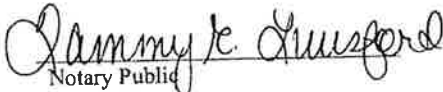
**NO TITLE WORK PERFORMED**

**TO HAVE AND TO HOLD** said tract or parcel of land in order that neither Grantor nor any person claiming under Grantor shall at any time, by any means or ways, have, claim or demand any right or title to said land or any of the rights, members and appurtenances thereof.

**IN WITNESS WHEREOF**, the Grantor has signed and sealed this deed, the day and year first above written.

  
Unofficial Witness

  
**MILDRED M. BELL BY AND THROUGH HER**  
**ATTORNEY -IN-FACT, CHARLES BELL**

  
Notary Public

TAMMY E. LUNSFORD  
Notary Public  
Hall County  
State of Georgia  
Exp. May 19, 2013

**EXHIBIT "A"**

All that tract or parcel of land lying and being in Hall County, Georgia, Friendship District described as follows:

BEGINNING at a rock corner on Buford and Hoschton Road near Friendship Church. Bounded as follows: On the north by lands of Puckett, Harrison, Elinburg and Harper on west; East by Deaton and Ruby Puckett. Said lot being 42 acres, more or less, and being the same lands deeded by Emmerson C. Holland to H. D. Puckett as recorded in Deed Book 96, pages 163-164 of the Hall County, Georgia, Deed Records.

This being same property as described in a Warranty Deed from H. D. Puckett to H. C. Bell as recorded in Deed Book 223, page 479-480 of the Hall County, Georgia Deed Records.

This also being the same property as described in a Quit Claim Deed dated May 19, 2006 from Howell C. Bell by and through Alice Pruett and Charles Bell, Trustees to Mildred M. Bell as recorded on Deed Book 5692, pages 182-183 of the Hall County, Georgia Deed Records.

**LESS AND EXCEPT:** A previous conveyance to Friendship Baptist Church by deed dated March 21, 1975 and recorded in Deed Book 569, page 207 of the Hall County, Georgia, Deed Records, and a second conveyance to Friendship Baptist Church by deed by June 9, 1988 and recorded in Deed Book 1227, pages 238-239 of the Hall County, Georgia, Deed Records.

**LESS AND EXCEPT:** A conveyance made to the Georgia Department of Transportation dated October 6, 2011, and recorded in Deed Book 6901, pages 162-166 of the Hall County, Georgia Deed Records.

000068

→ THE McCORMACK  
LAW FIRM, P.C.

1730 THOMPSON BRIDGE ROAD  
GAINESVILLE, GEORGIA 30501

HALL COUNTY, Georgia  
Real Estate Transfer Tax

Paid \$ 0  
Date 10/28/11  
Charles Baker  
Superior Court Clerk  
By ER  
PT61 069-2011-006638

GEORGIA, HALL COUNTY CLERK SUPERIOR COURT  
Filed in office, this 28 day of October  
20 11 at 1:09 PM. Recorded in Deed  
Book 6907 Page(s) 68-70  
Charles Baker, Clerk By ER

STATE OF GEORGIA,  
COUNTY OF HALL.

020308

**QUIT CLAIM DEED**

THIS INDENTURE made this 28<sup>th</sup> day of October, 2011, by and between  
CHARLES D. BELL, ALICE BELL PRUETT, BRENDA BELL WILLIAMS and SANDRA  
BELL DOWDY party of the first part, hereinafter referred to as "Grantor", MILDRED M.  
BELL, CHARLES D. BELL, ALICE BELL PRUETT, BRENDA BELL WILLIAMS and  
SANDRA BELL DOWDY AS JOINT TENANTS WITH RIGHT OF SURVIVORSHIP party  
of the second part hereinafter referred to as "Grantee", the words "Grantor" and "Grantee" to include  
the neuter, masculine, and feminine genders, the singular and the plural;

**WITNESSETH:**

FOR AND IN CONSIDERATION of the sum of One Dollar and other good and valuable  
consideration delivered to Grantor by Grantee at and before the execution, sealing and delivery  
hereof, the receipt and sufficiency of which is hereby acknowledged, the Grantor has and hereby  
does remise, convey, and forever quitclaim unto Grantee and the heirs, legal representatives,  
successors and assigns of Grantee:

***A ONE PERCENT (1%) UNDIVIDED INTEREST IN:***

*All that tract or parcel of land as more particularly described on the attached  
Exhibit "A" which is incorporated herein by reference.*

*The purpose of this Quit Claim Deed is to release a One Percent (1%) portion of  
Grantors' interest in and to the property herein described to Grantees herein.*

***NO TITLE WORK PERFORMED***



000069

TO HAVE AND TO HOLD said tract or parcel of land in order that neither Grantor nor any person claiming under Grantor shall at any time, by any means or ways, have, claim or demand any right or title to said land or any of the rights, members and appurtenances thereof.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year first above written.

*[Signature]*  
Unofficial Witness  
*[Signature]*  
Notary Public  
TAMMY E. LUNSFORD  
Hall County  
State of Georgia  
Exp. May 19, 2013

*Charles D. Bell* (SEAL)  
CHARLES D. BELL

*[Signature]*  
Unofficial Witness  
*[Signature]*  
Notary Public  
TAMMY E. LUNSFORD  
Hall County  
State of Georgia  
Exp. May 19, 2013

*Alice Bell Pruett* (SEAL)  
ALICE BELL PRUETT

*[Signature]*  
Unofficial Witness  
*[Signature]*  
Notary Public  
TAMMY E. LUNSFORD  
Hall County  
State of Georgia  
Exp. May 19, 2013

*Brenda Bell Williams* (SEAL)  
BRENDA BELL WILLIAMS

*[Signature]*  
Unofficial Witness  
*[Signature]*  
Notary Public  
TAMMY E. LUNSFORD  
Hall County  
State of Georgia  
Exp. May 19, 2013

*Sandra Bell Dowdy* (SEAL)  
SANDRA BELL DOWDY

**EXHIBIT "A"**

All that tract or parcel of land lying and being in Hall County, Georgia, Friendship District described as follows:

BEGINNING at a rock corner on Buford and Hoschton Road near Friendship Church. Bounded as follows: On the north by lands of Puckett, Harrison, Elinburg and Harper on west; East by Deaton and Ruby Puckett. Said lot being 42 acres, more or less, and being the same lands deeded by Emmerson C. Holland to H. D. Puckett as recorded in Deed Book 96, pages 163-164 of the Hall County, Georgia, Deed Records.

This being same property as described in a Warranty Deed from H. D. Puckett to H. C. Bell as recorded in Deed Book 223, page 479-480 of the Hall County, Georgia Deed Records.

This also being the same property as described in a Quit Claim Deed dated May 19, 2006 from Howell C. Bell by and through Alice Pruett and Charles Bell, Trustees to Mildred M. Bell as recorded on Deed Book 5692, pages 182-183 of the Hall County, Georgia Deed Records.

This also being the same property as described in Quit Claim Deed dated September 2011 from Mildred M. Bell to Charles B. Bell, Alice Bell Pruett, Brenda Bell Williams and Sandra Bell Dowdy as recorded on the Hall County, Georgia Deed Records.

**LESS AND EXCEPT:** A previous conveyance to Friendship Baptist Church by deed dated March 21, 1975 and recorded in Deed Book 569, page 207 of the Hall County, Georgia, Deed Records, and a second conveyance to Friendship Baptist Church by deed by June 9, 1988 and recorded in Deed Book 1227, pages 238-239 of the Hall County, Georgia, Deed Records.

**LESS AND EXCEPT:** A conveyance made to the Georgia Department of Transportation dated October 6, 2011, and recorded in Deed Book 6901, page 162-166 of the Hall County, Georgia Deed Records.

SECTION A – SELLER'S INFORMATION (Do not use agent's information)				SECTION C – TAX COMPUTATION	
SELLER'S LAST NAME <b>McNeal</b>	FIRST NAME <b>James</b>	MIDDLE <b>E.</b>	Exempt Code If no exempt code enter NONE		<b>NONE</b>
MAILING ADDRESS (STREET & NUMBER) <b>3746 Friendship Road</b>			1. Actual Value of consideration received by seller Complete Line 1A if actual value unknown		<b>\$545,000.00</b>
CITY, STATE / PROVINCE / REGION, ZIP CODE, COUNTRY <b>Buford, GA 30519 USA</b>		DATE OF SALE <b>4/6/2022</b>	1A. Estimated fair market value of Real and Personal property		<b>\$0.00</b>
SECTION B – BUYER'S INFORMATION (Do not use agent's information)			2. Fair market value of Personal Property only		<b>\$0.00</b>
BUYER'S BUSINESS / ORGANIZATION / OTHER NAME <b>Scott Puckett, Inc.</b>			3. Amount of liens and encumbrances not removed by transfer		<b>\$0.00</b>
MAILING ADDRESS (Must use buyer's address for tax billing & notice purposes) <b>3215 Thompson Mill Road</b>			4. Net Taxable Value (Line 1 or 1A less Lines 2 and 3)		<b>\$545,000.00</b>
CITY, STATE / PROVINCE / REGION, ZIP CODE, COUNTRY <b>Buford, GA 30519 USA</b>		Check Buyers Intended Use (X) Residential ( ) Commercial ( ) Agricultural ( ) Industrial	5. TAX DUE at .10 per \$100 or fraction thereof (Minimum \$1.00)		<b>\$545.00</b>
SECTION D – PROPERTY INFORMATION (Location of Property (Street, Route, Hwy, etc))					
HOUSE NUMBER & EXTENSION (ex 265A) <b>3746</b>		PRE-DIRECTION, STREET NAME AND TYPE, POST DIRECTION <b>Friendship Circle</b>			SUITE NUMBER
COUNTY <b>HALL</b>		CITY (IF APPLICABLE) <b>Buford</b>	MAP & PARCEL NUMBER <b>15048 000025C</b>		ACCOUNT NUMBER
TAX DISTRICT <b>01</b>	GMD <b>1419</b>	LAND DISTRICT	ACRES <b>6131</b>	LAND LOT	SUB LOT & BLOCK
SECTION E – RECORDING INFORMATION (Official Use Only)					
DATE	DEED BOOK <b>9098</b>	DEED PAGE <b>527</b>	PLAT BOOK	PLAT PAGE	

**ADDITIONAL BUYERS****None**

eFiled and eRecorded  
DATE: 04/06/2022  
TIME: 5:19 PM  
DEED BOOK: 9098  
PAGE: 527 - 544  
FILING FEES: \$25.00  
TRANSFER TAX: \$545.00  
INTANGIBLE TAX: \$0.00  
PARTICIPANT ID: 6073054394  
PT61: 069-2022-003051  
RECORDED BY: NB  
CLERK: Charles Baker, C.S.C  
Hall County, GA

after recording, return to:  
JENIFIR DIMO  
STEWART, MELVIN & FROST, LLP  
100 MAIN STREET, SUITE 600  
GAINESVILLE, GA 30501

## LIMITED WARRANTY DEED

THIS INDENTURE is made this 6 day of April, 2022, between

**JAMES E. MCNEAL and FREIDA M. MCNEAL**  
(hereinafter referred to as "Grantor")

and

**SCOTT PUCKETT, INC.**

(hereinafter referred to as "Grantee")

("Grantors" and "Grantee" to include their respective heirs, successors, executors, administrators, legal representatives and assigns where the context requires or permits.)

### WITNESSETH

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

### SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

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

AND GRANTORS WILL WARRANT and forever defend the right and title to the Land unto Grantee against the claims of all persons whomsoever claiming by, under, or through said Grantor.

EXECUTED under seal as of the date above.

Signed, sealed, and delivered  
in the presence of

UNOFFICIAL-WITNESS

NOTARY PUBLIC



GRANTOR:

*Pam Patterson, Atty James E. McNeal*  
PAM PATTERSON, AS ATTORNEY-IN-FACT FOR JAMES E.  
MCNEAL

*Pam Patterson, Atty Freida M. McNeal*  
PAM PATTERSON, AS ATTORNEY-IN-FACT FOR FREIDA M.  
MCNEAL

84340

## **EXHIBIT A**

### **Description of Property**

**All that tract or parcel of land lying and being in GMD 1419, Hall County, Georgia and being more particularly described as follows;**

**To find the true point of beginning, commence at the intersection of the southwest right of way of Friendship Circle (right of way varies) and the southwest right of way of Friendship Road (right of way varies), said point having the Georgia State Plane Coordinates (West Zone) of North 1500704.7867 and East 2370849.8436, said point marked by a ½ inch rebar pin set, said point being THE TRUE POINT OF BEGINNING.**

**THENCE from said point as thus established, continuing on said right of way of Friendship Road South 31 Degrees 39 Minutes 38 Seconds East for a distance of 277.02 feet to a point, said point marked by a ½ inch rebar pin set; THENCE leaving said right of way and traveling South 42 Degrees 47 Minutes 42 Seconds West for a distance of 53.25 feet to a point, said point marked by a Square Rod found; THENCE South 39 Degrees 30 Minutes 53 Seconds West for a distance of 748.69 feet to a point, said point marked by a ½ inch Crimp Top Pipe found; THENCE traveling North 54 Degrees 44 Minutes 26 Seconds West for a distance of 140.17 feet to a point, said point marked by a ¾ inch Open Top Pipe found; THENCE North 55 Degrees 09 Minutes 40 Seconds West for a distance of 198.46 feet to a point, said point marked by a 42" Oak Tree; THENCE North 43 Degrees 03 Minutes 01 Seconds East for a distance of 830.11 feet to a point on the southwest right of way of Friendship Circle (right of way varies), said point marked by a ½ inch rebar pin set; THENCE traveling on said right of way North 43 Degrees 03 Minutes 01 Seconds East for a distance of 14.91 feet to a point, said point marked by a Rock found; THENCE continuing on said right of way North 58 Degrees 59 Minutes 18 Seconds East for a distance of 78.93 feet to a point on the southwest right of way of Friendship Road (right of way varies), said point marked by a ½ inch rebar pin set, said point being THE TRUE POINT OF BEGINNING.**

**Said property contains 6.131 Acres.**

**Said property being known as 3746 Friendship Circle according to the present system of numbering properties in Hall County, Georgia. Said property is conveyed together with and subject to all easements, covenants and restrictions of record, if any.**

**84340 Description**

**DESIGNATION OF AGENT**

I, **FREIDA M. MCNEAL**, Principal, name the following person as my agent:

**Pam Patterson**  
[REDACTED]  
[REDACTED]  
[REDACTED]

Email: [REDACTED]

**DESIGNATION OF SUCCESSOR AGENTS**

If my agent named above is unable or unwilling to act for me, I name as my successor agent:

**Joshua McNeal**  
**P. O. Box 1407**  
**Flowery Branch, GA 30542**  
**Telephone No:** \_\_\_\_\_

**GRANT OF GENERAL AUTHORITY**

I grant my agent and any successor agent general authority to act for me with respect to the following subjects as defined in Chapter 6B of Title 10 of the Official Code of Georgia Annotated (O.C.G.A. §10-6B-1 *et seq.*):

(INITIAL each subject you want to include in the agent's general authority. If you wish to grant general authority over all of the subjects you may initial "all preceding subjects" instead of initialing each subject.)

- ☐ Real property
- ☐ Tangible personal property
- ☐ Stocks and bonds
- ☐ Commodities and options
- ☐ Banks and other financial institutions
- ☐ Operation of entity or business
- ☐ Insurance and annuities



- ☐ Estates, trusts, and other beneficial interests
- ☐ Claims and litigation
- ☐ Personal and family maintenance
- ☐ Benefits from governmental programs or civil or military service
- ☐ Retirement plans
- ☐ Taxes
- ☒ All preceding subjects

**GRANT OF SPECIFIC AUTHORITY (OPTIONAL)**

My agent SHALL NOT do any of the following specific acts for me UNLESS I have INITIALED the specific authority listed below:

(CAUTION: Granting any of the following will give your agent the authority to take actions that could significantly reduce your property or change how your property is distributed at your death. INITIAL ONLY the specific authority you WANT to give your agent. You should give your agent specific instructions in the Special Instructions when you authorize your agent to make gifts.)

- ☒ Create, fund, amend, revoke, or terminate an inter vivos trust, subject to the limitations of O.C.G.A. § 10-6B-50(7) and any Special Instructions in this power of attorney
- ☒ Make a gift, subject to the limitation of O.C.G.A. § 10-6B-56 (except subsection (b)(1) thereof) and any Special Instructions in this power of attorney
- ☐ Create or change rights of survivorship, subject to any Special Instructions in this power of attorney
- ☐ Create or change a beneficiary designation, subject to any Special Instructions in this power of attorney
- ☐ Authorize another person to exercise the authority granted under this power of attorney
- ☐ Waive the principal's right to be a beneficiary of a joint and survivor annuity, including a survivor benefit under a retirement plan, subject to any Special Instructions in this power of attorney
- ☒ Exercise authority over the content of electronic communications sent or received by the principal as provided for more specifically in the Special Instructions

- ( ) Exercise fiduciary powers that the principal has authority to delegate and that are expressly and clearly identified (including the persons for which the principal acts as a fiduciary) in the Special Instructions
- ( ) Renounce an interest in property, including a power of appointment, subject to any Special Instructions in this power of attorney

#### LIMITATION ON AGENT'S AUTHORITY

An agent that is not my ancestor, spouse, or descendant SHALL NOT use my property to benefit the agent or a person to whom the agent owes an obligation of support unless I have included that authority in the Special Instructions.

#### SPECIAL INSTRUCTIONS (OPTIONAL)

You may give special instructions on the following lines (you may add lines or place your special instructions in a separate document and attach it to the Power of Attorney):

Notwithstanding anything to the contrary in Chapter 6B of Title 10 of the Official Code of Georgia Annotated (O.C.G.A. §10-6B-1 *et seq.*) and any other applicable law:

(1) As and to the extent, if any, permitted by O.C.G.A. §10-6B-56(c) but not subject to the limitations set forth in O.C.G.A. §10-6B-56(b), and without regard to whether or not the agent is my ancestor, spouse, or descendant, the agent may make gifts of my assets; may disclaim or renounce assets to which I may otherwise be entitled; may create or change a beneficiary designation; may create or change rights of survivorship; may waive my right to be a beneficiary of a joint and survivor annuity, including a survivor benefit under a retirement plan; may create, fund, amend, revoke or terminate any inter vivos trust; may fund, amend, revoke or terminate any trust created by any other person to the extent, if any, I would otherwise be authorized to fund, amend, revoke or terminate such trust; and may exercise powers of appointment granted to me; provided, however, that no such gift, disclaimer, or other action shall be made, taken or exercised to the extent that it constitutes a transfer to or for the benefit of my said agent or to a person to whom my said agent owes a legal obligation of health, support, maintenance or education.

(2) My agent shall have the following authority with respect to my Digital Assets, Digital Devices, and Digital Accounts (as defined below). If I want my agent to have authority to access the *content* of electronic communications, such as e-mail, I must expressly grant my agent such authority above. Otherwise, the Special Instructions below shall be interpreted to exclude such authority, but will not exclude any other authority granted below:

(A) The agent may take any action (including, without limitation, assuming or amending a terms-of-service agreement or other governing instrument) with respect

to my Digital Assets, Digital Devices, or Digital Accounts as my agent shall deem appropriate, and as shall be permitted under applicable state and Federal law. My agent may engage experts or consultants or any other third party, and may delegate authority to such experts, consultants or third party, as necessary or appropriate to effectuate such actions with respect to my Digital Assets, Digital Devices, or Digital Accounts, including, but not limited to, such authority as may be necessary or appropriate to decrypt electronically stored information, or to bypass, reset or recover any password or other kind of authentication or authorization. This authority is intended to constitute "lawful consent" to any service provider to divulge the contents of any communication or record under The Stored Communications Act (currently codified as 18 U.S.C. §§ 2701 et seq.), the Computer Fraud and Abuse Act (currently codified as 18 U.S.C. § 1030), and any other state or federal law relating to Digital Assets, data privacy, or computer fraud, to the extent such lawful consent may be required. My agent shall be an authorized user for purposes of applicable computer-fraud and unauthorized-computer-access laws. The authority granted under this paragraph is intended to provide my agent with full authority to access and manage my Digital Assets, Digital Devices, or Digital Accounts, to the maximum extent permitted under applicable state and Federal law and shall not limit any authority granted to my agent under such laws.

(B) The following definitions and descriptions shall apply under this power of attorney to the authority of the agent with respect to my Digital Assets and Accounts:

(i) "Digital Assets" shall be any electronic record that is defined as a "Digital Asset" under the Georgia Revised Uniform Fiduciary Access to Digital Assets Act, together with any and all files created, generated, sent, communicated, shared, received, or stored on the Internet or on a Digital Device, regardless of the ownership of the physical device upon which the digital item was created, generated, sent, communicated, shared, received or stored (which underlying physical device shall not be a "Digital Asset" for purposes of this power of attorney).

(ii) A "Digital Device" is an electronic device that can create, generate, send, share, communicate, receive, store, display, or process information, including, without limitation, desktops, laptops, tablets, peripherals, storage devices, mobile telephones, smart phones, cameras, electronic reading devices, and any similar digital device which currently exists or may exist as technology develops or such comparable items as technology develops.

(iii) "Digital Account" means an electronic system for creating, generating, sending, sharing, communicating, receiving, storing, displaying, or processing information which provides access to a



Digital Asset stored on a Digital Device, regardless of the ownership of such Digital Device.

(iv) For the purpose of illustration, and without limitation, Digital Assets and Digital Accounts shall include email and email accounts, social network content and accounts, social media content and accounts, text, documents, digital photographs, digital videos, software, software licenses, computer programs, computer source codes, databases, file sharing accounts, financial accounts, health insurance records and accounts, health care records and accounts, domain registrations, DNS service accounts, web hosting accounts, tax preparation service accounts, online store accounts and affiliate programs and other online accounts which currently exist or may exist as technology develops, or such comparable items and accounts as technology develops, including any words, characters, codes, or contractual rights necessary to access such items and accounts.

(3) This Power of Attorney shall become effective only when and as described below and shall be effective until my death or until sooner revoked by me. Notwithstanding anything to the contrary herein, the Power of Attorney granted pursuant to this instrument shall become effective only upon the declaration in writing signed (under penalty of false swearing) by my personal physician (or if he/she is unavailable by such other physician who may then be personally attending me), clearly indicating that, based upon the physician's personal knowledge and examination of me made no more than 15 days prior to the declaration, I am physically or mentally unable to manage my financial affairs. A statement in such a declaration that I lack sufficient capacity to make or communicate significant, responsible decisions concerning the management of my property shall, without limitation, be understood to be a statement that I am physically or mentally unable to manage my financial affairs. Upon the signing of such declaration and delivery of same to the agent, the agent shall be authorized to rely absolutely upon such declaration until a written declaration to the contrary is signed (under penalty of false swearing) by my personal physician (or if he/she is unavailable by such other physician who may then be personally attending me) and delivered to the agent. For purposes of this paragraph, I hereby (i) waive any physician-patient privilege pertaining to any such declaration, (ii) agree to indemnify and hold harmless the agent and any such physician for any claims or losses arising out of any such declaration or the agent's good faith reliance upon same (excluding any claims against a physician named on such a declaration arising from false swearing thereof), and (iii) authorize the payment from my assets of reasonable fees to any such physician for services pertaining to any such declaration. When in the process of determining my disability (or health), incapacity (or capacity) or inability (or ability) to manage my own affairs, all individually identifiable health information and medical records pertaining to me may be released to the person who is nominated or appointed herein as agent, including any written opinion relating to my disability (or health), incapacity (or capacity) or inability (or ability) to manage my own affairs, that the person so nominated or appointed herein may have requested. This release authority applies to any information governed by the Health

Insurance Portability and Accountability Act of 1996 ("HIPAA"), 42 USC 1320d and 45 CFR 160-164, and applies even if that person has not yet taken office or assumed the position of agent.

(4) In addition to any other method of proving that an agent is unable to serve, an agent appointed hereunder shall be deemed to be unable to serve as such if a physician signs a written declaration under penalty of false swearing that the physical or mental disability, from any cause, of said agent renders him or her either (i) unable to manage his or her own affairs or (ii) unable to fulfill the agent's duties under O.C.G.A. §10-6B-14(a). Upon such declaration and delivery of same to the successor agent or second successor agent, the successor agent or second successor agent shall be authorized to rely absolutely upon such declaration until a written declaration to the contrary is signed under penalty of false swearing by a physician and delivered to the successor agent or the second successor agent.

(5) I relieve my agent from liability for any breach of duty to me or my successors in interest, provided that the breach of duty is not in bad faith, or with reckless indifference to the purposes of this instrument or with reckless indifference to my best interest. I have been advised, prior to signing this instrument, that this Special Instruction may allow my agent, in some circumstances, to act under a lesser standard than otherwise required by law, without liability to me or my successors in interest. No person named as agent hereunder has asked me to add this special instruction, and I do so willingly, without any compulsion to do so from any person.

(6) For avoidance of doubt, I hereby revoke any and all Powers of Attorney executed prior to the date hereof.

#### EFFECTIVE DATE

This Power of Attorney is effective immediately unless I have stated otherwise in the Special Instructions.

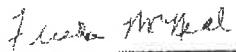
#### NOMINATION OF CONSERVATOR

If it becomes necessary for a court to appoint a conservator of my estate, I nominate for such appointment the person designated in this document (and in the order of priority so designated) to serve as my conservator.

**RELIANCE ON THIS POWER OF ATTORNEY**

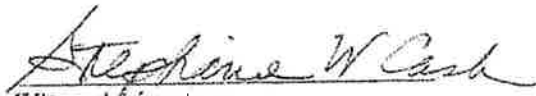
Any person, including my agent, may rely upon the validity of this Power of Attorney or a copy of it unless that person has actual knowledge it has terminated or is invalid.

**SIGNATURE AND ACKNOWLEDGMENT:**

  
**FREIDA M. MCNEAL**  
3746 Friendship Road  
Buford, GA 30519

10-21-2021  
Date

This document was signed or acknowledged in my presence on the 21 day of October, 2021 by **FREIDA M. MCNEAL** or by another individual in such Principal's presence at the Principal's express direction, and I am hereby attesting said signature in the presence of such Principal.

  
Witness's signature

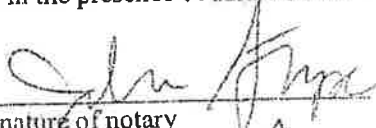
Stephanie W Cash  
Witness's name printed

P.O. Box 3280  
Gainesville, Georgia 30503  
770/536-0101



STATE OF GEORGIA  
COUNTY OF HALL

This document was sworn to and signed or acknowledged in my presence and in the presence of the witness named above on the 27 day of October, 2021 by **FREIDA M. MCNEAL** or by another individual in such Principal's presence and at the Principal's express direction, and said signature was attested by said witness in my presence and in the presence of such Principal on that same date, and I am hereby notarizing and attesting said signature in the presence of such Principal and in the presence of said witness on that same date.

  
Signature of notary

My commission expires:

(Notarial Seal)

Aug. 9, 2022

This document prepared by:  
John P. Strupe  
Stewart, Melvin & Frost, LLP  
P. O. Box 3280  
Gainesville, Georgia 30503  
770-536-0101 (phone)  
jstrupe@smf-law.com



**DESIGNATION OF AGENT**

I, JAMES E. MCNEAL, Principal, name the following person as my agent:

**Pam Patterson**

[REDACTED]

[REDACTED]

[REDACTED]

Email [REDACTED]

**DESIGNATION OF SUCCESSOR AGENTS**

If my agent named above is unable or unwilling to act for me, I name as my successor agent:

**Joshua McNeal**

**P. O. Box 1407**

**Flowery Branch, GA 30542**

**Telephone No:** \_\_\_\_\_

**GRANT OF GENERAL AUTHORITY**

I grant my agent and any successor agent general authority to act for me with respect to the following subjects as defined in Chapter 6B of Title 10 of the Official Code of Georgia Annotated (O.C.G.A. §10-6B-1 *et seq.*):

(INITIAL each subject you want to include in the agent's general authority. If you wish to grant general authority over all of the subjects you may initial "all preceding subjects" instead of initialing each subject.)

( ) Real property

( ) Tangible personal property

( ) Stocks and bonds

( ) Commodities and options

( ) Banks and other financial institutions

( ) Operation of entity or business

( ) Insurance and annuities

- ☐ Estates, trusts, and other beneficial interests
- ☐ Claims and litigation
- ☐ Personal and family maintenance
- ☐ Benefits from governmental programs or civil or military service
- ☐ Retirement plans
- ☐ Taxes
- ☒ All preceding subjects

**GRANT OF SPECIFIC AUTHORITY (OPTIONAL)**

My agent SHALL NOT do any of the following specific acts for me UNLESS I have INITIALED the specific authority listed below:

(CAUTION: Granting any of the following will give your agent the authority to take actions that could significantly reduce your property or change how your property is distributed at your death. INITIAL ONLY the specific authority you WANT to give your agent. You should give your agent specific instructions in the Special Instructions when you authorize your agent to make gifts.)

- ☒ Create, fund, amend, revoke, or terminate an inter vivos trust, subject to the limitations of O.C.G.A. § 10-6B-50(7) and any Special Instructions in this power of attorney
- ☒ Make a gift, subject to the limitation of O.C.G.A. § 10-6B-56 (except subsection (b)(1) thereof) and any Special Instructions in this power of attorney
- ☐ Create or change rights of survivorship, subject to any Special Instructions in this power of attorney
- ☐ Create or change a beneficiary designation, subject to any Special Instructions in this power of attorney
- ☐ Authorize another person to exercise the authority granted under this power of attorney
- ☐ Waive the principal's right to be a beneficiary of a joint and survivor annuity, including a survivor benefit under a retirement plan, subject to any Special Instructions in this power of attorney
- ☒ Exercise authority over the content of electronic communications sent or received by the principal as provided for more specifically in the Special Instructions



- ( ) Exercise fiduciary powers that the principal has authority to delegate and that are expressly and clearly identified (including the persons for which the principal acts as a fiduciary) in the Special Instructions
- ( ) Renounce an interest in property, including a power of appointment, subject to any Special Instructions in this power of attorney

#### LIMITATION ON AGENT'S AUTHORITY

An agent that is not my ancestor, spouse, or descendant SHALL NOT use my property to benefit the agent or a person to whom the agent owes an obligation of support unless I have included that authority in the Special Instructions.

#### SPECIAL INSTRUCTIONS (OPTIONAL)

You may give special instructions on the following lines (you may add lines or place your special instructions in a separate document and attach it to the Power of Attorney):

Notwithstanding anything to the contrary in Chapter 6B of Title 10 of the Official Code of Georgia Annotated (O.C.G.A. §10-6B-1 *et seq.*) and any other applicable law:

(1) As and to the extent, if any, permitted by O.C.G.A. §10-6B-56(c) but not subject to the limitations set forth in O.C.G.A. §10-6B-56(b), and without regard to whether or not the agent is my ancestor, spouse, or descendant, the agent may make gifts of my assets; may disclaim or renounce assets to which I may otherwise be entitled; may create or change a beneficiary designation; may create or change rights of survivorship; may waive my right to be a beneficiary of a joint and survivor annuity, including a survivor benefit under a retirement plan; may create, fund, amend, revoke or terminate any inter vivos trust; may fund, amend, revoke or terminate any trust created by any other person to the extent, if any, I would otherwise be authorized to fund, amend, revoke or terminate such trust; and may exercise powers of appointment granted to me; provided, however, that no such gift, disclaimer, or other action shall be made, taken or exercised to the extent that it constitutes a transfer to or for the benefit of my said agent or to a person to whom my said agent owes a legal obligation of health, support, maintenance or education.

(2) My agent shall have the following authority with respect to my Digital Assets, Digital Devices, and Digital Accounts (as defined below). If I want my agent to have authority to access the *content* of electronic communications, such as e-mail, I must expressly grant my agent such authority above. Otherwise, the Special Instructions below shall be interpreted to exclude such authority, but will not exclude any other authority granted below:

(A) The agent may take any action (including, without limitation, assuming or amending a terms-of-service agreement or other governing instrument) with respect

to my Digital Assets, Digital Devices, or Digital Accounts as my agent shall deem appropriate, and as shall be permitted under applicable state and Federal law. My agent may engage experts or consultants or any other third party, and may delegate authority to such experts, consultants or third party, as necessary or appropriate to effectuate such actions with respect to my Digital Assets, Digital Devices, or Digital Accounts, including, but not limited to, such authority as may be necessary or appropriate to decrypt electronically stored information, or to bypass, reset or recover any password or other kind of authentication or authorization. This authority is intended to constitute "lawful consent" to any service provider to divulge the contents of any communication or record under The Stored Communications Act (currently codified as 18 U.S.C. §§ 2701 et seq.), the Computer Fraud and Abuse Act (currently codified as 18 U.S.C. § 1030), and any other state or federal law relating to Digital Assets, data privacy, or computer fraud, to the extent such lawful consent may be required. My agent shall be an authorized user for purposes of applicable computer-fraud and unauthorized-computer-access laws. The authority granted under this paragraph is intended to provide my agent with full authority to access and manage my Digital Assets, Digital Devices, or Digital Accounts, to the maximum extent permitted under applicable state and Federal law and shall not limit any authority granted to my agent under such laws.

(B) The following definitions and descriptions shall apply under this power of attorney to the authority of the agent with respect to my Digital Assets and Accounts:

(i) "Digital Assets" shall be any electronic record that is defined as a "Digital Asset" under the Georgia Revised Uniform Fiduciary Access to Digital Assets Act, together with any and all files created, generated, sent, communicated, shared, received, or stored on the Internet or on a Digital Device, regardless of the ownership of the physical device upon which the digital item was created, generated, sent, communicated, shared, received or stored (which underlying physical device shall not be a "Digital Asset" for purposes of this power of attorney).

(ii) A "Digital Device" is an electronic device that can create, generate, send, share, communicate, receive, store, display, or process information, including, without limitation, desktops, laptops, tablets, peripherals, storage devices, mobile telephones, smart phones, cameras, electronic reading devices, and any similar digital device which currently exists or may exist as technology develops or such comparable items as technology develops.

(iii) "Digital Account" means an electronic system for creating, generating, sending, sharing, communicating, receiving, storing, displaying, or processing information which provides access to a

Digital Asset stored on a Digital Device, regardless of the ownership of such Digital Device.

(iv) For the purpose of illustration, and without limitation, Digital Assets and Digital Accounts shall include email and email accounts, social network content and accounts, social media content and accounts, text, documents, digital photographs, digital videos, software, software licenses, computer programs, computer source codes, databases, file sharing accounts, financial accounts, health insurance records and accounts, health care records and accounts, domain registrations, DNS service accounts, web hosting accounts, tax preparation service accounts, online store accounts and affiliate programs and other online accounts which currently exist or may exist as technology develops, or such comparable items and accounts as technology develops, including any words, characters, codes, or contractual rights necessary to access such items and accounts.

(3) This Power of Attorney shall become effective only when and as described below and shall be effective until my death or until sooner revoked by me. Notwithstanding anything to the contrary herein, the Power of Attorney granted pursuant to this instrument shall become effective only upon the declaration in writing signed (under penalty of false swearing) by my personal physician (or if he/she is unavailable by such other physician who may then be personally attending me), clearly indicating that, based upon the physician's personal knowledge and examination of me made no more than 15 days prior to the declaration, I am physically or mentally unable to manage my financial affairs. A statement in such a declaration that I lack sufficient capacity to make or communicate significant, responsible decisions concerning the management of my property shall, without limitation, be understood to be a statement that I am physically or mentally unable to manage my financial affairs. Upon the signing of such declaration and delivery of same to the agent, the agent shall be authorized to rely absolutely upon such declaration until a written declaration to the contrary is signed (under penalty of false swearing) by my personal physician (or if he/she is unavailable by such other physician who may then be personally attending me) and delivered to the agent. For purposes of this paragraph, I hereby (i) waive any physician-patient privilege pertaining to any such declaration, (ii) agree to indemnify and hold harmless the agent and any such physician for any claims or losses arising out of any such declaration or the agent's good faith reliance upon same (excluding any claims against a physician named on such a declaration arising from false swearing thereof), and (iii) authorize the payment from my assets of reasonable fees to any such physician for services pertaining to any such declaration. When in the process of determining my disability (or health), incapacity (or capacity) or inability (or ability) to manage my own affairs, all individually identifiable health information and medical records pertaining to me may be released to the person who is nominated or appointed herein as agent, including any written opinion relating to my disability (or health), incapacity (or capacity) or inability (or ability) to manage my own affairs, that the person so nominated or appointed herein may have requested. This release authority applies to any information governed by the Health



Insurance Portability and Accountability Act of 1996 ("HIPAA"), 42 USC 1320d and 45 CFR 160-164, and applies even if that person has not yet taken office or assumed the position of agent.

(4) In addition to any other method of proving that an agent is unable to serve, an agent appointed hereunder shall be deemed to be unable to serve as such if a physician signs a written declaration under penalty of false swearing that the physical or mental disability, from any cause, of said agent renders him or her either (i) unable to manage his or her own affairs or (ii) unable to fulfill the agent's duties under O.C.G.A. §10-6B-14(a). Upon such declaration and delivery of same to the successor agent or second successor agent, the successor agent or second successor agent shall be authorized to rely absolutely upon such declaration until a written declaration to the contrary is signed under penalty of false swearing by a physician and delivered to the successor agent or the second successor agent.

(5) I relieve my agent from liability for any breach of duty to me or my successors in interest, provided that the breach of duty is not in bad faith, or with reckless indifference to the purposes of this instrument or with reckless indifference to my best interest. I have been advised, prior to signing this instrument, that this Special Instruction may allow my agent, in some circumstances, to act under a lesser standard than otherwise required by law, without liability to me or my successors in interest. No person named as agent hereunder has asked me to add this special instruction, and I do so willingly, without any compulsion to do so from any person.

(6) For avoidance of doubt, I hereby revoke any and all Powers of Attorney executed prior to the date hereof.

#### **EFFECTIVE DATE**

This Power of Attorney is effective immediately unless I have stated otherwise in the Special Instructions.

#### **NOMINATION OF CONSERVATOR**

If it becomes necessary for a court to appoint a conservator of my estate, I nominate for such appointment the person designated in this document (and in the order of priority so designated) to serve as my conservator.

RELIANCE ON THIS POWER OF ATTORNEY

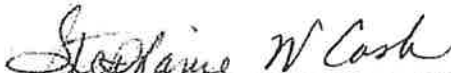
Any person, including my agent, may rely upon the validity of this Power of Attorney or a copy of it unless that person has actual knowledge it has terminated or is invalid.

SIGNATURE AND ACKNOWLEDGMENT:

  
JAMES E. MCNEAL

10-21-21  
Date

This document was signed or acknowledged in my presence on the 21 day of October, 2021 by JAMES E. MCNEAL or by another individual in such Principal's presence at the Principal's express direction, and I am hereby attesting said signature in the presence of such Principal.

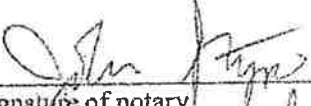
  
Witness's signature

Stephanie W. Cash  
Witness's name printed

P.O. Box 3280  
Gainesville, Georgia 30503  
770/536-0101

STATE OF GEORGIA  
COUNTY OF HALL

This document was sworn to and signed or acknowledged in my presence and in the presence of the witness named above on the 21 day of October, 2021 by **JAMES E. MCNEAL** or by another individual in such Principal's presence and at the Principal's express direction, and said signature was attested by said witness in my presence and in the presence of such Principal on that same date, and I am hereby notarizing and attesting said signature in the presence of such Principal and in the presence of said witness on that same date.

  
Signature of notary  
My commission expires: Aug. 9, 2022  
(Notarial Seal)

This document prepared by:  
John P. Strupe  
Stewart, Melvin & Frost, LLP  
P. O. Box 3280  
Gainesville, Georgia 30503  
770-536-0101 (phone)  
jstrupe@smf-law.com



## Anael Dominguez (Planning)

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**From:** Emily McGahee (Environmental Health)  
**Sent:** Friday, August 12, 2022 3:11 PM  
**To:** Randi Doveton (Planning); Anael Dominguez (Planning)  
**Cc:** Chad Harper (Environmental Health); Kelly Hairston (Environmental Health)  
**Subject:** HCPC Tentative Agenda 9.6.22

Please find Environmental Health comments below:

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

Item 2, 3667 Roy Parks Road, Shadburn: 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 comments have been provided to the owner.

Items 3 and 4, 1050 McEver Road, Dhavel Patel: No comment.

Item 5, 3746.3740, 3774 Friendship Circle, Puckett: No comment. Public sewer.

Item 6, 2562, 2564, 2592, 2596 Athens Hwy, Rochester: No comment.

Item 7, 3824, 3830, 3842, 0 Price Road: 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)  
<http://www.hallcounty.org/devserv/environmental.asp> (County Website & Forms)



## Anael Dominguez (Planning)

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**From:** Niebauer, Parker J <PNiebauer@dot.ga.gov>  
**Sent:** Thursday, August 18, 2022 8:35 AM  
**To:** Anael Dominguez (Planning); Randi Doveton (Planning)  
**Cc:** Peevy, Jonathan; Chavers, Veronica E  
**Subject:** RE: Tentative Planning Agenda for September 6, 2022

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

Good morning, please see GDOT responses below

- (3) and (4) Dhaval Patel will require GDOT coordination – bring driveway up to current standards by adding crosswalk between existing ADA ramps
- (5) Scott Puckett, Inc will require GDOT coordination
- (6) Rochester and Associates, LLC will require GDOT Coordination. Reviewer has not noticed this intersection in the field since US 129/SR 11 widening. Reviewer will field verify.
- (7) Rochester and Associates, LLC will require GDOT Coordination.

Thank you,

**Parker Niebauer**

*DITO Traffic Operations Supervisor*



District 1 Division of Field Services  
1475 Jesse Jewell Pkwy  
Suite 100  
Gainesville, GA, 30501  
770.533.8275 office  
770.519.3223 cell

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**From:** Anael Dominguez (Planning) <adominguez@hallcounty.org>  
**Sent:** Thursday, August 11, 2022 10:32 AM  
**To:** Becky Ruffner (Parks & Leisure) <bruffner@hallcounty.org>; Bill Nash (Public Works) <bnash@hallcounty.org>; Brandi Smith (Business License) <bsmith@hallcounty.org>; Bryan Cash (Fire Services) <bcash@hallcounty.org>; Chad Harper (Environmental Health) <charper@hallcounty.org>; Chris Braswell (Planning) <cbraswell@hallcounty.org>; Christopher Armstrong (Fire Services) <carmstrong@hallcounty.org>; Dan Barnes <Daniel.C.Barnes@usace.army.mil>; Ellis Still (Planning) <estill@hallcounty.org>; Emily McGahee (Environmental Health) <emcgahee@hallcounty.org>; Frank Miller (Engineering) <fmiller@hallcounty.org>; Dykes, Jason <jdykes@dot.ga.gov>; Jason Skarda (Engineering) <jskarda@hallcounty.org>; Jeremy Wills <jeremy.wills@gainesville.org>; John Hornick (Fire Services) <jhornick@hallcounty.org>; Peevy, Jonathan <jpeevy@dot.ga.gov>; Kelly Hairston (Environmental Health) <khairston@hallcounty.org>; Randi Doveton (Planning) <rdoveton@hallcounty.org>; Matt Cox <matt.cox@hallco.org>; Michael Vieira (Fire Services) <mvieira@hallcounty.org>; Mike Little (Parks and Leisure) <mlittle@hallcounty.org>; Nicole Griffin (Tax Assessors) <nicole.griffin@hallcounty.org>; nswofford <nswafford@gainesville.org>; Pam Cravero <Pam.Cravero@hallco.org>; Niebauer, Parker J <PNiebauer@dot.ga.gov>; Randi Doveton (Planning)

<rdoveton@hallcounty.org>; rich <rich@flowerybranchga.org>; Scott Puckett <spuckett@hallcounty.org>; Srikanth Yamala (Public Works) <syamala@hallcounty.org>; Stephen Cain <troy.s.cain@usace.army.mil>; Steve Watson (Real Property) <rswatson@hallcounty.org>; Tammie Croy (Engineering) <tcroy@hallcounty.org>; Tracy Gilreath (Tax Assessors) <tgilreath@hallcounty.org>; Wanda Moreno (Engineering) <wmoreno@hallcounty.org>; Wanda Sutton (Engineering) <wsutton@hallcounty.org>; will schofield <will.schofield@hallco.org>

**Subject:** Tentative Planning Agenda for September 6, 2022

Good morning—

Here is the Tentative Agenda and Maps for the **Tuesday, September 6, 2022** Hall County Planning Commission Meeting.

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

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

Comments are due by **Thursday, August 18<sup>th</sup>**. Email comments to Randi ([rdoveton@hallcounty.org](mailto:rdoveton@hallcounty.org)) and Ana ([adominguez@hallcounty.org](mailto:adominguez@hallcounty.org)).

### **CALL TO ORDER**

### **AGENDA REVIEW**

### **APPROVAL OF MINUTES – August 15, 2022**

### **OLD BUSINESS**

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

### **NEW BUSINESS**

2. [Application of Douglas Shadburn for a road frontage variance from 150 feet to 50 feet on a 29.35± acre tract located on the east side of Roy Parks Road approximately 914 feet from its intersection with A L Mangum Road; a.k.a. 3667 Roy Parks Road; Zoned AR-IV; Tax Parcel 15013 000023C. Proposed use: 3-lot subdivision. \\* Commission District 3.](#)
3. [Application of Dhaval Patel to rezone from Vacation-Cottage \(V-C\) to Planned Commercial Development \(PCD\) on a 1.13± acre tract located on the west side of McEver Road at its intersection with Pemmican Run; a. k. a. 1050 McEver Road; Zoned V-C; Tax Parcel 08005 000044 \(pt.\). Proposed use: auto rentals and outdoor storage. \\*\\* Commission District 2.](#)
4. [Application of Dhaval Patel to amend conditions of a Planned Commercial Development \(PCD\) on a 2.68± acre tract located on the west side of McEver Road at its intersection with Pemmican Run; a. k. a. 1050 McEver Road; Zoned PCD & V-C; Tax Parcel 08005 000044. Proposed use: auto rentals and outdoor storage. \\*\\* Commission District 2.](#)
5. [Application of Scott Puckett, Inc to rezone from Agricultural Residential-III \(AR-III\) to Planned Residential Development \(PRD\) on a 115.98± acre tract located on the south side of Friendship Circle at its intersection with Friendship Place; a. k. a. 3746, 3760, & 3774 Friendship Circle & 3654 Friendship Road; Zoned AR-III; Tax Parcel 15048 000007, 000008, 000025C, & 000204. Proposed use: 349-unit residential development. \\*\\* Commission District 1.](#)
6. [Application of Rochester and Associates, LLC to rezone from Agricultural Residential-III \(AR-III\) and Agricultural Residential-IV \(AR-IV\) to Planned Industrial Development \(PID\) on a 24.66± acre tract located on the west side of](#)

Athens Highway at its intersection with Barrett Road; a. k. a. 2562, 2564, 2592, & 2596 Athens Highway; Zoned AR-III & AR-IV; Tax Parcels 15023A000035 (pt.), 000035A - 000035B, & 000036. Proposed use: vehicle salvage.  
\*\* Commission District 3.

7. Application of Rochester and Associates, LLC to rezone from Agricultural Residential-III (AR-III), Residential-I (R-I), and Vacation Cottage (V-C) to Planned Residential Development (PRD) on a 60.39± acre tract located on the north side of Price Road approximately 628 feet from its intersection with Summit Chase; a. k. a. 3824, 3830, 3842, 0, & 0 Price Road; Zoned AR-III, R-I, & V-C; Tax Parcels 10100 000006-000007, 000103, 000108, & 000159. Proposed use: 202-unit residential subdivision. \*\* Commission District 2.

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

The Hall County Board of Commissioners will hear appeals at a public hearing **Thursday, October 13, 2022** at 6:00 p.m. at the Hall County Government Center, 2<sup>nd</sup> Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

\*\*The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on **Thursday, October 13, 2022**. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2<sup>nd</sup> Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

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



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



# Hall County Government

PUBLIC WORKS AND UTILITIES  
ENGINEERING DIVISION

## MEMORANDUM

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

SRIKANTH YAMALA  
Director

BILL NASH, P.E.  
Assistant Director

FRANKLIN P. MILLER, P.E.  
County Engineer

**To:** Randi Doveton, Director of Planning and Development  
**From:** Srikanth Yamala, Director of Public Works and Utilities  
**Date:** August 18, 2022  
**Subject:** September 6, 2022 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the September 6, 2022 meeting. Upon review, we provide the following comments:

### OLD BUSINESS

1. [Previously tabled application of Michael James Remodeling to rezone from Residential-I \(R-I\) to Office and Institutional \(O-I\) on a 6.85± acre tract located on the west side of Thompson Bridge Road at its intersection with Tommy Aaron Drive; a.k.a. 3461 Thompson Bridge Road; Zoned R-I; Tax Parcel 10114 000039A. Proposed use: office. \\*\\* Commission District 2.](#)
  - a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.  
Show buffer and impervious setback from wrested vegetation, not centerline of creek.
  - b) **Traffic:** Driveway may need to be upgraded to accommodate two-way traffic.
  - c) **Utilities:** City of Gainesville Sewer.

### NEW BUSINESS

2. [Application of Douglas Shadburn for a road frontage variance from 150 feet to 50 feet on a 29.35± acre tract located on the east side of Roy Parks Road approximately 914 feet from its intersection with A L Mangum Road; a.k.a. 3667 Roy Parks Road; Zoned AR-IV; Tax Parcel 15013 000023C. Proposed use: 3-lot subdivision. \\* Commission District 3.](#)
  - 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 buffers and impervious setback from wrested vegetation not centerline of stream.  
Further subdivisions of these lots will result in the necessity of a stormwater management plan if the total number of lots reaches more than six.
  - b) **Traffic:** No comments.
  - c) **Utilities:** No comments.





# Hall County Government

PUBLIC WORKS AND UTILITIES  
ENGINEERING DIVISION

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

SRIKANTH YAMALA  
**Director**

BILL NASH, P.E.  
**Assistant Director**

FRANKLIN P. MILLER, P.E.  
**County Engineer**

3. [Application of Dhaval Patel to rezone from Vacation-Cottage \(V-C\) to Planned Commercial Development \(PCD\) on a 1.13± acre tract located on the west side of McEver Road at its intersection with Pemmican Run; a. k. a. 1050 McEver Road; Zoned V-C; Tax Parcel 08005 000044 \(pt.\). Proposed use: auto rentals and outdoor storage. \\*\\* Commission District 2.](#)
  - 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.  
Added impervious without permit.
  - b) **Traffic:** No comments.
  - c) **Utilities:** Gainesville Sewer.
4. [Application of Dhaval Patel to amend conditions of a Planned Commercial Development \(PCD\) on a 2.68± acre tract located on the west side of McEver Road at its intersection with Pemmican Run; a. k. a. 1050 McEver Road; Zoned PCD & V-C; Tax Parcel 08005 000044. Proposed use: auto rentals and outdoor storage. \\*\\* Commission District 2.](#)
  - 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. Since 1999 they have added impervious areas without a permit or stormwater report.
  - b) **Traffic:** No comments.
  - c) **Utilities:** Gainesville Sewer
5. [Application of Scott Puckett, Inc to rezone from Agricultural Residential-III \(AR-III\) to Planned Residential Development \(PRD\) on a 115.98± acre tract located on the south side of Friendship Circle at its intersection with Friendship Place; a. k. a. 3746, 3760, & 3774 Friendship Circle & 3654 Friendship Road; Zoned AR-III; Tax Parcel 15048 000007, 000008, 000025C, & 000204. Proposed use: 349-unit residential development. \\*\\* Commission District 1.](#)
  - 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 buffers and impervious setback from wretched vegetation not centerline of stream.  
Show flood Hall County studied and FEMA.  
Roads must meet all Hall County standards.  
Stormwater ponds must be out of flood.  
Development is not allowed in flood.
  - b) **Traffic:**
    1. GDOT approval/permitting required.
    2. Improvements/modifications to the intersection of Friendship Circle and Friendship Place may be required.
    3. Improvements/modifications (possibly including signalization) may be required for the intersection of Friendship Road (SR347) and



POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

SRIKANTH YAMALA  
Director

BILL NASH, P.E.  
Assistant Director

FRANKLIN P. MILLER, P.E.  
County Engineer

# Hall County Government

## PUBLIC WORKS AND UTILITIES ENGINEERING DIVISION

Friendship Place/Swansey Road.

4. Developer should be financially responsible for all required roadway improvements/modifications and they should be constructed concurrently with the development.

**c) Utilities:** Hall County sewer district.

No sewer available.

No application for land disturbance permit can be made prior to Friendship Road sewer project construction is less than one year from its anticipated completion. No final plat will be approved until Friendship Road sewer is installed and operating.

6. [Application of Rochester and Associates, LLC to rezone from Agricultural Residential-III \(AR-III\) and Agricultural Residential-IV \(AR-IV\) to Planned Industrial Development \(PID\) on a 24.66± acre tract located on the west side of Athens Highway at its intersection with Barrett Road; a. k. a. 2562, 2564, 2592, & 2596 Athens Highway; Zoned AR-III & AR-IV; Tax Parcels 15023A000035 \(pt.\), 000035A - 000035B, & 000036. Proposed use: vehicle salvage. \\*\\* Commission District 3.](#)

**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 buffers and impervious setback from wretched vegetation not centerline of stream.

Show flood Hall County studied and FEMA.

Cannot have any development in flood.

**b) Traffic:** No comments.

**c) Utilities:** No sanitary sewer at this location.

7. [Application of Rochester and Associates, LLC to rezone from Agricultural Residential-III \(AR-III\), Residential-I \(R-I\), and Vacation Cottage \(V-C\) to Planned Residential Development \(PRD\) on a 60.39± acre tract located on the north side of Price Road approximately 628 feet from its intersection with Summit Chase; a. k. a. 3824, 3830, 3842, 0, & 0 Price Road; Zoned AR-III, R-I, & V-C; Tax Parcels 10100 000006-000007, 000103, 000108, & 000159. Proposed use: 202-unit residential subdivision. \\*\\* Commission District 2.](#)

**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 buffers and impervious setback from wretched vegetation.

Roads must meet Hall County standard.

No dead end roads without cul-de-sacs on public roads.

**b) Traffic:** GDOT approval/permit required for access to Price Road (SR136).

**c) Utilities:** Gainesville/Hall County sewer district.

## Anael Dominguez (Planning)

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**From:** John Hornick (Fire Services)  
**Sent:** Monday, August 15, 2022 4:35 PM  
**To:** Randi Doveton (Planning)  
**Cc:** Anael Dominguez (Planning); Michael Vieira (Fire Services); John Tucker (Fire Services)  
**Subject:** Tentative Agenda 9/6/22

8/15/22

### Hall County Fire Marshal's Office Comments

#### NEW BUSINESS

#### Tentative Agenda 9/6/22

1. [Application of Douglas Shadburn for a road frontage variance from 150 feet to 50 feet on a 29.35± acre tract located on the east side of Roy Parks Road approximately 914 feet from its intersection with A L Mangum Road; a.k.a. 3667 Roy Parks Road; Zoned AR-IV; Tax Parcel 15013 000023C. Proposed use: 3-lot subdivision. \\* Commission District 3.](#)  
Hall County Fire Marshal's Office has no comments regarding 3 lot subdivision.
2. [Application of Dhaval Patel to rezone from Vacation-Cottage \(V-C\) to Planned Commercial Development \(PCD\) on a 1.13± acre tract located on the west side of McEver Road at its intersection with Pemmican Run; a. k. a. 1050 McEver Road; Zoned V-C; Tax Parcel 08005 000044 \(pt.\). Proposed use: auto rentals and outdoor storage. \\*\\* Commission District 2.](#)  
Hall County Fire Marshal's Office has no comments regarding auto rentals and outdoor storage.
3. [Application of Dhaval Patel to amend conditions of a Planned Commercial Development \(PCD\) on a 2.68± acre tract located on the west side of McEver Road at its intersection with Pemmican Run; a. k. a. 1050 McEver Road; Zoned PCD & V-C; Tax Parcel 08005 000044. Proposed use: auto rentals and outdoor storage. \\*\\* Commission District 2.](#)  
Hall County Fire Marshal's Office has no comments regarding auto rentals and outdoor storage.
4. [Application of Scott Puckett, Inc to rezone from Agricultural Residential-III \(AR-III\) to Planned Residential Development \(PRD\) on a 115.98± acre tract located on the south side of Friendship Circle at its intersection with Friendship Place; a. k. a. 3746, 3760, & 3774 Friendship Circle & 3654 Friendship Road; Zoned AR-III; Tax Parcel 15048 000007, 000008, 000025C, & 000204. Proposed use: 349-unit residential development. \\*\\* Commission District 1.](#)  
Hall County Fire Marshal's Office has no comments regarding concept plan for 349 unit residential development.
5. [Application of Rochester and Associates, LLC to rezone from Agricultural Residential-III \(AR-III\) and Agricultural Residential-IV \(AR-IV\) to Planned Industrial Development \(PID\) on a 24.66± acre tract located on the west side of Athens Highway at its intersection with Barrett Road; a. k. a. 2562, 2564, 2592, & 2596 Athens Highway; Zoned AR-III & AR-IV; Tax Parcels 15023A000035 \(pt.\), 000035A - 000035B, & 000036. Proposed use: vehicle salvage. \\*\\* Commission District 3.](#)
  - 1) Expansion shall include provisions for fire department vehicle access.
  - 2) Expansion of existing underground fire line and fire hydrant(s) may be required if new building(s) will be constructed in expanded site.
6. [Application of Rochester and Associates, LLC to rezone from Agricultural Residential-III \(AR-III\), Residential-I \(R-I\), and Vacation Cottage \(V-C\) to Planned Residential Development \(PRD\) on a 60.39± acre tract located on the north side of Price Road approximately 628 feet from its intersection with Summit Chase; a. k. a. 3824, 3830, 3842, 0, & 0 Price Road; Zoned AR-III, R-I, & V-C; Tax Parcels 10100 000006-000007, 000103, 000108, & 000159. Proposed use: 202-unit residential subdivision. \\*\\* Commission District 2.](#)

- 1) Proposed 202 unit single family development is show with one entrance which does not meet the fire access requirements of the Georgia State Minimum Standards Section D107.1, Developer is requesting a variance and is proposing to use an acceptable compliance alternative number 7 found in the State fire access modification section. The alternative is not shown on the preliminary plan submittal and will need to be approved by the Fire Chief and Fire Marshal before the plan is submitted for review.

Regards,

**John Hornick, NPQ Fire Inspector 1, Plans Review**

**Lieutenant, Hall County Fire Rescue**

**Hall County Government**

Main: 770-531-6838 | Cell: 404-597-0083

Website: [www.Hallcounty.org](http://www.Hallcounty.org)





## Anael Dominguez (Planning)

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**From:** Randi Doveton (Planning)  
**Sent:** Sunday, October 16, 2022 7:13 AM  
**To:** David Webb (Planning); Anael Dominguez (Planning); Ellis Still (Planning)  
**Subject:** Fwd: Scott Puckett's request of rezoning on Friendship Rd

Please make sure this is in the file and that the HCPC members get a copy.

Sent from my iPhone

Begin forwarded message:

**From:** Janet Whitwell <janetcwhitwell@gmail.com>  
**Date:** October 12, 2022 at 12:49:11 PM EDT  
**To:** "Randi Doveton (Planning)" <rdoveton@hallcounty.org>  
**Subject:** Scott Puckett's request of rezoning on Friendship Rd

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.

Hi Ms. Doveton,

I own land and a house that borders the tract that Scott Puckett Inc. has applied to rezone on Friendship Rd. There has already been some bulldozing on the land with no regard to property lines. I am asking the Hall Co. Planning and Development Department to regulate and monitor this activity with directives to include substantial fencing along the property lines during land clearing and construction as well as post-construction substantial fencing.

Thank you for your help in this matter.

Janet Whitwell

**Print****Planning Commission Comments - October 17, 2022 - Submission #60806****Date Submitted: 10/11/2022**

Comments completed in the form below will be submitted into the record for the October 17, 2022 meeting of the Hall County Planning Commission.

**First Name\***

Nancy

**Last Name\***

Johnson

**Address1\***

211 Leila Court

**Address2****City\***

Lawrenceville

**State\***

Georgia

**Zip\***

30046

**Zoning Item for Comment\***

3. Previously tabled application of Scott Puckett, Inc



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

**Your Comments\***

My name is Nancy Johnson. I own acreage bordering the tract that Scott Puckett Inc. has applied to rezone on Friendship Road. There has already been some bulldozing on the land with no regard to property lines; thus, resulting in trees being pushed onto my property. I am appealing to the Hall County Planning and Development Department to regulate this activity with directives to include substantial fencing during land clearing and construction as well as substantial post construction fencing. Thank you for hearing my concern on this matter. I fear that without your help in the early stages of this project, I will need your ongoing assistance in the future. I appreciate your work.

Nancy Johnson

Please write your comments in the box above.

**File Upload**

No file chosen

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

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

nancyjohnson3115@gmail.com   phone 404 731 5897

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



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Matthew  
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## ZONING NOTICE

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

APPLICANT: SCOTT PUCKETT, INC.

REQUEST: REZONE FROM AR-11 TO PRD FOR  
349 UNIT RESIDENTIAL DEVELOPMENT

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION  
Date: 10-17-2022  
Time: 05:15 PM

AND

COUNTY COMMISSION  
Date: 11-17-2022  
Time: 06:00 PM

HALL COUNTY GOVERNMENT CENTER, 2075 BROWN 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: SCOTT PUCKETT, INC

REQUEST: REZONE FROM AB-III TO PRD FOR  
349-UNIT RESIDENTIAL DEVELOPMENT

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION  
Date: 10-17-2022

Time: 05:15 PM

AND

COUNTY COMMISSION

Date: 11-17-2022

Time: 06:00 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: SCOTT PUCKETT, INC

REQUEST: REZONE FROM AR-III TO PRD FOR  
349-UNIT RESIDENTIAL DEVELOPMENT

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION  
Date: 10-17-2022  
Time: 05:15 PM

COUNTY COMMISSION  
Date: 11-17-2022  
Time: 06:00 PM

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

FOR MORE INFORMATION CALL: (770) 531-6809





## AGENDA ITEM

### Planning and Development

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**REPORT TO:** Meeting (11/14/22)

**REPORT TO:** Meeting (11/17/22)

**ITEM NO:** 597/2022

**SUBJECT:** Application of Phillip Edwards, Chad & Clint Shoaf to rezone from Residential-I (R-I) to Planned Commercial Development (PCD) on a 3.54± acre tract located on the north side of Mountain View Road at its intersection with Old Oakwood Road; a.k.a. 2928 Mountain View Road; Zoned R-I; Tax Parcel 08012 003006S. Proposed Use: self-storage warehouses. Commission District 4.

---

#### Meetings:

**Work Session Date:** 11/14/22

**Voting Meeting Date:** 11/17/22

#### Executive Summary:

**Presenter:** RD

**Recommendation:**

Approval, with conditions: 1. There shall be coordination with Georgia Power for a fence with a gate lock along the power easement. 2. The placement and design of the buffers shall be approved by the Planning Director on a revised site plan prior to submission to Development Review. 3. Before a building permit is issued, the proposed architectural plans shall receive approval from the Hall County Planning Director. 4. Driveway design and placement are subject to approval by Hall County Traffic Engineering. 5. The following uses shall be prohibited: adult entertainment establishments, junk yards, and billboard signs. 6. Georgia Power shall approve the commercial site plan prior to the Land Disturbance Permit being issued. 7. All exterior lighting shall be full cutoff down lights. 8. The development shall be in conformity with all Hall County ordinances at the time of submission for Development Review, including the Tree Protection ordinance. 9. Hours of operation shall only be between 5am to 11pm. 10. There shall be a brick and mortar sign at the front. 11. Buildings A and B facing Mountain View Road shall have a minimum of 36 inch water table with hardy plank siding.

**Purpose of Request:**

**History:**

Application of Phillip Edwards, Chad & Clint Shoaf to rezone from Residential-I (R-I) to Planned Commercial Development (PCD) on a 3.54± acre tract located on the north side of Mountain View Road at its intersection with Old Oakwood Road; a.k.a. 2928 Mountain View Road; Zoned R-I; Tax Parcel 08012 003006S. Proposed use: self-storage warehouses. Commission District 4.

**Facts and Issues:**

**Options:**

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

**Approvals:**

Submit	Approve	Budget	Finance
AD	RD	EW	WG
Attorney	Administration	Clerk	
WLI	LJ	AO	

**Attachments:**

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





# Hall County Government

## PLANNING & DEVELOPMENT

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR  
**Randi Doveton**

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

**From:** Randi Doveton, Director

**Date:** October 25, 2022

**Subject:** Application of Phillip Edwards, Chad & Clint Shoaf to rezone from Residential-I (R-I) to Planned Commercial Development (PCD) on a 3.54± acre tract located on the north side of Mountain View Road at its intersection with Old Oakwood Road; a.k.a. 2928 Mountain View Road; Zoned R-I; Tax Parcel 08012 003006S. Proposed use: self-storage warehouses. Commission District 4.

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The application before you is a request to rezone 3.54± acres from Residential-I (R-I) to Planned Commercial Development (PCD) to allow self-storage warehouses.

At their October 17, 2022 meeting, the Hall County Planning Commission voted to recommend approval (4-1) of this request with the following eleven (11) conditions:

1. *There shall be coordination with Georgia Power for a fence with a gate lock along the power easement.*
2. *The placement and design of the buffers shall be approved by the Planning Director on a revised site plan prior to submission to Development Review.*
3. *Before a building permit is issued, the proposed architectural plans shall receive approval from the Hall County Planning Director.*
4. *Driveway design and placement are subject to approval by Hall County Traffic Engineering.*
5. *The following uses shall be prohibited: adult entertainment establishments, junk yards, and billboard signs.*
6. *Georgia Power shall approve the commercial site plan prior to the Land Disturbance Permit being issued.*
7. *All exterior lighting shall be full cutoff down lights.*
8. *The development shall be in conformity with all Hall County ordinances at the time of submission for Development Review, including the Tree Protection ordinance.*
9. *Hours of operation shall only be between 5am to 11pm.*
10. *There shall be a brick and mortar sign at the front.*
11. *Buildings A and B facing Mountain View Road shall have a minimum of 36 inch water table with hardy plank siding.*

There were no written comments submitted in advance of the Planning Commission meeting and no one spoke in favor or opposition during the public hearing on October 17, 2022.

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

**HALL COUNTY PLANNING COMMISSION  
RECOMMENDATION REPORT**

**Applicant** ..... Phillip Edwards, Chad & Clint Shoaf

**Request** ..... Rezone from Residential-I (R-I) to Planned  
Commercial Development (PCD)

**Proposed Use** ..... Self-storage warehouses

**Size** ..... 3.54± acres

**Zoning** ..... R-I

**Location** ..... On the north side of Mountain View Road at  
its intersection with Old Oakwood Road;  
a.k.a. 2928 Mountain View Road; Tax  
Parcel 08012 003006S.

**Commission District** ..... Four

**Planning Commission Date** ..... October 17, 2022

**Staff Recommendation** ..... **Denial**

---

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

**Vote: 4-1 (Bell opposed)**

**Conditions:**

1. *There shall be coordination with Georgia Power for a fence with a gate lock along the power easement.*
2. *The placement and design of the buffers shall be approved by the Planning Director on a revised site plan prior to submission to Development Review.*
3. *Before a building permit is issued, the proposed architectural plans shall receive approval from the Hall County Planning Director.*
4. *Driveway design and placement are subject to approval by Hall County Traffic Engineering.*
5. *The following uses shall be prohibited: adult entertainment establishments, junk yards, and billboard signs.*
6. *Georgia Power shall approve the commercial site plan prior to the Land Disturbance Permit being issued.*
7. *All exterior lighting shall be full cutoff down lights.*
8. *The development shall be in conformity with all Hall County ordinances at the time of submission for Development Review, including the Tree Protection ordinance.*
9. *Hours of operation shall only be between 5am to 11pm.*
10. *There shall be a brick and mortar sign at the front.*

*11. Buildings A and B facing Mountain View Road shall have a minimum of 36 inch water table with hardy plank siding.*

### **Applicant Proposal**

The applicant is requesting to rezone the subject property from Residential-I (R-I) to a Planned Commercial District (PCD) for the use of a self-storage facility. The narrative states that the operating hours will be 9:00am-5:00pm with management on site. After-hours access will be provided via key pad with remote entry to the facility. The narrative continues that the development will have high security systems and proper lighting subject to the county requirements.

The site will be serviced by an on-site septic system, subject to county regulations. The narrative states that adjacent properties will be protected by proper fencing, foliage, and shrubbery with input from neighbors to ensure the proper buffers are maintained. The submitted site plan shows a 25 foot vegetated buffer with opaque fencing adjacent to all properties zoned R-I.

The submitted site plan shows three (3) self-storage buildings on the property, with total impervious area equaling 1.65 acres, or 48% of the total lot area. All two (2) of the three (3) buildings are proposed to be one story in height (less than 15 feet), with the building located on the western portion of the lot having a bi-level option (less than 27 feet).

The total proposed square footage of self-storage area is 39,800 square feet of one story storage and 60,950 square feet if the bi-level building is constructed. The site plan shows a 700 square foot office connected to Building A with 8 parking spaces near the entrance. After the parking spaces is a gated access to the storage buildings. A stormwater detention facility is shown in the front of the property, to the north of the proposed parking spaces and a monument sign is shown adjacent to Mountain View Road.

A breakdown of the proposed development can be shown in the table below:

Building A	1-story (< 15 feet high)	11,450 square feet
Building B	1-story (< 15 feet high)	7,200 square feet
Building C	Bi-Level Optional (< 27 feet high)	21,450 square feet / 42,300 square feet
Office	Connected to Building A	700 square feet

### **History and Existing Land Use**

The subject property is zoned Residential I (R-I) and measures approximately 3.54± acres. The property is currently undeveloped as the property card shows a demolition permit was issued for a residence and a barn on November 2, 2018 and shows that demolition took place on March 6, 2019.

This parcel was the subject of a previous rezoning request to Planned Commercial Development (PCD) for a gas station and convenience store with retail offices and storage units. The Planning



Commission on March 18, 2019 recommend denial. The request to rezone to a PCD was **denied** by the BOC on April 10, 2019.

Subsequently, a conditional use application for a daycare center was approved by the Board of Commissioners on January 9, 2020, with 9 conditions. Per §17.380.130, the approval of any application for a use subject to approval of the county commission shall be effective for a period of no longer than 12 months from the date of approval unless action is taken by the applicant to implement the use proposed in the application by obtaining the proper permit and/or license, and development plat approval, and proceeding with the building, occupancy or establishment of business. Since the approval there has been no action taken by the applicant to implement the proposed use and as such the approval for a daycare center has **expired**.

All adjacent parcels to the subject property are zoned Residential-I (R-I). The eastern and northwestern property lines abut lots within the Colbert Buice Subdivision. The western and southwestern property lines are developed residential lots that are not within a subdivision.

Across Mountain View Road are multiple larger tracts of land within the City of Gainesville jurisdiction, zoned Light Industrial (L-I). The parcels are developed with industrial uses, including a 371,890± square foot manufacturing building.

Within unincorporated Hall County limits, directly across from the subject property, is a parcel zoned R-I and developed with a hair salon business that has been in business since the 1970s. The property to the west of the hair salon business (2941 Mountain View Road) was rezoned to Highway-Business (H-B) in 2017, and is currently developed with a Family Dollar store.

### **Comprehensive Plan Land Use Designation**

The Comprehensive Plan designates the subject property and surrounding area as a “Lake Area Residential” land use category. This category includes low-density residential development and neighborhoods. Land use patterns are similar to Residential Areas, and there is orientation toward Lake Lanier in terms of development and flexibility in use of single-family homes. The area includes the 500-foot buffer around the lake, wherein properties have the potential to be zoned Vacation Cottage District in order for single-family homes to be used as short-term vacation rentals. Future development will 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 area.

These areas are located outside of the County’s sewer service area, but public water is available.

While non-residential uses have been introduced on the southern side of Mountain View Road, there has been none yet introduced on the northern side of the road. The introduction of nonresidential uses on this parcel is inconsistent with the future land use policy of the Comprehensive Plan.

This proposal is **inconsistent** with the Comprehensive Plan.

## **Development Support and Constraints**

### **Hall County Environmental Health**

In an email dated September 23, 2022, Emily McGahee stated, "Must meet all Environmental Health commercial septic system permitting requirements. Further determination will be made during the civil plan review process. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation may be required after review of business plan."

### **Hall County Fire Services**

In an email dated September 28, 2022, Lieutenant John Hornick, NPQ Fire Inspector 1, Plans Review, stated the following:

"IFC Section 903, 42,300 SF bi-level storage building exceeds the 12,000 SF sprinkler threshold requirements and will be required to have a fire protection system installed.

All access controlled gates will require a Knox key switch override device for fire department access into gated development.

IFC Section 507, All buildings must be within the 400' hose lay distance requirements from a fire hydrant as the truck travels. Fire hydrant(s) may have to be installed along the access road to meet the hose lay distance requirements."

Per Hall County GIS, the property is located approximately 2.7 miles from Hall County Fire Station #4, located at 2940 McEver Road. There is a fire hydrant in front of the subject property.

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

A memorandum from Srikanth Yamala, Director of Public Works and Utilities, dated September 29, 2022 stated the following:

#### **Engineering:**

Georgia Power Approval is required prior to civil plan approval.

#### **Traffic:**

Driveway must meet commercial standards. Applicant should verify that required intersection and stopping sight distances can be achieved at proposed driveway location.

#### **Utilities:**

No sewer available.

### **Georgia Department of Transportation**

This project will not require GDOT coordination.

### Hall County Tax Assessors

No comments were provided in relation to this item.

### Gainesville Water and Sewer Resources

No comments were provided in relation to this item.

Per Hall County GIS, there is public water along Mountain View Road.

### Georgia Power

In an e-mail dated July 14, 2022, Andrew Crews, Forestry and Right of Way Services, Georgia Power, stated:

I've discussed this with our transmission maintenance group. A set of site and grading plans will be needed to make a full evaluation. Here are some of the requirements, but not necessarily limited to,

- No permanent structures in the easement area
- Vertical clearances to the line must be maintained at all times, included during site work
- 25' feet radius around any Georgia Power structure is preferred
- Any proposed utility crossings must be locatable and marked at both ends of the easement area, and must be installed at a depth and strength to withstand heavy construction traffic
- Paving and parking should be HS20 loading, and able to withstand passage of large construction equipment and vehicles
- Trailered parking of boats is generally acceptable provided that it is no taller than 15' and immediately removable upon request by GPC – this is generally only approved as “temporary parking”. No washing of boats/RVs permitted in the right-of-way
- Any proposed fill/cut will need to be evaluated. GPC will need to retain access to line at all times, for maintenance and emergency purposes

### Zoning Analysis

- The proposed development is inconsistent with the Comprehensive Plan. The plan suggests that this area will continue to be residential in nature. The introduction of nonresidential uses adjacent to residential uses has the potential to increase traffic to the area and cause disruption to local residents.
- The subject property is located in a residentially dominated area along the north side of Mountain View Road, and this rezoning would create a spot zoning district. Across from the subject property is a parcel that was rezoned in 2017 to an H-B zoning district. Nearby parcels within the City of Gainesville have PUD and/or industrial zoning categories.
- The proposed uses listed in the application are consistent with permitted uses under Highway Business (H-B) commercial zoning districts, which permits warehousing, subject to Planning Commission approval (§17.150.020).
- Per, §17.180.080. (Planned commercial development (PCD)), planned commercial development shall provide for the maximum attainable commercial usage of property while employing the best aspects of prior site planning and development controls to insure:
  1. Protection of surrounding residential uses;
  2. Safe access by motorists;
  3. Minimum traffic congestion; and

4. A development which is consistent with long-range plans of the county.
- §17.180.080.B (Required plans), the following special items shall also be addressed:
  1. The site plan shall indicate the proposed size, location and number of stories of each commercial structure.
    - The applicant's site plan shows the proposed size, location, and number of stories of each commercial structure. This **standard is met**.
  2. The entrances, exits and number and location of all parking spaces shall be shown in detail, together with all loading and no parking zones.
    - The applicant's site plan shows the proposed entrance, exit and number and location of all parking spaces. This **standard is met**.
  3. The proposed methods and location of all buffers shall be described.
    - The applicant's site plan shows 25 foot vegetated buffer with an opaque fence where the property is adjacent to residentially zoned parcels. However, due to the Georgia Power line easement, the buffer and proposed fencing would not be able to be placed in the power line easement. Therefore, according to the current site plan, this **standard is NOT met**.
  4. The proposed exterior lighting shall be shown.
    - The applicant's site plan states that exterior lighting will be provided by mounting wall packs on exterior of buildings. Lights will be placed in such a way to minimize light directed towards adjacent properties. This **standard is met**.
  5. All proposed signs, advertising or identification graphics shall be indicated, showing their number, size, height and location.
    - The site plan shows a proposed monument sign at the front of the development, adjacent to Mountain View Road. The site plan notes that the sign will comply with setback and other sign permit requirements.
  6. The type and number of uses proposed for the commercial development shall be indicated.
    - The applicant states that the proposed development is a self-storage facility.
  7. The development controls for the district shall be stated (lot coverage, setbacks, building heights, lot sizes, etc.). If standards are not specifically proposed, then the applicable standards in the suburban shopping district (S-S) shall apply.
    - No explicit setbacks were listed on the site plan or described in the project narrative. Per §17.240.010, the minimum setbacks for the S-S zoning district are:
      - Front: 55 feet from center line of road or 30 feet from property line, whichever is greater.
      - Side: 20
      - Rear: 10
    - The applicant's site plan shows 20 foot side and rear setbacks and a 30 foot front setback.
  8. If residential uses are proposed in conjunction with the planned commercial development, then the applicable requirements of the planned residential development shall be provided.
    - No residential uses are proposed.



- §17.260.020 of the Hall County Zoning Regulations requires a 10 foot wide planted buffer when retail use with no outside activity (beyond parking and loading areas) abuts residential use. Where there is outside activity, then the planted buffer is to be 20 feet wide. If the proposed zoning is approved, the subject area will require a transitional vegetated buffer as regulated by the Hall County Ordinance to help mitigate the commercial development impact on abutting residential properties.
  1. Substitution of all or part of a planted buffer with a solid fence may be allowed with Planning Commission approval if satisfactory overall screening of the property is achieved.
  2. The submitted site plan shows a 25 foot vegetated buffer where the property is adjacent to residentially zoned parcels. However, due to the Georgia Power line easement, the buffer and proposed fencing would not be able to be placed in the power line easement. Therefore, according to the current site plan, this **standard is NOT met**.
- §17.270.070.C of the Hall County Zoning Regulations regulates permitted signs in PCD zoning districts.
  1. §17.270.070.C.2 states that one monument sign is permitted with a maximum height of 10 feet height is permitted for developments with 50,000 – 100,000 square feet of gross floor area.
    - The applicant's site plan includes one monument sign and a statement that signage will be in accordance with county sign regulations.
- This property is not in the Gateway Corridors Overlay District (GCOD) and is not subject to the GCOD architectural standards.
- The applicant submit any architectural renderings for the proposed development.
  - The applicant submitted renderings of the proposed building. The proposed building materials for the roof and siding is metal.

### **Staff Recommendation**

Staff recommends **denial** for the following reasons:

1. The proposed development is inconsistent with the future land use classifications in the Comprehensive Plan.
2. The rezoning of this parcel would result in the creation of a “spot zone” on the north side of Mountain View Road. Currently, non-residential development is restricted to the southern portion of the road.
3. The proposed development presents conflicts in the existing Georgia Power easement.
4. The proposed development is not compatible with the adjacent, existing residential uses.

If the Commission chooses to approve the application, the following conditions are recommend.

1. All required buffers for the rear of the site shall be on the south side the Georgia Power easement as no fencing or planted vegetation for required for the buffers can be placed in the Georgia Power easement.

2. The placement and design of the buffers shall be approved by the Planning Director on a revised site plan prior to submission to Development Review.
3. Before a building permit is issued, the proposed architectural plans shall receive approval from the Hall County Planning Director.
4. Driveway design and placement are subject to approval by Hall County Traffic Engineering.
5. The following uses shall be prohibited: adult entertainment establishments, junk yards, and billboard signs.
6. Georgia Power shall approve the commercial site plan prior to the Land Disturbance Permit being issued.
7. No commercial parking or drive aisles shall be in the Georgia Power easement.
8. All exterior lighting shall be full cutoff down lights.
9. The development shall be in conformity with all Hall County ordinances at the time of submission for Development Review, including the Tree Protection ordinance.
10. The development shall be subject to the non-residential property development standards found in §17.420.050 of the Gateway Corridors Overlay District. Metal sided buildings and roofing materials are prohibited.

#### **Excerpts from the minutes of the October 17, 2022 meeting**

##### **Applicant's Presentation:**

**Ellis Still, Assistant Planning Director**, presented a summary of the request.

**Philip Edwards, Athens**, presented the request. Mr. Edwards stated that there would be 225 to 340 units depending if there was a second story on the third building. Mr. Edwards stated the units would be 90 percent climate controlled with an architectural build of metal roof and siding. The buildings facing the road will have three to four foot high brick kind of foundation. Mr. Edwards explained that adding a 20 foot buffer from the south side of the easement it would kill the project.

**Dylan Lee, 66 Lothridge Road, Cleveland**, presented the request. Mr. Lee explained the site plan.

##### **Public Forum:**

*There were no comments in support or opposition.*

##### **Planning Commission Comments:**

Mr. Braswell stated that when the development is key access accessible by customers that it is best to regulate the hours of operation to divert inconveniencing neighbors. Mr. Varner questioned if any buildings would have a second floor. Mr. Lee stated that only one of the buildings would be and it would roughly be a 20 foot height building.

**Motion: A motion to approve with conditions was made by Mr. Varner and seconded by Mr. Hunt. Vote: 4-1 (Bell opposed)**

*Conditions:*

1. *There shall be coordination with Georgia Power for a fence with a gate lock along the power easement.*
2. *The placement and design of the buffers shall be approved by the Planning Director on a revised site plan prior to submission to Development Review.*
3. *Before a building permit is issued, the proposed architectural plans shall receive approval from the Hall County Planning Director.*
4. *Driveway design and placement are subject to approval by Hall County Traffic Engineering.*
5. *The following uses shall be prohibited: adult entertainment establishments, junk yards, and billboard signs.*
6. *Georgia Power shall approve the commercial site plan prior to the Land Disturbance Permit being issued.*
7. *All exterior lighting shall be full cutoff down lights.*
8. *The development shall be in conformity with all Hall County ordinances at the time of submission for Development Review, including the Tree Protection ordinance.*
9. *Hours of operation shall only be between 5am to 11pm.*
10. *There shall be a brick and mortar sign at the front.*
11. *Buildings A and B facing Mountain View Road shall have a minimum of 36 inch water table with hardy plank siding.*

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



### ZONING APPLICATION

**Applicant (Name & Mailing Address)**

Phillip Edwards; Chad + Clint Street  
1280 Lakewood Court  
Athens GA 30606

Phone 770-490-4265

Email Address paeproperties@outlook.com

Proposed Use PCD for Self Storage

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

Progressive Commercial Investments LLC  
1865 Copperfield Drive  
Cumming GA 30061

Phone \_\_\_\_\_

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

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

Phillip Edwards  
1280 Lakewood CT  
Athens GA 30606

Phone 770-490-4265

Email Address paeproperties@outlook.com

Tax Parcel Number 08012 0030065

Location Address 2928 Mountain View Rd, Gainesville GA 30503

**Status of Applicant**

☐ Owner

☒ Option to Purchase

☐ Area Resident

☐ Other

**Requested Action**

Existing Zoning: R-1

Rezoned to: PCD

Fee: \$ 450.00

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

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

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

Sign \_\_\_\_\_

Date: 9-2-22

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: 10/17

Tentative County Commission Date: 12/8

County Commission District: 4

20N2022-00080.





## HALL COUNTY PLANNING AND DEVELOPMENT AUTHORIZATION OF PROPERTY OWNERS

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

Name of owner(s) Progressive Commercial Investments LLC.

Address 1865 Copperfield dr  
Cumming GA 30041

Phone Number 423 598 6671

Name of applicant(s) Phillip Edwards/Chad Shoaf/Clint Shoaf

Address 1280 Lakewood Ct.  
Athens GA 30606

Phone Number 770-490-4268

Purpose of Permit rezoning change

Site Address 2928 Mountain View Drive Gainesville GA 30503

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 permit as described above for the subject property.

Signature of Owner(s)

[Signature]

Personally appeared before me

Sunit Reddy for Joel Thornton  
Notary Public (Print Name)



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

[Signature]  
Notary Public Signature

08-25-2022  
Date

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



## CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

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

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

- (b) When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant's application for the zoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:
- (3) The name and official position of the local government official to whom the campaign contribution was made; and
- (4) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- (b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

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

I have\*\* \_\_\_\_\_ I have not 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: Sunil Reddy

Date: 08/24/2022

Applicant's/Owner's Name (Printed): Sunil Reddy (Regressive Commercial Investments LLC)



PLANNING AND DEVELOPMENT DEPARTMENT  
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504  
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Name of Official(s): \_\_\_\_\_ Office: \_\_\_\_\_

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

Applicant's/Owner's Signature: Philip Edwards Date: 8-18-22

Applicant's/Owner's Name (Printed): Philip Edwards

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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: Clint Shoof

Date: 8-29-22

Applicant's/Owner's Name (Printed): Clint Shoof



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: Chad Shoaf Date: 8.27.22

Applicant's/Owner's Name (Printed): Chad Shoaf

Planning & Development Department

2875 Browns Bridge Road, Gainesville GA, 30504

PO BOX 1435, Gainesville GA, 30503

Ph: 770-531-6809

RE: Written Report for Zoning Application for Mountain View Self Storage

1. Enclosed is our zoning application to rezone 3.49 acres as parcel ID# 08012 0030065 known as 2928 Mountain View Drive, Gainesville GA, 30503. Our proposal includes a proposed site plan to convert an existing currently zoned R-I vacant tract. Our plan is to convert it to a PCD for a self-storage facility. Our operating hours will be 9-5 with management on site and our facility will have after-hours access with key pad and remote entry to facility. Our facility will have high security systems and proper lighting subject to county requirements. Our proposed development's site plan shows our septic layout and will be up to code for county requirements. Our plans for protecting abutting properties will be proper fencing, foliage & shrubbery, with feedback surrounding neighbors to ensure proper buffers are maintained.
2. Based on our site plan included our proposal is to construct up to 60+/- square feet of mostly climate controlled self-storage up to code requirements for a PCD.
3. Our proposed site plan for the property is included showing proper set back requirements being 20', lot coverage of 1.65 acres (48% impervious), adjacent buffers of 25' vegetated buffers with opaque fencing to be provided adjacent to residential properties. Our parking proposal will include 8 spaces.
4. Sight lighting will be provided using standard LED wall packs mounted on the building. Site Lighting will be positioned in a way to minimize light directed toward adjacent properties.
5. The existing 6" water main along Mountain View Road will be tapped to provide water service to the new development.
6. Wastewater will be provided using septic with the septic field located in the northern portion of the property.

Thank you for consideration of your zoning application proposal

Phillip Edwards – Principal

Chad & Clint Shoaf – Principal

Dylan Lee – Site architect



Planning & Development Department  
2875 Browns Bridge Road, Gainesville GA, 30504  
PO BOX 1435, Gainesville GA, 30503  
Ph: 770-531-6809

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Chad & Clint Shoaf – Principal

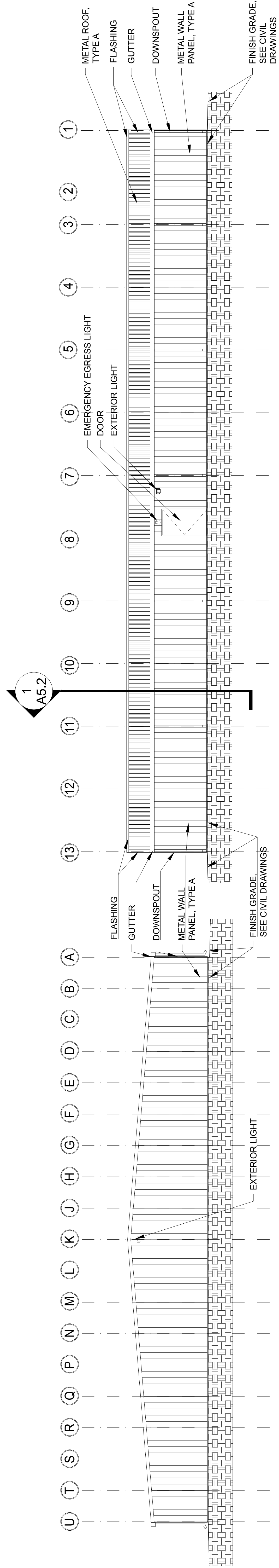
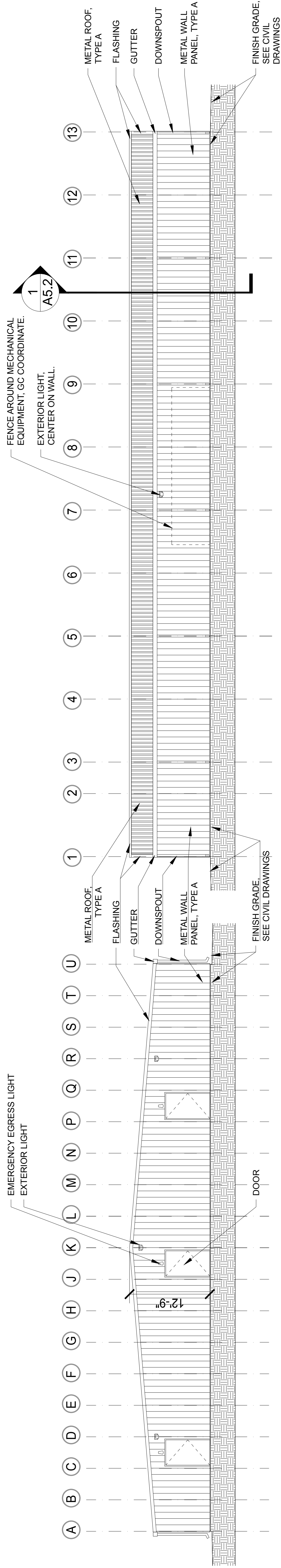
Dylan Lee – Site architect





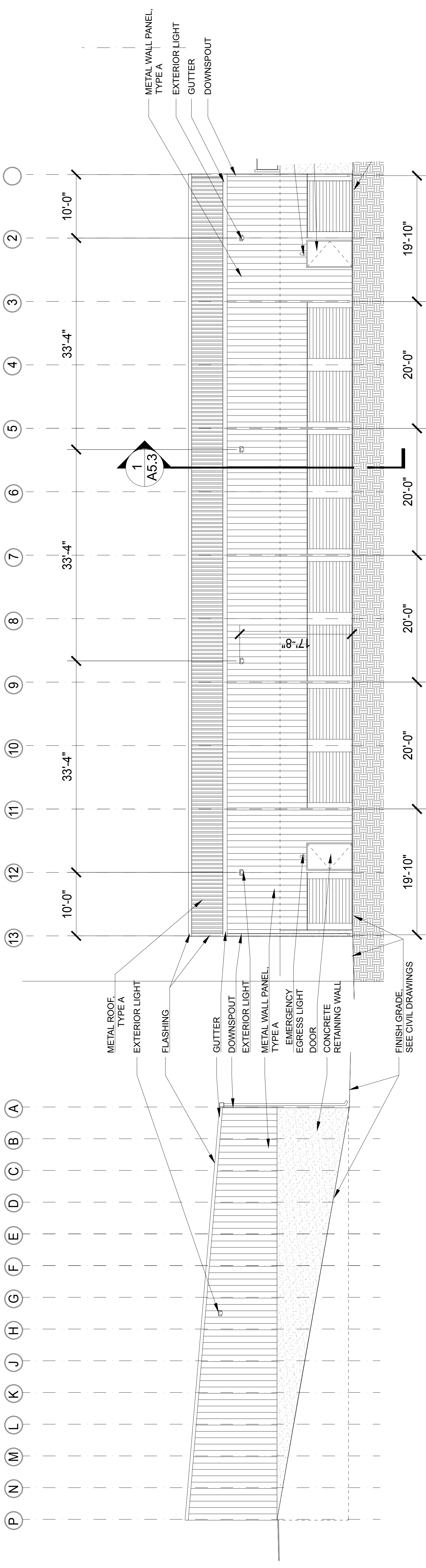
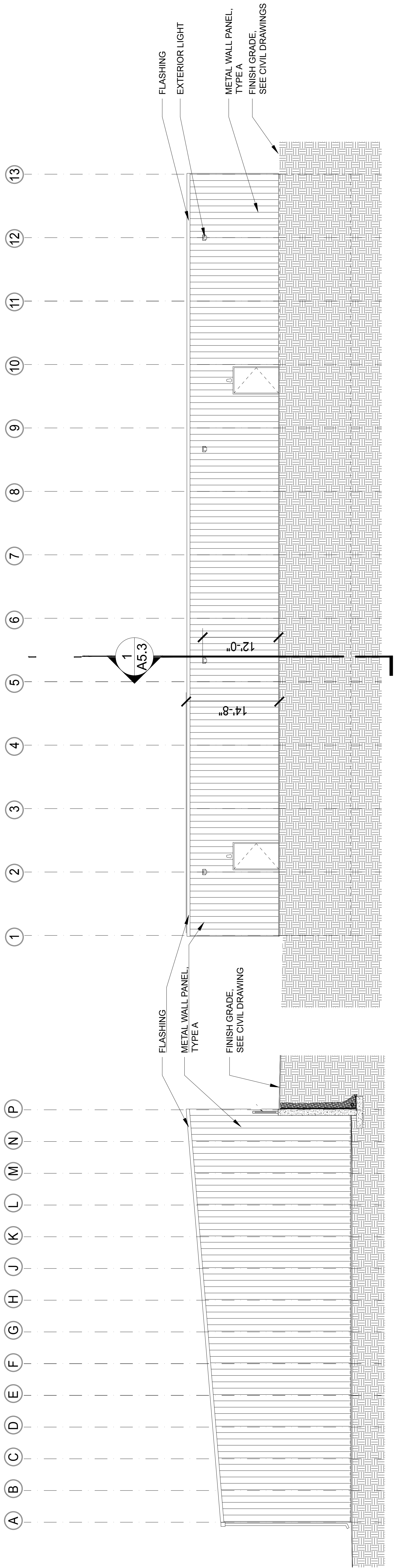




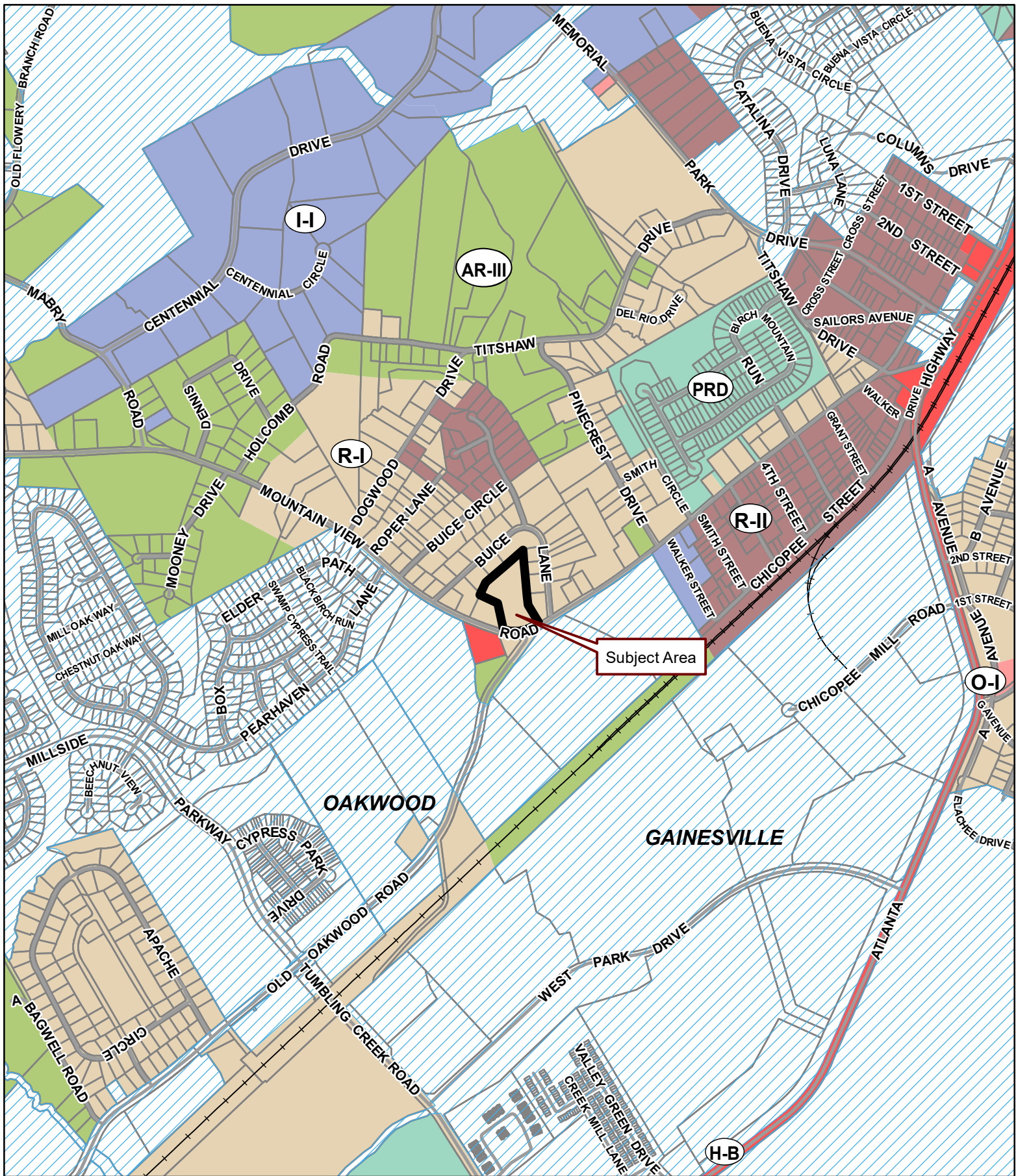


# SINGLE STORY OPTION





# TWO-STORY BI-LEVEL OPTION



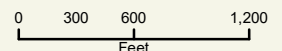
**Applicant:** PHILLIP EDWARDS, CHAD & CLINT SHOAF

**Tax Parcel #:** 08012 003006S

**Location:** 2928 MOUNTAIN VIEW ROAD, GAINESVILLE, GA 30504

**Commission District 4**

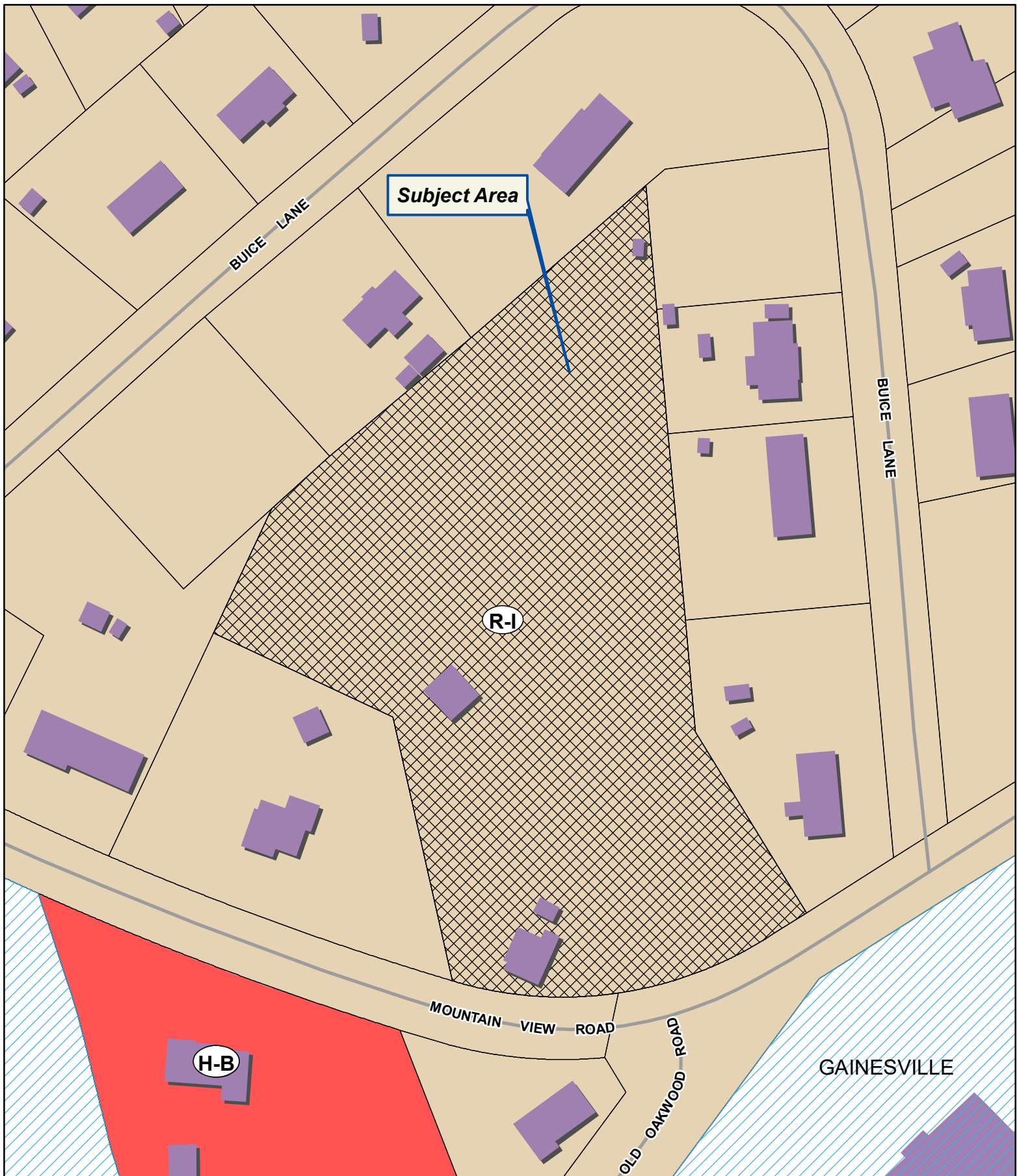
**PC Mtg. Date:** 10/17/2022



- Zoning Boundary
- City Limits
- Subject Area
- Structure







**Applicant:** PHILLIP EDWARDS, CHAD & CLINT SHOAF

**Tax Parcel #:** 08012 003006S

**Location:** 2928 MOUNTAIN VIEW ROAD, GAINESVILLE, GA 30504

**Commission District 4**

**PC Mtg. Date:** 10/17/2022





**Applicant:** PHILLIP EDWARDS, CHAD & CLINT SHOAF

**Tax Parcel #:** 08012 003006S

**Location:** 2928 MOUNTAIN VIEW ROAD, GAINESVILLE, GA 30504

**Commission District 4**

**PC Mtg. Date:** 10/17/2022

0 25 50 100  
Feet

— Zoning Boundary

City Limits

Subject Area







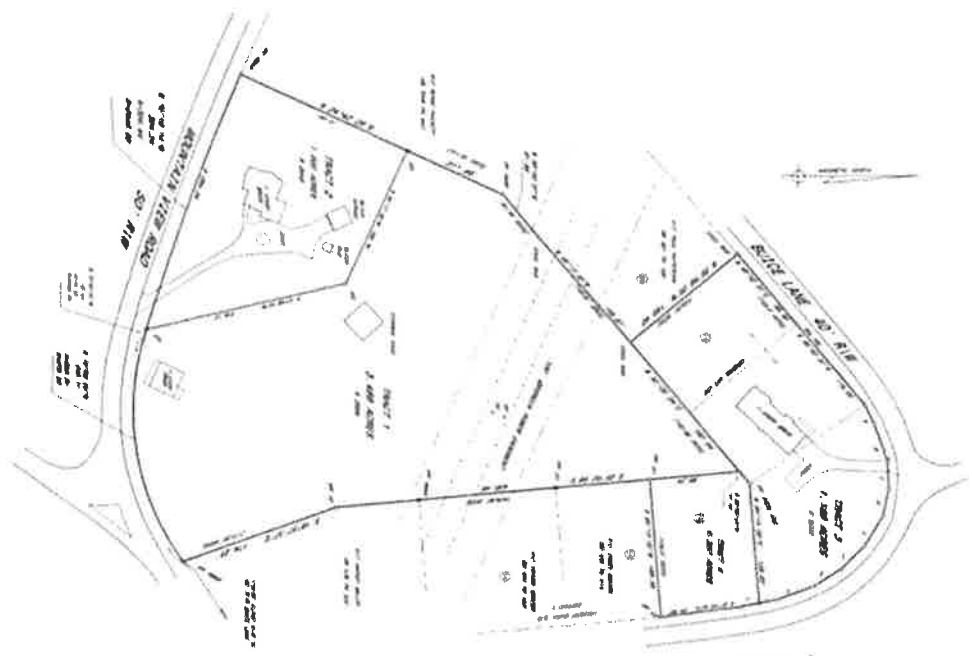
The State of Georgia, Department of Transportation  
 hereby certifies that this is a true and correct copy  
 of the original as filed in the Office of the Secretary of State  
 on the 1st day of May, 1987.



*Current Plat  
 Not Proposed*

*- Legal  
 Description*

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RECORDING FEE  
 \$1.00



MADE BY: J. L. CARTER  
 FILED IN: 11 May 1987 at 10:00 AM  
 PAGE: 0004  
 BY: J. L. CARTER  
 COUNTY: CLATSOP (0001)

6.035 ACRES  
 LAND LOT 12 8TH DISTRICT  
 WILL COUNTY OREGON  
 1"=80' JANUARY 10 5-10-10  
 FIELD SURVEY 4-25-10

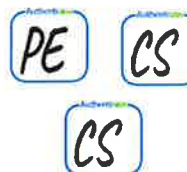
U.S. GEOLOGICAL SURVEY  
 LAND SURVEYING AND PLANNING  
 1000 N. 1ST ST.  
 SPOKANE, IDAHO 83202  
 (208) 325-7100



## Exhibit A – Subject Property “Tract 1 = 3.489 +/- Acres”

Notary Received Document by:  
Stephen B. Lewis, Attorney at Law, LLC  
5400 Laurel Springs Pkwy  
Bldg 100, Suite 100  
Smyrna, GA 30084

eFiled and eRecorded  
DATE: 10/21/2021  
TIME: 5:20 PM  
DEED BOOK: 3995  
PAGE: 948 - 948  
FILERS FEE: \$65.00  
TRANSFER TAX: \$0.00  
PARTICIPANT ID: 4015740334  
PTE1: 009-2021-410000  
RECORDED BY: OM  
OWNER: Charles Baker, G.S.G  
Hall County, GA



### QUITCLAIM DEED

(DEED PREPARATION ONLY - NO TITLE EXAMINATION PERFORMED)

STATE OF GEORGIA  
COUNTY OF FORSYTH

DS

THIS INSTRUMENT, Made the 21 day of October, 2021, between VHP PROPERTIES, LLC as party or parties of the first part, hereinafter called Grantee, and PROGRESSIVE COMMERCIAL INVESTMENTS, LLC, as party or parties of the second part, hereinafter called Grantor (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that Grantor, for and in consideration of the sum of one dollar (\$1.00) and other valuable considerations in hand paid at and before the making and delivery of these presents, the receipt whereof is hereby acknowledged, by these presents does hereby release, convey and forever QUITCLAIM unto the said Grantee.

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 13 OF THE 8<sup>TH</sup> DISTRICT, TRACT 1, HALL COUNTY, GEORGIA, AS RECORDED ON A PLAT MORE EXPLAINED BY M.V. INGRAM ENTERPRISES, INC. FILED FOR RECORD ON 04/20/2016 IN PLAT BOOK 871, PAGE 44, HALL COUNTY, GEORGIA RECORDS, WHICH RECORDED PLAT IS INCORPORATED HEREIN BY REFERENCE AND MAKE A PART OF THIS DESCRIPTION.

PARTIAL ID: 0012 000005

TO HAVE AND TO HOLD the said described premises to Grantee, so that neither Grantor nor any person or persons claiming under Grantor shall at any time, by any means or ways, have claim or demand any right or title to said premises or appurtenances, or any rights thereof.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year first above written.

Signed, sealed and delivered in the  
presence of

(Unofficial witness)

(Notary Public)

VHP PROPERTIES, LLC

(Seal)  
BY: HARITHA REDDY, AUTHORIZED MEMBER





## Anael Dominguez (Planning)

---

**From:** Emily McGahee (Environmental Health)  
**Sent:** Friday, September 23, 2022 5:00 PM  
**To:** Randi Doveton (Planning); Anael Dominguez (Planning)  
**Cc:** Chad Harper (Environmental Health); Kelly Hairston (Environmental Health)  
**Subject:** HCPC Tentative Agenda 10.17.2022

Please find Environmental Health comments below:

Item 1, 2002 Memorial Park Drive, Sancen: 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 2, 2191, 2211, 2233 Old Cornelia Hwy, InLine Communities: 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 3, 3397 Friendship Road, Williams: 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.

Item 4, 6828 Bailey Drive, Albert: All proposed structures/additions must meet required setbacks to existing septic system and not impact any future septic system repair area. No additional bedrooms. Site visit may be required upon submission of to-scale site plan. The plat for this property is currently under review by the Hall County Plat Review Team.

Item 5, 2928 Mountain View Road, Edwards/Shoaf: Must meet all Environmental Health commercial septic system permitting requirements. Further determination will be made during the civil plan review process. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation may be required after review of business plan.

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

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



## Anael Dominguez (Planning)

---

**From:** Niebauer, Parker J <PNiebauer@dot.ga.gov>  
**Sent:** Wednesday, September 28, 2022 2:44 PM  
**To:** Anael Dominguez (Planning); Randi Doveton (Planning)  
**Cc:** Peevy, Jonathan; Chavers, Veronica E  
**Subject:** RE: Tentative Planning Agenda for October 17, 2022

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

Item 3 (Williams) will require GDOT Coordination

Thank you,

**Parker Niebauer**  
*DITO Traffic Operations Supervisor*



District 1 Division of Field Services  
1475 Jesse Jewell Pkwy  
Suite 100  
Gainesville, GA, 30501  
770.533.8275 office  
770.519.3223 cell

---

**From:** Anael Dominguez (Planning) <adominguez@hallcounty.org>  
**Sent:** Thursday, September 22, 2022 9:29 AM  
**To:** Becky Ruffner (Parks & Leisure) <bruffner@hallcounty.org>; Bill Nash (Public Works) <bnash@hallcounty.org>; Brandi Smith (Business License) <bsmith@hallcounty.org>; Bryan Cash (Fire Services) <bcash@hallcounty.org>; Chad Harper (Environmental Health) <charper@hallcounty.org>; Chris Braswell (Planning) <cbraswell@hallcounty.org>; Christopher Armstrong (Fire Services) <carmstrong@hallcounty.org>; Dan Barnes <Daniel.C.Barnes@usace.army.mil>; Ellis Still (Planning) <estill@hallcounty.org>; Emily McGahee (Environmental Health) <emcgahee@hallcounty.org>; Frank Miller (Engineering) <fmiller@hallcounty.org>; Dykes, Jason <jdykes@dot.ga.gov>; Jason Skarda (Engineering) <jskarda@hallcounty.org>; Jeremy Wills <jeremy.wills@gainesville.org>; John Hornick (Fire Services) <jhornick@hallcounty.org>; Peevy, Jonathan <jpeevy@dot.ga.gov>; Kelly Hairston (Environmental Health) <khairston@hallcounty.org>; Randi Doveton (Planning) <rdoveton@hallcounty.org>; Matt Cox <matt.cox@hallco.org>; Michael Vieira (Fire Services) <mvieira@hallcounty.org>; Mike Little (Parks and Leisure) <mlittle@hallcounty.org>; Nicole Griffin (Tax Assessors) <nicole.griffin@hallcounty.org>; nswofford <nswafford@gainesville.org>; Pam Cravero <Pam.Cravero@hallco.org>; Niebauer, Parker J <PNiebauer@dot.ga.gov>; Randi Doveton (Planning) <rdoveton@hallcounty.org>; rich <rich@flowerybranchga.org>; Scott Puckett <spuckett@hallcounty.org>; Srikanth Yamala (Public Works) <syamala@hallcounty.org>; Stephen Cain <troy.s.cain@usace.army.mil>; Steve Watson (Real Property) <rswatson@hallcounty.org>; Tammie Croy (Engineering) <tcroy@hallcounty.org>; Tracy Gilreath (Tax Assessors) <tgilreath@hallcounty.org>; Wanda Moreno (Engineering) <wmoreno@hallcounty.org>; Wanda Sutton (Engineering) <wsutton@hallcounty.org>; will schofield <will.schofield@hallco.org>  
**Subject:** Tentative Planning Agenda for October 17, 2022



Good morning –

Here is the Tentative Agenda and Maps for the **Monday, October 17<sup>th</sup>, 2022** Hall County Planning Commission Meeting.

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

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

Comments are due by **Thursday, September 29<sup>th</sup>**. Email comments to Randi ([rdoveton@hallcounty.org](mailto:rdoveton@hallcounty.org)) and Ana ([adominguez@hallcounty.org](mailto:adominguez@hallcounty.org)).

## **CALL TO ORDER**

## **AGENDA REVIEW**

## **APPROVAL OF MINUTES – October 3, 2022**

## **OLD BUSINESS**

1. [Previously tabled application of Salomon Sancen to rezone from Residential-I \(R-I\) to Highway Business \(H-B\) on a .89± acre tract located on the west side of Memorial Park Drive at its intersection with Browns Bridge Road; a.k.a. 2002 Memorial Park Drive; Zoned R-I; Tax Parcel 08014 005011. Proposed use: retail sales. \\*\\* Commission District 4.](#)
2. [Application of InLine Communities, LLC to rezone from Residential-II \(R-II\) & Highway-Business \(H-B\) to Planned Residential Development \(PRD\) on a 28.03± acre tract located on the north side of Old Cornelia Highway at its intersection with Jesse Jewell Parkway; a.k.a. 2191, 2211, & 2233 Old Cornelia Highway; Zoned R-II & H-B; Tax Parcels 15033C000055, 000057, & 000058. Proposed use: 320-unit multi-family residential & neighborhood commercial development. \\*\\* Commission District 3.](#)

## **NEW BUSINESS**

3. [Application of Ted Williams for a road frontage variances from 500 feet to 50 feet and 500 feet to 290 feet on a 26.52± acre tract located on the north side of Friendship Road approximately 268 feet from its intersection with Puckett Road; a.k.a. 3397 Friendship Road; Zoned AR-III; Tax Parcel 15048 000005A. Proposed use: 2-lot subdivision. \\* Commission District 1.](#)
4. [Application of Blake & Jessica Albert for a left side yard setback variance from 10 feet to 1 foot and a right side yard setback variance from 10 feet to 6 inches on a .22± acre tract located on the north side of Bailey Drive at its terminus; a.k.a. 6828 Bailey Drive; Zoned V-C; Tax Parcel 08163 002002. Proposed use: detached garage/office & addition to residence. \\* Commission District 2.](#)
5. [Application of Phillip Edwards, Chad & Clint Shoaf to rezone from Residential-I \(R-I\) to Planned Commercial Development \(PCD\) on a 3.54± acre tract located on the north side of Mountain View Road at its intersection with Old Oakwood Road; a.k.a. 2928 Mountain View Road; Zoned R-I; Tax Parcel 08012 003006S. Proposed use: self-storage warehouses. \\*\\* Commission District 4.](#)

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

The Hall County Board of Commissioners will hear appeals at a public hearing **Thursday, November 17, 2022** at 6:00 p.m. at the Hall County Government Center, 2<sup>nd</sup> Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

\*\*The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on **Thursday, November 17, 2022**. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2<sup>nd</sup> Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.





POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

SRIKANTH YAMALA  
Director

BILL NASH, P.E.  
Assistant Director

FRANKLIN P. MILLER, P.E.  
County Engineer

# Hall County Government

PUBLIC WORKS AND UTILITIES  
ENGINEERING DIVISION

## MEMORANDUM

**To:** Randi Doveton, Director of Planning and Development  
**From:** Srikanth Yamala, Director of Public Works and Utilities  
**Date:** September 29, 2022  
**Subject:** October 17, 2022 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the October 17, 2022 meeting. Upon review, we provide the following comments:

1. [Previously tabled application of Salomon Sancen to rezone from Residential-I \(R-I\) to Highway Business \(H-B\) on a .89± acre tract located on the west side of Memorial Park Drive at its intersection with Browns Bridge Road; a.k.a. 2002 Memorial Park Drive; Zoned R-I; Tax Parcel 08014 005011. Proposed use: retail sales. \\*\\* Commission District 4.](#)
  - a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
  - b) **Traffic:** Driveway must meet Hall County and GDOT requirements.
  - c) **Utilities:** Will water and sewer service the facility?
2. [Application of InLine Communities, LLC to rezone from Residential-II \(R-II\) & Highway-Business \(H-B\) to Planned Residential Development \(PRD\) on a 28.03± acre tract located on the north side of Old Cornelia Highway at its intersection with Jesse Jewell Parkway; a.k.a. 2191, 2211, & 2233 Old Cornelia Highway; Zoned R-II & H-B; Tax Parcels 15033C000055, 000057, & 000058. Proposed use: 320-unit multi-family residential & neighborhood commercial development. \\*\\* Commission District 3.](#)
  - a) **Engineering:** The site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.  
Show buffer and impervious setback from wrested vegetation, not centerline of creek.
  - b) **Traffic:**
    1. Right-in/right-out driveways are ineffective on undivided roadways. Recommend that the Jesse Jewell Parkway entrance be full access with a left turn lane and right turn (decel) lane. Applicant should verify that intersection and stopping sight distances can be achieved.
    2. Left turn and right turn (decel) lanes will be required for the proposed Old Cornelia Hwy entrance.
    3. Recommend requiring a traffic signal warrant analysis for the intersection of Old Cornelia Highway and Jesse Jewell Parkway.





POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

SRIKANTH YAMALA  
Director

BILL NASH, P.E.  
Assistant Director

FRANKLIN P. MILLER, P.E.  
County Engineer

# Hall County Government

## PUBLIC WORKS AND UTILITIES ENGINEERING DIVISION

Analysis should include the traffic impact for the proposed development.

4. Proposed internal roadways must meet Hall County Code Title 16 (Subdivision Regulations) if variances are requested/proposed, they must be specific, justified and approved through the rezoning process. Current site plan does not meet Hall County requirements.

5. Recommend that all necessary improvements be the financial responsibility of the developer and constructed concurrently with the development.

c) **Utilities:** City of Gainesville Sewer District. No county sewer.

### NEW BUSINESS

3. [Application of Ted Williams for a road frontage variances from 500 feet to 50 feet and 500 feet to 290 feet on a 26.52± acre tract located on the north side of Friendship Road approximately 268 feet from its intersection with Puckett Road; a.k.a. 3397 Friendship Road; Zoned AR-III; Tax Parcel 15048 000005A. Proposed use: 2-lot subdivision. \\* Commission District 1.](#)

- a) **Engineering:** Creek buffer from wrested vegetation not centerline of creek.
- b) **Traffic:** Driveways must be approved and permitted through GDOT.
- c) **Utilities:** No sewer service available.

4. [Application of Blake & Jessica Albert for a left side yard setback variance from 10 feet to 1 feet and a right side yard setback variance from 10 feet to 6 inches on a .22± acre tract located on the north side of Bailey Drive at its terminus; a.k.a. 6828 Bailey Drive; Zoned V-C; Tax Parcel 08163 002002. Proposed use: detached garage/office & addition to residence. \\* Commission District 2.](#)

- a) **Engineering:** Show flood area.
- b) **Traffic:** No comment.
- c) **Utilities:** No comment.

5. [Application of Phillip Edwards, Chad & Clint Shoaf to rezone from Residential-I \(R-I\) to Planned Commercial Development \(PCD\) on a 3.54± acre tract located on the north side of Mountain View Road at its intersection with Old Oakwood Road; a.k.a. 2928 Mountain View Road; Zoned R-I; Tax Parcel 08012 003006S. Proposed use: self-storage warehouses. \\*\\* Commission District 4.](#)

- a) **Engineering:** Georgia Power Approval is required prior to civil plan approval.
- b) **Traffic:** Driveway must meet commercial standards. Applicant should verify that required intersection and stopping sight distances can be achieved at proposed driveway location.
- c) **Utilities:** No sewer available.



## Anael Dominguez (Planning)

---

**From:** John Hornick (Fire Services)  
**Sent:** Wednesday, September 28, 2022 3:44 PM  
**To:** Randi Doveton (Planning)  
**Cc:** Anael Dominguez (Planning); Michael Vieira (Fire Services)  
**Subject:** Tentative Planning Agenda for Oct 17, 2022

Good Afternoon – Hall County Fire Comments

Here is the Tentative Agenda and Maps for the **Monday, October 17<sup>th</sup>, 2022** Hall County Planning Commission Meeting.

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

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

Comments are due by **Thursday, September 29<sup>th</sup>**. Email comments to Randi ([rdoveton@hallcounty.org](mailto:rdoveton@hallcounty.org)) and Ana ([adominguez@hallcounty.org](mailto:adominguez@hallcounty.org)).

### **CALL TO ORDER**

### **AGENDA REVIEW**

### **APPROVAL OF MINUTES – October 3, 2022**

### **OLD BUSINESS**

1. [Previously tabled application of Salomon Sancen to rezone from Residential-I \(R-I\) to Highway Business \(H-B\) on a .89± acre tract located on the west side of Memorial Park Drive at its intersection with Browns Bridge Road; a.k.a. 2002 Memorial Park Drive; Zoned R-I; Tax Parcel 08014 005011. Proposed use: retail sales. \\*\\* Commission District 4.](#)
2. [Application of InLine Communities, LLC to rezone from Residential-II \(R-II\) & Highway-Business \(H-B\) to Planned Residential Development \(PRD\) on a 28.03± acre tract located on the north side of Old Cornelia Highway at its intersection with Jesse Jewell Parkway; a.k.a. 2191, 2211, & 2233 Old Cornelia Highway; Zoned R-II & H-B; Tax Parcels 15033C000055, 000057, & 000058. Proposed use: 320-unit multi-family residential & neighborhood commercial development. \\*\\* Commission District 3.](#)

### **NEW BUSINESS**

3. [Application of Ted Williams for a road frontage variances from 500 feet to 50 feet and 500 feet to 290 feet on a 26.52± acre tract located on the north side of Friendship Road approximately 268 feet from its intersection with Puckett Road; a.k.a. 3397 Friendship Road; Zoned AR-III; Tax Parcel 15048 000005A. Proposed use: 2-lot subdivision. \\* Commission District 1.](#)  
The Hall County Fire Marshal's Office has no comments regarding frontage variance as proposed.
4. [Application of Blake & Jessica Albert for a left side yard setback variance from 10 feet to 1 foot and a right side yard setback variance from 10 feet to 6 inches on a .22± acre tract located on the north side of Bailey Drive at its terminus; a.k.a. 6828 Bailey Drive; Zoned V-C; Tax Parcel 08163 002002. Proposed use: detached garage/office & addition to residence. \\* Commission District 2.](#)  
The Hall County Fire Marshal's Office has no comments regarding variance as proposed.



5. Application of Phillip Edwards, Chad & Clint Shoaf to rezone from Residential-I (R-I) to Planned Commercial Development (PCD) on a 3.54± acre tract located on the north side of Mountain View Road at its intersection with Old Oakwood Road; a.k.a. 2928 Mountain View Road; Zoned R-I; Tax Parcel 08012 003006S. Proposed use: self-storage warehouses. \*\* Commission District 4.

IFC Section 903, 42,300 SF bi-level storage building exceeds the 12,000 SF sprinkler threshold requirements and will be required to have a fire protection system installed.

All access controlled gates will require a Knox key switch override device for fire department access into gated development.

IFC Section 507, All buildings must be within the 400' hose lay distance requirements from a fire hydrant as the truck travels. Fire hydrant(s) may have to be installed along the access road to meet the hose lay distance requirements.

Regards,

**John Hornick, NPQ Fire Inspector 1, Plans Review**

**Lieutenant, Hall County Fire Rescue**

**Hall County Government**

Main: 770-531-6838 | Cell: 404-597-0083

Website: [www.Hallcounty.org](http://www.Hallcounty.org)





## David Webb (Planning)

---

**From:** David Webb (Planning)  
**Sent:** Friday, September 30, 2022 6:07 PM  
**To:** 'phillip edwards'; Michelle Yang (Planning)  
**Cc:** Ellis Still (Planning); Anael Dominguez (Planning); Randi Doveton (Planning); Morgan Ewing (Planning); Charlie Hawkins; Dylan Lee; Clint Shoaf; Chad Shoaf  
**Subject:** RE: 2928 Mountain View Rd Zoning Application

Phillip,

Thanks for this reply- to update this case, we now just need a copy of proposed building elevations. Let me know if these were sent to someone else.

Thanks,  
David

David L. Webb, AICP  
Principal Planner  
Planning and Development  
Hall County Government  
2875 Browns Bridge Road, Gainesville, GA 30504  
770-297-2649 | [www.hallcounty.org](http://www.hallcounty.org)



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**From:** phillip edwards <paeproperties@outlook.com>  
**Sent:** Monday, September 26, 2022 3:14 PM  
**To:** Michelle Yang (Planning) <myang@hallcounty.org>  
**Cc:** Ellis Still (Planning) <estill@hallcounty.org>; David Webb (Planning) <dwebb@hallcounty.org>; Anael Dominguez (Planning) <adominguez@hallcounty.org>; Randi Doveton (Planning) <rdoveton@hallcounty.org>; Morgan Ewing (Planning) <mewing@hallcounty.org>; Charlie Hawkins <chawkins@nortoncommercial.com>; Dylan Lee <dlee@pmb-ga.com>; Clint Shoaf <dcshoaf4@yahoo.com>; Chad Shoaf <cshoaf@completeautoparts.net>  
**Subject:** RE: 2928 Mountain View Rd Zoning Application

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.

Michelle –

Here is confirmation that we have been in contact with Ga power and they will allow our proposed self storage within these guidelines below. I have copied our engineer Dylan Lee on the email if you have specific questions about



this. They don't furnish a letter but do send an email for the confirmation that you need below. Once Planning approves our site plan we provide that to Ga Power. Thank you,

Phillip **From:** Crews, Andrew C. <[accrews@southernco.COM](mailto:accrews@southernco.COM)>

**Sent:** Thursday, July 14, 2022 10:57:50 AM

**To:** Dylan Lee <[dlee@pmb-ga.com](mailto:dlee@pmb-ga.com)>

**Subject:** RE: Mountain View Road - Right-of-Way Crossing

Dylan,

I've discussed this with our transmission maintenance group. A set of site and grading plans will be needed to make a full evaluation. Here are some of the requirements, but not necessarily limited to,

- No permanent structures in the easement area
- Vertical clearances to the line must be maintained at all times, included during site work
- 25' feet radius around any Georgia Power structure is preferred
- Any proposed utility crossings must be locatable and marked at both ends of the easement area, and must be installed at a depth and strength to withstand heavy construction traffic
- Paving and parking should be HS20 loading, and able to withstand passage of large construction equipment and vehicles
- Trailered parking of boats is generally acceptable provided that it is no taller than 15' and immediately removable upon request by GPC – this is generally only approved as "temporary parking". No washing of boats/rvs permitted in the right-of-way
- Any proposed fill/cut will need to be evaluated. GPC will need to retain access to line at all times, for maintenance and emergency purposes

*Andrew Crews*

Forestry and Right of Way Services

912.547.2635



Sent from [Mail](#) for Windows

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**From:** phillip edwards <[paeproperties@outlook.com](mailto:paeproperties@outlook.com)>

**Sent:** Wednesday, September 21, 2022 3:36:55 PM

**To:** Michelle Yang (Planning) <[myang@hallcounty.org](mailto:myang@hallcounty.org)>

**Cc:** Ellis Still (Planning) <[estill@hallcounty.org](mailto:estill@hallcounty.org)>; David Webb (Planning) <[dwebb@hallcounty.org](mailto:dwebb@hallcounty.org)>; Anael Dominguez (Planning) <[adominguez@hallcounty.org](mailto:adominguez@hallcounty.org)>; Randi Doveton (Planning) <[rdoveton@hallcounty.org](mailto:rdoveton@hallcounty.org)>; Morgan Ewing (Planning) <[mewing@hallcounty.org](mailto:mewing@hallcounty.org)>; Charlie Hawkins <[chawkins@nortoncommercial.com](mailto:chawkins@nortoncommercial.com)>; Dylan Lee <[dlee@pmb-ga.com](mailto:dlee@pmb-ga.com)>

**Subject:** Re: 2928 Mountain View Rd Zoning Application

Michelle -

Thank you. We will work on these items and forward your way.

~ Phillip Edwards



On Sep 21, 2022, at 3:27 PM, Michelle Yang (Planning) <[myang@hallcounty.org](mailto:myang@hallcounty.org)> wrote:

After a more in-depth review of the application, staff are requiring the following items:

Renderings/elevations of the building(s).

Letter from power company permitting commercial driveways, parking, and fences within their easements.

Please CC all staff included within your response.

Thank you,

For all **PLAT** submittals and inquiries, email [plats@hallcounty.org](mailto:plats@hallcounty.org) w/ address and subject inquiry

For all **BUILDING PERMIT** submittals and inquiries, email [planning@hallcounty.org](mailto:planning@hallcounty.org) w/ address and subject inquiry

Michelle Yang  
Senior Planner | Planning & Development  
Hall County Government  
2875 Browns Bridge Road, Gainesville, GA 30504  
[myang@hallcounty.org](mailto:myang@hallcounty.org)



---

**From:** Michelle Yang (Planning)  
**Sent:** Monday, September 19, 2022 1:03 PM  
**To:** 'phillip edwards' <[paeproperties@outlook.com](mailto:paeproperties@outlook.com)>  
**Subject:** RE: 2928 Mountain View Rd Zoning Application

All Planning Commission meetings start at 5:15PM. You'll get more information in the future.

For all **PLAT** submittals and inquiries, email [plats@hallcounty.org](mailto:plats@hallcounty.org) w/ address and subject inquiry

For all **BUILDING PERMIT** submittals and inquiries, email [planning@hallcounty.org](mailto:planning@hallcounty.org) w/ address and subject inquiry

Michelle Yang  
Senior Planner | Planning & Development  
Hall County Government  
2875 Browns Bridge Road, Gainesville, GA 30504  
[myang@hallcounty.org](mailto:myang@hallcounty.org)





---

**From:** phillip edwards <[paeproperties@outlook.com](mailto:paeproperties@outlook.com)>  
**Sent:** Monday, September 19, 2022 12:58 PM  
**To:** Michelle Yang (Planning) <[myang@hallcounty.org](mailto:myang@hallcounty.org)>  
**Subject:** Re: 2928 Mountain View Rd Zoning Application

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.

Ok I meant for the 10/17 meeting ? Any time that day or a specific time ?

Thank you

PAE Properties LLC  
770-490-4265

On Sep 19, 2022, at 12:40 PM, Michelle Yang (Planning) <[myang@hallcounty.org](mailto:myang@hallcounty.org)> wrote:

Come in any time before 5pm.

For all **PLAT** submittals and inquiries, email [plats@hallcounty.org](mailto:plats@hallcounty.org) w/ address and subject inquiry

For all **BUILDING PERMIT** submittals and inquiries, email [planning@hallcounty.org](mailto:planning@hallcounty.org) w/ address and subject inquiry

Michelle Yang  
Senior Planner | Planning & Development  
Hall County Government  
2875 Browns Bridge Road, Gainesville, GA 30504  
[myang@hallcounty.org](mailto:myang@hallcounty.org)





---

**From:** phillip edwards <[paeproperties@outlook.com](mailto:paeproperties@outlook.com)>  
**Sent:** Monday, September 19, 2022 12:14 PM  
**To:** Michelle Yang (Planning) <[myang@hallcounty.org](mailto:myang@hallcounty.org)>  
**Subject:** Re: 2928 Mountain View Rd Zoning Application

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.

Great. What time do y'all meet ?

Thank you

PAE Properties LLC  
770-490-4265

On Sep 19, 2022, at 12:13 PM, Michelle Yang (Planning)  
<[myang@hallcounty.org](mailto:myang@hallcounty.org)> wrote:

Preliminary completeness check is good. I've gone ahead and put it on the schedule tentatively for 10/17.

For all **PLAT** submittals and inquiries, email [plats@hallcounty.org](mailto:plats@hallcounty.org) w/ address and subject inquiry

For all **BUILDING PERMIT** submittals and inquiries, email [planning@hallcounty.org](mailto:planning@hallcounty.org) w/ address and subject inquiry

Michelle Yang  
Senior Planner | Planning & Development  
Hall County Government  
2875 Browns Bridge Road, Gainesville, GA 30504  
[myang@hallcounty.org](mailto:myang@hallcounty.org)



---

**From:** phillip edwards <[paeproperties@outlook.com](mailto:paeproperties@outlook.com)>  
**Sent:** Monday, September 19, 2022 11:17 AM  
**To:** Michelle Yang (Planning) <[myang@hallcounty.org](mailto:myang@hallcounty.org)>  
**Subject:** Re: 2928 Mountain View Rd Zoning Application

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.



Hi Michelle -

Just touching base you should have our full package now. Can you confirm that you don't need anything else ?

thank you ~ Phillip

PAE Properties LLC  
770-490-4265

On Sep 7, 2022, at 9:47 AM, Michelle Yang (Planning)  
<[myang@hallcounty.org](mailto:myang@hallcounty.org)> wrote:

The planning commission meeting is tentatively scheduled for 10/17. You'll receive further correspondence in the future from staff about your meeting date.

Thank you,

For all **PLAT** submittals and inquiries, email [plats@hallcounty.org](mailto:plats@hallcounty.org) w/ address and subject inquiry  
For all **BUILDING PERMIT** submittals and inquiries, email [planning@hallcounty.org](mailto:planning@hallcounty.org) w/ address and subject inquiry

Michelle Yang  
Senior Planner | Planning & Development  
Hall County Government  
2875 Browns Bridge Road, Gainesville, GA 30504  
[myang@hallcounty.org](mailto:myang@hallcounty.org)



---

**From:** phillip edwards <[paeproperties@outlook.com](mailto:paeproperties@outlook.com)>  
**Sent:** Tuesday, September 6, 2022 2:28 PM  
**To:** Michelle Yang (Planning) <[myang@hallcounty.org](mailto:myang@hallcounty.org)>  
**Cc:** David Webb (Planning) <[dwebb@hallcounty.org](mailto:dwebb@hallcounty.org)>;  
Chad Shoaf <[cshoaf@completeautoparts.net](mailto:cshoaf@completeautoparts.net)>  
**Subject:** Re: 2928 Mountain View Rd Zoning Application

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.



Thanks Michelle.

We are dropping off the \$450 fee today. When is our first zoning meeting ?

Thanks again  
Phillip

PAE Properties LLC  
770-490-4265

On Sep 6, 2022, at 10:29 AM, Michelle Yang (Planning)  
<[myang@hallcounty.org](mailto:myang@hallcounty.org)> wrote:

Thank you for the information. I have retrieved the documents and the application is now complete aside from required fees.

Have fees been collected yet?

Thank you,

For all **PLAT** submittals and inquiries,  
email [plats@hallcounty.org](mailto:plats@hallcounty.org) w/ address  
and subject inquiry  
For all **BUILDING PERMIT** submittals  
and inquiries, email  
[planning@hallcounty.org](mailto:planning@hallcounty.org) w/ address  
and subject inquiry

Michelle Yang  
Senior Planner | Planning &  
Development  
Hall County Government  
2875 Browns Bridge Road, Gainesville,  
GA 30504  
[myang@hallcounty.org](mailto:myang@hallcounty.org)





---

**From:** phillip edwards  
<[paeproperties@outlook.com](mailto:paeproperties@outlook.com)>  
**Sent:** Tuesday, September 6, 2022 9:54 AM  
**To:** Michelle Yang (Planning)  
<[myang@hallcounty.org](mailto:myang@hallcounty.org)>  
**Cc:** David Webb (Planning)  
<[dwebb@hallcounty.org](mailto:dwebb@hallcounty.org)>; Chad Shoaf  
<[cshoaf@completeautoparts.net](mailto:cshoaf@completeautoparts.net)>  
**Subject:** Re: 2928 Mountain View Rd  
Zoning Application

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.

Thanks Michelle. We resubmitted last friday. Let me know if we're missing anything.

Thx !

PAE Properties LLC  
770-490-4265

On Sep 6, 2022, at 9:19 AM, Michelle Yang (Planning) <[myang@hallcounty.org](mailto:myang@hallcounty.org)> wrote:

Yes, please submit an updated application with the appropriate entities involved.

Thank you,

For all **PLAT** submittals and inquiries, email [plats@hallcounty.org](mailto:plats@hallcounty.org) w/ address and subject inquiry  
For all **BUILDING PERMIT** submittals and inquiries, email [planning@hallcounty.org](mailto:planning@hallcounty.org)



[g](#) w/ address and  
subject inquiry

Michelle Yang  
Senior Planner |  
Planning &  
Development  
Hall County  
Government  
2875 Browns Bridge  
Road, Gainesville, GA  
30504  
[myang@hallcounty.org](mailto:myang@hallcounty.org)



---

**From:** phillip edwards  
<[paeproperties@outlook.com](mailto:paeproperties@outlook.com)>

**Sent:** Thursday,  
September 1, 2022 4:21  
PM

**To:** Michelle Yang  
(Planning)  
<[myang@hallcounty.org](mailto:myang@hallcounty.org)>

**Cc:** David Webb  
(Planning)  
<[dwebb@hallcounty.org](mailto:dwebb@hallcounty.org)>; Chad Shoaf  
<[cshoaf@completeautoparts.net](mailto:cshoaf@completeautoparts.net)>

**Subject:** Fwd: 2928  
Mountain View Rd  
Zoning Application

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the organization. Do not  
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attachments unless you  
recognize the sender and  
know the content is safe.

Michelle -



See below security deed and Op Agreement from the seller.

Please note the attached/below which should account for the Seller Doc Needs. Also, VHP properties is a dissolved entity apparently would you like us to amend the application to reflect that ? See below:

*VHP Properties has already been dissolved. The application should have been submitted as "Progressive Commercial Investments, LLC" That's the entity signing the contract."*

Thank you !  
Phillip Edwards

PAE Properties LLC  
770-490-4265

Begin forwarded message:

**From:**

Charlie  
Hawkins

<[chawkins@northoncommercial.com](mailto:chawkins@northoncommercial.com)>

**Date:**

September 1,  
2022 at  
3:53:42  
PM EDT

**To:**

phillip  
edwards



S

[<paeproperties@outlook.com>](mailto:paeproperties@outlook.com)

**Subject**

**: FW:**

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Phillip,

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Thanks,

**Charlie Hawkins** | VP – Partner

Norton Commercial & Acreage Group, LLC  
Real Estate Consultant-Commercial & Land  
(W) 770.718.5206 | (C) 678.614.0837  
Email: [CHawkins@GoNorton.com](mailto:CHawkins@GoNorton.com)

[www.NortonCommercial.com](http://www.NortonCommercial.com)  
434 Green Street, Gainesville, GA 30501

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its  
entirety.  
Thank you.*

---

**From:**  
**Mary**  
**Moeller**



<[mary.moeller@bhhsgeorgia.com](mailto:mary.moeller@bhhsgeorgia.com)>

**Sent:**

Thursd  
ay,  
Septem  
ber 1,  
2022  
2:56  
PM

**To:**

Charlie  
Hawkin  
s

<[chawkins@northcoalmmercials.com](mailto:chawkins@northcoalmmercials.com)>

**Subject**

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Charlie  
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Thank  
you,  
Mary

---

**From:**  
[sreddy@home  
sbysr.c  
om](mailto:sreddy@home.sbysr.com)  
<[sreddy@home  
sbysr.c  
om](mailto:sreddy@home.sbysr.com)>

**Sent:**  
Thursd  
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ber 1,  
2022  
2:51  
PM

**To:**  
Mary  
Moeller  
<[mary.  
moeller  
@bhhs  
georgia  
.com](mailto:mary.moeller@bhhsgeorgia.com)>

**Subject**  
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**Remind**



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[fraud@bhlhsgeor](mailto:fraud@bhlhsgeor)



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# ZONING NOTICE

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

APPLICANT: PHILLIP EDWARDS, CHAD & CLINT SHOAF

REQUEST: REZONE FROM R-1 TO PCD FOR  
SELF-STORAGE WAREHOUSES

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION

Date: 10-17-2022

Time: 05:15 PM

COUNTY COMMISSION

Date: 11-17-2022

Time: 06:00 PM

AND

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: PHILLIP EDWARDS, CHAD A CLINT SHOFF

REQUEST: REZONE FROM R-1 TO PCD FOR SELF STORAGE WAREHOUSES

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION	AND	COUNTY COMMISSION
Date: 10-17-2022		Date: 11-17-2022
Time: 05:15 PM		Time: 06:00 PM

HALL COUNTY GOVERNMENT CENTER, 3075 BROWN BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

3.49+/- AC



BERKSHIRE HATHAWAY  
HOME SERVICES  
REAL ESTATE  
MARKSHI  
CATULAW  
of St...





## AGENDA ITEM

### Planning and Development

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**REPORT TO:** Meeting (11/14/22)

**REPORT TO:** Meeting (11/17/22)

**ITEM NO:** 596/2022

**SUBJECT:** Application of Ridgeline Land Planning, Inc. for a front yard setback variance subject to County Commission approval from 30 feet to 15 feet on a .61± acre tract located at the terminus of River Station Drive; a.k.a. 6595 River Station Drive; Zoned PRD; Tax Parcel 09079C000036. Proposed Use: single family dwelling. Commission District 3.

---

#### Meetings:

**Work Session Date:** 11/14/22

**Voting Meeting Date:** 11/17/22

#### Executive Summary:

**Presenter:** RD

**Recommendation:**

Approval, with conditions: 1. The Board grants a variance for lot 36 of Magnolia Station Phase 2 to vary the front yard setback from 30 feet to 22 feet in a Planned Residential Development. 2. In accordance with the PRD ordinance section 17.180.060.B.10: Footing inspections. At the time of footing inspection, the contractor shall provide the county building official with a certificate from a licensed surveyor certifying building setbacks for all corners of the structure being inspected.

**Purpose of Request:**

Application of Ridgeline Land Planning, Inc. for a front yard setback variance from 30 feet to 15 feet on a .61± acre tract located at the terminus of River Station Drive; a.k.a. 6595 River Station Drive; Zoned PRD; Tax Parcel 09079C000036. Proposed use: single family dwelling. Commission District 3.

**History:**

**Facts and Issues:**

**Options:**

<b>Funding Requested</b>	\$ 0.00
<b>Are funds within current budget?</b>	No
<b>Source of Funds</b>	
<b>Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?</b>	No
<b>Has it been reviewed by the County Attorney?</b>	Yes



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

**Approvals:**

<b>Submit</b>	<b>Approve</b>	<b>Budget</b>	<b>Finance</b>
AD	RD	EW	WG
<b>Attorney</b>	<b>Administration</b>	<b>Clerk</b>	
WLI	LJ	AO	

---

**Attachments:**

Board Memo  
Recommendation Report  
Application  
Site Plan  
Maps  
Environmental Health Comments  
GDOT Comments  
Public Works Comments  
Fire comments  
Notice Sign Photo





# Hall County Government

## PLANNING & DEVELOPMENT

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR  
Randi Doveton

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

**From:** Randi Doveton, Director

**Date:** October 25, 2022

**Subject:** Application of Ridgeline Land Planning, Inc. for a front yard setback variance from 30 feet to 15 feet on a .61± acre tract located at the terminus of River Station Drive; a.k.a. 6595 River Station Drive; Zoned PRD; Tax Parcel 09079C000036. Proposed use: single family dwelling. Commission District 3.

---

The application before you is a request for a front yard setback variance from 30 feet to 15 feet on a .61± acre lot to allow a single family dwelling.

At their October 17, 2022 meeting, the Hall County Planning Commission voted to recommend approval (5-0) of this request with the following two (2) conditions:

1. *The Board grants a variance for lot 36 of Magnolia Station Phase 2 to vary the front yard setback from 30 feet to 22 feet in a Planned Residential Development.*
2. *In accordance with the PRD ordinance section 17.180.060.B.10: Footing inspections. At the time of footing inspection, the contractor shall provide the county building official with a certificate from a licensed surveyor certifying building setbacks for all corners of the structure meet the variance granted by the Planning Commission.*

There were no written comments submitted in advance of the Planning Commission meeting and no one spoke in favor or opposition during the public hearing on October 17, 2022.

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



**HALL COUNTY PLANNING COMMISSION  
RECOMMENDATION REPORT**

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

**Request** ..... Vary the front yard setback from 30 feet to 15 feet in a Planned Residential Development, subject to County Commission approval

**Proposed Use** ..... Single-family dwelling

**Size** ..... 0.61± acres

**Zoning** ..... At the terminus of River Station Drive; a.k.a. 6595 River Station Drive; Zoned PRD; Tax Parcel 09079C000036.

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

**Planning Commission Date** ..... October 3, 2022

**Staff Recommendation** ..... **Denial**

---

**Planning Commission Recommendation: Approval, with conditions**  
**Vote: 5-0**

**Conditions:**

1. *The Board grants a variance for lot 36 of Magnolia Station Phase 2 to vary the front yard setback from 30 feet to 22 feet in a Planned Residential Development.*
2. *In accordance with the PRD ordinance section 17.180.060.B.10: Footing inspections. At the time of footing inspection, the contractor shall provide the county building official with a certificate from a licensed surveyor certifying building setbacks for all corners of the structure being inspected.*

**Applicant Proposal**

The applicant is requesting to vary the front yard setback from 30 feet to 15 feet for the purpose of constructing a single-family residence. The property is zoned Planned Residential Development (PRD) and the 30 foot front setback standard was established by the applicant of the original rezoning application.

The applicant's Statement of Hardship states that "an error in topography created grading issues the impacted the depth of the building pad." The statement continues that maintaining a 30 foot front setback would cause the lots to be unbuildable and that the conditions were created by the previous owner.



### **History and Existing Land Use**

The subject parcel is 0.61 acres in size and is undeveloped. The property is zoned Planned Residential Development (PRD) and is lot 36 of Magnolia Station Subdivision, Phase 2. The current owner/developer received approval for an amended Master Plan from the BOC on June 24, 2021. The PRD approvals were amend by the BOC on April 14, 2022, which set the setbacks and lot standards for Phase 2 as follows:

<b>PHASE 2 – SINGLE-FAMILY DETACHED (LDP APPROVED in 2018)</b>	
SITE AREA	51.750 ACRES
PROPOSED UNITS	56
MINIMUM LOT SIZE	75' X 150' (11,250 SQ. FT.)
FRONT SETBACK	30 FT.
SIDE SETBACK	10 FT.
REAR SETBACK	20 FT.
MAXIMUM BUILDING HEIGHT	35 FT.
MINIMUM HEATED FLOOR AREA	1,800 SQ. FT.

The plat for Magnolia Station, Phase 2 was recorded for 56 lots on June 30, 2022 in Plat Book 882, page 124-134 with the Hall County Clerk of Courts.

Surrounding properties are primarily zoned Planned Residential Development (PRD) though there are some Agricultural Residential IV (AR-IV) properties to the west. Most properties are developed with similar residential uses. To the southeast of the development is the intersection of Lula Road and Cornelia Highway/State Route 365, where there a number of commercially zoned and developed properties.

### **Significant Factors**

Per, §2.60.060. – effective period of approved applications, all applications approved by the board, whether a request for variance from the terms of Title 17, a request for conditional use, a request for the enlargement, change or continuance of a nonconforming use or a request to appeal a decision by an administrative official in the enforcement of Title 17, shall be effective for a period of six months. If no action is taken by the applicant to implement the purpose of the application by obtaining the proper permit and/or license and proceeding with the building, occupancy or establishment of business within six months from the date of approval by the board, said approval shall become null and void.

### **Development Support and Constraints**

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

In an email dated September 14, 2022, Emily McGahee stated, “No comment. Public Sewer.”



Hall County Fire Rescue

In an email dated September 16, 2022, Lieutenant John Hornick, NPQ Fire Inspector 1, Plans Review, stated: "The Hall County Fire Marshal's Office has no comments regarding the single family residence set back's as proposed."

Per Hall County GIS, the property is located approximately 1.5 miles from Hall County Fire Station #6, located at 6172 Lula Road. The nearest fire hydrant is located at the terminus of River Station Drive, approximately 200 feet away.

Hall County Public Works and Utilities

A memorandum from Srikanth Yamala, Director of Public Works and Utilities, dated September 16, 2022 stated the following:

Engineering

All construction to stay out of the drainage easement.

Traffic

No comments.

Utilities

No Comments.

Georgia Department of Transportation

This project will not require GDOT coordination.

Hall County Tax Assessors

No comments were provided in relation to this item. Gainesville

Water and Sewer Resources

No comments were provided in relation to this item.

Per Hall County GIS, there is public water along River Station Drive.

Application of Ridgeline Land Planning, Inc.

Factor	Analysis	Supports requested variance?		
		Yes		No
<b>1. Are there 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)</b>	No, this property is similar in shape and size to other properties within the subdivision. The submitted site plan shows a storm-water detention pond and a drainage easement in the rear of the parcel.			<b>X</b>



<b>2. Would the application of the requirements of the resolution to this particular piece of property create an unusual hardship?</b>	The application of the setback requirements would not cause an unusual hardship. The applicant still has the option of building a residence with a smaller footprint or building vertical.			<b>X</b>
<b>3. Are such conditions peculiar to the particular piece of property involved and not common to other properties in the neighborhood?</b>	No, the storm-water detention pond location was a decision of the applicant.			<b>X</b>
<b>4. Are the conditions the result of any actions of the property owner?</b>	Yes, the developer choose to locate the detention pond on these lot after being advised by staff that this could be a problem.			<b>X</b>
<b>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 or for a conditional use which has been denied by the Hall County Planning Dept.</b>	Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the resolution.	<b>X</b>		

### **Staff Recommendation**

Staff recommends **denial** of the applicant's request for a variance for the following reasons:

1. The application of the setback requirements would not cause an unusual hardship. The applicant still has the option of building a residence with a smaller footprint or building vertical.
2. The applicant obtained this property and development before the streets and infrastructure were built and the project received Final Plat approval.
3. The applicant had the option to remove the stormwater pond from the proposed lot as the density could have transferred to another phase when the master plan for Magnolia Station was updated in March and April, 2022.
4. Staff recommended during the master plan update in 2022 for Magnolia Station that this lot should be platted without the stormwater pond on the individual lot.



If the Board of Commissioners chooses to **approve** the variance, staff recommends the following conditions:

1. The Board grants a variance for lot 36 of Magnolia Station Phase 2 to vary the front yard setback from 30 feet to 15 feet in a Planned Residential Development.
2. An advisory note shall be placed on the building permit:

In accordance with the PRD ordinance section 17.180.060.B.10:

*Footing inspections.* At the time of footing inspection, the contractor shall provide the county building official with a certificate from a licensed surveyor certifying building setbacks for all corners of the structure being inspected.

### **Excerpts from the minutes of the October 17, 2022 meeting**

#### **Applicant's Presentation:**

**Ellis Still, Assistant Planning Director**, presented a summary of the request.

**Holt Persinger, 196 Villa Court, Winder**, presented the request. The applicant stated that detention ponds would not be allowed per phase II of the development but were approved by Hall County when they were purchased and it would be a shame to let two lots go with the cost of construction. The applicant stated that the two houses would be side entry with an area to the side of the houses for parking.

#### **Public Forum:**

*There were no comments in support or opposition.*

#### **Planning Commission Comments:**

Mr. Braswell questioned the topography of the site. Mr. Hunt questioned if the homes could be vertical. The applicant stated that they want to maintain floor plan consistency within the development and would prefer not to have 2-story products in the development. Mr. Braswell questioned if the applicant could take less of a setback. The applicant stated he wants to keep his request at 15 feet to assure space. Different possibilities of the setback variances were discussed.

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

#### **Conditions:**

1. *The Board grants a variance for lot 36 of Magnolia Station Phase 2 to vary the front yard setback from 30 feet to 22 feet in a Planned Residential Development.*
2. *In accordance with the PRD ordinance section 17.180.060.B.10:*



*Footing inspections. At the time of footing inspection, the contractor shall provide the county building official with a certificate from a licensed surveyor certifying building setbacks for all corners of the structure being inspected.*







### AUTHORIZATION OF PROPERTY OWNERS

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

Name of owner(s) LULIA CAPITAL, INC. / IZAN CHITTEND  
Address P.O. Box 1109  
LULIA, GA 30554  
Phone Number 706-499-0871

Name of applicant(s) RIDGELINK LAND PLANNING, INC.  
Address 196 BELAIR CT  
WINNOR, GA 30680  
Phone Number 678-618-2037 / HOLT PARSINKER

**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  
Kathryn Channing Butler

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

Kathryn Channing Butler  
Notary Public

8-4-22  
Date





## CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

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

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

- (b) When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant's application for the zoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:
- (3) The name and official position of the local government official to whom the campaign contribution was made; and
- (4) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- (b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

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

I have\*\* ☒ I have not ☐

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

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

Name of Official(s): 

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

Dollar Amount: 

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

Applicant's/Owner's Signature: 

Date: 8/4/2022

Applicant's/Owner's Name (Printed): HOLT PERCINS GR



## CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

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

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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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- (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): Shelly Echols

Office: State Senate

Dollar Amount: \$2,800.00

Date of Contribution: 8/3/2021

Applicant's/Owner's Signature: 

Date: 8/4/2022

Applicant's/Owner's Name (Printed): Ryan Chitwood



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



### **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).

An error in topography created grading issues the impacted the depth of the building pad.

2. The application of the requirements of this resolution to this particular property would create an unusual hardship.

Maintaining a 30 ft front setback would cause the lots to be unbuildable.

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.

This lot is impacted by slope that does not exist on the remaining lots.

4. Such conditions are not the result of any actions of the property owner.

The site conditions are results created from previous owners

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.

There would be no detriment to the public.

The proposed houses are side entry so that adequate parking is still provided.

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

Applicant

Date 8/15/2022



CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	875.00'	266.31'	S76°39'02"W	265.29'
C2	30.00'	49.08'	N47°45'51"W	43.79'
C3	30.00'	47.12'	N44°06'07"E	42.43'
C4	325.00'	127.01'	N77°54'24"E	126.20'
C5	325.00'	69.18'	N60°36'47"E	69.05'
C6	325.00'	39.33'	N51°02'51"E	39.31'
C7	150.00'	61.62'	N46°24'33"E	61.19'
C8	150.00'	61.62'	N33°28'11"E	61.19'
C9	150.00'	61.62'	N09°56'00"E	61.19'
C10	150.00'	40.55'	N09°34'44"W	40.42'
C11	99.99'	77.00'	N04°44'08"E	75.11'
C12	25.00'	31.81'	N65°14'30"E	29.70'
C13	60.00'	30.23'	N85°15'27"E	29.91'
C14	60.00'	48.33'	N47°44'50"E	47.04'
C15	60.00'	45.16'	N03°06'28"E	44.10'
C16	60.00'	45.16'	N40°00'55"W	44.10'
C17	60.00'	45.16'	N83°08'18"W	44.10'
C18	60.00'	45.16'	S53°44'19"W	44.10'
C19	60.00'	36.96'	S14°31'20"W	36.39'
C20	75.00'	7.63'	S11°49'51"W	7.75'
C21	150.00'	21.04'	S22°46'33"W	21.02'
C22	150.00'	61.94'	S06°53'42"W	61.30'
C23	150.00'	32.52'	S11°06'43"E	32.46'
C24	100.00'	113.28'	S15°07'44"W	107.32'
C25	275.00'	143.66'	S62°32'46"W	142.03'
C26	275.00'	55.63'	S83°18'25"W	55.53'
C27	30.00'	47.12'	N45°53'53"W	42.43'

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH	DELTA ANGLE	TANGENT
C-A	300.00'	217.41'	N68°20'28"E	212.68'	41°31'17"	113.72'
C-B	125.00'	141.60'	N15°07'44"E	134.15'	64°54'11"	79.48'
C-C	125.00'	95.25'	N04°44'08"E	93.89'	44°07'00"	50.65'

LOT 36: 26,553 SQFT (0.610 AC)  
ZONING: PRD  
FRONT SETBACK: 35' (15' PROPOSED)  
REAR SETBACK: 20'  
SIDE SETBACK: 10'

MAGNOLIA STATION  
LL 79 - 9TH DIST  
HALL COUNTY, GEORGIA

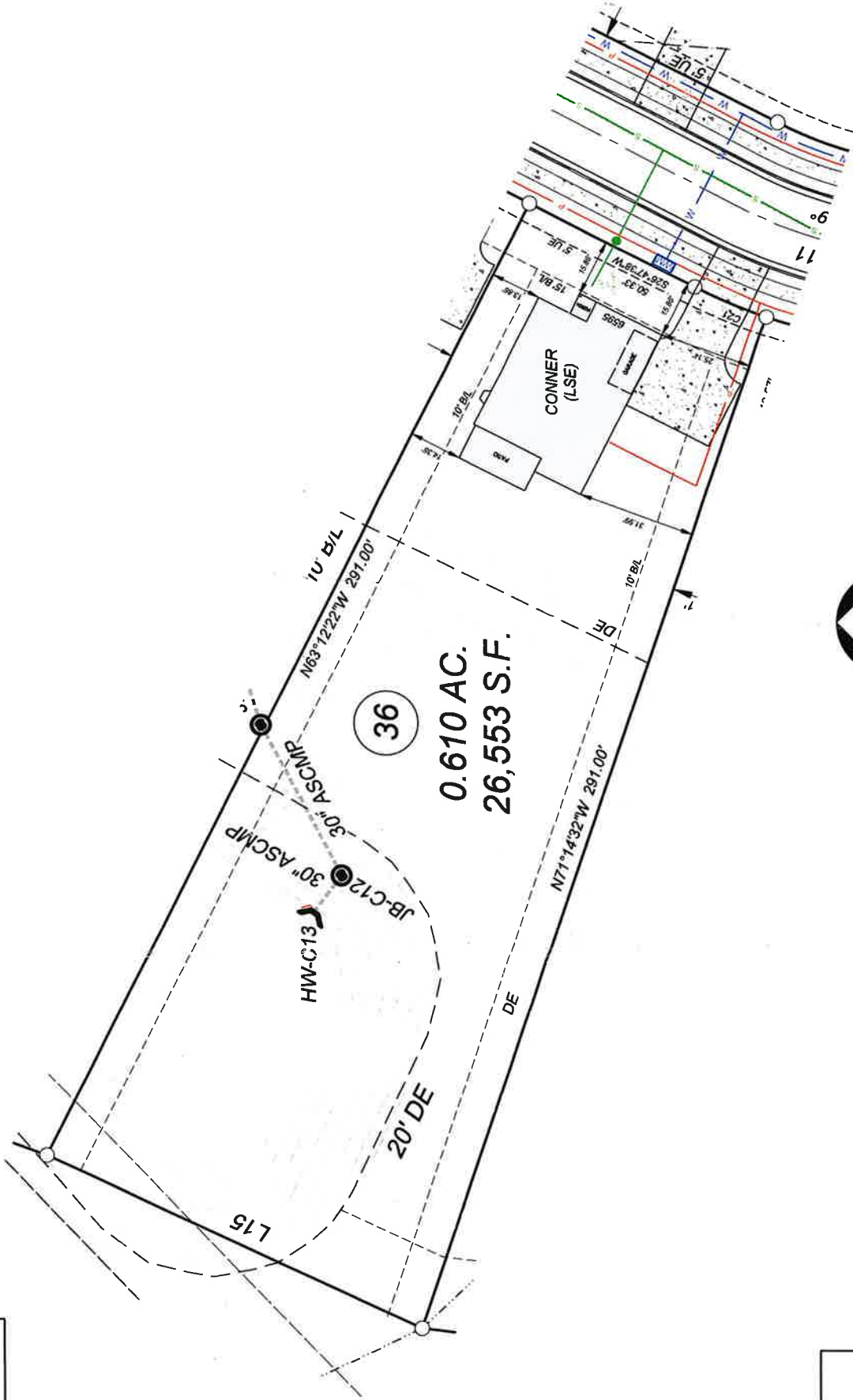
LEGEND

- UNDERGROUND POWER
- WATER 8" DIP
- SEWER 8" DIP

- BOUNDARY INFORMATION BASED ON FINAL PLAT FOR MAGNOLIA STATION PHASE TWO BY EARTHPRO LAND SURVEYING, INC.
- THERE IS A 5 FT. PERPETUAL EASEMENT ALONG THE FRONT OF ALL LOTS AND ALONG ALL RIGHT-OF-WAYS.
- THERE ARE DRAINAGE EASEMENTS ON SITE.

LINE	BEARING	DISTANCE
L1	N47°34'49"E	32.14'
L2	N17°19'22"W	25.12'
L3	N17°19'22"W	75.00'
L4	S22°13'28"E	55.86'
L5	N17°19'32"W	11.18'
L6	N26°47'39"E	110.18'
L7	N47°16'39"E	79.69'
L8	S01°39'21"W	60.00'
L9	S01°39'21"W	57.90'
L10	N53°32'59"E	40.50'
L11	N44°51'46"E	61.46'
L12	S26°47'37"W	28.67'
L13	N19°50'02"E	60.48'
L14	N19°50'02"E	75.56'
L15	N24°34'45"E	112.07'
L16	S17°19'22"E	35.35'
L17	N12°15'25"E	46.20'
L18	S47°34'49"W	8.15'
L19	N44°51'46"E	40.56'

SITE PLAN FOR:  
A + R HOMES, LLC  
LOT 36 - 6595 RIVER STATION DR.  
(50' R/W)  
MAGNOLIA STATION - PHASE 2



SITE PLAN

SHEET TITLE

RIDGELINE  
LAND PLANNING, INC.  
196 Belaire Court, Windsor, GA 30680  
ph: 678-618-2037  
holl@ridgelineplanning.com

MAGNOLIA STATION  
PHASE 2  
LOT 36 - 6595 RIVER STATION DR.  
HALL COUNTY, GEORGIA

PREPARED FOR:  
A&R HOMES, LLC  
4338 CORNELIA HWY  
LULA, GA 30654  
RYAN CHITWOOD  
706-496-0871  
r.chitwood@aandrhomes.com

GSWCO CERTIFICATION  
NO. 0000035391



SIGNED/SEALED

DATE	NO	REVISION
8/14/22		











GRID NORTH - GA  
WEST ZONE - NAD 83

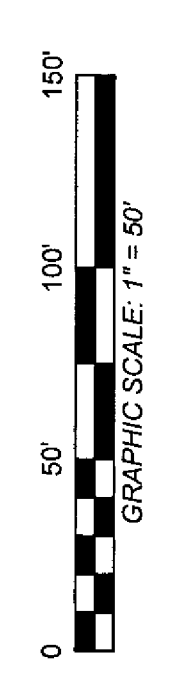



**EarthPro**  
 LAND SURVEYING  
 7747 HIGHWAY 72  
 CORNER GA. 39829  
 LAWRENCEVILLE, GA 30046  
 FAX: 706-510-5020  
 E-MAIL: [info@earthprolandsurvey.com](mailto:info@earthprolandsurvey.com)  
 WWW: [www.earthprolandsurvey.com](http://www.earthprolandsurvey.com)  
 GEORGIA C.O.A. LSC #000894

SURVEY PREPARED BY: \_\_\_\_\_  
 NOTE: SURVEY NOT VALID UNLESS  
 SIGNED AND DATED ACROSS SEAL

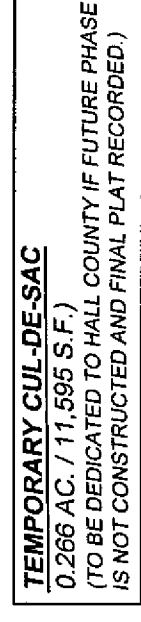
SHEET 3 OF 11

FINAL SUBDIVISION PLAT  
FOR  
**MAGNOLIA STATION**  
**PHASE 2**  
LOCATED WITHIN  
LAND LOT 78 & 79 - 9TH DISTRICT  
HALL COUNTY, GEORGIA  
HALL COUNTY TAX PARCEL: 08079 000001

[illegible]



**Charles Baker, C.S.C.**  
THIS BLOCK RESERVED FOR  
THE CLERK OF THE SUPERIOR COURT  
**Hall County, GA**



N/F  
LULA CAPITAL, LLC  
DB 8565, PG 568  
PB 844, PG 52  
TP# 09079 000001

## FUTURE DEVELOPMENT



DATE: JUNE 13, 2022		REVISION NO.	DESCRIPTION	DATE

FINAL SUBDIVISION PLAT  
FOR  
**MAGNOLIA STATION**  
**PHASE 2**  
LOCATED WITHIN  
LAND LOT 78 & 79 - 9TH DISTRICT  
HALL COUNTY, GEORGIA  
HALL COUNTY TAX PARCEL: 09079 000001

SURVEY PREPARED BY:

**EarthPro**

**LAND SURVEYING**

10000 Highway 47  
Commerce, GA 30629  
OFFICE: 770-540-5500  
FAX: 770-510-2620  
www.earthprosurvey.com  
GEORGIA RLS #11270  
GEORGIA COA LSF #000984

NOTE: SURVEY NOT VALID UNLESS





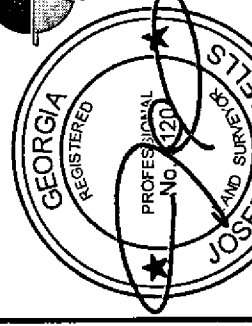
**Hall County, GA**  
CLERK OF THE SUPERIOR COURT

PROJECT # 20218.FP2

LOCATED WITHIN  
LAND LOT 78 & 79 - 9TH DISTRICT  
HALL COUNTY, GEORGIA  
HALL COUNTY TAX PARCEL: 09079 000001

7747 HIGHWAY 72  
COMER, GA. 30629  
OFFICE: 678-640-5500  
FAX: 706-510-2620  
EMAIL: [jw@earthprolandsurvey.com](mailto:jw@earthprolandsurvey.com)  
GEORGIA RLS #3120  
GEORGIA COA LSF #000994

NOTE: SURVEY NOT VALID UNLESS  
SIGNED AND DATED ACROSS SEAL









**MAGNOLIA STATION  
PHASE ONE  
PB 857, PG 191  
ZONED: PRD**

**MAGNOLIA STATION  
PHASE ONE  
PB 857, PG 191  
ZONED: PRD**

MAGNOLIA STATION  
PHASE ONE  
PB 857, PG 191  
ZONED: PRD

**SURVEY PREPARED BY:**



**LAND SURVEYING**  
7747 HIGHWAY 72  
COMER, GA. 30629  
OFFICE: 678-640-5500  
FAX: 706-510-2620  
EMAIL: [jw@earthprolandsurvey.com](mailto:jw@earthprolandsurvey.com)  
GEORGIA RLS #3120  
GEORGIA COA LSF #000994

SHEET 7 OF 11

FINAL SUBDIVISION PLAT  
FOR

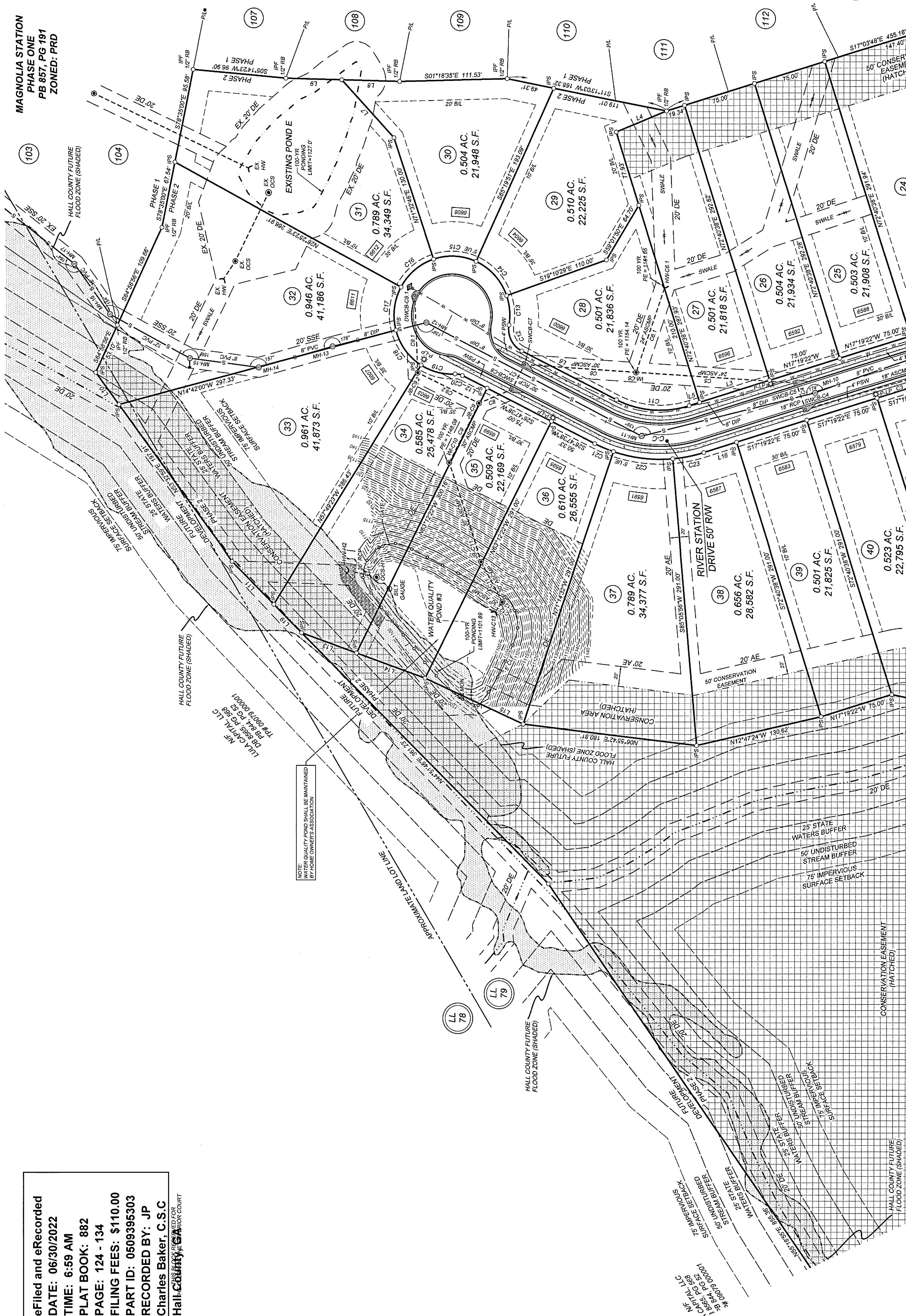
**MAGNOLIA STATION**  
**PHASE 2**

LOCATED WITHIN  
AND LOT 78 & 79 - 9TH DISTRICT  
HALL COUNTY, GEORGIA  
HALL COUNTY TAX PARCEL: 09079 000001

[illegible]

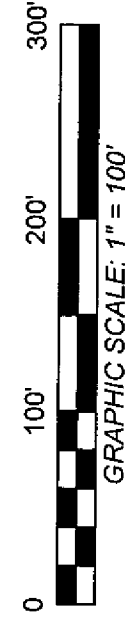
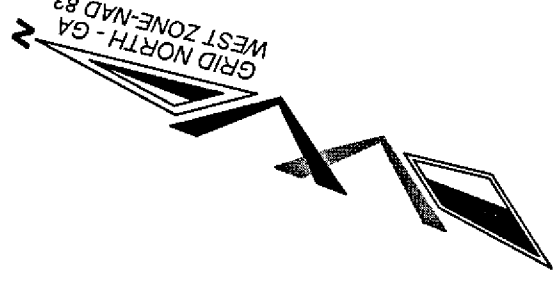
GRAPHIC SCALE: 1" = 50'

eFiled and eRecorded  
DATE: 06/30/2022  
TIME: 6:59 AM  
PLAT BOOK: 882  
PAGE: 124 - 134  
FILING FEES: \$110.00  
PART ID: 0509395303  
RECORDED BY: JP  
Charles Baker, C.S.C  
HALL COUNTY, GA  
THIS DOCUMENT IS NOT RECORDED FOR  
PRIORITY





THIS BLOG IS RESERVED FOR  
THE CLERK OF THE SUPERIOR COURT



DATE: JUNE 13, 2022		
REVISION NO.	DESCRIPTION	DATE

FINAL SUBDIVISION PLAT  
FOR  
**MAGNOLIA STATION**  
**PHASE 2**  
LOCATED WITHIN  
LAND LOT 78 & 79 - 9TH DISTRICT  
HALL COUNTY, GEORGIA  
HALL COUNTY TAX PARCEL: 96079 000001

SURVEY PREPARED BY:



# Earth Pro

**LAND SURVEYING**

TAMM HALL  
CORNER GA. 30829  
OFFICE 078-640-5500  
CELL 078-640-5501  
EMAIL [info@earthprosurveying.com](mailto:info@earthprosurveying.com)  
GEORGIA S.R.S #1720  
GEORGIA C.O.L.S.# 000894

NOTE: SURVEY/NOT VALID JAMES  
SIGNED AND DATED ACROSS SEAL





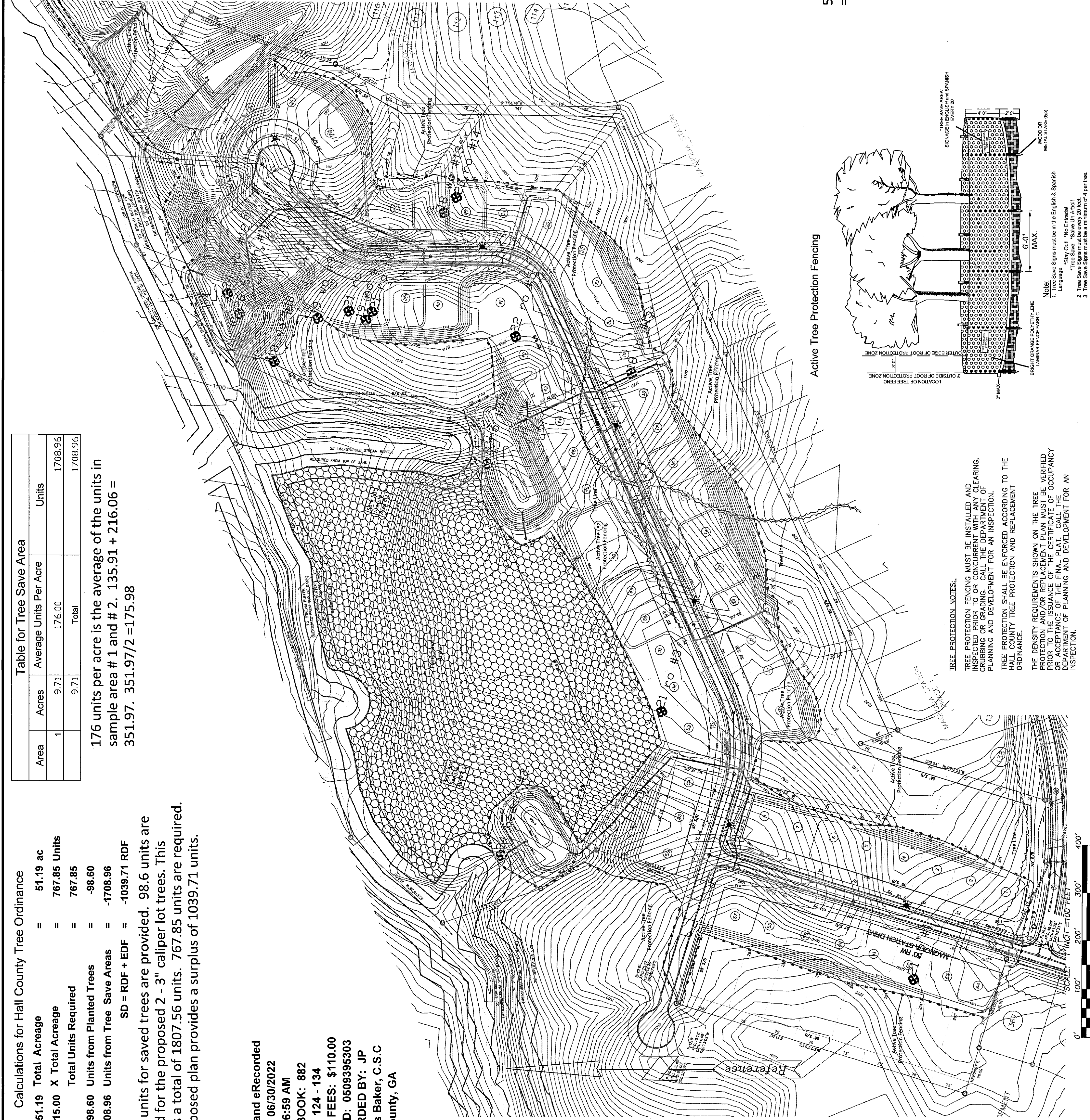


SDF =	51.19	Total Acreage	=	51.19	ac
	15.00	X Total Acreage	=	767.85	Units
		Total Units Required	=	767.85	
EDF =	98.60	Units from Planted Trees	=	98.60	
	1708.96	Units from Tree Save Areas	=	-1708.96	
		SD = RDF + EDF	=	-1039.71	RDF

1708.96 units for saved trees are provided. 98.6 units are provided for the proposed 2 - 3" caliper lot trees. This provides a total of 1807.56 units. 767.85 units are required. this proposed plan provides a surplus of 1039.71 units.

Table for Tree Save Area			
Area	Acres	Average Units Per Acre	Units
1	9.71	176.00	1708.96
	9.71	Total	1708.96

176 units per acre is the average of the units in sample area # 1 and # 2.  $135.91 + 216.06 = 351.97$ .  $351.97/2 = 175.98$



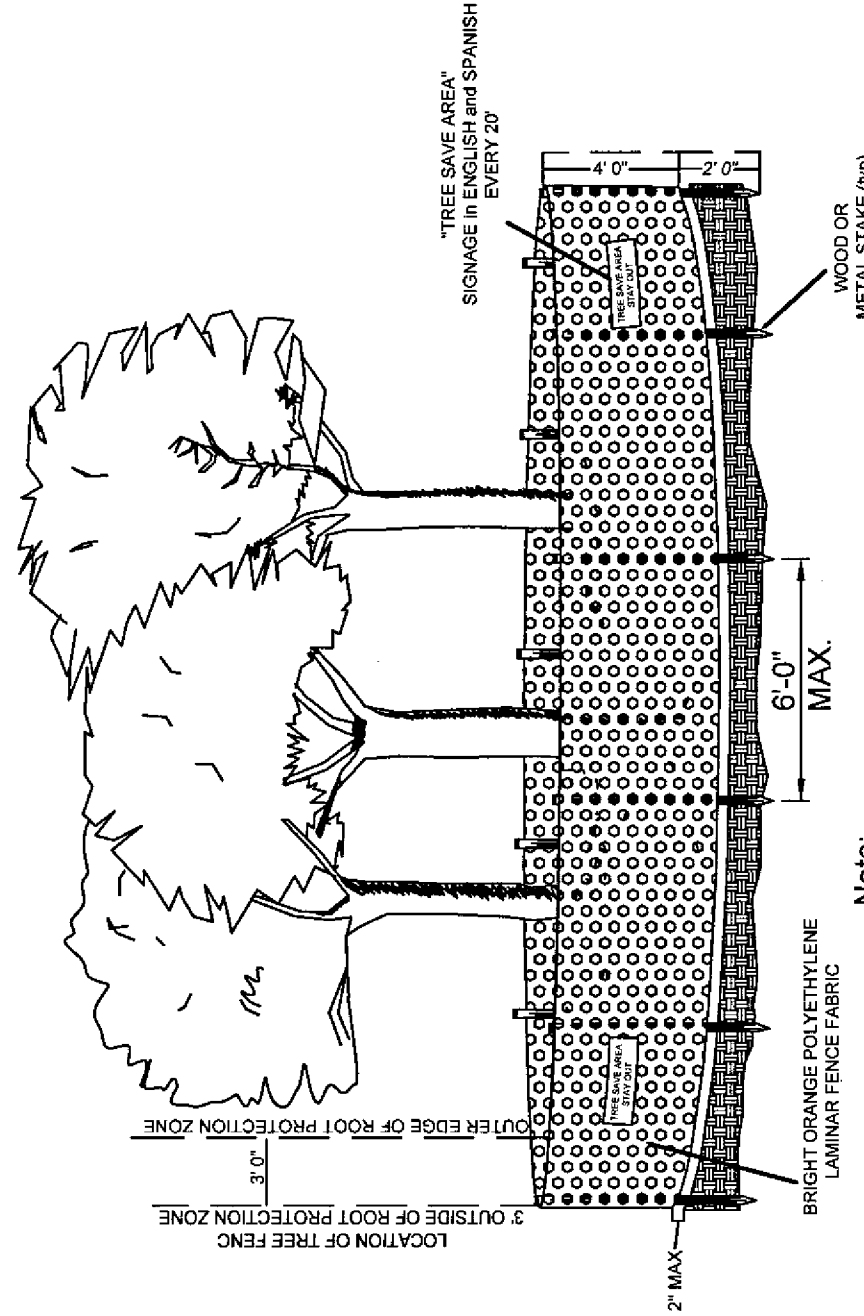
Removed Specimen Tree Units				
Number of Trees	Tree Size	Units Per		Total
		Diameter	Class	
4	18	5.4	21.6	
2	19	6.0	12.0	
1	20	6.6	6.6	
4	21	7.2	28.8	
1	22	7.8	7.8	
2	24	9.3	18.6	
1	26	11.1	11.1	
15		Total		106.5

 Specimen trees to be Removed

Trees in Sample Area # 1				
Number of Trees	Tree Size	Diameter Class	Units Per Diameter Class	Total Units
15	1-4		0.1	1.5
4	5-6		0.2	0.8
1	7		0.3	0.3
2	8		0.4	0.8
1	12		0.8	0.8
2	14		1.1	2.2
1	16		1.4	1.4
26				7.8

$$\begin{aligned} 50' \times 50' &= 2500 \text{ sq. ft.} \\ 43560 \text{ sq. ft.} / 2500 \text{ sq. ft.} &= 17.424. \\ 17.424 \times 7.8 &= 135.91 \text{ units per acre.} \end{aligned}$$

Trees in Sample Area # 2				
Number of Trees	Tree Size	Diameter	Units Per Class	Total Units
5	1-4		0.1	0.5
3	5-6		0.2	0.6
2	7		0.3	0.6
2	8		0.4	0.8
1	9		0.5	0.5
5	10		0.6	3.0
1	11		0.7	0.7
1	12		0.8	0.8
1	15		1.2	1.2
1	26		3.7	3.7
22				12.4

$$50' \times 50' = 2500 \text{ sq. ft. } 43560 \text{ sq. ft.}/2500 \text{ sq. ft.} \\ = 17.424. \\ 17.424 \times 12.4 = 216.06 \text{ units per acre.}$$


THREE PROTECTION NOTES:

1. TREE PROTECTION FENCING MUST BE INSTALLED AND MAINTAINED THROUGHOUT ANY CONSTRUCTION, GRUBBING OR GRADING OPERATIONS PRIOR TO PLANNING AND DEVELOPMENT FOR AN INSPECTION.

2. TREE PROTECTION SHALL BE ENFORCED ACCORDING TO THE COUNTY TREE PROTECTION AND REPLACEMENT ORDINANCE.

3. THE DENSITY REQUIREMENTS SHOWN ON THE TREE PROTECTION AND/OR REPLACEMENT PLAN MUST BE VERIFIED PRIOR TO THE ISSUANCE OF THE CERTIFICATE OF OCCUPANCY. THE COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT FOR AN INSPECTION.

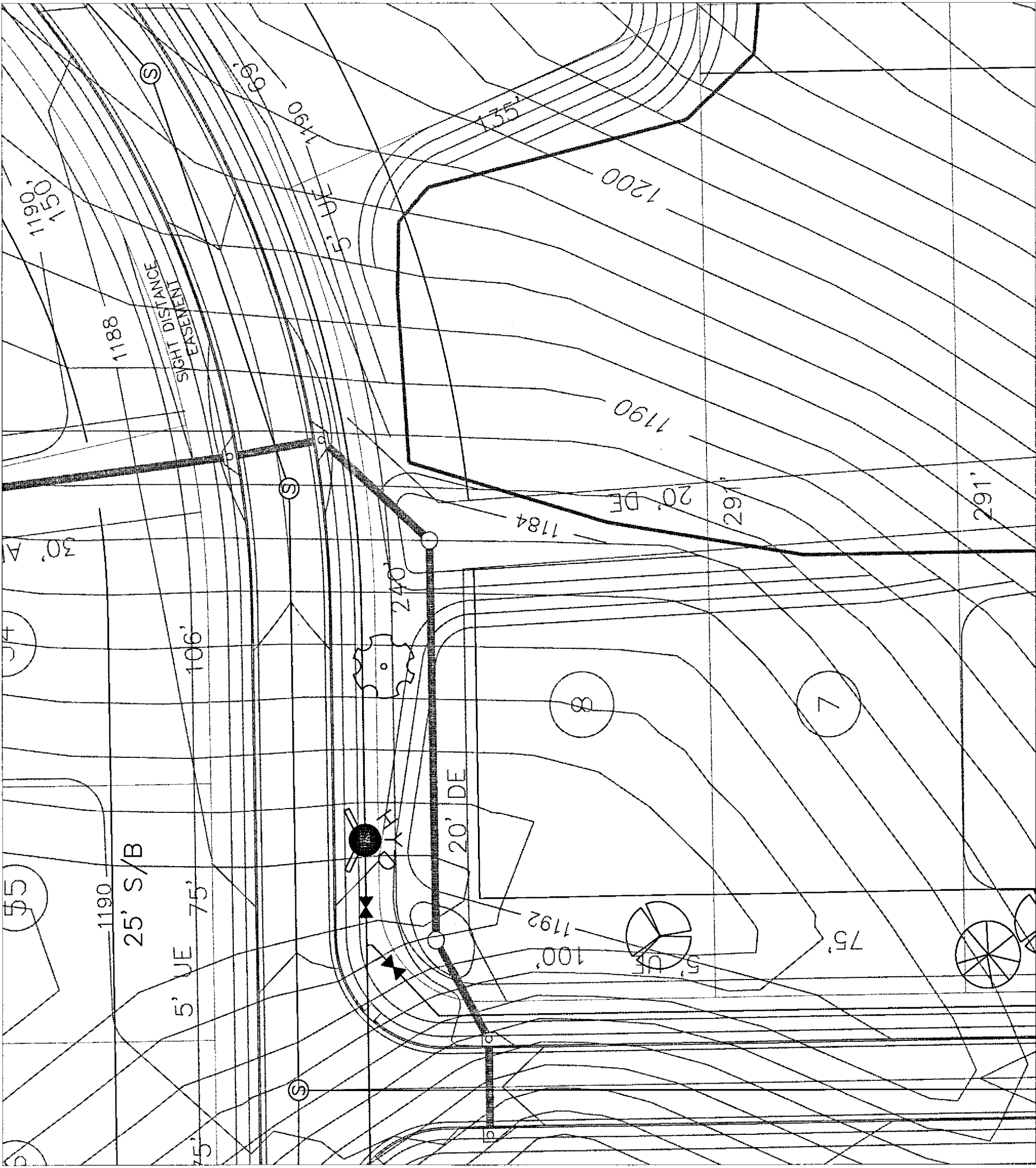
**Notes:**

- Lots shall not be cleared during the construction of the roads, infrastructure, utilities, etc. Where limited clearing is necessary, a note shall be placed on the final plat indicating a tree plan for the lot in its entirety shall be required.
- Trees located within the 50' undisturbed buffer shall not count towards density requirements.

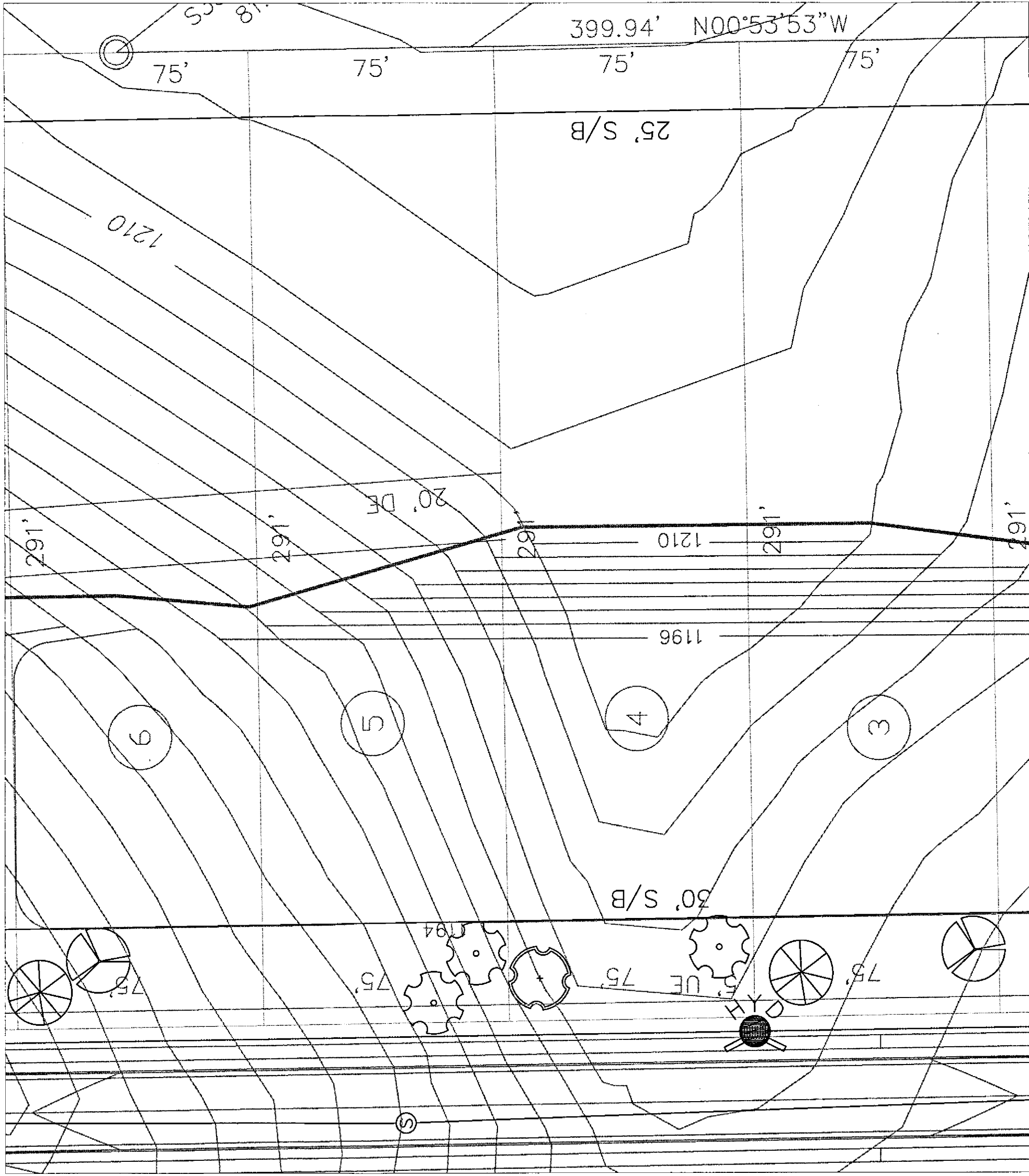
Van Moore  
Moore Urban Forestry, Inc.  
5962 Lake Lanier Heights Road  
Buford, GA 30518  
(770) 530-4114  
mooreurbanforestry@charter.net



Typical Lot Layout Corner Lot







Typical Lot Layout



Each lot with double road front exposure will have two 3" caliper overstory hardwood trees planted in each of the yards facing the road..

Each lot with single road front exposure will have two 3" caliper overstory hardwood trees planted in the front yard.

	Common/Botanical Name	Size	Units	% Units
	Red maple ( <i>Acer rubrum</i> )	3"	0.6	not exceed 33%
	Zelkova ( <i>Zelkova serrata</i> )	3"	0.6	not exceed 33%
	Chinese elm ( <i>Ulmus parvifolia</i> )	3"	0.6	not exceed 33%
	Pin oak ( <i>Quercus palustris</i> )	3"	0.6	not exceed 33%

Trees to be planted will be from this table or of a species with similar characteristics. No one species may exceed 33% of the total number of lot trees planted. Two 3" caliper large hardwood trees per lot will provide 128 X .7 = 98.6 units.

Hole should be 2 -2 1/2 times as wide as root ball

Place root ball on compacted pedestal

Back fill with excavated soil only amend when necessary

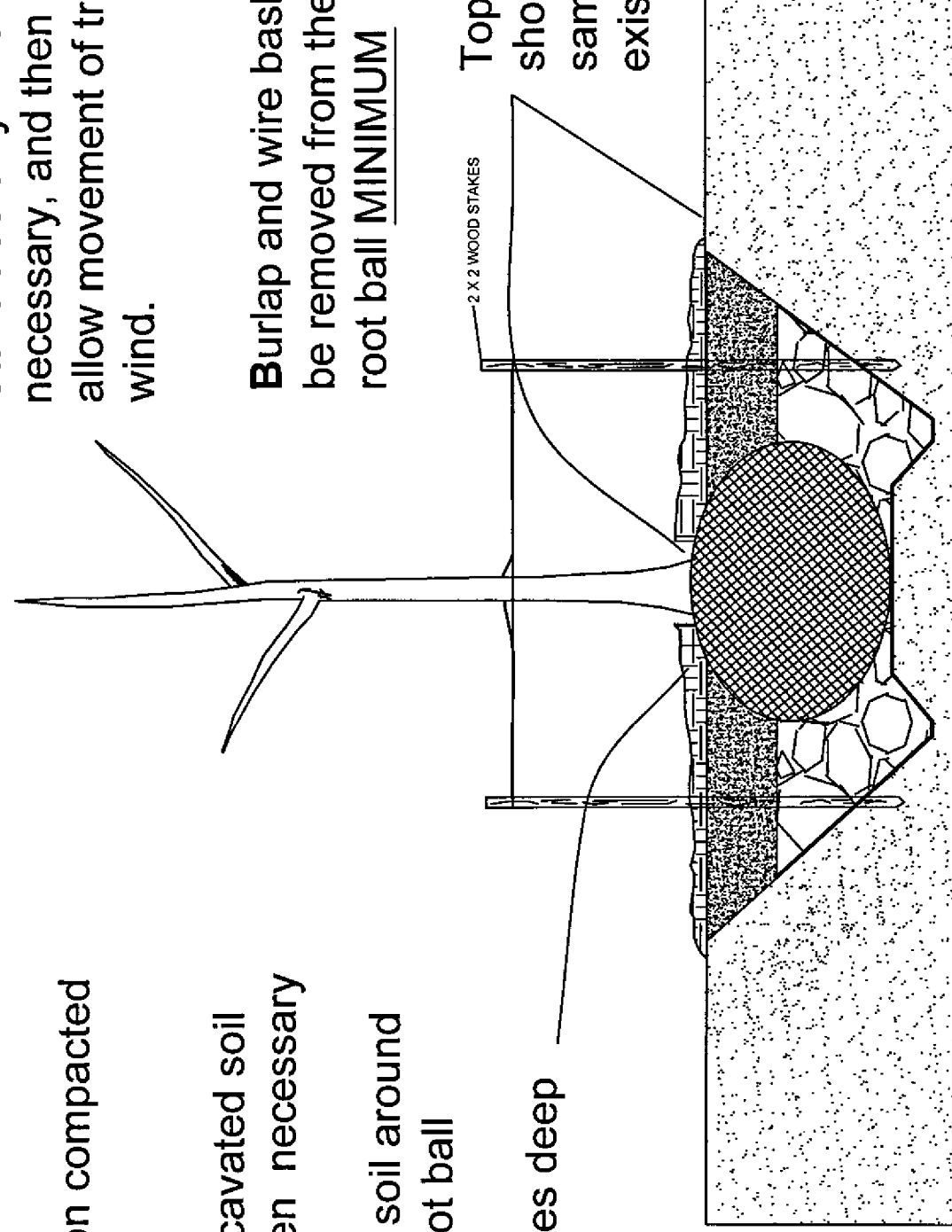
Lightly compact soil around bottom 2/3 of root ball

Mulch 2 - 4 inches deep

Stake tree only when necessary, and then loosely to allow movement of trunk in the wind.

Burlap and wire basket should be removed from the top 1/2 of root ball MINIMUM

Top of root ball should be same level as existing soil



NOTES:  
STAKES AND FABRIC NOT REQUIRED ON TREES 2" CALIPER AND UNDER.  
PLANT TREES AT GRADE. DO NOT MOUND.  
DO NOT DRIVE STAKE THROUGH ROOTBALL.

eFiled and eRecorded  
DATE: 06/30/2022  
TIME: 6:59 AM  
PLAT BOOK: 882  
PAGE: 124 - 134  
FILING FEES: \$110.00  
PART ID: 0509395303  
RECORDED BY: JP  
Charles Baker, C.S.C  
Hall County, GA

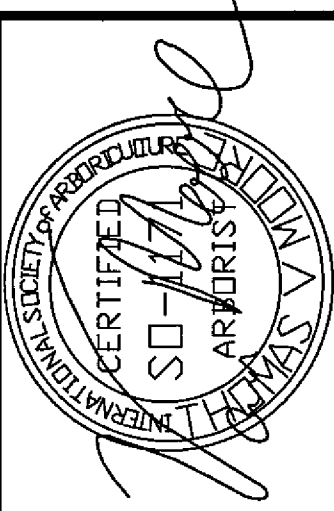
Van Moore  
Moore Urban Forestry, Inc.  
5962 Lake Lanier Heights Road  
Buford, GA 30518  
(770) 530-4114  
mooreurbanforestry@charter.net

MOORE URBAN FORESTRY  
5962 Lake Lanier Heights Road  
Buford, GA 30518  
Ph. # (770) 530-4114

PREPARED FOR:  
**Promise Engineering Inc**  
**3010 Hamilton Mill Road**  
**Buford, GA 30519**

PROJECT NAME:  
**Magnolia Manor**  
**Phase II**

TASK:  
**Typical Tree Plantings**  
**For Lots**



PROJECT INFORMATION:

Magnolia Manor Phase II  
Project Name  
Project Number  
Project Address  
Land Lot No. (a)  
District  
GEORGIA, Hall  
City, State, County

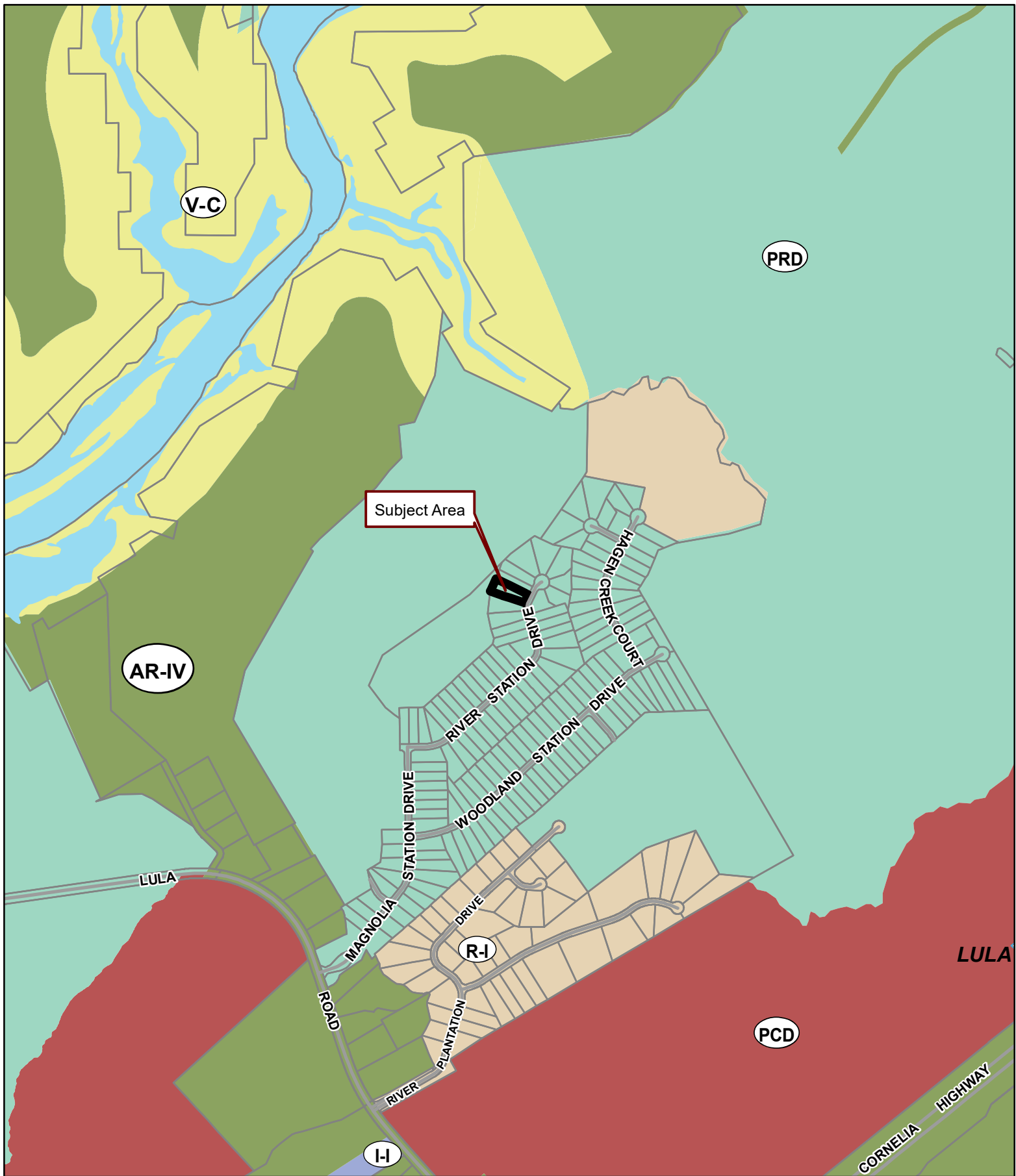
DATE	REVISION	NO.	1	2	3	4	5	6	7	8	9

TVM DESIGN	1:30 SCALE
TVM DRAWN	
TVM CHECKED	
PROJECT NO.	650017
PROJECT No.	DATE

T2

SHEET 11 OF 11





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

**Tax Parcel #:** 09079C000036

**Location:** 6595 RIVER STATION DRIVE, LULA, GA 30554

**Commission District 3**

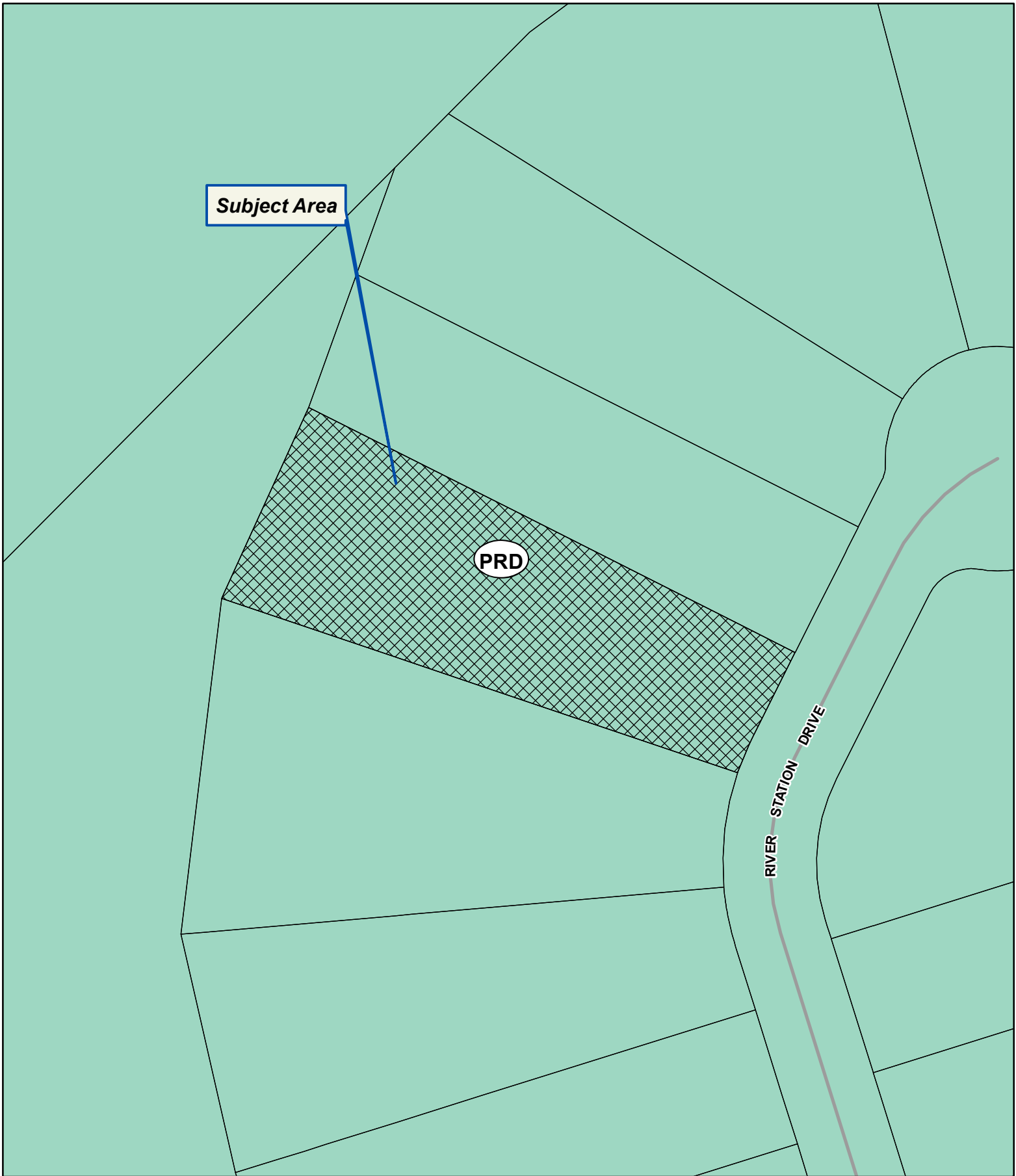
**PC Mtg. Date:** 10/03/2022

0 300 600 1,200  
Feet

- Zoning Boundary
- City Limits
- Subject Area
- Structure





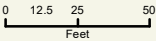


**Applicant:** RIDGELINE LAND PLANNING, INC.

**Tax Parcel #:** 09079C000036

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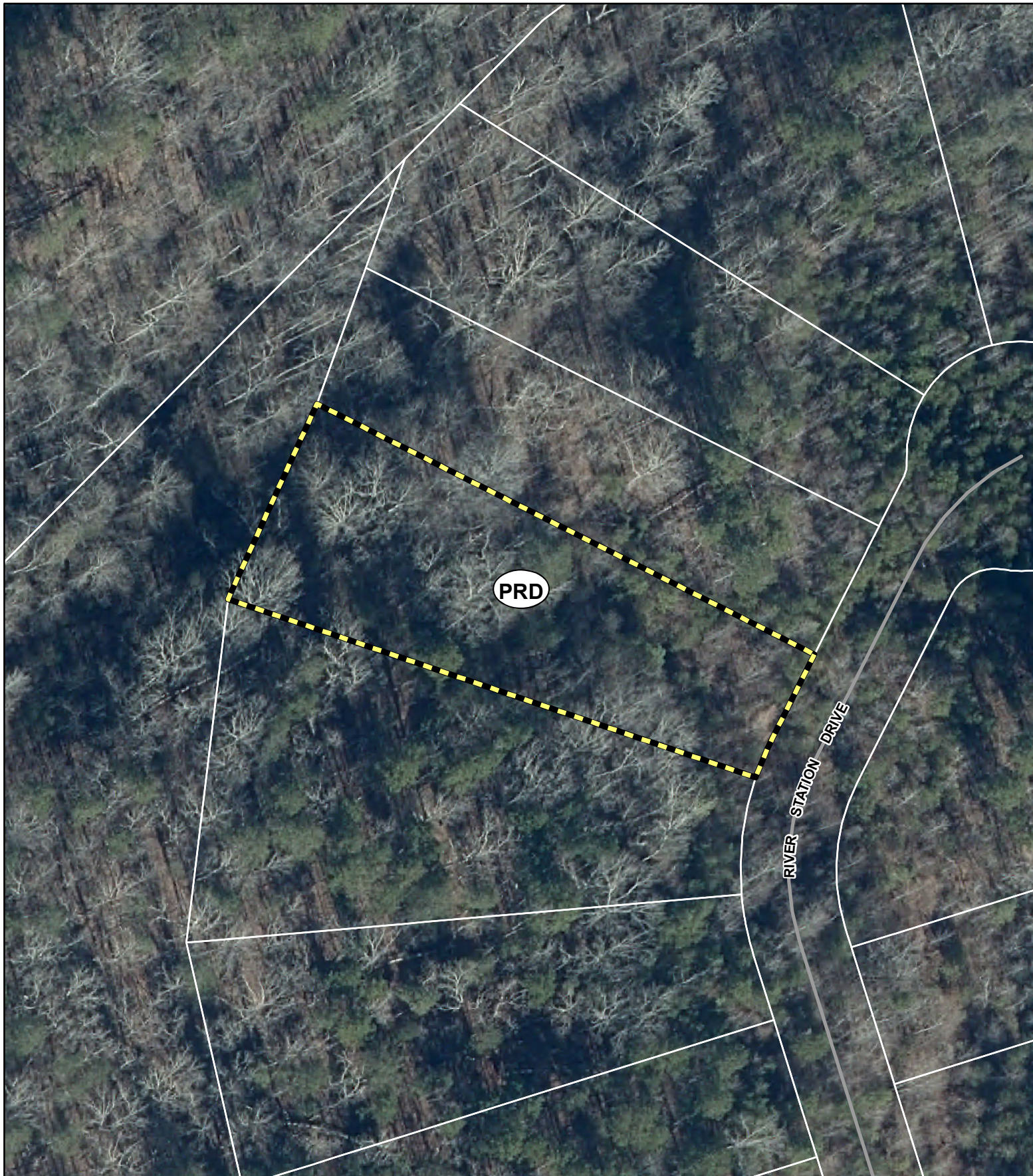
**Commission District 3**      **PC Mtg. Date:** 10/03/2022



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







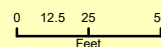
**Applicant:** RIDGELINE LAND PLANNING, INC.

**Tax Parcel #:** 09079C000036

**Location:** 6595 RIVER STATION DRIVE, LULA, GA 30554

**Commission District 3**

**PC Mtg. Date:** 10/03/2022



- Zoning Boundary
- City Limits
- Subject Area





## Anael Dominguez (Planning)

---

**From:** Emily McGahee (Environmental Health)  
**Sent:** Wednesday, September 14, 2022 11:56 AM  
**To:** Randi Doveton (Planning); Anael Dominguez (Planning)  
**Cc:** Kelly Hairston (Environmental Health); Chad Harper (Environmental Health)  
**Subject:** HCPC Tentative Agenda 10.3.22

Please find Environmental Health comments below:

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

Item 2, 3746, 3740, 3774 Friendship Circle, Puckett: No comment. Public sewer.

Item 3, 2363 Whippoorwill Lane, Beddingfield: Must meet all Environmental Health residential septic system permitting requirements. 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.

Items 4 and 5, 6599 River Station, Ridgeline Planning: No comment. Public Sewer.

Item 6, 5385 Winder Hwy, Dell Group: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements.

Item 7, 5540,5548,5556,5564,5572,5580 Old Winder & 5925,5919,5911,5901 Union Church Rd: 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 8, 3820 James Ed Road, Price: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements.

Item 9, 2866 Lanier Tech Drive, Capstone: No comment. Public Sewer.

Item 10, 5954 Jim Crow Road, Hausen: 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)

<http://www.hallcounty.org/devserv/environmental.asp> (County Website & Forms)



## Anael Dominguez (Planning)

---

**From:** Niebauer, Parker J <PNiebauer@dot.ga.gov>  
**Sent:** Monday, September 19, 2022 1:56 PM  
**To:** Anael Dominguez (Planning)  
**Cc:** Randi Doveton (Planning); Peevy, Jonathan; Chavers, Veronica E  
**Subject:** RE: Tentative Planning Agenda for October 3, 2022

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

Please see GDOT responses below in **red**

Dell, Atlas, and Capstone will required GDOT Coordination

Thank you,

**Parker Niebauer**

*DITO Traffic Operations Supervisor*



District 1 Division of Field Services  
1475 Jesse Jewell Pkwy  
Suite 100  
Gainesville, GA, 30501  
770.533.8275 office  
770.519.3223 cell

---

**From:** Anael Dominguez (Planning) <adominguez@hallcounty.org>  
**Sent:** Monday, September 12, 2022 5:41 PM  
**To:** Becky Ruffner (Parks & Leisure) <bruffner@hallcounty.org>; Bill Nash (Public Works) <bnash@hallcounty.org>; Brandi Smith (Business License) <bsmith@hallcounty.org>; Bryan Cash (Fire Services) <bcash@hallcounty.org>; Chad Harper (Environmental Health) <charper@hallcounty.org>; Chris Braswell (Planning) <cbraswell@hallcounty.org>; Christopher Armstrong (Fire Services) <carmstrong@hallcounty.org>; Dan Barnes <Daniel.C.Barnes@usace.army.mi>; Ellis Still (Planning) <estill@hallcounty.org>; Emily McGahee (Environmental Health) <emcgahee@hallcounty.org>; Frank Miller (Engineering) <fmiller@hallcounty.org>; Dykes, Jason <jdykes@dot.ga.gov>; Jason Skarda (Engineering) <jskarda@hallcounty.org>; Jeremy Wills <jeremy.wills@gainesville.org>; John Hornick (Fire Services) <jhornick@hallcounty.org>; Peevy, Jonathan <jpeevy@dot.ga.gov>; Kelly Hairston (Environmental Health) <khairston@hallcounty.org>; Randi Doveton (Planning) <rdoveton@hallcounty.org>; Matt Cox <matt.cox@hallco.org>; Michael Vieira (Fire Services) <mvieira@hallcounty.org>; Mike Little (Parks and Leisure) <mlittle@hallcounty.org>; Nicole Griffin (Tax Assessors) <nicole.griffin@hallcounty.org>; nswofford <nswofford@gainesville.org>; Pam Cravero <Pam.Cravero@hallco.org>; Niebauer, Parker J <PNiebauer@dot.ga.gov>; Randi Doveton (Planning) <rdoveton@hallcounty.org>; rich <rich@flowerybranchga.org>; Scott Puckett <spuckett@hallcounty.org>; Srikanth Yamala (Public Works) <syamala@hallcounty.org>; Stephen Cain <troy.s.cain@usace.army.mil>; Steve Watson (Real Property) <rswatson@hallcounty.org>; Tammie Croy (Engineering) <tcroy@hallcounty.org>; Tracy Gilreath (Tax Assessors) <tgilreath@hallcounty.org>; Wanda Moreno (Engineering) <wmoreno@hallcounty.org>; Wanda Sutton



(Engineering) <wsutton@hallcounty.org>; will schofield <will.schofield@hallco.org>

**Subject:** Tentative Planning Agenda for October 3, 2022

Good afternoon –

Here is the Tentative Agenda and Maps for the **Monday, October 3, 2022** Hall County Planning Commission Meeting.

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

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

Comments are due by **Monday, September 19<sup>th</sup>**. Email comments to Randi ([rdoveton@hallcounty.org](mailto:rdoveton@hallcounty.org)) and Ana ([adominguez@hallcounty.org](mailto:adominguez@hallcounty.org)).

### **CALL TO ORDER**

### **AGENDA REVIEW**

### **APPROVAL OF MINUTES – September 19, 2022**

### **OLD BUSINESS**

1. [Previously tabled application of Michael James Remodeling to rezone from Residential-I \(R-I\) to Office and Institutional \(O-I\) on a 6.85± acre tract located on the west side of Thompson Bridge Road at its intersection with Tommy Aaron Drive; a.k.a. 3461 Thompson Bridge Road; Zoned R-I; Tax Parcel 10114 000039A. Proposed use: office. \\*\\* Commission District 2.](#)
2. [Previously tabled application of Scott Puckett, Inc to rezone from Agricultural Residential-III \(AR-III\) to Planned Residential Development \(PRD\) on a 115.98± acre tract located on the south side of Friendship Circle at its intersection with Friendship Place; a. k. a. 3746, 3760, & 3774 Friendship Circle & 3654 Friendship Road; Zoned AR-III; Tax Parcel 15048 000007, 000008, 000025C, & 000204. Proposed use: 349-unit residential development. \\*\\* Commission District 1.](#)

### **NEW BUSINESS**

3. [Application of Thomas Ryan & Vicki Beddingfield for a front yard setback variance from 55 feet to 41 feet, right side yard setback variance from 10 feet to 3 feet, and a left side yard setback variance from 10 feet to 3 feet on a .14± acre tract located on the west side of Whippoorwill Lane approximately 848 feet from its intersection with Sportsman Club Road; a.k.a. 2363 Whippoorwill Lane; Zoned R-I; Tax Parcel 00109A000029. Proposed use: single-family residence. \\* Commission District 4.](#)
4. [Application of Ridgeline Land Planning, Inc. for a front yard setback variance from 30 feet to 15 feet on a .51± acre tract located at the terminus of River Station Drive; a.k.a. 6599 River Station Drive; Zoned PRD; Tax Parcel 09079C000035. Proposed use: single family dwelling. \\* Commission District 3.](#)
5. [Application of Ridgeline Land Planning, Inc. for a front yard setback variance from 30 feet to 15 feet on a .61± acre tract located at the terminus of River Station Drive; a.k.a. 6595 River Station Drive; Zoned PRD; Tax Parcel 09079C000036. Proposed use: single family dwelling. \\* Commission District 3.](#)
6. [Application of The Dell Group, LLC to amend conditions of a Planned Commercial Development \(PCD\) on a 21.20± acre tract located on the north side of Winder Highway at its intersection with Benefield Road; a.k.a. 5385 Winder Highway; Zoned PCD; Tax Parcel 15028B000015. Proposed use: car condos, storage, commercial uses, and retail. \\*\\* Commission District 1.](#)

**GDOT Coordination Required**



7. [Application of Atlas Development Services, Inc. to rezone from Agricultural Residential-IV \(AR-IV\) to Planned Residential District \(PRD\) on a 19.21± acre tract located at the intersection of Old Winder Highway and Union Church Road; a.k.a. 5540, 5548, 5556, 5564, 5572, & 5580 Old Winder Highway & 5925, 5919, 5911, & 5901 Union Church Road; Zoned AR-IV; Tax Parcel 15039A000018 – 000023 & 000025 – 000028. Proposed use: single-family townhomes. \\*\\* Commission District 1.](#)  
**GDOT Coordination Required**
8. [Application of Paul and Ana Price for a Use Subject to County Commission approval on a 7.58± acre tract located at the terminus of James Ed Road; a.k.a. 3820 James Ed Road; Zoned V-C; Tax Parcel 10142 000006. Proposed use: 4-lot subdivision. \\*\\* Commission District 3.](#)
9. [Application of Capstone Acquisitions, LLC to rezone from Light-Industrial \(L-I\) to Residential Multi-Family \(RMF\) on a 58.26± acre tract located at the terminus of Lanier Tech Drive; a.k.a. 2866 Lanier Tech Drive; Zoned I-I; Tax Parcel 15021 000085. Proposed use: 342-unit multi-family complex. \\*\\* Commission District 3.](#)  
**GDOT Coordination Required**
10. [Application of Russell Hausen to appeal an administrative decision for a short term rental on a 1.01± acre tract located on the north side of Jim Crow Road approximately 28 feet from its intersection with Old Federal Road; a.k.a. 5954 Jim Crow Road; Zoned AR-III; Tax Parcel 08101 002003. Proposed use: short-term rental. \\* Commission District 2.](#)

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

The Hall County Board of Commissioners will hear appeals at a public hearing **Thursday, November 10, 2022** at 6:00 p.m. at the Hall County Government Center, 2<sup>nd</sup> Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

\*\*The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on **Thursday, November 10, 2022**. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2<sup>nd</sup> Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

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



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





# Hall County Government

## PUBLIC WORKS AND UTILITIES

### MEMORANDUM

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

DIRECTOR  
**Srikanth Yamala**

ASSISTANT DIRECTOR  
**Bill Nash, P.E.**

**TO:** Randi Doveton, Director of Planning and Development  
**FROM:** Srikanth Yamala, Director of Public Works and Utilities  
**DATE:** September 16, 2022  
**SUBJECT:** October 3, 2022 – Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the October 3, 2022 meeting. Upon review, we provide the following comments:

#### **OLD BUSINESS**

1. Previously tabled application of Michael James Remodeling to rezone from Residential-I (R-I) to Office and Institutional (O-I) on a 6.85± acre tract located on the west side of Thompson Bridge Road at its intersection with Tommy Aaron Drive; a.k.a. 3461 Thompson Bridge Road; Zone R-1; Tax Parcel 10114 000039A. Proposed Use: Office.  
\*\*Commission District 2.
  - a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage. Show buffer and impervious setback from wretched vegetation, not centerline of creek.
  - b) **Traffic:** Driveway may need to be upgraded to accommodate two-way traffic.
  - c) **Utilities:** City of Gainesville Sewer.
2. Application of Scott Puckett, Inc. to rezone from Agricultural Residential-III (AR-III) to Planned Residential Development (PRD) on a 115.98± acre tract located on the south side of Friendship Circle at its intersection with Friendship Place; a.k.a. 3746, 3760, & 3774 Friendship Circle & 3654 Friendship Road; Zoned AR-III; Tax Parcel 15048 000007, 000008, 000025C, & 000204. Proposed use: 349-unit residential development.  
\*\*Commission District 1.
  - a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage. Show buffer and impervious setback from wretched vegetation, not centerline of creek. Show flood Hall County studied and FEMA. Roads must meet all Hall County Standards; Stormwater ponds must be out of the flood zone; development is not allowed in flood.
  - b) **Traffic:** GDOT approval/permitting required. Improvements/Modifications to the intersection of Friendship Circle and Friendship Place may be required.





POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

DIRECTOR  
**Srikanth Yamala**

ASSISTANT DIRECTOR  
**Bill Nash, P.E.**

Improvements/Modifications (possibly including signalization) may be required for the intersection of Friendship Road (SR 347) and Friendship Place/Swansey Road. Developer should be financially responsible for all required roadway improvements/modifications and they should be constructed concurrently with the development.

- c) **Utilities:** Hall County sewer district; no sewer available. No application for land disturbance permit can be made prior to Friendship Road sewer project construction is less than one year from its anticipated completion. No final plat will be approved until Friendship sewer is installed and operating.

### **NEW BUSINESS**

3. Application of Thomas Ryan & Vicki Beddingfield for a front yard setback variance from 55 feet to 41 feet, right side yard setback variance from 10 feet to 3 feet, and a left side yard setback variance from 10 feet to 3 feet on a .14± acre tract located on the west side of Whippoorwill Lane approximately 848 feet from its intersection with Sportsman Club Road; a.k.a. 2363Whippoorwill Lane; Zoned R-I; Tax Parcel 00109A000029. Proposed use: single-family residence. \*Commission District 4.

- a) **Engineering:** Show flood Hall County studied and FEMA.  
b) **Traffic:** No comments.  
c) **Utilities:** No Comments.

4. Application of Ridgeline Land Planning, Inc. for a front yard setback variance from 30 feet to 15 feet on a .51± acre tract located at the terminus of River Station Drive; a.k.a. 6599 River Station Drive; Zoned PRD; Tax Parcel 09079C000035. Proposed use: Single-family dwelling. \*Commission District 3.

- a) **Engineering:** All construction to stay out of the drainage easement.  
b) **Traffic:** No comments.  
c) **Utilities:** No Comments.

5. Application of Ridgeline Lane Planning, Inc. for a front yard setback variance from 30 feet to 15 feet on a .61± acre tract located at the terminus of River Station Drive; a.k.a. 6595 River Station Drive; Zoned PRD; Tax Parcel 09079C000036. Proposed use: Single-family dwelling. \*Commission District 3.

- a) **Engineering:** All construction to stay out of the drainage easement.  
b) **Traffic:** No comments.  
c) **Utilities:** No Comments.

6. Application of The Dell Group, LLC to amend conditions of a Planned Commercial Development (PCD) on a 21.20± acre tract located on the north side of Winder Highway at its intersection with Benefield Road; a.k.a. 5385 Winder Highway; Zoned PCD; Tax Parcel 15028B000015. Proposed use: Car Condos, Storage, Commercial Uses, and Retail. \*Commission District 1





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GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

DIRECTOR  
**Srikanth Yamala**

ASSISTANT DIRECTOR  
**Bill Nash, P.E.**

- 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 buffers and impervious setback from wretched vegetation not centerline of stream.
  - b) **Traffic:** No comments.
  - c) **Utilities:** No sewer in the area of project; septic proposed—requires Health Department approval.
7. Application of Atlas Development Services, Inc. to rezone from Agricultural Residential-IV (AR-IV) to Planned Residential District (PRD) on a 19.21± acre tract located at the intersection of Old Winder Highway and Union Church Road; a.k.a. 5540, 5548, 5556, 5564, 5572, & 5580 Old Winder Highway & 5925, 5519, 5911, & 5901 Union Church Road; Zoned AR-IV; Tax Parcel 1539A000018 – 000023, & 000025 – 000028. Proposed Use: Single-Family Townhomes. \*Commission District 1.
- a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage. Show buffer and impervious setback from wretched vegetation, not centerline of creek. Show flood Hall County studied and FEMA. Roads must meet all Hall County Standards; Stormwater ponds must be out of the flood zone; development is not allowed in flood.
  - b) **Traffic:** Development access must be approved and permitted through GDOT. Improvements recommended in the traffic study should be required.
  - c) **Utilities:** No Sewer in the area of project; requires a Hall County Sewer Availability Letter and Application approval.
8. Application of Paul and Ana Price for a Use Subject to County Commission approval on a 7.58± acre tract located at the terminus of James Ed Road; a.k.a. 3820 James Ed Road; Zoned V-C; Tax Parcel 10142 000006. Proposed use: 4-lot subdivision. \*Commission District 3.
- a) **Engineering:** This subdivision is over six (6) lots and will require stormwater management.
  - b) **Traffic:** No comments.
  - c) **Utilities:** No Comments.
- 9) Application of Capstone Acquisitions, LLC to rezone from Light-Industrial (L-I) to Residential Multi-Family (RMF) on a 58.26± acre tract located at the terminus of Lanier Tech Drive; a.k.a. 2866 Lanier Tech Drive; Zoned I-I; Tax Parcel 15021 000085. Proposed use: 342-unit multi-family complex. \*\* Commission District 3.
- a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage. Show buffer and impervious setback from wretched vegetation, not centerline of creek. Show flood Hall County studied and FEMA.





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DIRECTOR  
**Srikanth Yamala**

ASSISTANT DIRECTOR  
**Bill Nash, P.E.**

- b) **Traffic:** Lanier Tech Drive is a City of Gainesville roadway and proposed connection will need to be approved and permitted by Gainesville. Unclear if proposed roadway extension is to also be in Gainesville's jurisdiction. A cul-de-sac should be required at the end of the public roadway. The traffic study indicated a proposed connection to Oconee Circle, however, the provided concept plan and narrative did not mention this, confusing.
- c) **Utilities:** Gainesville Sewer district.

10) Application of Russell Hausen to appeal an administrative decision for a short term rental on a 1.01± acre tract located on the north side of Jim Crow Road approximately 28 feet from its intersection with Old Federal Road; a.k.a. 5954 Jim Crow Road; Zoned AR-III; Tax Parcel 08101 002003. Proposed use: short-term rental. \* Commission District 2.

- a) **Engineering:** No Comment.
- b) **Traffic:** No comments.
- c) **Utilities:** No Comment.



## Anael Dominguez (Planning)

---

**From:** John Hornick (Fire Services)  
**Sent:** Friday, September 16, 2022 5:01 PM  
**To:** Randi Doveton (Planning); Anael Dominguez (Planning)  
**Cc:** Michael Vieira (Fire Services); John Tucker (Fire Services); Jeff Suggs (Fire Services)  
**Subject:** Fire Comments Commission Meeting  
**Attachments:** Fire Access State Mods.pdf

Good afternoon – Hall County Fire Comments

Here is the Tentative Agenda and Maps for the **Monday, October 3, 2022** Hall County Planning Commission Meeting.

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

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

Comments are due by **Monday, September 19<sup>th</sup>**. Email comments to Randi ([rdoveton@hallcounty.org](mailto:rdoveton@hallcounty.org)) and Ana ([adominguez@hallcounty.org](mailto:adominguez@hallcounty.org)).

### **CALL TO ORDER**

### **AGENDA REVIEW**

### **APPROVAL OF MINUTES – September 19, 2022**

### **OLD BUSINESS**

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### **NEW BUSINESS**

3. [Application of Thomas Ryan & Vicki Beddingfield for a front yard setback variance from 55 feet to 41 feet, right side yard setback variance from 10 feet to 3 feet, and a left side yard setback variance from 10 feet to 3 feet on a .14± acre tract located on the west side of Whippoorwill Lane approximately 848 feet from its intersection with Sportsman Club Road; a.k.a. 2363 Whippoorwill Lane; Zoned R-I; Tax Parcel 00109A000029. Proposed use: single-family residence. \\* Commission District 4.](#)  
The Hall County Fire Marshal's Office has no comments regarding the single family residence set back's as proposed.
4. [Application of Ridgeline Land Planning, Inc. for a front yard setback variance from 30 feet to 15 feet on a .51± acre tract located at the terminus of River Station Drive; a.k.a. 6599 River Station Drive; Zoned PRD; Tax Parcel 09079C000035. Proposed use: single family dwelling. \\* Commission District 3.](#)  
The Hall County Fire Marshal's Office has no comments regarding the set back as proposed.



5. [Application of Ridgeline Land Planning, Inc. for a front yard setback variance from 30 feet to 15 feet on a .61± acre tract located at the terminus of River Station Drive; a.k.a. 6595 River Station Drive; Zoned PRD; Tax Parcel 09079C000036. Proposed use: single family dwelling. \\* Commission District 3.](#)  
The Hall County Fire Marshal's Office has no comments regarding the set back as proposed.
6. [Application of The Dell Group, LLC to amend conditions of a Planned Commercial Development \(PCD\) on a 21.20± acre tract located on the north side of Winder Highway at its intersection with Benefield Road; a.k.a. 5385 Winder Highway; Zoned PCD; Tax Parcel 15028B000015. Proposed use: car condos, storage, commercial uses, and retail. \\*\\* Commission District 1.](#)  
IFC Section 903, 20,000 SF building exceeds the 12,000 SF sprinkler threshold requirements and may be required to have a fire protection system installed.  
IFC Section 903, A Group S-1 fire area used for the storage or repair of commercial motor vehicles where the fire area exceeds 5000 SF will be required to have a fire protection system installed.  
IFC Section 903, A Group S-1 occupancy used for the storage or manufacture of upholstered furniture or mattresses where the fire area exceeds 2500 SF will be required to have a fire protection system installed.  
IFC Section 903, A Group F-1 occupancy containing a wood working operation where the fire area exceeds 2500 SF will be required to have a fire protection system installed.  
IFC Section 507, All buildings must be within the 400' hose lay distance requirements from a fire hydrant as the truck travels. Fire hydrants may have to be installed along the access road to meet the hose lay distance requirements.  
IFC Section 506, All buildings will be required to have a Knox Box installed.  
Complete set of engineered civil plans will have to be submitted for review and approval by the Hall County Fire Marshal's Office.
7. [Application of Atlas Development Services, Inc. to rezone from Agricultural Residential-IV \(AR-IV\) to Planned Residential District \(PRD\) on a 19.21± acre tract located at the intersection of Old Winder Highway and Union Church Road; a.k.a. 5540, 5548, 5556, 5564, 5572, & 5580 Old Winder Highway & 5925, 5919, 5911, & 5901 Union Church Road; Zoned AR-IV; Tax Parcel 15039A000018 – 000023 & 000025 – 000028. Proposed use: single-family townhomes. \\*\\* Commission District 1.](#)  
IFC Section D107, Developments of one or two family dwellings where the number of dwelling units exceeds 120 shall be provided with two separate and approved fire apparatus access roads, see attachment.  
IFC Section 507, All buildings must be within the 400' hose lay distance requirements from a fire hydrant as the truck travels.  
Complete set of engineered civil plans will have to be submitted for review and approval by the Hall County Fire Marshal's Office.
8. [Application of Paul and Ana Price for a Use Subject to County Commission approval on a 7.58± acre tract located at the terminus of James Ed Road; a.k.a. 3820 James Ed Road; Zoned V-C; Tax Parcel 10142 000006. Proposed use: 4-lot subdivision. \\*\\* Commission District 3.](#)  
Existing fire hydrant is located at the corner of James Ed and Trotter Rd.  
IFC Section 503, Fire apparatus road shall have an unobstructed width of 20' exclusive of shoulders. The portion of James Ed road leading to the proposed driveways would be considered the fire apparatus access road and would have to meet the 20' minimum width requirement.  
IFC Section 503, Dead end fire apparatus access roads in excess of 150' shall be provided with an approved turn around. Existing dead end turnaround may need to be modified to meet Hall County Fire and Hall County standards.
9. [Application of Capstone Acquisitions, LLC to rezone from Light-Industrial \(L-I\) to Residential Multi-Family \(RMF\) on a 58.26± acre tract located at the terminus of Lanier Tech Drive; a.k.a. 2866 Lanier Tech Drive; Zoned I-I; Tax Parcel 15021 000085. Proposed use: 342-unit multi-family complex. \\*\\* Commission District 3.](#)  
All access controlled gates will require a Knox key switch override device for fire department access into gated development.  
IFC D106.2, Multifamily developments having more than 200 dwelling units shall be provided with two separate and approved fire apparatus access roads regardless of whether they are equipped with an approved automatic sprinkler system. Concept plan show one access into development two are required.  
IFC D105.2, Where the vertical distance between the grade plane and the highest roof surface exceeds 30' approved aerial access roads shall be provided and shall have a minimum unobstructed width of 26' exclusive of shoulders.



IFC Section 912, Fire department connections shall be installed on each building and located no greater than 50' from a fire hydrant. Fire department connections shall be located that the fire apparatus and hose connected to the supply system ( fire hydrant ) will not obstruct access to the building for other fire apparatus.  
IFC 510, Emergency responder radio frequency test will be required and installation of a bi-directional antenna system may be required.  
NFPA 13R or 13 fire protection system will be required to be installed, tested and certified.  
NFPA 72 fire alarm system will be required to be installed, tested and certified.  
Complete set of engineered civil plans will have to submitted for review and approval by the Hall County Fire Marshal's Office.

10. Application of Russell Hausen to appeal an administrative decision for a short term rental on a 1.01± acre tract located on the north side of Jim Crow Road approximately 28 feet from its intersection with Old Federal Road; a.k.a. 5954 Jim Crow Road; Zoned AR-III; Tax Parcel 08101 002003. Proposed use: short-term rental. \* Commission District 2.

Fire and Life safety Code will not apply until the occupancy exceeds 5 guest rooms or 10 occupants.  
Existing building is located less than 400' from an existing fire hydrant. No fire hydrant installation will be required.

Regards,

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





**D105.2 Width.** Aerial fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7925 mm), exclusive of shoulders, in the immediate vicinity of the building or portion thereof.

**D105.3 Proximity to building.** One or more of the required access routes meeting this condition shall be located not less than 15 feet (4572 mm) and not greater than 30 feet (9144 mm) from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the *fire code official*.

**D105.4 Obstructions.** Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building. Other obstructions shall be permitted to be placed with the approval of the *fire code official*.

### SECTION D106

#### MULTIPLE-FAMILY RESIDENTIAL DEVELOPMENTS

**D106.1 Projects having more than 100 dwelling units.** Multiple-family residential projects having more than 100 dwelling units shall be equipped throughout with two separate and approved fire apparatus access roads.

**Exception:** Projects having up to 200 dwelling units shall have not fewer than one approved fire apparatus access road where all buildings, including nonresidential occupancies, are equipped throughout with approved automatic sprinkler systems installed in accordance with Section 903.3.1.1 or 903.3.1.2.

**D106.2 Projects having more than 200 dwelling units.** Multiple-family residential projects having more than 200 dwelling units shall be provided with two separate and approved fire apparatus access roads regardless of whether they are equipped with an approved automatic sprinkler system.

**D106.3 Remoteness.** Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

### SECTION D107

#### ONE- OR TWO-FAMILY RESIDENTIAL DEVELOPMENTS

**D107.1 One- or two-family dwelling residential developments.** Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads.

#### Exceptions:

1. Where there are more than 30 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or

903.3.1.3, access from two directions shall not be required.

2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the *fire code official*.

**D107.2 Remoteness.** Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

### SECTION D108

#### REFERENCED STANDARDS

ASTM	F2200—14	Standard Specification for Automated Vehicular Gate Construction	D103.5
UL	325—02	Door, Drapery, Gate, Louver, and Window Operators and Systems, with Revisions through May 2015	D103.5

SEE STATE MODIFICATION  
CHAP 5





# Rules and Regulations of the State of Georgia

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Route : [GA R&R](#) » [Department 120](#) » [Chapter 120-3](#) » [Subject 120-3-3](#)

## 6. Add a new section, Appendix D 107.1, as follows:

Developments of one- or two-family dwellings where the number of dwelling units exceeds 120 shall be provided with two separate and approved fire apparatus access roads.

### Exceptions:

1. Where there are more than 120 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, access from two directions shall not be required.
2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.
3. The fire apparatus access roads cannot be installed because of location on the property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.

Plans shall accompany the written request that delineate improvements to proposed fire apparatus access roads approved by the fire code official of the local responding fire department. Recommended compliance alternatives for residential developments having less than the minimum of two entrances includes, but is not limited to one of more of the following alternative remedies:

1. Enhanced turning radii to meet local responding fire department requirements; and/or
2. Increased road widths to meet local responding fire department requirements; or
3. Fire Lane signs per D103.6 in locations determined by the Fire Code Official; or
4. The absence of dead-end streets and cul-de-sacs; and unless the requirements meet or exceed Table D103.4 for Fire Apparatus Access Roads; or
5. The primary entrance roadway being a boulevard with medians and each lane meeting fire access road widths; or
6. Single entrance roads providing a dedicated emergency lane separating each drive lane; or
7. Additional fire apparatus access road which is permitted to be a roadway or approved surface not accessible to motor vehicles, designed by a registered design professional to meet the loading requirements and minimum specifications of Appendix D; and this surface provides all weather conditions capabilities for emergency fire department access; or
8. Statement by Fire Code Official that the Plans submitted meet the requirements of Exception 3 and/or Appendix D for access by local responding fire department

Pursuant to O.C.G.A. Title 25-2-12 (e)(4) the local fire official, building official, or developer may obtain a waiver when adequate access appropriate for the fire apparatus of the local responding fire department is not met or provided by using alternative methods on a waiver form designed and prescribed by the Safety Fire Commissioner. The State Fire Marshal or designated representative shall respond within 30 days for the decision for approval or disapproval or recommendations for modifications to the Plan. If the 30-day time frame is not met, the Plans submitted shall be deemed to be approved.

## Add a new section, Appendix D 107.2, as follows:

Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

CHAP. 5



# ZONING NOTICE

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

APPLICANT: RIDGELINE LAND PLANNING

REQUEST: VARY FRONT YARD SETBACK  
FROM 30' TO 15' FOR SINGLE FAMILY DWELLING

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION

Date: 10-17-22

Time: 5:15 p.m.

and

COUNTY COMMISSION

Date: 11-17-2022

Time: 6:00 p.m.

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

FOR MORE INFORMATION CALL: (770) 531-6809

LOT  
36

NO. 2  
LOT 36





## AGENDA ITEM

### Planning and Development

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**REPORT TO:** Meeting (11/14/22)

**REPORT TO:** Meeting (11/17/22)

**ITEM NO:** 595/2022

**SUBJECT:** Application of Ridgeline Land Planning, Inc. for a front yard setback variance subject to County Commission approval from 30 feet to 15 feet on a .51± acre tract located at the terminus of River Station Drive; a.k.a. 6599 River Station Drive; Zoned PRD; Tax Parcel 09079C000035. Proposed Use: single family dwelling. Commission District 3.

---

#### Meetings:

**Work Session Date:** 11/14/22

**Voting Meeting Date:** 11/17/22

#### Executive Summary:

**Presenter:** RD

**Recommendation:**

Approval, with conditions: 1. The Board grants a variance for lot 35 of Magnolia Station Phase 2 to vary the front yard setback from 30 feet to 22 feet in a Planned Residential Development. 2. In accordance with the PRD ordinance section 17.180.060.B.10: Footing inspections. At the time of footing inspection, the contractor shall provide the county building official with a certificate from a licensed surveyor certifying building setbacks for all corners of the structure being inspected.

**Purpose of Request:**

Application of Ridgeline Land Planning, Inc. for a front yard setback variance from 30 feet to 15 feet on a .51± acre tract located at the terminus of River Station Drive; a.k.a. 6599 River Station Drive; Zoned PRD; Tax Parcel 09079C000035. Proposed use: single family dwelling. Commission District 3.

**History:**

**Facts and Issues:**

**Options:**

<b>Funding Requested</b>	\$ 0.00
<b>Are funds within current budget?</b>	No
<b>Source of Funds</b>	
<b>Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?</b>	No
<b>Has it been reviewed by the County Attorney?</b>	Yes



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

**Approvals:**

<b>Submit</b>	<b>Approve</b>	<b>Budget</b>	<b>Finance</b>
AD	RD	EW	WG
<b>Attorney</b>	<b>Administration</b>	<b>Clerk</b>	
WLI	LJ	AO	

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**Attachments:**

Board Memo  
Recommendation Report  
Application  
Site Plan  
Maps  
Environmental Health Comments  
GDOT Comments  
Public Works Comments  
Fire Comments  
Notice Sign Photo





# Hall County Government

## PLANNING & DEVELOPMENT

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR  
Randi Doveton

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

**From:** Randi Doveton, Director

**Date:** October 25, 2022

**Subject:** Application of Ridgeline Land Planning, Inc. for a front yard setback variance from 30 feet to 15 feet on a .51± acre tract located at the terminus of River Station Drive; a.k.a. 6599 River Station Drive; Zoned PRD; Tax Parcel 09079C000035. Proposed use: single family dwelling. Commission District 3.

---

The application before you is a request for a front yard setback variance from 30 feet to 15 feet on a .51± acre lot to allow a single family dwelling.

At their October 17, 2022 meeting, the Hall County Planning Commission voted to recommend approval (5-0) of this request with the following two (2) conditions:

1. *The Board grants a variance for lot 35 of Magnolia Station Phase 2 to vary the front yard setback from 30 feet to 22 feet in a Planned Residential Development.*
2. *In accordance with the PRD ordinance section 17.180.060.B.10: Footing inspections. At the time of footing inspection, the contractor shall provide the county building official with a certificate from a licensed surveyor certifying building setbacks for all corners of the structure meet the variance granted by the Planning Commission.*

There were no written comments submitted in advance of the Planning Commission meeting and no one spoke in favor or opposition during the public hearing on October 17, 2022.

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



**HALL COUNTY PLANNING COMMISSION  
RECOMMENDATION REPORT**

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

**Request** ..... Vary the front yard setback from 30 feet to 15 feet in a Planned Residential Development, subject to County Commission approval

**Proposed Use** ..... Single-family dwelling

**Size** ..... 0.51± acres

**Zoning** ..... At the terminus of River Station Drive; a.k.a. 6599 River Station Drive; Zoned PRD; Tax Parcel 09079C000035.

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

**Planning Commission Date** ..... October 3, 2022

**Staff Recommendation** ..... **Denial**

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

**Vote: 5-0**

**Conditions:**

1. *The Board grants a variance for lot 35 of Magnolia Station Phase 2 to vary the front yard setback from 30 feet to 22 feet in a Planned Residential Development.*
2. *In accordance with the PRD ordinance section 17.180.060.B.10: Footing inspections. At the time of footing inspection, the contractor shall provide the county building official with a certificate from a licensed surveyor certifying building setbacks for all corners of the structure being inspected.*

**Applicant Proposal**

The applicant is requesting to vary the front yard setback from 30 feet to 15 feet for the purpose of constructing a single-family residence. The property is zoned Planned Residential Development (PRD) and the 30 foot front setback standard was established by the applicant of the original rezoning application.

The applicant's Statement of Hardship states that "an error in topography created grading issues the impacted the depth of the building pad." The statement continues that maintaining a 30 foot front setback would cause the lots to be unbillable and that the conditions were created by the previous owner.



### **History and Existing Land Use**

The subject parcel is 0.51 acres in size and is undeveloped. The property is zoned Planned Residential Development (PRD) and is lot 35 of Magnolia Station Subdivision, Phase 2. The current owner/developer received approval for an amended Master Plan from the BOC on June 24, 2021. The PRD approvals were amend by the BOC on April 14, 2022, which set the setbacks and lot standards for Phase 2 as follows:

<b>PHASE 2 – SINGLE-FAMILY DETACHED (LDP APPROVED in 2018)</b>	
SITE AREA	51.750 ACRES
PROPOSED UNITS	56
MINIMUM LOT SIZE	75' X 150' (11,250 SQ. FT.)
FRONT SETBACK	30 FT.
SIDE SETBACK	10 FT.
REAR SETBACK	20 FT.
MAXIMUM BUILDING HEIGHT	35 FT.
MINIMUM HEATED FLOOR AREA	1,800 SQ. FT.

The plat for Magnolia Station, Phase 2 was recorded for 56 lots on June 30, 2022 in Plat Book 882, page 124-134 with the Hall County Clerk of Courts.

Surrounding properties are primarily zoned Planned Residential Development (PRD) though there are some Agricultural Residential IV (AR-IV) properties to the west. Most properties are developed with similar residential uses. To the southeast of the development is the intersection of Lula Road and Cornelia Highway/State Route 365, where there a number of commercially zoned and developed properties.

### **Significant Factors**

Per, §2.60.060. – effective period of approved applications, all applications approved by the board, whether a request for variance from the terms of Title 17, a request for conditional use, a request for the enlargement, change or continuance of a nonconforming use or a request to appeal a decision by an administrative official in the enforcement of Title 17, shall be effective for a period of six months. If no action is taken by the applicant to implement the purpose of the application by obtaining the proper permit and/or license and proceeding with the building, occupancy or establishment of business within six months from the date of approval by the board, said approval shall become null and void.

### **Development Support and Constraints**

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

In an email dated September 14, 2022, Emily McGahee stated, “No comment. Public Sewer.”



Hall County Fire Rescue

In an email dated September 16, 2022, Lieutenant John Hornick, NPQ Fire Inspector 1, Plans Review, stated: "The Hall County Fire Marshal's Office has no comments regarding the single family residence set back's as proposed."

Per Hall County GIS, the property is located approximately 1.5 miles from Hall County Fire Station #6, located at 6172 Lula Road. The nearest fire hydrant is located at the terminus of River Station Drive, approximately 200 feet away.

Hall County Public Works and Utilities

A memorandum from Srikanth Yamala, Director of Public Works and Utilities, dated September 16, 2022 stated the following:

Engineering

All construction to stay out of the drainage easement.

Traffic

No comments.

Utilities

No Comments.

Georgia Department of Transportation

This project will not require GDOT coordination.

Hall County Tax Assessors

No comments were provided in relation to this item.

Gainesville Water and Sewer Resources

No comments were provided in relation to this item.

Per Hall County GIS, there is public water along River Station Drive.

Application of Ridgeline Land Planning, Inc.

Factor	Analysis	Supports requested variance?		
		Yes		No
<b>1. Are there 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)</b>	No, this property is similar in shape and size to other properties within the subdivision. The submitted site plan shows a storm-water detention pond and a drainage easement in the rear of the parcel.			<b>X</b>



2. Would the application of the requirements of the resolution to this particular piece of property create an unusual hardship?	The application of the requirement would not cause and unusual hardship. The applicant still has the option of building a smaller footprint or building vertical.			<b>X</b>
3. Are such conditions peculiar to the particular piece of property involved and not common to other properties in the neighborhood?	No, the storm-water detention pond location was a decision of the applicant.			<b>X</b>
4. Are the conditions the result of any actions of the property owner?	Yes, the developer choose to locate the detention pond on these lot after being advised by staff that this could be a problem.			<b>X</b>
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 or for a conditional use which has been denied by the Hall County Planning Dept.	Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the resolution.	<b>X</b>		

### **Staff Recommendation**

Staff recommends **denial** of the applicant's request for a variance for the following reasons:

1. The application of the setback requirements would not cause an unusual hardship. The applicant still has the option of building a residence with a smaller footprint or building vertical.
2. The applicant obtained this property and development before the streets and infrastructure were built and the project received Final Plat approval.
3. The applicant had the option to remove the stormwater pond from the proposed lot as the density could have transferred to another phase when the master plan for Magnolia Station was updated in March and April, 2022.
4. Staff recommended during the master plan update in 2022 for Magnolia Station that this lot should be platted without the stormwater pond on the individual lot.

If the Board of Commissioners chooses to **approve** the variance, staff recommends the following conditions:

1. The Board grants a variance for lot 35 of Magnolia Station Phase 2 to vary the front yard setback from 30 feet to 15 feet in a Planned Residential Development.



2. An advisory note shall be placed on the building permit:

In accordance with the PRD ordinance section 17.180.060.B.10:

*Footing inspections.* At the time of footing inspection, the contractor shall provide the county building official with a certificate from a licensed surveyor certifying building setbacks for all corners of the structure being inspected.

### **Excerpts from the minutes of the October 17, 2022 meeting**

#### **Applicant's Presentation:**

**Ellis Still, Assistant Planning Director**, presented a summary of the request.

**Holt Persinger, 196 Villa Court, Winder**, presented the request. The applicant stated that detention ponds would not be allowed per phase II of the development but were approved by Hall County when they were purchased and it would be a shame to let two lots go with the cost of construction. The applicant stated that the two houses would be side entry with an area to the side of the houses for parking.

#### **Public Forum:**

*There were no comments in support or opposition.*

#### **Planning Commission Comments:**

Mr. Braswell questioned the topography of the site. Mr. Hunt questioned if the homes could be vertical. The applicant stated that they want to maintain floor plan consistency within the development and would prefer not to have 2-story products in the development. Mr. Braswell questioned if the applicant could take less of a setback. The applicant stated he wants to keep his request at 15 feet to assure space. Different possibilities of the setback variances were discussed.

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

#### **Conditions:**

1. *The Board grants a variance for lot 35 of Magnolia Station Phase 2 to vary the front yard setback from 30 feet to 22 feet in a Planned Residential Development.*
2. *In accordance with the PRD ordinance section 17.180.060.B.10: Footing inspections. At the time of footing inspection, the contractor shall provide the county building official with a certificate from a licensed surveyor certifying building setbacks for all corners of the structure being inspected.*



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



## VARIANCE APPLICATION

### Applicant (Name and Mailing Address)

Ridgeline Land Planning, Inc.  
196 Belaire Court  
Winder, GA 30680

Phone 678-618-2037

Email Address holt@ridgelineplanning.com

Location of Property 6599 River Station Drive, Lula, GA 30554 (lot 35)

Present Zoning PRD Existing Structures None

### Property Owner (Name and Mailing Address)

Lula Capital, LLC  
PO Box 1109  
Lula, GA 30554

Phone 706-499-0871

Email Address ryanchitwood@cmlcs.com

### Type of Appeal:

☒ Setback Variance  
☐ Road Frontage Variance  
☐ Sign Variance  
☐ Hardship Mobile Home

☒ Front Yard  
☐ Right Side Yard  
☐ Left Side Yard  
☐ Rear Yard  
☐ Road Frontage  
☐ Sign Area  
☐ Sign Height  
☐ Doctor's Letter

From 30 ft. to 15 ft.  
From     ft. to     ft.  
From     ft. to     ft.  
From     ft. to     ft.  
From     ft. to     ft.  
From     ft. to     ft.  
From     ft. to     ft.  
☐ Terms Agreement

Supporting Documents: ☒ Plat of Property ☒ Site Plan  
☐ Deed of Property ☐ Floor Plans  
☒ Hardship Statement ☐ Other

Fee (Must be paid for application to be complete): \$ 400.00

#### 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 8/15/2022

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: \_\_\_\_\_



### AUTHORIZATION OF PROPERTY OWNERS

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

Name of owner(s) LULA CAPITAL, INC. / IZAN CHITTEND  
Address PO. BOX 1109  
LULA, GA 30554  
Phone Number 706-499-0871

Name of applicant(s) RIDGELINE LAND PLANNING, INC.  
Address 196 BELMONT CT  
WINNOR, GA 30680  
Phone Number 678-618-2037 / HOLT PARSINGAR

**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  
Kathryn Chamy Butler

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

Kathryn Chamy Butler  
Notary Public

8-4-2022  
Date





## Revised December 2019



## 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): Shelly Echols

Office: State Senate

Dollar Amount: \$2,800.00

Date of Contribution: 8/3/2021

Applicant's/Owner's Signature: 

Date: 8/4/2022

Applicant's/Owner's Name (Printed): Ryan Chitwood



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



### **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).

An error in topography created grading issues the impacted the depth of the building pad.

2. The application of the requirements of this resolution to this particular property would create an unusual hardship.

Maintaining a 30 ft front setback would cause the lots to be unbuildable.

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.

This lot is impacted by slope that does not exist on the remaining lots.

4. Such conditions are not the result of any actions of the property owner.

The site conditions are results created from previous owners

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.

There would be no detriment to the public.

The proposed houses are side entry so that adequate parking is still provided.

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

Applicant

Date 8/15/2022

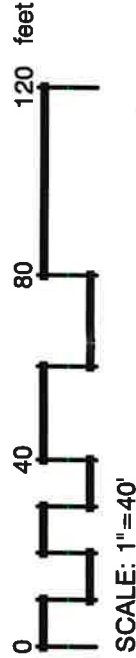
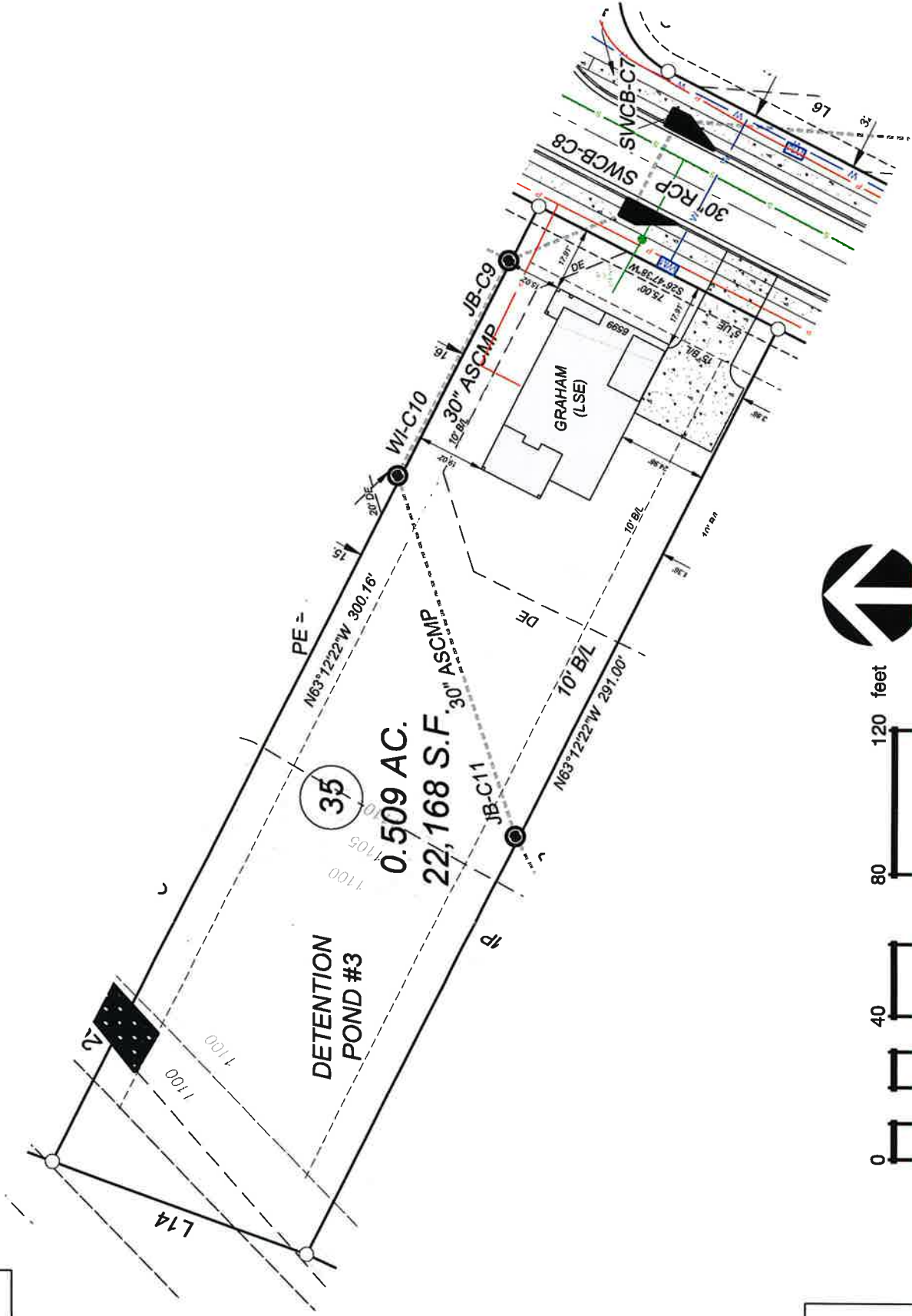


CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	875.00'	265.31'	S75°39'02"W	265.29'
C2	30.00'	49.08'	N47°45'51"W	43.79'
C3	30.00'	47.12'	N44°06'07"E	42.43'
C4	325.00'	127.01'	N77°54'24"E	126.20'
C5	325.00'	69.18'	N60°36'47"E	69.05'
C6	325.00'	39.33'	N51°02'51"E	39.31'
C7	150.00'	6.13'	N46°24'33"E	6.13'
C8	150.00'	61.62'	N33°28'11"E	61.19'
C9	150.00'	61.62'	N09°56'00"E	61.19'
C10	150.00'	40.55'	N09°34'44"W	40.42'
C11	99.99'	77.00'	N04°44'08"E	75.11'
C12	25.00'	31.81'	N63°14'30"E	29.70'
C13	60.00'	30.23'	N85°15'27"E	29.91'
C14	60.00'	48.33'	N47°44'50"E	47.04'
C15	60.00'	45.16'	N03°06'29"E	44.10'
C16	60.00'	45.16'	N40°00'55"W	44.10'
C17	60.00'	45.16'	N83°08'18"W	44.10'
C18	60.00'	45.16'	S53°44'19"W	44.10'
C19	60.00'	36.89'	S14°31'20"W	36.39'
C20	15.00'	7.83'	S11°49'51"W	7.75'
C21	150.00'	21.04'	S22°46'33"W	21.02'
C22	150.00'	61.84'	S06°55'42"W	61.50'
C23	150.00'	32.52'	S11°06'43"E	32.46'
C24	100.00'	113.28'	S15°07'44"W	107.32'
C25	275.00'	143.66'	S62°32'46"W	142.03'
C26	275.00'	55.53'	S83°18'25"W	55.53'
C27	30.00'	47.12'	N45°53'53"W	42.43'

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH	DELTA ANGLE	TANGENT
C-A	300.00'	217.41'	N85°20'28"E	212.68'	41°31'17"	113.72'
C-B	123.00'	96.25'	N15°07'49"E	94.19'	84°58'11"	79.48'
C-C	123.00'	96.25'	N04°44'08"E	93.59'	44°07'00"	90.85'

LINE	BEARING	DISTANCE
L1	N47°34'49"E	32.14'
L2	N17°19'22"W	25.12'
L3	N17°19'22"W	75.00'
L4	S22°13'28"E	55.86'
L5	N17°19'32"W	11.18'
L6	N26°47'38"E	110.18'
L7	N47°16'39"E	79.69'
L8	S07°39'21"W	60.00'
L9	S07°39'21"W	57.90'
L10	N63°32'59"E	40.50'
L11	N44°51'46"E	61.46'
L12	S26°47'37"W	28.67'
L13	N19°50'02"E	60.48'
L14	N19°50'02"E	75.56'
L15	N24°34'45"E	112.07'
L16	S17°19'22"E	35.35'
L17	N12°15'25"E	46.20'
L18	S47°34'49"W	8.15'
L19	N44°51'46"E	40.56'

SITE PLAN FOR:  
A + R HOMES, LLC  
LOT 35 - 6599 RIVER STATION DR.  
(50' R/W)  
MAGNOLIA STATION - PHASE 2



LOT 35: 22,168 SQFT (0.509 AC)  
ZONING: PRD  
FRONT SETBACK: 35' (15' PROPOSED)  
REAR SETBACK: 20'  
SIDE SETBACK: 10'

MAGNOLIA STATION  
LL 79 - 9TH DIST  
HALL COUNTY, GEORGIA

LEGEND

- UNDERGROUND POWER
- WATER 8" DIP
- SEWER 8" DIP

- BOUNDARY INFORMATION BASED ON FINAL PLAT FOR MAGNOLIA STATION PHASE TWO BY EARTHPRO LAND SURVEYING, INC.
- THERE IS A 5 FT. PERPETUAL EASEMENT ALONG THE FRONT OF ALL LOTS AND ALONG ALL RIGHT-OF-WAYS.
- THERE ARE DRAINAGE EASEMENTS ON SITE.
- THERE ARE STREAM BUFFERS ON SITE.

RIDGELINE  
LAND PLANNING, INC.  
196 Belaire Court, Winder, GA 30680  
ph: 678-618-2037  
hol@ridgelineplanning.com

MAGNOLIA STATION  
PHASE 2  
LOT 35 - 6599 RIVER STATION DR.  
HALL COUNTY, GEORGIA

PREPARED FOR:  
A&R HOMES, LLC  
4306 CORNELIA HWY  
LULA, GA 30554  
RYAN CHITWOOD  
706-486-0871  
rwh@arhomes-llc.com

GSNCO CERTIFICATION  
NO. 000035391



SITE PLAN

SHEET TITLE

DATE NO REVISION

DATE: 8/4/22  
DRAWN BY: JPL  
CHECKED BY: JPL  
SCALE: 1"=40'











GRID NORTH - GA  
WEST ZONE - NAD 83



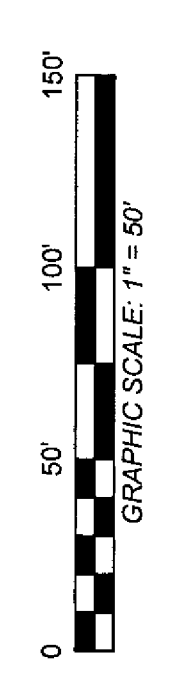
SURVEY PREPARED BY: **EarthPro**  
 LAND SURVEYING  
 7747 HIGHWAY 72  
 COMER, GA. 30629  
 PHONE: 706-551-1500  
 FAX: 706-510-5200  
 E-MAIL: [j@earthprolandsurvey.com](mailto:j@earthprolandsurvey.com)  
 GEORGIA C.O.A. LSC #000894

NOTE: SURVEY NOT VALID UNLESS  
 SIGNED AND DATED ACROSS SEAL

SHEET 3 OF 11

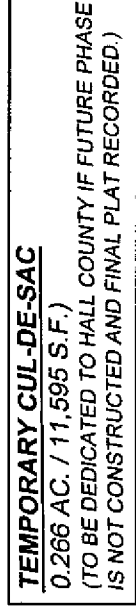
FINAL SUBDIVISION PLAT  
FOR  
**MAGNOLIA STATION**  
**PHASE 2**  
LOCATED WITHIN  
LAND LOT 78 & 79 - 9TH DISTRICT  
HALL COUNTY, GEORGIA  
HALL COUNTY TAX PARCEL: 09079 000001

<b>DATE:</b>	<b>JUNE 13, 2022</b>	<b>REVISION NO.</b>	<b>DESCRIPTION</b>	<b>DATE</b>
SURVEYED: CS	DRAWN: JRW			
CHECKED: GSH	APPROVED: JRW			
<b>PROJECT # 20218.FP2</b>				





**Charles Baker, C.S.C.**  
THIS BLOCK RESERVED FOR  
THE CLERK OF THE SUPERIOR COURT  
**Hall County, GA**



**TEMPORARY CUL-DE-SAC**  
0.266 AC. / 11,595 S.F.)  
(TO BE DEDICATED TO HALL COUNTY IF FUTURE PHASE  
IS NOT CONSTRUCTED AND FINAL PLAT RECORDED.)

0 50' 100' 150'

GRAPHIC SCALE: 1" = 50'

LOCATED WITHIN  
LAND LOT 78 & 79 - 9TH DISTRICT  
HALL COUNTY, GEORGIA  
HALL COUNTY TAX PARCEL: 09079 000001

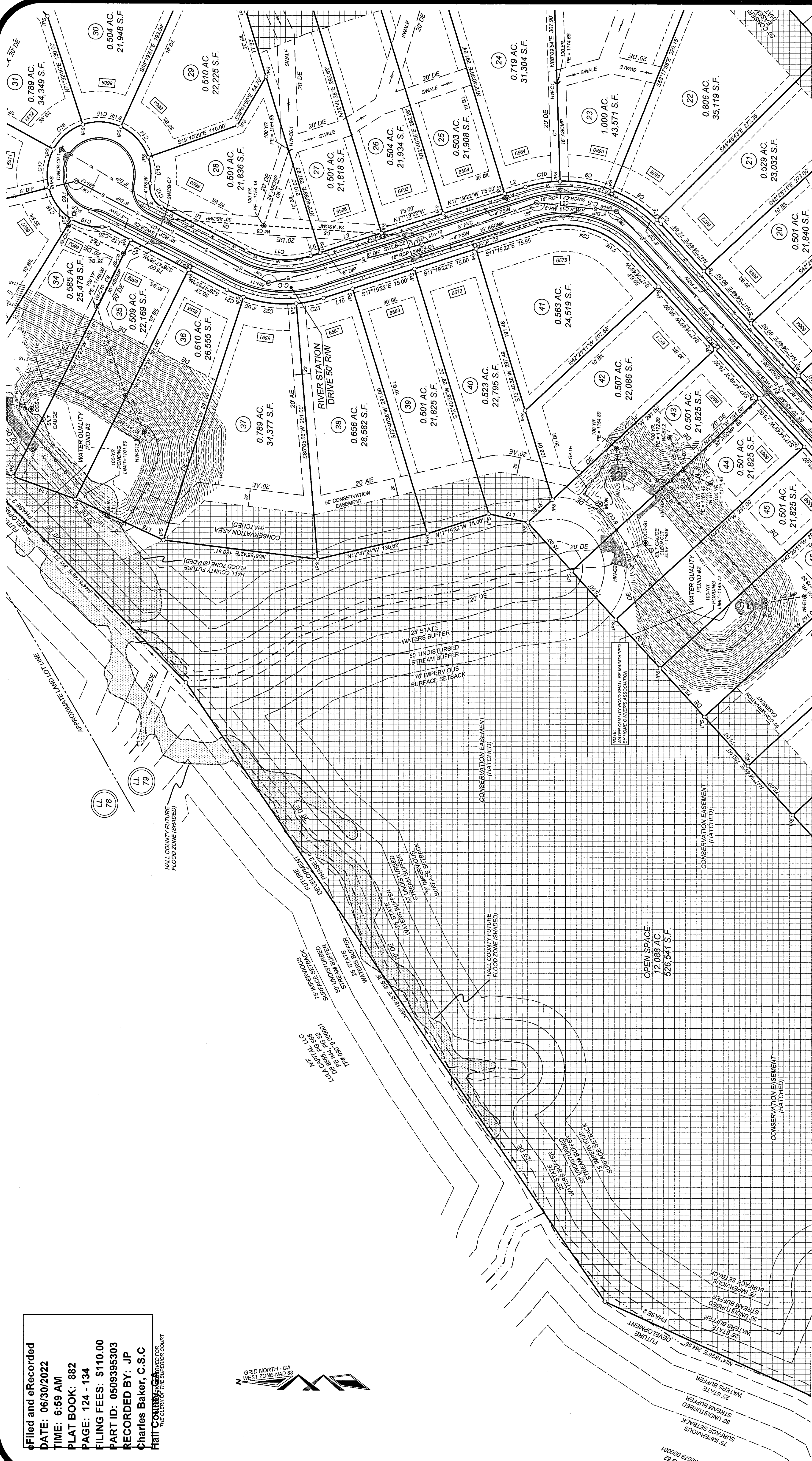
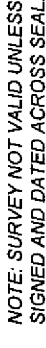
SHEET 4 OF 1



**Hall County, GA**  
ALL SIGNED AND SERVED FOR  
THE CLERK OF THE SUPERIOR COURT

PROJECT # 20210.FP2

LOCATED WITHIN  
LAND LOT 78 & 79 - 9TH DISTRICT  
HALL COUNTY, GEORGIA  
HALL COUNTY TAX PARCEL: 09079 000001









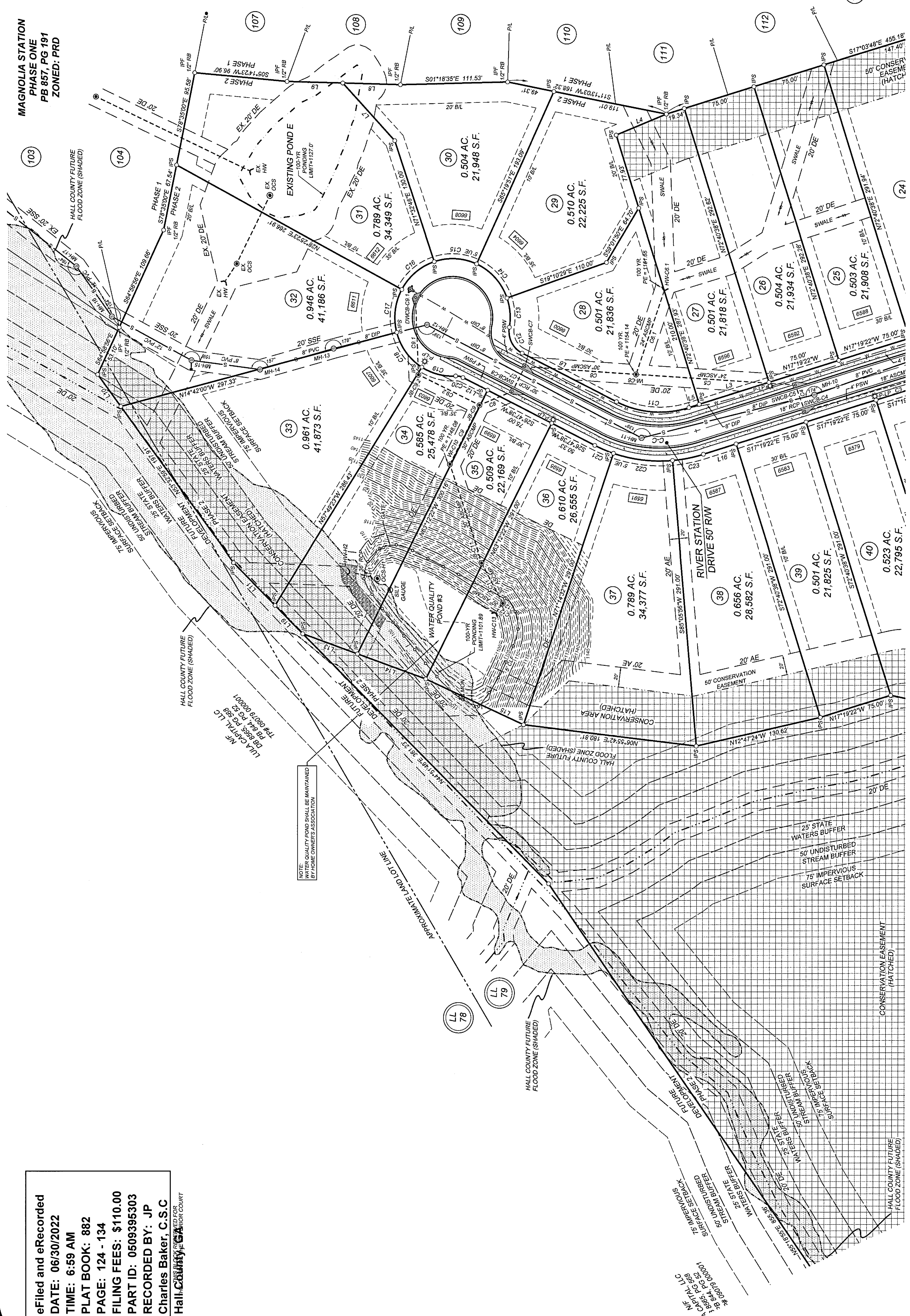
THIS BLOCK RESERVED FOR  
Hall County, GA  
THE COUNTY CLERK'S OFFICE

GRID NORTH - GA  
WEST ZONE-NAD 83

**MAGNOLIA STATION  
PHASE ONE  
PB 857, PG 191  
ZONED: PRD**

**MAGNOLIA STATION  
PHASE ONE  
PB 857, PG 191  
ZONED: PRD**


MAGNOLIA STATION  
PHASE ONE  
PB 857, PG 191  
ZONED: PRD



<b>DATE:</b>	JUNE 13, 2022	<b>REVISION NO.</b>	<b>DESCRIPTION</b>	<b>DATE</b>
SURVEYED BY:	CS	DRAWN BY:	JRW	
CHECKED BY:	GSH	APPROVED BY:	JRW	
<b>PROJECT # 2021L8 FP2</b>				

FINAL SUBDIVISION PLAT  
FOR  
**MAGNOLIA STATION**  
PHASE 2  
LOCATED WITHIN  
LAND LOT 78 & 79 - 9TH DISTRICT  
HALL COUNTY, GEORGIA  
HALL COUNTY TAX PARCEL: 08079 000001

SURVEY PREPARED BY:



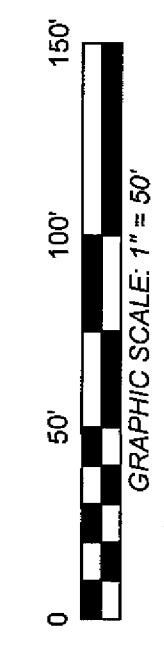
# EarthPro

## LAND SURVEYING

OFFICE: 878-646-5600  
 COMER, GA. 30429  
 EMAIL: [info@earthprolandsurvey.com](mailto:info@earthprolandsurvey.com)  
 GEORGIA A.L.S. #3120  
 GEORGIA CON. LSP #000894

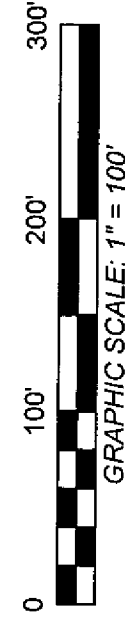
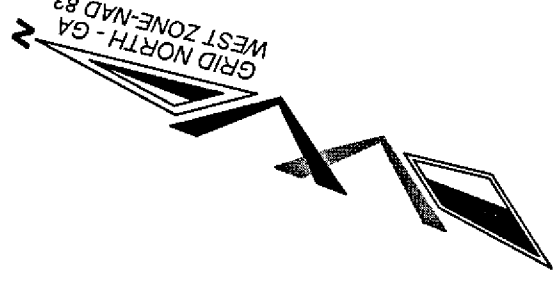
NOTE: SURVEY NOT VALID UNLESS  
SIGNED AND DATED ACROSS SEAL

SHEET 7 OF 11





THIS BLOG IS RESERVED FOR  
THE CLERK OF THE SUPERIOR COURT



DATE: JUNE 13, 2022		
REVISION NO.	DESCRIPTION	DATE

FINAL SUBDIVISION PLAT  
FOR  
**MAGNOLIA STATION**  
**PHASE 2**  
LOCATED WITHIN  
LAND LOT 78 & 79 - 9TH DISTRICT  
HALL COUNTY, GEORGIA  
HALL COUNTY TAX PARCEL: 96079 000001



NOTE: SURVEY NOT VALID UNLESS  
SIGNED AND DATED ACROSS SEAL

SHEET 8 OF 11





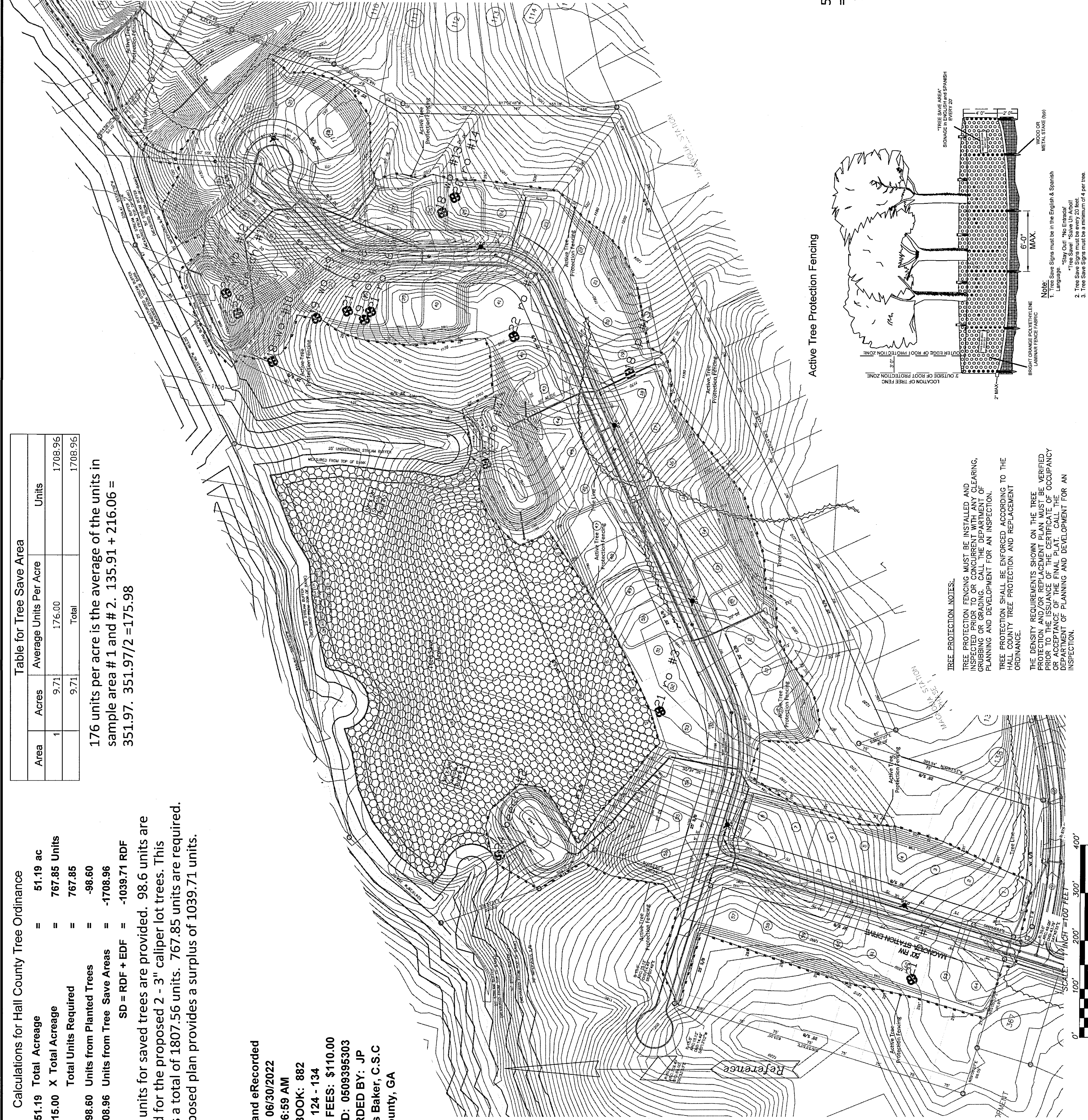


SDF =	51.19	Total Acreage	=	51.19	ac
	15.00	X Total Acreage	=	767.85	Units
		Total Units Required	=	767.85	
EDF =	98.60	Units from Planted Trees	=	98.60	
	1708.96	Units from Tree Save Areas	=	-1708.96	
		SD = RDF + EDF	=	-1039.71	RDF

1708.96 units for saved trees are provided. 98.6 units are provided for the proposed 2 - 3" caliber lot trees. This provides a total of 1807.56 units. 767.85 units are required. this proposed plan provides a surplus of 1039.71 units.

Table for Tree Save Area			
Area	Acres	Average Units Per Acre	Units
1	9.71	176.00	1708.96
	9.71	Total	1708.96

176 units per acre is the average of the units in sample area # 1 and # 2.  $135.91 + 216.06 = 351.97$ .  $351.97/2 = 175.98$



Removed Specimen Tree Units				
Number of Trees	Tree Size	Units Per		Total
		Diameter	Class	
4	18	5.4	21.6	
2	19	6.0	12.0	
1	20	6.6	6.6	
4	21	7.2	28.8	
1	22	7.8	7.8	
2	24	9.3	18.6	
1	26	11.1	11.1	
15		Total		106.5

 Specimen trees to be Removed

Trees in Sample Area # 1				
Number of Trees	Tree Size	Units Per Diameter Class	Total Units	
15	1-4	0.1	1.5	
4	5-6	0.2	0.8	
1	7	0.3	0.3	
2	8	0.4	0.8	
1	12	0.8	0.8	
2	14	1.1	2.2	
1	16	1.4	1.4	
26			7.8	

$$\begin{aligned} 50' \times 50' &= 2500 \text{ sq. ft. } 43560 \text{ sq. ft.}/2500 \text{ sq. ft.} \\ &= 17.424. \\ 17.424 \times 7.8 &= 135.91 \text{ units per acre.} \end{aligned}$$

Trees in Sample Area # 2				
Number of Trees	Tree Size	Units Per		Total Units
		Diameter	Class	
5	1-4	0.1		0.5
3	5-6	0.2		0.6
2	7	0.3		0.6
2	8	0.4		0.8
1	9	0.5		0.5
5	10	0.6		3.0
1	11	0.7		0.7
1	12	0.8		0.8
1	15	1.2		1.2
1	26	3.7		3.7
22				12.4

$$50' \times 50' = 2500 \text{ sq. ft. } 43560 \text{ sq. ft./2500 sq. ft.} \\ = 17.424. \\ 17.424 \times 12.4 = 216.06 \text{ units per acre.}$$

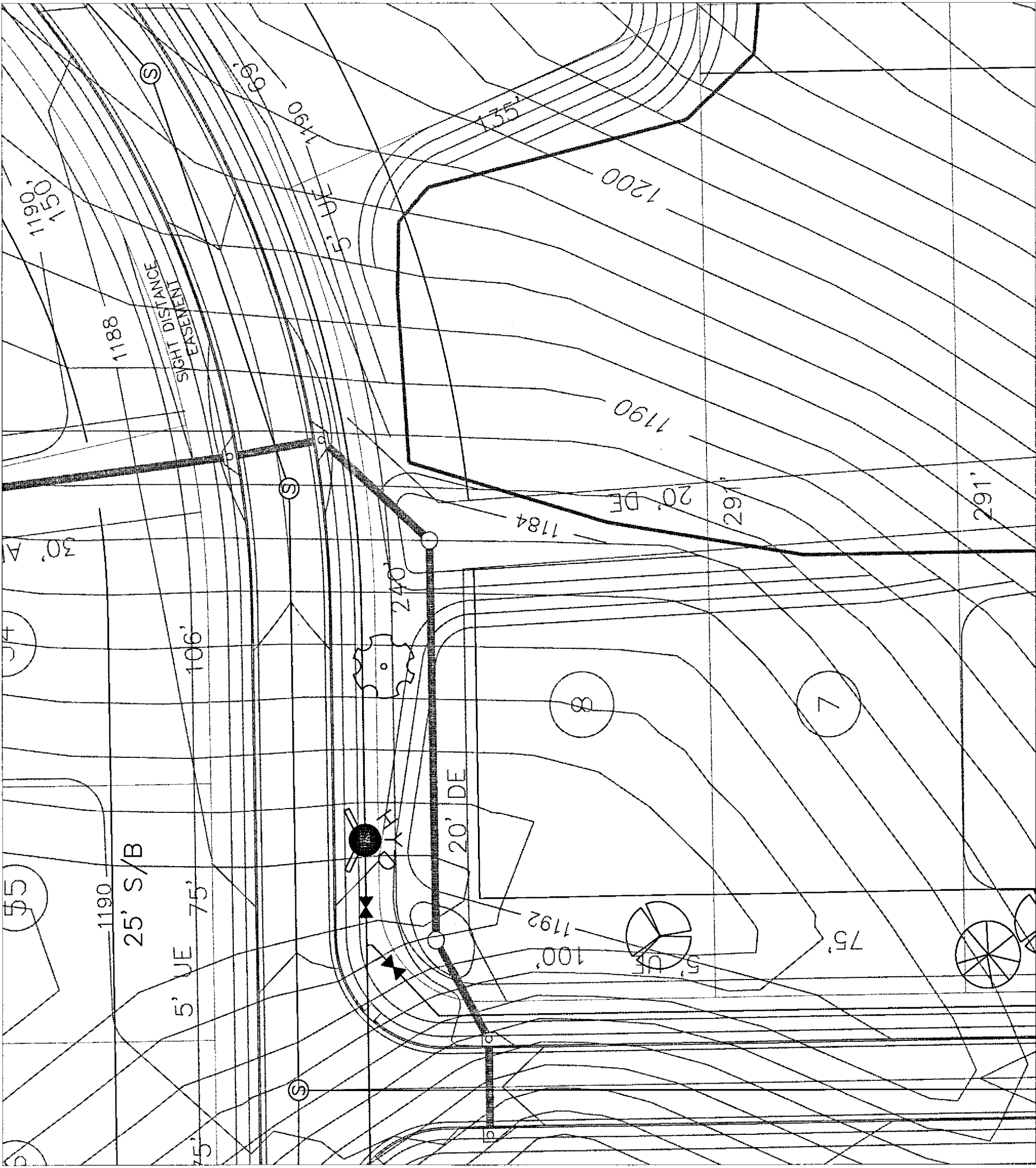
Notes:

- Lots shall not be cleared and prepared during the construction of the roads, infrastructure, utilities, etc. Where limited clearing is necessary, a note shall be placed on the final plan indicating a tree plan for the lot in its entirety shall be required.
- Trees located within the 50' undisturbed buffer shall not count towards density requirements.

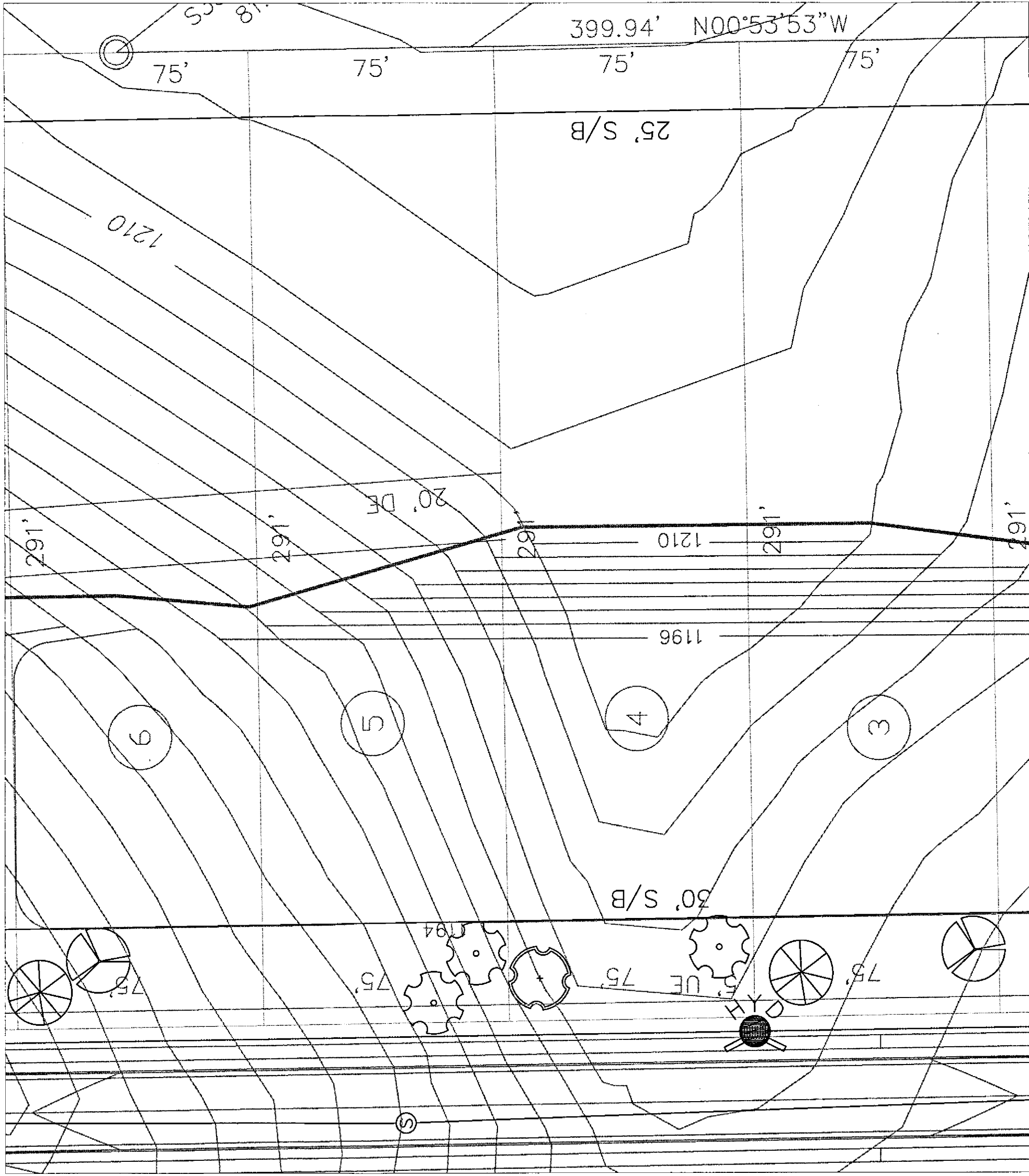
Van Moore  
Moore Urban Forestry, Inc.  
5962 Lake Lanier Heights Road  
Buford, GA 30518  
(770) 530-4114  
mooreurbanforestry@charter.net



Typical Lot Layout Corner Lot



Typical Lot Layout



Each lot with double road front exposure will have two 3" caliper overstory hardwood trees planted in each of the yards facing the road..

Each lot with single road front exposure will have two 3" caliper overstory hardwood trees planted in the front yard.

Hole should be 2 -2 1/2 times as wide as root ball

Place root ball on compacted pedestal

Back fill with excavated soil only amend when necessary

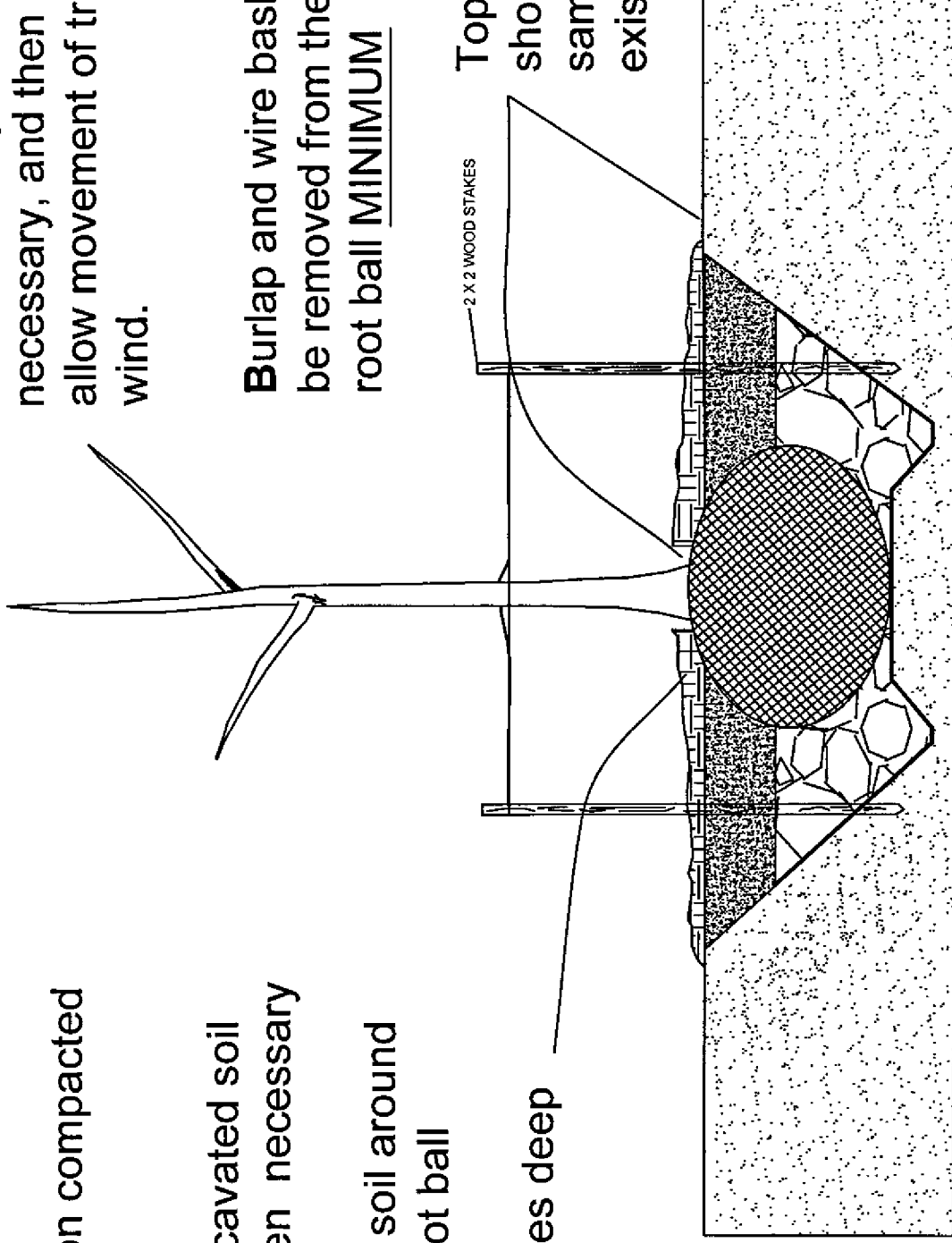
Lightly compact soil around bottom 2/3 of root ball

Mulch 2 - 4 inches deep





Stake tree only when necessary, and then loosely to allow movement of trunk in the wind.

Burlap and wire basket should be removed from the top 1/2 of root ball MINIMUM

Top of root ball should be same level as existing soil



NOTES:  
STAKES AND FABRIC NOT REQUIRED ON TREES 2" CALIPER AND UNDER.  
PLANT TREES AT GRADE. DO NOT MOUND.  
DO NOT DRIVE STAKE THROUGH ROOTBALL.

	Common/Botanical Name	Size	Units	% Units
	Red maple ( <i>Acer rubrum</i> )	3"	0.6	not exceed 33%
	Zelkova ( <i>Zelkova serrata</i> )	3"	0.6	not exceed 33%
	Chinese elm ( <i>Ulmus parvifolia</i> )	3"	0.6	not exceed 33%
	Pin oak ( <i>Quercus palustris</i> )	3"	0.6	not exceed 33%

Trees to be planted will be from this table or of a species with similar characteristics. No one species may exceed 33% of the total number of lot trees planted. Two 3" caliper large hardwood trees per lot will provide 128 X .7 = 98.6 units.

eFiled and eRecorded  
DATE: 06/30/2022  
TIME: 6:59 AM  
PLAT BOOK: 882  
PAGE: 124 - 134  
FILING FEES: \$110.00  
PART ID: 0509395303  
RECORDED BY: JP  
Charles Baker, C.S.C  
Hall County, GA

TREE REPLACEMENT NOTES:  
TREE DENSITY REQUIREMENTS SHOWN ON THE TREE REPLACEMENT PLAN. THESE REQUIREMENTS ARE VERIFIED BY THE LANDSCAPE ARCHITECT AND ARE BASED ON THE PROPOSED USE OF THE LAND AND THE CERTIFICATE OF OCCUPANCY OR ACCEPTANCE OF THE PROJECT. CALL THE DEPARTMENT OF PLANNING AND DEVELOPMENT FOR AN INSPECTION.  
ALL PLANT MATERIALS ARE TO CONFORM TO THE AMERICAN STANDARD FOR NURSERY STOCK LATEST EDITION AMERICAN NURSERYMEN AND LANDSCAPE ASSOCIATION.  
\*ALL TREES WILL BE HAND WATERED OR IRRIGATED UNTIL ESTABLISHED.

MOORE URBAN FORESTRY  
5962 Lake Lanier Heights Road  
Buford, GA 30518  
Ph. # (770) 530-4114

PREPARED FOR:  
**Promise Engineering Inc**  
3010 Hamilton Mill Road  
Buford, GA 30519

PROJECT NAME:  
**Magnolia Manor  
Phase II**

TASK:  
**Typical Tree Plantings  
For Lots**



PROJECT INFORMATION:  
Magnolia Manor Phase II  
Project Name  
Project Number  
Project Address  
Land Lot No. (a)  
District  
GEORGIA, Hall  
City, State, County

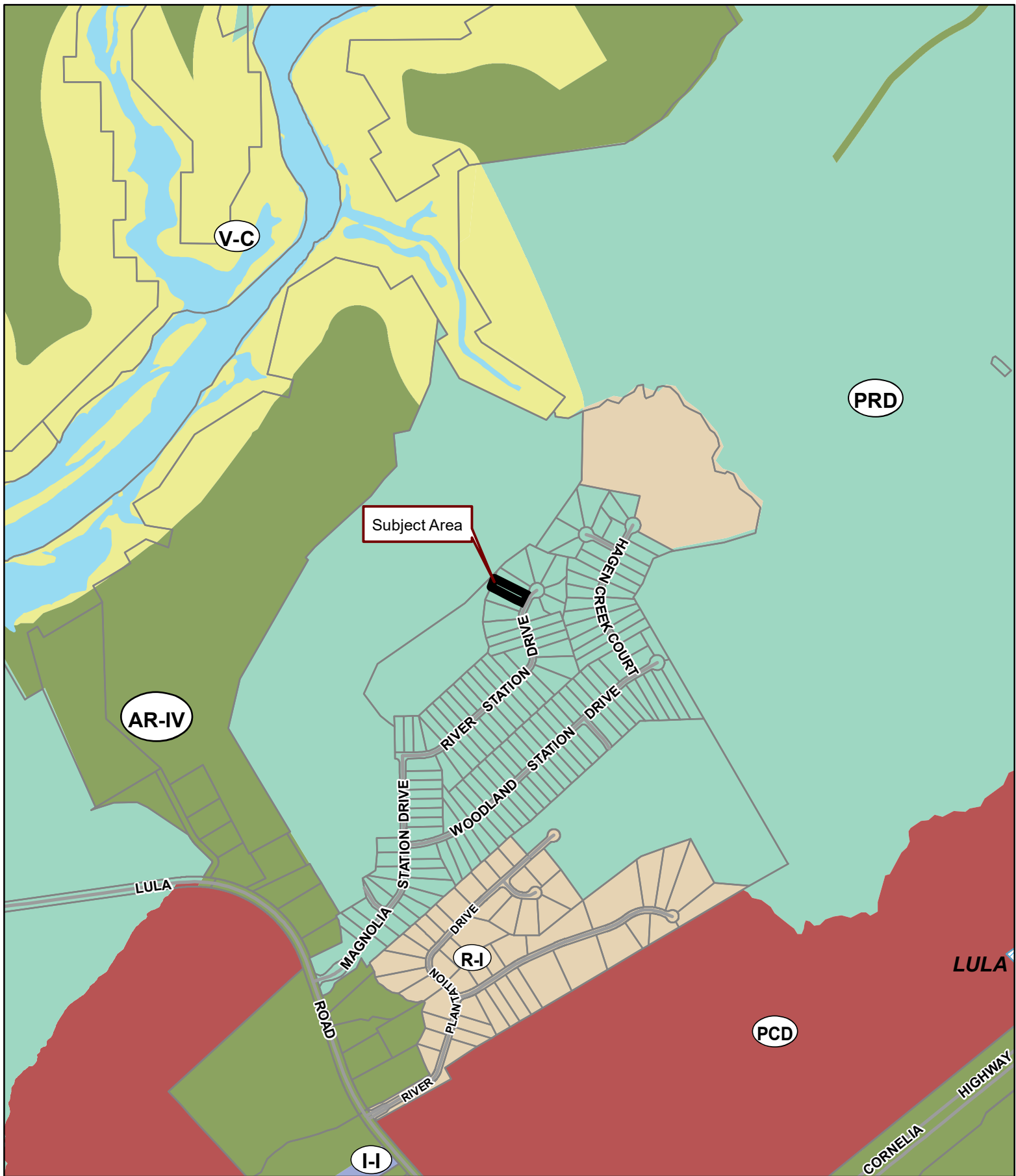
DATE	REVISION	NO.	1	2	3	4	5	6	7	8	9

TVM DESIGN	1:30 SCALE
TVM DRAWN	
TVM CHECKED	
PROJECT NO.	650017
PROJECT No.	DATE

Van Moore  
Moore Urban Forestry, Inc.  
5962 Lake Lanier Heights Road  
Buford, GA 30518  
(770) 530-4114  
mooreurbanforestry@charter.net

**T2**  
SHEET  
PROJECT NO.  
PROJECT No.





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

**Tax Parcel #:** 09079C000035

**Location:** 6599 RIVER STATION DRIVE, LULA, GA 30554

**Commission District 3**

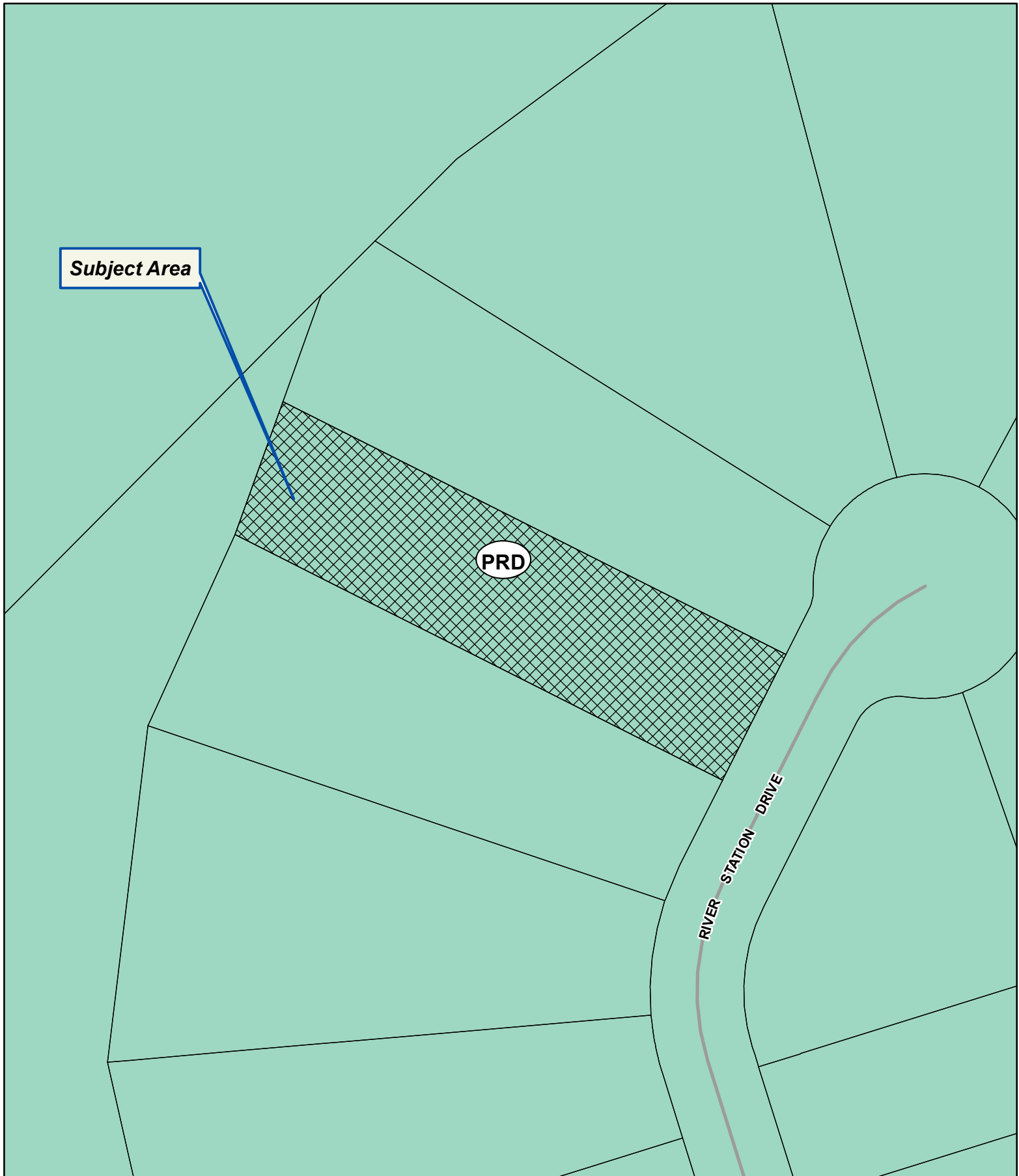
**PC Mtg. Date:** 10/03/2022

0 300 600 1,200  
Feet

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







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

**Tax Parcel #:** 09079C000035

**Location:** 6599 RIVER STATION DRIVE, LULA, GA 30554

**Commission District 3**

**PC Mtg. Date:** 10/03/2022

0 12.5 25 50  
Feet

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







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

**Tax Parcel #:** 09079C000035

**Location:** 6599 RIVER STATION DRIVE, LULA, GA 30554

**Commission District 3**

**PC Mtg. Date:** 10/03/2022

0 12.5 25 50  
Feet

— Zoning Boundary

City Limits

Subject Area





## Anael Dominguez (Planning)

---

**From:** Emily McGahee (Environmental Health)  
**Sent:** Wednesday, September 14, 2022 11:56 AM  
**To:** Randi Doveton (Planning); Anael Dominguez (Planning)  
**Cc:** Kelly Hairston (Environmental Health); Chad Harper (Environmental Health)  
**Subject:** HCPC Tentative Agenda 10.3.22

Please find Environmental Health comments below:

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

Item 2, 3746, 3740, 3774 Friendship Circle, Puckett: No comment. Public sewer.

Item 3, 2363 Whippoorwill Lane, Beddingfield: Must meet all Environmental Health residential septic system permitting requirements. 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.

Items 4 and 5, 6599 River Station, Ridgeline Planning: No comment. Public Sewer.

Item 6, 5385 Winder Hwy, Dell Group: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements.

Item 7, 5540,5548,5556,5564,5572,5580 Old Winder & 5925,5919,5911,5901 Union Church Rd: 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 8, 3820 James Ed Road, Price: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements.

Item 9, 2866 Lanier Tech Drive, Capstone: No comment. Public Sewer.

Item 10, 5954 Jim Crow Road, Hausen: 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)

<http://www.hallcounty.org/devserv/environmental.asp> (County Website & Forms)



## Anael Dominguez (Planning)

---

**From:** Niebauer, Parker J <PNiebauer@dot.ga.gov>  
**Sent:** Monday, September 19, 2022 1:56 PM  
**To:** Anael Dominguez (Planning)  
**Cc:** Randi Doveton (Planning); Peevy, Jonathan; Chavers, Veronica E  
**Subject:** RE: Tentative Planning Agenda for October 3, 2022

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

Please see GDOT responses below in **red**

Dell, Atlas, and Capstone will required GDOT Coordination

Thank you,

**Parker Niebauer**

*DITO Traffic Operations Supervisor*



District 1 Division of Field Services  
1475 Jesse Jewell Pkwy  
Suite 100  
Gainesville, GA, 30501  
770.533.8275 office  
770.519.3223 cell

---

**From:** Anael Dominguez (Planning) <adominguez@hallcounty.org>  
**Sent:** Monday, September 12, 2022 5:41 PM  
**To:** Becky Ruffner (Parks & Leisure) <bruffner@hallcounty.org>; Bill Nash (Public Works) <bnash@hallcounty.org>; Brandi Smith (Business License) <bsmith@hallcounty.org>; Bryan Cash (Fire Services) <bcash@hallcounty.org>; Chad Harper (Environmental Health) <charper@hallcounty.org>; Chris Braswell (Planning) <cbraswell@hallcounty.org>; Christopher Armstrong (Fire Services) <carmstrong@hallcounty.org>; Dan Barnes <Daniel.C.Barnes@usace.army.mi>; Ellis Still (Planning) <estill@hallcounty.org>; Emily McGahee (Environmental Health) <emcgahee@hallcounty.org>; Frank Miller (Engineering) <fmiller@hallcounty.org>; Dykes, Jason <jdykes@dot.ga.gov>; Jason Skarda (Engineering) <jskarda@hallcounty.org>; Jeremy Wills <jeremy.wills@gainesville.org>; John Hornick (Fire Services) <jhornick@hallcounty.org>; Peevy, Jonathan <jpeevy@dot.ga.gov>; Kelly Hairston (Environmental Health) <khairston@hallcounty.org>; Randi Doveton (Planning) <rdoveton@hallcounty.org>; Matt Cox <matt.cox@hallco.org>; Michael Vieira (Fire Services) <mvieira@hallcounty.org>; Mike Little (Parks and Leisure) <mlittle@hallcounty.org>; Nicole Griffin (Tax Assessors) <nicole.griffin@hallcounty.org>; nswofford <nswofford@gainesville.org>; Pam Cravero <Pam.Cravero@hallco.org>; Niebauer, Parker J <PNiebauer@dot.ga.gov>; Randi Doveton (Planning) <rdoveton@hallcounty.org>; rich <rich@flowerybranchga.org>; Scott Puckett <spuckett@hallcounty.org>; Srikanth Yamala (Public Works) <syamala@hallcounty.org>; Stephen Cain <troy.s.cain@usace.army.mil>; Steve Watson (Real Property) <rswatson@hallcounty.org>; Tammie Croy (Engineering) <tcroy@hallcounty.org>; Tracy Gilreath (Tax Assessors) <tgilreath@hallcounty.org>; Wanda Moreno (Engineering) <wmoreno@hallcounty.org>; Wanda Sutton



(Engineering) <wsutton@hallcounty.org>; will schofield <will.schofield@hallco.org>

**Subject:** Tentative Planning Agenda for October 3, 2022

Good afternoon –

Here is the Tentative Agenda and Maps for the **Monday, October 3, 2022** Hall County Planning Commission Meeting.

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

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

Comments are due by **Monday, September 19<sup>th</sup>**. Email comments to Randi ([rdoveton@hallcounty.org](mailto:rdoveton@hallcounty.org)) and Ana ([adominguez@hallcounty.org](mailto:adominguez@hallcounty.org)).

## **CALL TO ORDER**

## **AGENDA REVIEW**

## **APPROVAL OF MINUTES – September 19, 2022**

## **OLD BUSINESS**

1. [Previously tabled application of Michael James Remodeling to rezone from Residential-I \(R-I\) to Office and Institutional \(O-I\) on a 6.85± acre tract located on the west side of Thompson Bridge Road at its intersection with Tommy Aaron Drive; a.k.a. 3461 Thompson Bridge Road; Zoned R-I; Tax Parcel 10114 000039A. Proposed use: office. \\*\\* Commission District 2.](#)
2. [Previously tabled application of Scott Puckett, Inc to rezone from Agricultural Residential-III \(AR-III\) to Planned Residential Development \(PRD\) on a 115.98± acre tract located on the south side of Friendship Circle at its intersection with Friendship Place; a. k. a. 3746, 3760, & 3774 Friendship Circle & 3654 Friendship Road; Zoned AR-III; Tax Parcel 15048 000007, 000008, 000025C, & 000204. Proposed use: 349-unit residential development. \\*\\* Commission District 1.](#)

## **NEW BUSINESS**

3. [Application of Thomas Ryan & Vicki Beddingfield for a front yard setback variance from 55 feet to 41 feet, right side yard setback variance from 10 feet to 3 feet, and a left side yard setback variance from 10 feet to 3 feet on a .14± acre tract located on the west side of Whippoorwill Lane approximately 848 feet from its intersection with Sportsman Club Road; a.k.a. 2363 Whippoorwill Lane; Zoned R-I; Tax Parcel 00109A000029. Proposed use: single-family residence. \\* Commission District 4.](#)
4. [Application of Ridgeline Land Planning, Inc. for a front yard setback variance from 30 feet to 15 feet on a .51± acre tract located at the terminus of River Station Drive; a.k.a. 6599 River Station Drive; Zoned PRD; Tax Parcel 09079C000035. Proposed use: single family dwelling. \\* Commission District 3.](#)
5. [Application of Ridgeline Land Planning, Inc. for a front yard setback variance from 30 feet to 15 feet on a .61± acre tract located at the terminus of River Station Drive; a.k.a. 6595 River Station Drive; Zoned PRD; Tax Parcel 09079C000036. Proposed use: single family dwelling. \\* Commission District 3.](#)
6. [Application of The Dell Group, LLC to amend conditions of a Planned Commercial Development \(PCD\) on a 21.20± acre tract located on the north side of Winder Highway at its intersection with Benefield Road; a.k.a. 5385 Winder Highway; Zoned PCD; Tax Parcel 15028B000015. Proposed use: car condos, storage, commercial uses, and retail. \\*\\* Commission District 1.](#)

**GDOT Coordination Required**



7. [Application of Atlas Development Services, Inc. to rezone from Agricultural Residential-IV \(AR-IV\) to Planned Residential District \(PRD\) on a 19.21± acre tract located at the intersection of Old Winder Highway and Union Church Road; a.k.a. 5540, 5548, 5556, 5564, 5572, & 5580 Old Winder Highway & 5925, 5919, 5911, & 5901 Union Church Road; Zoned AR-IV; Tax Parcel 15039A000018 – 000023 & 000025 – 000028. Proposed use: single-family townhomes. \\*\\* Commission District 1.](#)  
**GDOT Coordination Required**
8. [Application of Paul and Ana Price for a Use Subject to County Commission approval on a 7.58± acre tract located at the terminus of James Ed Road; a.k.a. 3820 James Ed Road; Zoned V-C; Tax Parcel 10142 000006. Proposed use: 4-lot subdivision. \\*\\* Commission District 3.](#)
9. [Application of Capstone Acquisitions, LLC to rezone from Light-Industrial \(L-I\) to Residential Multi-Family \(RMF\) on a 58.26± acre tract located at the terminus of Lanier Tech Drive; a.k.a. 2866 Lanier Tech Drive; Zoned I-I; Tax Parcel 15021 000085. Proposed use: 342-unit multi-family complex. \\*\\* Commission District 3.](#)  
**GDOT Coordination Required**
10. [Application of Russell Hausen to appeal an administrative decision for a short term rental on a 1.01± acre tract located on the north side of Jim Crow Road approximately 28 feet from its intersection with Old Federal Road; a.k.a. 5954 Jim Crow Road; Zoned AR-III; Tax Parcel 08101 002003. Proposed use: short-term rental. \\* Commission District 2.](#)

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

The Hall County Board of Commissioners will hear appeals at a public hearing **Thursday, November 10, 2022** at 6:00 p.m. at the Hall County Government Center, 2<sup>nd</sup> Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

\*\*The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on **Thursday, November 10, 2022**. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2<sup>nd</sup> Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

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



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





# Hall County Government

## PUBLIC WORKS AND UTILITIES

### MEMORANDUM

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

DIRECTOR  
**Srikanth Yamala**

ASSISTANT DIRECTOR  
**Bill Nash, P.E.**

**TO:** Randi Doveton, Director of Planning and Development  
**FROM:** Srikanth Yamala, Director of Public Works and Utilities  
**DATE:** September 16, 2022  
**SUBJECT:** October 3, 2022 – Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the October 3, 2022 meeting. Upon review, we provide the following comments:

#### **OLD BUSINESS**

1. Previously tabled application of Michael James Remodeling to rezone from Residential-I (R-I) to Office and Institutional (O-I) on a 6.85± acre tract located on the west side of Thompson Bridge Road at its intersection with Tommy Aaron Drive; a.k.a. 3461 Thompson Bridge Road; Zone R-1; Tax Parcel 10114 000039A. Proposed Use: Office.  
\*\*Commission District 2.
  - a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage. Show buffer and impervious setback from wretched vegetation, not centerline of creek.
  - b) **Traffic:** Driveway may need to be upgraded to accommodate two-way traffic.
  - c) **Utilities:** City of Gainesville Sewer.
2. Application of Scott Puckett, Inc. to rezone from Agricultural Residential-III (AR-III) to Planned Residential Development (PRD) on a 115.98± acre tract located on the south side of Friendship Circle at its intersection with Friendship Place; a.k.a. 3746, 3760, & 3774 Friendship Circle & 3654 Friendship Road; Zoned AR-III; Tax Parcel 15048 000007, 000008, 000025C, & 000204. Proposed use: 349-unit residential development.  
\*\*Commission District 1.
  - a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage. Show buffer and impervious setback from wretched vegetation, not centerline of creek. Show flood Hall County studied and FEMA. Roads must meet all Hall County Standards; Stormwater ponds must be out of the flood zone; development is not allowed in flood.
  - b) **Traffic:** GDOT approval/permitting required. Improvements/Modifications to the intersection of Friendship Circle and Friendship Place may be required.





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**Srikanth Yamala**

ASSISTANT DIRECTOR  
**Bill Nash, P.E.**

Improvements/Modifications (possibly including signalization) may be required for the intersection of Friendship Road (SR 347) and Friendship Place/Swansey Road. Developer should be financially responsible for all required roadway improvements/modifications and they should be constructed concurrently with the development.

- c) **Utilities:** Hall County sewer district; no sewer available. No application for land disturbance permit can be made prior to Friendship Road sewer project construction is less than one year from its anticipated completion. No final plat will be approved until Friendship sewer is installed and operating.

### **NEW BUSINESS**

- 3. Application of Thomas Ryan & Vicki Beddingfield for a front yard setback variance from 55 feet to 41 feet, right side yard setback variance from 10 feet to 3 feet, and a left side yard setback variance from 10 feet to 3 feet on a .14± acre tract located on the west side of Whippoorwill Lane approximately 848 feet from its intersection with Sportsman Club Road; a.k.a. 2363Whippoorwill Lane; Zoned R-I; Tax Parcel 00109A000029. Proposed use: single-family residence. \*Commission District 4.

- a) **Engineering:** Show flood Hall County studied and FEMA.
- b) **Traffic:** No comments.
- c) **Utilities:** No Comments.

- 4. Application of Ridgeline Land Planning, Inc. for a front yard setback variance from 30 feet to 15 feet on a .51± acre tract located at the terminus of River Station Drive; a.k.a. 6599 River Station Drive; Zoned PRD; Tax Parcel 09079C000035. Proposed use: Single-family dwelling. \*Commission District 3.

- a) **Engineering:** All construction to stay out of the drainage easement.
- b) **Traffic:** No comments.
- c) **Utilities:** No Comments.

- 5. Application of Ridgeline Lane Planning, Inc. for a front yard setback variance from 30 feet to 15 feet on a .61± acre tract located at the terminus of River Station Drive; a.k.a. 6595 River Station Drive; Zoned PRD; Tax Parcel 09079C000036. Proposed use: Single-family dwelling. \*Commission District 3.

- a) **Engineering:** All construction to stay out of the drainage easement.
- b) **Traffic:** No comments.
- c) **Utilities:** No Comments.

- 6. Application of The Dell Group, LLC to amend conditions of a Planned Commercial Development (PCD) on a 21.20± acre tract located on the north side of Winder Highway at its intersection with Benefield Road; a.k.a. 5385 Winder Highway; Zoned PCD; Tax Parcel 15028B000015. Proposed use: Car Condos, Storage, Commercial Uses, and Retail. \*Commission District 1





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DIRECTOR  
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ASSISTANT DIRECTOR  
**Bill Nash, P.E.**

- 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 buffers and impervious setback from wretched vegetation not centerline of stream.
  - b) **Traffic:** No comments.
  - c) **Utilities:** No sewer in the area of project; septic proposed—requires Health Department approval.
7. Application of Atlas Development Services, Inc. to rezone from Agricultural Residential-IV (AR-IV) to Planned Residential District (PRD) on a 19.21± acre tract located at the intersection of Old Winder Highway and Union Church Road; a.k.a. 5540, 5548, 5556, 5564, 5572, & 5580 Old Winder Highway & 5925, 5519, 5911, & 5901 Union Church Road; Zoned AR-IV; Tax Parcel 1539A000018 – 000023, & 000025 – 000028. Proposed Use: Single-Family Townhomes. \*Commission District 1.
- a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage. Show buffer and impervious setback from wretched vegetation, not centerline of creek. Show flood Hall County studied and FEMA. Roads must meet all Hall County Standards; Stormwater ponds must be out of the flood zone; development is not allowed in flood.
  - b) **Traffic:** Development access must be approved and permitted through GDOT. Improvements recommended in the traffic study should be required.
  - c) **Utilities:** No Sewer in the area of project; requires a Hall County Sewer Availability Letter and Application approval.
8. Application of Paul and Ana Price for a Use Subject to County Commission approval on a 7.58± acre tract located at the terminus of James Ed Road; a.k.a. 3820 James Ed Road; Zoned V-C; Tax Parcel 10142 000006. Proposed use: 4-lot subdivision. \*Commission District 3.
- a) **Engineering:** This subdivision is over six (6) lots and will require stormwater management.
  - b) **Traffic:** No comments.
  - c) **Utilities:** No Comments.
- 9) Application of Capstone Acquisitions, LLC to rezone from Light-Industrial (L-I) to Residential Multi-Family (RMF) on a 58.26± acre tract located at the terminus of Lanier Tech Drive; a.k.a. 2866 Lanier Tech Drive; Zoned I-I; Tax Parcel 15021 000085. Proposed use: 342-unit multi-family complex. \*\* Commission District 3.
- a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage. Show buffer and impervious setback from wretched vegetation, not centerline of creek. Show flood Hall County studied and FEMA.





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**Bill Nash, P.E.**

- b) **Traffic:** Lanier Tech Drive is a City of Gainesville roadway and proposed connection will need to be approved and permitted by Gainesville. Unclear if proposed roadway extension is to also be in Gainesville's jurisdiction. A cul-de-sac should be required at the end of the public roadway. The traffic study indicated a proposed connection to Oconee Circle, however, the provided concept plan and narrative did not mention this, confusing.
- c) **Utilities:** Gainesville Sewer district.

10) Application of Russell Hausen to appeal an administrative decision for a short term rental on a 1.01± acre tract located on the north side of Jim Crow Road approximately 28 feet from its intersection with Old Federal Road; a.k.a. 5954 Jim Crow Road; Zoned AR-III; Tax Parcel 08101 002003. Proposed use: short-term rental. \* Commission District 2.

- a) **Engineering:** No Comment.
- b) **Traffic:** No comments.
- c) **Utilities:** No Comment.



## Anael Dominguez (Planning)

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**From:** John Hornick (Fire Services)  
**Sent:** Friday, September 16, 2022 5:01 PM  
**To:** Randi Doveton (Planning); Anael Dominguez (Planning)  
**Cc:** Michael Vieira (Fire Services); John Tucker (Fire Services); Jeff Suggs (Fire Services)  
**Subject:** Fire Comments Commission Meeting  
**Attachments:** Fire Access State Mods.pdf

Good afternoon – Hall County Fire Comments

Here is the Tentative Agenda and Maps for the **Monday, October 3, 2022** Hall County Planning Commission Meeting.

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

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

Comments are due by **Monday, September 19<sup>th</sup>**. Email comments to Randi ([rdoveton@hallcounty.org](mailto:rdoveton@hallcounty.org)) and Ana ([adominguez@hallcounty.org](mailto:adominguez@hallcounty.org)).

### **CALL TO ORDER**

### **AGENDA REVIEW**

### **APPROVAL OF MINUTES – September 19, 2022**

### **OLD BUSINESS**

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2. [Previously tabled application of Scott Puckett, Inc to rezone from Agricultural Residential-III \(AR-III\) to Planned Residential Development \(PRD\) on a 115.98± acre tract located on the south side of Friendship Circle at its intersection with Friendship Place; a. k. a. 3746, 3760, & 3774 Friendship Circle & 3654 Friendship Road; Zoned AR-III; Tax Parcel 15048 000007, 000008, 000025C, & 000204. Proposed use: 349-unit residential development. \\*\\* Commission District 1.](#)

### **NEW BUSINESS**

3. [Application of Thomas Ryan & Vicki Beddingfield for a front yard setback variance from 55 feet to 41 feet, right side yard setback variance from 10 feet to 3 feet, and a left side yard setback variance from 10 feet to 3 feet on a .14± acre tract located on the west side of Whippoorwill Lane approximately 848 feet from its intersection with Sportsman Club Road; a.k.a. 2363 Whippoorwill Lane; Zoned R-I; Tax Parcel 00109A000029. Proposed use: single-family residence. \\* Commission District 4.](#)  
The Hall County Fire Marshal's Office has no comments regarding the single family residence set back's as proposed.
4. [Application of Ridgeline Land Planning, Inc. for a front yard setback variance from 30 feet to 15 feet on a .51± acre tract located at the terminus of River Station Drive; a.k.a. 6599 River Station Drive; Zoned PRD; Tax Parcel 09079C000035. Proposed use: single family dwelling. \\* Commission District 3.](#)  
The Hall County Fire Marshal's Office has no comments regarding the set back as proposed.



5. [Application of Ridgeline Land Planning, Inc. for a front yard setback variance from 30 feet to 15 feet on a .61± acre tract located at the terminus of River Station Drive; a.k.a. 6595 River Station Drive; Zoned PRD; Tax Parcel 09079C000036. Proposed use: single family dwelling. \\* Commission District 3.](#)  
The Hall County Fire Marshal's Office has no comments regarding the set back as proposed.
6. [Application of The Dell Group, LLC to amend conditions of a Planned Commercial Development \(PCD\) on a 21.20± acre tract located on the north side of Winder Highway at its intersection with Benefield Road; a.k.a. 5385 Winder Highway; Zoned PCD; Tax Parcel 15028B000015. Proposed use: car condos, storage, commercial uses, and retail. \\*\\* Commission District 1.](#)  
IFC Section 903, 20,000 SF building exceeds the 12,000 SF sprinkler threshold requirements and may be required to have a fire protection system installed.  
IFC Section 903, A Group S-1 fire area used for the storage or repair of commercial motor vehicles where the fire area exceeds 5000 SF will be required to have a fire protection system installed.  
IFC Section 903, A Group S-1 occupancy used for the storage or manufacture of upholstered furniture or mattresses where the fire area exceeds 2500 SF will be required to have a fire protection system installed.  
IFC Section 903, A Group F-1 occupancy containing a wood working operation where the fire area exceeds 2500 SF will be required to have a fire protection system installed.  
IFC Section 507, All buildings must be within the 400' hose lay distance requirements from a fire hydrant as the truck travels. Fire hydrants may have to be installed along the access road to meet the hose lay distance requirements.  
IFC Section 506, All buildings will be required to have a Knox Box installed.  
Complete set of engineered civil plans will have to be submitted for review and approval by the Hall County Fire Marshal's Office.
7. [Application of Atlas Development Services, Inc. to rezone from Agricultural Residential-IV \(AR-IV\) to Planned Residential District \(PRD\) on a 19.21± acre tract located at the intersection of Old Winder Highway and Union Church Road; a.k.a. 5540, 5548, 5556, 5564, 5572, & 5580 Old Winder Highway & 5925, 5919, 5911, & 5901 Union Church Road; Zoned AR-IV; Tax Parcel 15039A000018 – 000023 & 000025 – 000028. Proposed use: single-family townhomes. \\*\\* Commission District 1.](#)  
IFC Section D107, Developments of one or two family dwellings where the number of dwelling units exceeds 120 shall be provided with two separate and approved fire apparatus access roads, see attachment.  
IFC Section 507, All buildings must be within the 400' hose lay distance requirements from a fire hydrant as the truck travels.  
Complete set of engineered civil plans will have to be submitted for review and approval by the Hall County Fire Marshal's Office.
8. [Application of Paul and Ana Price for a Use Subject to County Commission approval on a 7.58± acre tract located at the terminus of James Ed Road; a.k.a. 3820 James Ed Road; Zoned V-C; Tax Parcel 10142 000006. Proposed use: 4-lot subdivision. \\*\\* Commission District 3.](#)  
Existing fire hydrant is located at the corner of James Ed and Trotter Rd.  
IFC Section 503, Fire apparatus road shall have an unobstructed width of 20' exclusive of shoulders. The portion of James Ed road leading to the proposed driveways would be considered the fire apparatus access road and would have to meet the 20' minimum width requirement.  
IFC Section 503, Dead end fire apparatus access roads in excess of 150' shall be provided with an approved turn around. Existing dead end turnaround may need to be modified to meet Hall County Fire and Hall County standards.
9. [Application of Capstone Acquisitions, LLC to rezone from Light-Industrial \(L-I\) to Residential Multi-Family \(RMF\) on a 58.26± acre tract located at the terminus of Lanier Tech Drive; a.k.a. 2866 Lanier Tech Drive; Zoned I-I; Tax Parcel 15021 000085. Proposed use: 342-unit multi-family complex. \\*\\* Commission District 3.](#)  
All access controlled gates will require a Knox key switch override device for fire department access into gated development.  
IFC D106.2, Multifamily developments having more than 200 dwelling units shall be provided with two separate and approved fire apparatus access roads regardless of whether they are equipped with an approved automatic sprinkler system. Concept plan show one access into development two are required.  
IFC D105.2, Where the vertical distance between the grade plane and the highest roof surface exceeds 30' approved aerial access roads shall be provided and shall have a minimum unobstructed width of 26' exclusive of shoulders.



IFC Section 912, Fire department connections shall be installed on each building and located no greater than 50' from a fire hydrant. Fire department connections shall be located that the fire apparatus and hose connected to the supply system ( fire hydrant ) will not obstruct access to the building for other fire apparatus.  
IFC 510, Emergency responder radio frequency test will be required and installation of a bi-directional antenna system may be required.  
NFPA 13R or 13 fire protection system will be required to be installed, tested and certified.  
NFPA 72 fire alarm system will be required to be installed, tested and certified.  
Complete set of engineered civil plans will have to submitted for review and approval by the Hall County Fire Marshal's Office.

10. Application of Russell Hausen to appeal an administrative decision for a short term rental on a 1.01± acre tract located on the north side of Jim Crow Road approximately 28 feet from its intersection with Old Federal Road; a.k.a. 5954 Jim Crow Road; Zoned AR-III; Tax Parcel 08101 002003. Proposed use: short-term rental. \* Commission District 2.

Fire and Life safety Code will not apply until the occupancy exceeds 5 guest rooms or 10 occupants.  
Existing building is located less than 400' from an existing fire hydrant. No fire hydrant installation will be required.

Regards,

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





**D105.2 Width.** Aerial fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7925 mm), exclusive of shoulders, in the immediate vicinity of the building or portion thereof.

**D105.3 Proximity to building.** One or more of the required access routes meeting this condition shall be located not less than 15 feet (4572 mm) and not greater than 30 feet (9144 mm) from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the *fire code official*.

**D105.4 Obstructions.** Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building. Other obstructions shall be permitted to be placed with the approval of the *fire code official*.

### SECTION D106

#### MULTIPLE-FAMILY RESIDENTIAL DEVELOPMENTS

**D106.1 Projects having more than 100 dwelling units.** Multiple-family residential projects having more than 100 *dwelling units* shall be equipped throughout with two separate and approved fire apparatus access roads.

**Exception:** Projects having up to 200 *dwelling units* shall have not fewer than one approved fire apparatus access road where all buildings, including nonresidential occupancies, are equipped throughout with approved automatic sprinkler systems installed in accordance with Section 903.3.1.1 or 903.3.1.2.

**D106.2 Projects having more than 200 dwelling units.** Multiple-family residential projects having more than 200 *dwelling units* shall be provided with two separate and approved fire apparatus access roads regardless of whether they are equipped with an approved automatic sprinkler system.

**D106.3 Remoteness.** Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

### SECTION D107

#### ONE- OR TWO-FAMILY RESIDENTIAL DEVELOPMENTS

**D107.1 One- or two-family dwelling residential developments.** Developments of one- or two-family dwellings where the number of *dwelling units* exceeds 30 shall be provided with two separate and approved fire apparatus access roads.

#### Exceptions:

1. Where there are more than 30 *dwelling units* on a single public or private fire apparatus access road and all *dwelling units* are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or

903.3.1.3, access from two directions shall not be required.

2. The number of *dwelling units* on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the *fire code official*.

**D107.2 Remoteness.** Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

### SECTION D108

#### REFERENCED STANDARDS

ASTM	F2200—14	Standard Specification for Automated Vehicular Gate Construction	D103.5
UL	325—02	Door, Drapery, Gate, Louver, and Window Operators and Systems, with Revisions through May 2015	D103.5

SEE STATE MODIFICATION  
CHAP 5





# Rules and Regulations of the State of Georgia

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## 6. Add a new section, Appendix D 107.1, as follows:

Developments of one- or two-family dwellings where the number of dwelling units exceeds 120 shall be provided with two separate and approved fire apparatus access roads.

### Exceptions:

1. Where there are more than 120 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, access from two directions shall not be required.
2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.
3. The fire apparatus access roads cannot be installed because of location on the property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.

Plans shall accompany the written request that delineate improvements to proposed fire apparatus access roads approved by the fire code official of the local responding fire department. Recommended compliance alternatives for residential developments having less than the minimum of two entrances includes, but is not limited to one of more of the following alternative remedies:

1. Enhanced turning radii to meet local responding fire department requirements; and/or
2. Increased road widths to meet local responding fire department requirements; or
3. Fire Lane signs per D103.6 in locations determined by the Fire Code Official; or
4. The absence of dead-end streets and cul-de-sacs; and unless the requirements meet or exceed Table D103.4 for Fire Apparatus Access Roads; or
5. The primary entrance roadway being a boulevard with medians and each lane meeting fire access road widths; or
6. Single entrance roads providing a dedicated emergency lane separating each drive lane; or
7. Additional fire apparatus access road which is permitted to be a roadway or approved surface not accessible to motor vehicles, designed by a registered design professional to meet the loading requirements and minimum specifications of Appendix D; and this surface provides all weather conditions capabilities for emergency fire department access; or
8. Statement by Fire Code Official that the Plans submitted meet the requirements of Exception 3 and/or Appendix D for access by local responding fire department

Pursuant to O.C.G.A. Title 25-2-12 (e)(4) the local fire official, building official, or developer may obtain a waiver when adequate access appropriate for the fire apparatus of the local responding fire department is not met or provided by using alternative methods on a waiver form designed and prescribed by the Safety Fire Commissioner. The State Fire Marshal or designated representative shall respond within 30 days for the decision for approval or disapproval or recommendations for modifications to the Plan. If the 30-day time frame is not met, the Plans submitted shall be deemed to be approved.

## Add a new section, Appendix D 107.2, as follows:

Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

CHAP. 5



# ZONING NOTICE

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

APPLICANT: **RIDGELINE LAND PLANNING**

REQUEST: **VARY FRONT YARD SETBACK FROM 30 FEET TO 15 FEET FOR SINGLE FAMILY**

PUBLIC HEARINGS WILL BE HELD ON: **RESIDENCE**

PLANNING COMMISSION  
Date: **10/17/22**  
Time: **5:15 PM**

COUNTY COMMISSION  
Date: **11/17/22**  
Time: **6:00 PM**

HALL COUNTY GOVERNMENT CENTER, 2875 BROWN'S BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

Lot  
**35**







## AGENDA ITEM

### Planning and Development

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**REPORT TO:** Meeting (11/14/22)

**REPORT TO:** Meeting (11/17/22)

**ITEM NO:** 594/2022

**SUBJECT:** Application of Atlas Development Services, Inc. to rezone from Agricultural Residential-IV (AR-IV) to Planned Residential Development (PRD) on a 19.21± acre tract located at the intersection of Old Winder Highway and Union Church Road; a.k.a. 5540, 5548, 5556, 5564, 5572, & 5580 Old Winder Highway & 5925, 5919, 5911, & 5901 Union Church Road; Zoned AR-IV; Tax Parcel 15039A000018 — 000023 & 000025 — 000028. Proposed Use: 135 unit single-family townhomes. Commission District 1.

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### Meetings:

**Work Session Date:** 11/14/22

**Voting Meeting Date:** 11/17/22

### Executive Summary:

**Presenter:** RD

**Recommendation:**

Approval, with conditions: 1. All streets shall be built to Hall County Public Streets standards as indicated on the site plan presented at the meeting. No Variances to Public Street design standards in Articles 16, Subdivisions, and the parking requirements in Article 17. No on street parking shall be allowed. 2. Front setbacks for each townhome unit shall be a minimum of 22 feet from back of sidewalk; 0 feet side internal setback; minimum 10 foot building separation (unless greater spacing is required by the Building or Fire code); and 20 foot rear setbacks on internal lots. The setbacks for each building shall be determined and approved on the Preliminary Plat. 3. There shall only be 74 units of 24 foot lots and 61 units of 20 foot lots for the approval of 135 units. 4. Development standards shall meet or exceed the following table: SINGLE-FAMILY ATTACHED (FEE SIMPLE TOWNHOMES) STAFF RECOMMENDATIONS SITE AREA 19.2 ACRES RECORDED PLAT- UNITS 135 PROPOSED DENSITY 7.03 UPA WATER AND SEWER GAINESVILLE CITY WATER AND HALL COUNTY SEWER REQUIRED OPEN SPACE- TO MEET REQUIREMENTS OF sections Â§17.430.100 through Â§17.430.150. 30% SIDEWALKS- BOTH SIDE OF ROAD- INTERNAL ONLY 5 FT. STREETS PUBLIC MINIMUM LOT WIDTH AT BUILDING LINE 20 FT. MINIMUM LOT DEPTH 80 FT. MINIMUM LOT SIZE 1,600 SF FRONT SETBACK (FROM back of sidewalk - all proposed units are front load garages, not rear load) 22 FT. INTERNAL SIDE SETBACK 0 FT. MAXIMUM BUILDING HEIGHT 35 FT. SIDE SEPERATION-ROOF OVERHANG TO ROOF OVERHANG 10 FT. GARAGE % OF FRONT FACADE 70% MINIMUM HEATED FLOOR AREA 1,400 SQ. FT. EXTERIOR BUFFER 50 FT. 5. The development shall meet all required Fire Codes (IFC) including, but not limited to the follow: a. IFC Section D107, Developments of one or two family dwellings where the number of dwelling units exceeds 120 shall be provided with two separate and approved fire apparatus access roads. Note: exceptions to this code are found in IFC Appendix D 107.1 b. IFC Section 507: All buildings must be with in the 400' hose lay distance requirements from a fire hydrant as the truck travels. c. A Complete set of engineered civil plans will have to submit for review and approval by the Hall County Fire Marshal's Office. 6. All parking indicated shall be Off Street parking in accordance with section 17.180.060.B.11.d: Parking shall conform to requirements specified in chapter 17.250, in addition to any parking and loading requirements or accessibility guidelines



pertaining to the Americans with Disabilities Act. On-street parking is prohibited in all planned residential developments. Off-street parking areas that make it necessary for vehicles to back out directly into a public road, street, or highway are prohibited in all planned residential developments 7. No vinyl fencing shall be permitted on the site, except around stormwater facilities if requested by the Public Works Department. 8. The sanitary sewer connection point shall be identified prior to submission of the LDP. The LDP/ Preliminary Plat submission shall include a full design for any sewer line extensions. 9. Any easements across private property or permits needed to place sewer lines in a ROW shall be obtained prior to submission of the LDP/ Preliminary Plat. 10. The recommendations of the traffic study (dated September 9, 2022 by Southeastern Engineering, Inc.), subject to the review and approval of both Hall County Traffic Engineering and the Georgia Department of Transportation shall be implemented. Any cost associated with these improvements shall be the responsibility of the developer. 11. Two Model Home Permits will be permitted under the following conditions: An LDP and Preliminary Plat approval is required prior to issuing a building permit for a model home prior to Final Plat (this is different than the request in the submitted narrative). a. No Certificates of Occupancy for model homes shall be issued prior to a Final Plat being approved and recorded at the Clerk of Court. b. No Temporary Certificates of Occupancy shall be authorized for any model home prior to a Final Plat being recorded. c. All public utilities shall be installed prior to issuing a building permit for a model home. The installation of the utilities shall be certified by Hall County Public Works. d. A hard surface (crusher run or equivalent) access is provided that meets all requirements of a GSWCC "Construction Road" as specified in the GSWCC manual. e. Fire protection shall be provided within 500 feet of any structure under construction. f. Restroom facilities shall be provided for any structure under construction. g. No model home site shall be used as a stockpile area, for storage of construction materials or as a trash site. h. An as-built survey shall be required for all model home structures built or under construction prior to approval of a Final Plat in any future phase to ensure the proposed platted lines meet all ordinance requirements. 12. The proposed development must provide curbing, gutters, and minimum 5-foot-wide sidewalks along the full length of the subject property, both against Old Winder Highway and Union Church Road, if determined to be feasible by the Hall County Planning Director and Hall County Public Works Director. 13. No land disturbance permit shall be issued until the new combination plat is formally recorded with Hall County Clerk of Court. 14. Per Â§17.180.060.B.8, the development shall conform to all open space requirements of sections Â§17.430.100 through Â§17.430.150. Prior to submission of the LDP/ Preliminary Plat for review, a revised Open Space plan shall be submitted for review and approval by the Planning Director. This may include modification of street and lot layouts to comply with the Open Space design standards. 15. All conditions of zoning shall be made part of any plats created for the property. 16. Architectural standards: All facades of all residences shall be finished with masonry (brick or stone), wood, or fiber cement / Hardi-plank type siding. The front facades shall be 100% masonry as depicted on the architectural elevations submitted with the application package. 17. Garage doors shall not exceed 70% of front facade. 18. Driveways shall be at least 22 feet in length, as measured from behind the edge of the sidewalk to the garage and all driveways shall be the width of the 2 car garage product. 19. A minimum 50-foot planted buffer shall be established along the perimeter of the property adjacent to residential and/or non-residential zoning districts to ensure that the planned development is appropriately screened. The planted buffers shall conform to the requirements described in section 17.260.020 titled Vegetation Buffers and Vision Clearance. This shall cover the road frontage along Union Church Road. 20. Except for approved road connections, a 5' Non-Access Easement shall be indicated on the plat for access to Old Winder Highway and Union Church Road. 21. A property maintenance association is required to maintain common ownership elements of the development. Draft HOA documents shall be submitted with the LDP/ Preliminary Plat submission for review to ensure compliance with the conditions of zoning and review for any inconsistencies with County ordinances. This is required by Â§16.30.120 Contents of preliminary plat application. 22. The amenity package shall be completed before the building permits are granted for the fifth building. 23. There shall only be up to one construction trailer issued on site after LDP.

#### **Purpose of Request:**

Application of Atlas Development Services, Inc. to rezone from Agricultural Residential-IV (AR-IV) to Planned Residential Development (PRD) on a 19.21± acre tract located at the intersection of Old Winder Highway and Union Church Road; a.k.a. 5540, 5548, 5556, 5564, 5572, & 5580 Old Winder Highway & 5925, 5919, 5911, & 5901 Union Church Road; Zoned AR-IV; Tax Parcel 15039A000018 — 000023 & 000025 — 000028. Proposed use: single-family townhomes. Commission District 1.

#### **History:**

#### **Facts and Issues:**

#### **Options:**



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

**Approvals:**

Submit	Approve	Budget	Finance
AD	RD	EW	WG
Attorney	Administration	Clerk	
WLI	LJ	AO	

**Attachments:**

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





# Hall County Government

## PLANNING & DEVELOPMENT

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR  
Randi Doveton

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

**From:** Randi Doveton, Director

**Date:** October 25, 2022

**Subject:** Application of Atlas Development Services, Inc. to rezone from Agricultural Residential-IV (AR-IV) to Planned Residential Development (PRD) on a 19.21± acre tract located at the intersection of Old Winder Highway and Union Church Road; a.k.a. 5540, 5548, 5556, 5564, 5572, & 5580 Old Winder Highway & 5925, 5919, 5911, & 5901 Union Church Road; Zoned AR-IV; Tax Parcel 15039A000018 – 000023 & 000025 – 000028. Proposed use: single-family townhomes. Commission District 1.

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The application before you is a request to rezone 19.21± acres from Agricultural Residential-IV (AR-IV) to Planned Residential Development (PRD) to allow single-family townhomes.

At their October 17, 2022 meeting, the Hall County Planning Commission voted to recommend approval (5-0) of this request with the following twenty-three (23) conditions:

1. *All streets shall be built to Hall County Public Streets standards as indicated on the site plan presented at the meeting. No Variances to Public Street design standards in Article 16, Subdivisions, and the parking requirements in Article 17. No on street parking shall be allowed.*
2. *Front setbacks for each townhome unit shall be a minimum of 22 feet from back of sidewalk; 0 feet side internal setback; minimum 10 foot building separation (unless greater spacing is required by the Building or Fire code); and 20 foot rear setbacks on internal lots. The setbacks for each building shall be determined and approved on the Preliminary Plat.*
3. *There shall only be 74 units of 24 foot lots and 61 units of 20 foot lots for the approval of 135 units.*
4. *Development standards shall meet or exceed the following table:*



<b>SINGLE-FAMILY ATTACHED (FEE SIMPLE TOWNHOMES) STAFF RECOMMENDATIONS</b>	
<b>SITE AREA</b>	<b>19.2 ACRES</b>
<b>RECORDED PLAT- UNITS</b>	<b>135</b>
<b>PROPOSED DENSITY</b>	<b>7.03 UPA</b>
<b>WATER AND SEWER</b>	<b>GAINESVILLE CITY WATER AND HALL COUNTY SEWER</b>
<b>REQUIRED OPEN SPACE- TO MEET REQUIREMENTS OF sections §17.430.100 through §17.430.150.</b>	<b>30%</b>
<b>SIDEWALKS- BOTH SIDE OF ROAD- INTERNAL ONLY</b>	<b>5 FT.</b>
<b>STREETS</b>	<b>PUBLIC</b>
<b>MINIMUM LOT WIDTH AT BUILDING LINE</b>	<b>20 FT.</b>
<b>MINIMUM LOT DEPTH</b>	<b>80 FT.</b>
<b>MINIMUM LOT SIZE</b>	<b>1,600 SF</b>
<b>FRONT SETBACK (FROM back of sidewalk - all proposed units are front load garages, not rear load)</b>	<b>22 FT.</b>
<b>INTERNAL SIDE SETBACK</b>	<b>0 FT.</b>
<b>MAXIMUM BUILDING HEIGHT</b>	<b>35 FT.</b>
<b>SIDE SEPERATION-ROOF OVERHANG TO ROOF OVERHANG</b>	<b>10 FT.</b>
<b>GARAGE % OF FRONT FACADE</b>	<b>70%</b>
<b>MINIMUM HEATED FLOOR AREA</b>	<b>1,400 SQ. FT.</b>
<b>EXTERIOR BUFFER</b>	<b>50 FT.</b>

5. The development shall meet all required Fire Codes (IFC) including, but not limited to the follow:
  - a. IFC Section D107, Developments of one or two family dwellings where the number of dwelling units exceeds 120 shall be provided with two separate and approved fire apparatus access roads. Note: exceptions to this code are found in IFC Appendix D 107.1
  - b. IFC Section 507: All buildings must be with in the 400' hose lay distance requirements from a fire hydrant as the truck travels.
  - c. A Complete set of engineered civil plans will have to be submitted for review and approval by the Hall County Fire Marshal's Office.
6. All parking indicated shall be Off Street parking in accordance with section 17.180.060.B.11.d:  
 Parking shall conform to requirements specified in chapter 17.250, in addition to any parking and loading requirements or accessibility guidelines pertaining to the Americans with Disabilities Act. On-street parking is prohibited in all planned residential developments. Off-street parking areas that make it necessary for



- vehicles to back out directly into a public road, street, or highway are prohibited in all planned residential developments*
- 7. No vinyl fencing shall be permitted on the site, except around stormwater facilities if requested by the Public Works Department.*
  - 8. The sanitary sewer connection point shall be identified prior to submission of the LDP. The LDP/ Preliminary Plat submission shall include a full design for any sewer line extensions.*
  - 9. Any easements across private property or permits needed to place sewer lines in a Right of Way shall be obtained prior to submission of the LDP/ Preliminary Plat.*
  - 10. The recommendations of the traffic study (dated September 9, 2022 by Southeastern Engineering, Inc.), subject to the review and approval of both Hall County Traffic Engineering and the Georgia Department of Transportation shall be implemented. Any cost associated with these improvements shall be the responsibility of the developer.*
  - 11. Two Model Home Permits will be permitted under the following conditions: An LDP and Preliminary Plat approval is required prior to issuing a building permit for a model home prior to Final Plat (this is different than the request in the submitted narrative).*
    - a. No Certificates of Occupancy for model homes shall be issued prior to a Final Plat being approved and recorded at the Clerk of Court.*
    - b. No Temporary Certificates of Occupancy shall be authorized for any model home prior to a Final Plat being recorded.*
    - c. All public utilities shall be installed prior to issuing a building permit for a model home. The installation of the utilities shall be certified by Hall County Public Works.*
    - d. A hard surface (crusher run or equivalent) access is provided that meets all requirements of a GSWCC "Construction Road" as specified in the GSWCC manual.*
    - e. Fire protection shall be provided within 500 feet of any structure under construction.*
    - f. Restroom facilities shall be provided for any structure under construction.*
    - g. No model home site shall be used as a stockpile area, for storage of construction materials or as a trash site.*
    - h. An as-built survey shall be required for all model home structures built or under construction prior to approval of a Final Plat in any future phase to ensure the proposed platted lines meet all ordinance requirements.*
  - 12. The proposed development must provide curbing, gutters, and minimum 5-foot-wide sidewalks along the full length of the subject property, both against Old Winder Highway and Union Church Road, if determined to be feasible by the Hall County Planning Director and Hall County Public Works Director.*
  - 13. No land disturbance permit shall be issued until the new combination plat is formally recorded with Hall County Clerk of Court.*
  - 14. Per §17.180.060.B.8, the development shall conform to all open space requirements of sections §17.430.100 through §17.430.150. Prior to submission of the LDP/ Preliminary Plat for review, a revised Open Space plan shall be submitted for review and approval by the Planning Director. This may include*



*modification of street and lot layouts to comply with the Open Space design standards.*

- 15. All conditions of zoning shall be made part of any plats created for the property.*
- 16. Architectural standards: All facades of all residences shall be finished with masonry (brick or stone), wood, or fiber cement / Hardi-plank type siding. The front facades shall be 100% masonry as depicted on the architectural elevations submitted with the application package.*
- 17. Garage doors shall not exceed 70% of front facade.*
- 18. Driveways shall be at least 22 feet in length, as measured from behind the edge of the sidewalk to the garage and all driveways shall be the width of the 2 car garage product.*
- 19. A minimum 50-foot planted buffer shall be established along the perimeter of the property adjacent to residential and/or non-residential zoning districts to ensure that the planned development is appropriately screened. The planted buffers shall conform to the requirements described in section 17.260.020 titled Vegetation Buffers and Vision Clearance. This shall cover the road frontage along Union Church Road.*
- 20. Except for approved road connections, a 5' Non-Access Easement shall be indicated on the plat for access to Old Winder Highway and Union Church Road.*
- 21. A property maintenance association is required to maintain common ownership elements of the development. Draft HOA documents shall be submitted with the LDP/ Preliminary Plat submission for review to ensure compliance with the conditions of zoning and review for any inconsistencies with County ordinances. This is required by §16.30.120 Contents of preliminary plat application.*
- 22. The amenity package shall be completed before the building permits are granted for the fifth building.*
- 23. There shall only be up to one construction trailer issued on site after LDP.*

There was one (1) written comment in opposition submitted in advance of the Planning Commission meeting and one (1) person spoke in favor during the public hearing on October 17, 2022.

Since the Planning Commission took action, the applicant submitted an updated site plan.



**HALL COUNTY PLANNING COMMISSION  
RECOMMENDATION REPORT**

**Applicant** ..... Atlas Development Services, Inc.

**Request** ..... Rezone from Agricultural Residential IV  
(ARIV) to Planned Residential Development  
(PRD)

**Proposed Use** ..... Single-family townhomes

**Size** ..... 19.21± acres

**Zoning** ..... AR-IV

**Location** ..... At the intersection of Old Winder Highway  
and Union Church Road; a.k.a. 5540, 5548,  
5556, 5564, 5572, & 5580 Old Winder  
Highway & 5925, 5919, 5911, & 5901 Union  
Church Road; Tax Parcel 15039A000018 –  
000023 & 000025 – 000028.

**Commission District** ..... One

**Planning Commission Date** ..... October 3, 2022

**Staff Recommendation** ..... **Approval with Conditions**

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

**Vote: 5-0**

**Conditions:**

1. *All streets shall be built to Hall County Public Streets standards as indicated on the site plan presented at the meeting. No Variances to Public Street design standards in Articles 16, Subdivisions, and the parking requirements in Article 17. No on street parking shall be allowed.*
2. *Front setbacks for each townhome unit shall be a minimum of 22 feet from back of sidewalk; 0 feet side internal setback; minimum 10 foot building separation (unless greater spacing is required by the Building or Fire code); and 20 foot rear setbacks on internal lots. The setbacks for each building shall be determined and approved on the Preliminary Plat.*
3. *There shall only be 74 units of 24 foot lots and 61 units of 20 foot lots for the approval of 135 units.*
4. *Development standards shall meet or exceed the following table:*

<b>SINGLE-FAMILY ATTACHED (FEE SIMPLE TOWNHOMES)</b> <b>STAFF RECOMMENDATIONS</b>
--



SITE AREA	19.2 ACRES
RECORDED PLAT- UNITS	135
PROPOSED DENSITY	7.03 UPA
WATER AND SEWER	GAINESVILLE CITY WATER AND HALL COUNTY SEWER
REQUIRED OPEN SPACE- TO MEET REQUIREMENTS OF sections §17.430.100 through §17.430.150.	30%
SIDEWALKS- BOTH SIDE OF ROAD- INTERNAL ONLY	5 FT.
STREETS	PUBLIC
MINIMUM LOT WIDTH AT BUILDING LINE	20 FT.
MINIMUM LOT DEPTH	80 FT.
MINIMUM LOT SIZE	1,600 SF
FRONT SETBACK (FROM back of sidewalk - all proposed units are front load garages, not rear load)	22 FT.
INTERNAL SIDE SETBACK	0 FT.
MAXIMUM BUILDING HEIGHT	35 FT.
SIDE SEPERATION-ROOF OVERHANG TO ROOF OVERHANG	10 FT.
GARAGE % OF FRONT FACADE	70%
MINIMUM HEATED FLOOR AREA	1,400 SQ. FT.
EXTERIOR BUFFER	50 FT.

5. *The development shall meet all required Fire Codes (IFC) including, but not limited to the follow:*
  - a. *IFC Section D107, Developments of one or two family dwellings where the number of dwelling units exceeds 120 shall be provided with two separate and approved fire apparatus access roads. Note: exceptions to this code are found in IFC Appendix D 107.1*
  - b. *IFC Section 507: All buildings must be with in the 400' hose lay distance requirements from a fire hydrant as the truck travels.*
  - c. *A Complete set of engineered civil plans will have to submit for review and approval by the Hall County Fire Marshal's Office.*
6. *All parking indicated shall be Off Street parking in accordance with section 17.180.060.B.11.d:*  
*Parking shall conform to requirements specified in chapter 17.250, in addition to any parking and loading requirements or accessibility guidelines pertaining to the Americans with Disabilities Act. On-street parking is prohibited in all planned residential developments. Off-street parking areas that make it necessary for vehicles to back out directly into a public road, street, or highway are prohibited in all planned residential developments*



7. *No vinyl fencing shall be permitted on the site, except around stormwater facilities if requested by the Public Works Department.*
8. *The sanitary sewer connection point shall be identified prior to submission of the LDP. The LDP/ Preliminary Plat submission shall include a full design for any sewer line extensions.*
9. *Any easements across private property or permits needed to place sewer lines in a ROW shall be obtained prior to submission of the LDP/ Preliminary Plat.*
10. *The recommendations of the traffic study (dated September 9, 2022 by Southeastern Engineering, Inc.), subject to the review and approval of both Hall County Traffic Engineering and the Georgia Department of Transportation shall be implemented. Any cost associated with these improvements shall be the responsibility of the developer.*
11. *Two Model Home Permits will be permitted under the following conditions: An LDP and Preliminary Plat approval is required prior to issuing a building permit for a model home prior to Final Plat (this is different than the request in the submitted narrative).*
  - a. *No Certificates of Occupancy for model homes shall be issued prior to a Final Plat being approved and recorded at the Clerk of Court.*
  - b. *No Temporary Certificates of Occupancy shall be authorized for any model home prior to a Final Plat being recorded.*
  - c. *All public utilities shall be installed prior to issuing a building permit for a model home. The installation of the utilities shall be certified by Hall County Public Works.*
  - d. *A hard surface (crusher run or equivalent) access is provided that meets all requirements of a GSWCC "Construction Road" as specified in the GSWCC manual.*
  - e. *Fire protection shall be provided within 500 feet of any structure under construction.*
  - f. *Restroom facilities shall be provided for any structure under construction.*
  - g. *No model home site shall be used as a stockpile area, for storage of construction materials or as a trash site.*
  - h. *An as-built survey shall be required for all model home structures built or under construction prior to approval of a Final Plat in any future phase to ensure the proposed platted lines meet all ordinance requirements.*
12. *The proposed development must provide curbing, gutters, and minimum 5-foot-wide sidewalks along the full length of the subject property, both against Old Winder Highway and Union Church Road, if determined to be feasible by the Hall County Planning Director and Hall County Public Works Director.*
13. *No land disturbance permit shall be issued until the new combination plat is formally recorded with Hall County Clerk of Court.*
14. *Per §17.180.060.B.8, the development shall conform to all open space requirements of sections §17.430.100 through §17.430.150. Prior to submission of the LDP/ Preliminary Plat for review, a revised Open Space plan shall be submitted for review and approval by the Planning Director. This may include modification of street and lot layouts to comply with the Open Space design standards.*
15. *All conditions of zoning shall be made part of any plats created for the property.*
16. *Architectural standards: All facades of all residences shall be finished with masonry (brick or stone), wood, or fiber cement / Hardi-plank type siding. The*



*front facades shall be 100% masonry as depicted on the architectural elevations submitted with the application package.*

- 17. Garage doors shall not exceed 70% of front facade.*
- 18. Driveways shall be at least 22 feet in length, as measured from behind the edge of the sidewalk to the garage and all driveways shall be the width of the 2 car garage product.*
- 19. A minimum 50-foot planted buffer shall be established along the perimeter of the property adjacent to residential and/or non-residential zoning districts to ensure that the planned development is appropriately screened. The planted buffers shall conform to the requirements described in section 17.260.020 titled Vegetation Buffers and Vision Clearance. This shall cover the road frontage along Union Church Road.*
- 20. Except for approved road connections, a 5' Non-Access Easement shall be indicated on the plat for access to Old Winder Highway and Union Church Road.*
- 21. A property maintenance association is required to maintain common ownership elements of the development. Draft HOA documents shall be submitted with the LDP/ Preliminary Plat submission for review to ensure compliance with the conditions of zoning and review for any inconsistencies with County ordinances. This is required by §16.30.120 Contents of preliminary plat application.*
- 22. The amenity package shall be completed before the building permits are granted for the fifth building.*
- 23. There shall only be up to one construction trailer issued on site after LDP.*

### **Applicant Proposal**

The applicant is requesting approval to rezone a ten-parcel site totaling ± 19.2 acres from Agricultural Residential IV to Planned Residential Development for the purpose of developing a 135-unit fee simple townhome development. All parcels, except three located at 5901, 5911, and 5919 Union Church Rd also currently fall in the Gateway Corridor Overlay District (GCOD). No request has been made to remove the GCOD designation at this time. The overall density of the proposed development is 7.03 units per acre. The narrative submitted by the applicant states that the creation of this development will provide quality, traditional housing with an amenity area, and up to a maximum of 37.9% open space. Per the project narrative, the community at minimum will contain a cabana with restrooms, pool, parking lot, and the United States Postal Service required mailbox kiosk. Residents will have convenient access to commercial uses proposed upon the Planned Commercial Development zoned portions of the 491-acre Reveille Development to be constructed directly across the site, off Old Winder Highway. Residents will also have convenient access to any commercial uses constructed upon the Highway-Business zoned parcel located at the intersection of Union Church Road and Howington Road. Convenient access to I-85 (Exit 126) is located 2.5 miles to the east. Buildout of the development is planned for 2024.

The subject property is comprised of ten parcels with nine different owners, and each parcel contains either a one-story residential home, modular home, and/or undeveloped lands. The concept plan shows southbound right turn lane and the entrance / exit into the community proposed off Old Winder Highway. It does not include the northbound left turn lane recommended by the submitted traffic study. No access is proposed off Union Church Road. Old Winder Highway



(SR 211) is presently a two-lane minor arterial with a posted speed limit of 55 mph. Union Church Road is a two-lane major collector with a posted speed limit of 45 mph. Also, Howington Road to the south, is a two-lane unpaved local road with no posted speed limit. None of these roads have curbing, gutters, or sidewalks. Any future access dedicated solely to the site will be subject to GDOT and Hall County approval. The proposed Reveille mixed-use project is across Old Winder Highway from the subject properties.

The townhomes will be constructed in buildings consisting of at least five but not more than eight vertically attached units. Each unit is illustrated as sitting upon its own lot (i.e., as drawn, the conceptual plan shows that home buyers will own the property beneath their unit). The units themselves will be two stories, with a maximum building height of 35 feet and offer a minimum heated square footage of 1400 SF. There will be monument style signs package that will be provided for the primary entrance to the development. The project proposal includes a 17-space parking lot next to the mail kiosk and the narrative requests the ability to use either one or two car garages. As a result of this request, the total parking spaces could be as few as 152 or as many as 287 spaces, site-wide. Driveway dimensions proposed are 14' feet wide by 20' feet deep. Units would be front loaded to allow for the construction of an 8' x 10' patios in the rear of each unit. Garage doors would not exceed 70% of the front façade. The applicant requests the right to use masonry, hardy-plank, or shake siding (unclear what materials they wish to use for the shingles) on all facades of the homes. No variance has been requested to allow relief from the PRD requirement requiring garage doors to be set behind the front door of each unit or in another approved configuration.

The proposed units would be buffered from internal public streets by 5-foot-wide sidewalks and a 2-foot sodding strip. The applicant proposes to meet open space requirements by preserving existing stream buffers on-site, by providing a planted landscape strip along Union Church Road, and by providing a 50' PRD buffer against the properties at 5532 and 5937 Old Winder Highway and abutting the subject properties. No buffer is proposed against Old Winder Highway, instead a 40' front setback is shown. The proposed stormwater facility to collect runoff during significant rain events is located against the southern portion of the property, adjacent to Union Church Road.

The following additional standards are requested in the narrative for PRD approval:

<b>SINGLE-FAMILY ATTACHED (FEE SIMPLE TOWNHOMES) PROPOSAL FROM NARRATIVE</b>	
SITE AREA	19.2 ACRES
RECORDED PLAT- UNITS	135
PROPOSED DENSITY	7.03 UPA
WATER AND SEWER	GAINESVILLE CITY WATER AND HALL COUNTY SEWER
SIDEWALKS- BOTH SIDE OF ROAD- INTERNAL ONLY	5 FT.
STREETS	PUBLIC



MINIMUM LOT DEPTH AT BUILDING LINE	20 FT.
MINIMUM LOT DEPTH	80 FT.
MINIMUM LOT SIZE	1,600 SF
FRONT SETBACK (FROM ROW)	10 FT.
INTERNAL SIDE SETBACK	0 FT.
INTERNAL REAR SETBACK	0 FT.
PERIMETER FRONT SETBACK	40 FT.
PERIMETER REAR SETBACK	50 FT.
PERIMETER SIDE SETBACK	50 FT.
MAXIMUM BUILDING HEIGHT	35 FT.
SIDE SEPERATION-FOUNDATION TO FOUNDATION	10 FT.
GARAGE % IF FRONT FACADE	70%
MINIMUM HEATED FLOOR AREA	1,400 SQ. FT.

#### Model Homes

The narrative also is requesting 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 platting.”

#### Sales and Construction Trailers

The “applicant is requesting permission to install one sales trailer and one construction trailer with associated parking areas in locations to be determined at the time of the 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. Applicant is requesting modification to the existing zoning conditions for approval of a non-breakaway base, a minimum distance of 5’ from the nose of the medial and a total sign area of 42 SF.

The entrance may include the following structural item:

- 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, road, 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 buffers or setbacks. Developer is requesting a variance to allow for the development of lots 39-42 and lots 70-73. Developer is requesting to develop the above referenced lots as show on the attached site plan.

### **History and Existing Land Uses**

The subject parcels comprise approximately 19.2 acres and are zoned Agricultural Residential IV. These properties are currently developed with single family residences (modular or site built). These structures and any outbuildings would be removed prior to development. A significant portion of the properties are wooded.

The property falls within the Gateway Corridors Overlay District (GCOD) which provides supplemental design standards for non-residential property development. These standards do not apply for residential uses.

### **Comprehensive Plan Land Use Designation**

The subject property is located within the “Residential” future land use area and also falls within a “Mixed Use Corridor”. Residential Areas are characterized by moderate density residential development and neighborhoods. Street networks are defined by curvilinear streets and green spaces largely provided on individual lots, but neighborhood open space and/or park amenities may also be provided. Pedestrian connectivity is moderate, where sidewalks may be internal to a neighborhoods, but may not necessarily connect to nearby parks and schools. Future development will continue to be detached single family homes at moderate density (i.e., 2 units per acre) with opportunities to vary housing sizes and types through PRD zoning classifications. Ample tree cover, greenways, and trails is desired.

The “Mixed Use Corridor” also known as the Revitalization Corridor, is intended to support the following land uses: retail, office-based employment, civic uses, and single family residential. Low impact industrial uses or higher density residential uses may be appropriate, on a case-by-case basis, only where the same is found on adjacent properties. Desirable density is low to moderate. Greenspaces should provide formal landscaping (i.e., not just passive existing buffering) and should include adequate screening between frontage uses adjacent to residential uses and where uses have outdoor displays / storages / sales (i.e., commercial against residential buffering). Transportation design should support high internal vehicular and pedestrian connections, access to management should facilitate traffic flows. There is no residential density recommendation in the Mixed Use Corridor. There is also no higher density residential on adjacent properties, so according to the Comprehensive Plan, there should not be higher density residential on this property.



The proposed townhome community exceeds the moderate density requirement for Residential Character Area (proposed 7.03 units per acre / desired 2 units per acre). The proposal is also inconsistent in that it provides an attached product, rather than the detached residences the future land use designation prefers here. Improved compliance with the Comprehensive Plan could be achieved by reducing the overall number of units proposed, using a rear loaded townhome product that better supports safe pedestrian activity internal to the site, replacing the 2-foot sod strips with min 6-foot-wide planting strips to support a neighborhood street tree canopy. Additionally, traffic Improvements should include the left turn lane required by the traffic study. Curbing, gutters, and sidewalks along the full length of Old Winder Highway, Union Church Road are advised to accommodate new residents and users that will come as area projects come online, transforming the area from its current rural character to the Comprehensive Plan's mixed use corridor vision.

Based on the "Residential" recommended density of 2 units per acre, this proposed 7.03 units per acre project is **inconsistent** with the Comprehensive Plan; **however, it is consistent with recent land-use approvals in the area. Reveille, is located across the street from the subject property and was approved with approved net densities ranging from 3.08 units per acre to 9.33 units per acre (POD D).**

### **Development Support and Constraints**

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

An email dated September 14, 2022, 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 Services**

In an email dated September 16, 2022, Lieutenant John Hornick, provided the following comments:

IFC Section D107, Developments of one or two family dwellings where the number of dwelling units exceeds 120 shall be provided with two separate and approved fire apparatus access roads, see attachment.

IFC Section 507, All buildings must be within the 400' hose lay distance requirements from a fire hydrant as the truck travels.

Complete set of engineered civil plans will have to be submitted for review and approval by the Hall County Fire Marshal's Office.

Per Hall County GIS, the subject parcel is located approximately 5 miles from Hall County Fire Station #12, located at 4890 Winder Highway. The nearest fire hydrants border the subject property at 5556 Old Winder Highway and 5901 Union Church Road.



### Hall County Public Works and Utilities

In a memo dated September 16, 2022, from Srikanth Yamala, Director of Public Works and Utilities, the following comments were provided:

#### Engineering:

The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.

Show buffer and impervious setback from wooded vegetation, not centerline of creek. Show flood Hall County studied and FEMA. Roads must meet all Hall County Standards; Stormwater ponds must be out of the flood zone; development is not allowed in flood.

#### Traffic:

Development access must be approved and permitted through GDOT. Improvements recommended in the traffic study should be required.

#### Utilities:

No Sewer in the area of project; requires a Hall County Sewer Availability Letter and Application approval

Hall County Tax Assessors No comments were provided.

### Gainesville Water Resources

A letter dated June 6, 2022 from Nick Swafford, Permitting Services Manager, stated the following:

“The purpose of this letter is to confirm the availability of water service to the above referenced properties.

The City of Gainesville owns and operates an existing 12-inch DIP water main in the right-of-way of Old Winder Highway (SR 211), as well as an 8-inch DIP water main in the right-of-way of Union Church Road adjacent to the subject properties. Currently, the City has adequate domestic water capacity to serve your proposed residential development.

This confirmation of water availability is good for one year from the date of this letter at which time, it will become null and void unless engineered plans have been submitted for issuance of a development permit.”

### Georgia Department of Transportation

Per an email dated September 19, 2022, Parker Niebauer, Traffic Operations Supervisor confirmed that this project will require GDOT coordination.



## **Zoning Analysis**

- a. The applicant is requesting to rezone the property from Agricultural Residential IV to Planned Residential Development (PRD). The proposed use of a 135-unit townhome development is partially inconsistent with the Comprehensive Plan, as the proposed density exceed the density standard within the “Residential” land use designation and desired building type.

Within the residential character area, the maximum density is recommended to be 2 units per acre with access to public water. **Reveille is located across the street from the subject property and was approved with approved net densities ranging from 3.08 units per acre to 9.33 units per acre (POD D). It should be noted that a large portion, not all, of Reveille is identified as an activity center on the Future Land Use Map.**



- b. Per §17.180.060, a PRD 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.
- c. Per §17.180.060.B.1. Required items, requires that the application include a development schedule, a listing of proposed uses, and the size, location and number of units of all residential structures. **The proposed schedule is built out by 2024. The proposed uses are single family residential attached. The minimum size of each unit is 1400 SF heated. The location of the units are as depicted on the conceptual site plan. The number of residential units proposed is 135 units.**
- d. Per §17.180.060.B.4. Lot areas for developments where there is no sanitary sewer available shall be set by the County Health Department. This requirement currently applies to the subject site, as Public Works has confirmed no sewer service presently exists. **The property must connect to sewer. This will require approval of sewer extension plans by County Engineer prior to issuance of a land disturbance permit (LDP).**
- The applicant refers to the units as townhouses, the definition of a townhouse ([17.20.1230](#)) infers that townhouses are multi-family and not single-family attached as shown on the submitted site plan. See the definitions of multi-family in [17.20.890](#), and [17.20.160](#), and single-family in [17.20.900](#), and [17.20.1051](#). **It should be noted that there is no definition**



**or standard in the Hall County regulations for single-family attached or zero lot-line units.** Law Insider (<https://www.lawinsider.com/dictionary>) defines **single-family attached** as “**any building containing two or more living units attached but each living unit located on a separate parcel of land.**” This definition represents the current application.

- e. Per §17.180.060.B.5, a minimum 50 foot planted buffer shall be established along the perimeter of all property boundaries adjacent to residential and/or non-residential zoning districts to ensure that the planned residential development is appropriately screened.
  - o Per the applicant’s narrative and site plan, a 50 foot buffer exterior buffer is proposed.  
This standard **is met**.
- f. Per §17.180.060.B.6, a minimum of two trees per lot shall be provided or preserved in the front, side, or rear yard of each lot.
  - o **No landscape plan was included with this request. The applicant will be held to the standards of the PRD requirements as well as §17.280.080 (tree requirements for non-single-family residential development).**
- g. Per §17.180.060.B.7.a, residential developments with greater than 150 lots shall include at least two vehicular entrances connecting to a city, state, or county-maintained public road.
  - o **This standard does not currently apply to the applicant because they request 135 units only; however, the 2018 International Fire Code as adopted and amended by the Georgia Department of Community affairs requires 2 entrances for any residential development containing more than 120 units.**
- h. Per §17.180.060.B.7.b. all planned residential developments shall construct sidewalks on both sides of the streets that are a minimum of five feet wide.
  - o The applicant’s narrative and site plan specify 5 foot sidewalks for the development.  
This standard **is met**.
- Per §17.180.060.B.8, the development shall conform to all open space requirements of sections §17.430.100 through §17.430.150, as shown under the conservation subdivision design option chapter. The only open space requirement that may differ from those standards set forth in section §17.430.110 is the open space shall comprise at least 30 percent of the gross tract area. The open space requirements include:
  - o At least 75 percent of the open space shall be in a contiguous tract. The open space should adjoin any neighboring areas of open space, other protected areas, and non-protected natural areas that would be candidates for inclusion as part of a future area of protected open space.
  - o The open space shall be directly accessible to the largest practicable number of lots within the subdivision. Non-adjoining lots shall be provided with safe, convenient access to the open space.
    - The applicant **does not** meet this standard. Open space provided is around the perimeter not at the center of the tract, where most units may access it.
  - o Per §17.430.120, permitted uses of open space, the following uses are permitted: conservation of natural, archeological or historical resources; meadows, woodlands, wetlands, wildlife corridors, game preserves, or similar conservation oriented areas; walking or bicycle trails, provided they are constructed of porous paving materials; passive recreation areas; active recreation areas, provided that they are limited to no more than ten percent of the total open space and are not



located within primary conservation areas; agriculture, horticulture, silviculture or pasture uses; nonstructural stormwater management practices; easements for drainage, access, and underground utility lines; golf courses; or other conservation-oriented uses compatible with the purposes of this chapter.

- **The applicant's site plan indicates 7.8 acres of open space provided. This provides 40% open space, standard is met.**
- Per §17.180.060.B.9, provides design guidelines and standards for planned residential developments.
  - All facades of all residences shall be finished with brick, stone, stucco, wood siding, wood shakes, or fiber cement type siding. The front facades shall incorporate changes in building material, texture, and/or color. Vinyl siding on all residential and non-residential buildings shall be prohibited.
    - The applicant has listed masonry, Hardi-planks, and shakes as their requested siding materials. If made of wood or fiber cement, the shakes will comply with the standards.
    - Architectural renderings were submitted as part of this request but only for the property frontage. These were filed as a sample architectural elevation, not the actual proposed product. It **cannot be determined** if this standard is met until the building permit review stage.
    - Clarification required from BOC as to whether they are ok allowing vinyl siding for the garage door or if prohibition applies for this.
    - Townhomes Garage designs may be front, or rear loaded. If front loaded, garage doors should not exceed 50% of the width of the individual townhome unit. Applicant currently proposes 70% garage door with. This does not meet the standard.
    - Townhome Garages must be at least 20 feet behind the back of the sidewalk. **The applicant meets this standard.**
- Per §17.180.060.B.11, all new subdivisions are required to provide a cluster mailbox unit (CBU) for regular mail service delivery.
  - A cluster mailbox is required to sit at least 200 feet from the main entrance and at least 60 feet from any intersection. It cannot be determined if the current mailbox location meets this standard.
  - Parking required for mailboxes is at least 7 spaces. **The conceptual site plan meets this standard. Provides at least 17 spaces, including ADA spots.**
- Per §17.250 (off-street parking, storage, and loading requirements), 1.5 parking spaces per unit are required for multi-family developments.
  - To comply applicant must provide at least 203 parking spaces. It cannot be determined if applicant meets this requirement until we know which units will be one car garages and which may be for two.
- Per §17.380.050 of the Official Code of Hall County requires any application proposing the development of 100 or more residential dwelling units to submit a traffic impact study as part of an application.
  - A traffic study was prepared by Southeastern Engineering on September 09, 2022. Traffic impacts were evaluated for the proposed residential development located in



Hall County. On approximately 19 acres of undeveloped land located on SR 211/ Old Winder Highway. The development will consist of 140 units of townhomes. ■ The development proposes access at the following locations:

- Site Driveway 1: Full-access driveway on Old Winder Highway.
  - Existing and future operations after completion of the project were analyzed at the intersections of:
- SR 211/Old Winder Highway at Atlas Drive (new community access)
- SR 211/Old Winder Highway at Union Church Rd / Howington Road ■ The analysis included the evaluation of future traffic operations for “NoBuild” and “Build” conditions, the differences between “No-Build” and “Build” accounts for increases in traffic due to proposed site. The result of the future traffic operations analysis are that the new Atlas Drive operates at an acceptable level of service during both peak periods; but, that the existing intersection at Union Church Road continues to operate unacceptably in peak hours as it did under the existing and no-build conditions. As there is already an intersection improvement plan in progress for the Union Church Rd / Howington Road intersection, due to an active development on the east side of the intersection, no improvements were considered for the Union Church Rd / Howington Road area. The following access configuration is recommended:

#### SR 211 at Atlas Drive

- Atlas Drive approach should be stop sign controlled.
- Atlas Drive should be two lanes, one entry and one exit lane.
- SR 211 should have a south bound right-turn lane, and a northbound left-turn lane designed to GDOT minimum standards.
- The applicant’s narrative indicates that water service will be provided by the City of Gainesville. The municipality has confirmed water service is available. **Hall County Public Works however, stated there is no current sewer service available to the site. Applicant needs to resolve sewer service / develop a plan with Hall County Public Works that satisfies this requirement. No plan for land disturbance will be accepted without a solution to this issue.**

#### **Variances Requested within the Narrative**

1. Allow the developer to modify the arrangement of lots, roads, amenities, and other improvements shown on the Conceptual Plan. The only thing the developer may not change is the proposed land use (i.e., townhomes), the proposed project density (i.e., 135 units), or proposed perimeter buffers (i.e., 50-foot setbacks / planted buffers shown on the Conceptual Plan).
2. Allow the applicant to provide only one access rather than two required by the Fire Code. (IFC Section D107). **The Planning Commission cannot grant a variance to the Fire**



**Code. The applicant will have to lower the number of lots, or meet one the exceptions. Exceptions must be approved by the Fire Marshal.**

3. Allow garage doors to constitute 70 percent of the width of the individual townhome unit. (17.180.060.B.9.c.ii)
4. Allow the option to use one car garages to meet the 1.5 parking space per unit parking minimum. (17.240.020A).
5. Waive the requirement of at least two trees per lot in the front, side, or rear setbacks, outside of easements or septic drain fields, which are currently required prior to Certificate of Occupancy. (17.180.060.B.6)
6. Allow the use of stream buffers and detention ponds to count towards the minimum 30% open space requirement. (17.180.060.B8)
7. Allow the use of Temporary Sales and Marketing Signs along the property frontage of Union Church Road. These signs shall not exceed 32 square feet per sign face or 8 feet in height. (Section 17.420.060 / Chapter 17.270)
8. Allow the use of illuminated signage at the community entrance. (Section 17.420.060. / Chapter 17.270)
9. Allow the installation of a monument sign at the community entrance. The monument sign will have a natural stone base, maximum total size of 42 square feet (includes the monument base and signage), and be placed a minimum distance of 5 feet from the nose of the median. (Section 17.420.060 / Chapter 17.270)
10. Allow the release of up to two model home permits to be issued prior to Final Plat, providing that hard surface (crusher run) access is provided, and fire protection is located within 500 feet of any structure under construction.
11. Allow the installation of one sales trailer and construction trailer with associated parking areas in locations to be determined at time of final plat approval.
12. Allow the use of ornamental sculptures at the community entrance.
13. Allow the use of PVC fencing.

**Staff Recommendation:**

Staff recommends **approval with conditions:**



1. All streets shall be built to Hall County Public Streets standards as indicated on the site plan dated 7-12-2022. No Variances to Public Street design standards in Articles 16, Subdivisions, and the parking requirements in Article 17. No on street parking shall be allowed.
2. The maximum residential density for the development shall not exceed 6.25 units per acre or 120 single family attached units, whichever is less, to comply with International Fire Code (IFC) standards for residential developments with one entrance.
3. Front setbacks for each townhome unit shall be a minimum of 22 feet from back of sidewalk; 0 feet side internal setback; minimum 10 foot building separation (unless greater spacing is required by the Building or Fire code); and 30 foot rear setbacks. The setbacks for each building shall be determined and approved on the Preliminary Plat.
4. Development standards shall meet or exceed the following table:

<b>SINGLE-FAMILY ATTACHED (FEE SIMPLE TOWNHOMES) STAFF RECOMMENDATIONS</b>	
SITE AREA	19.2 ACRES
RECORDED PLAT- UNITS	120
PROPOSED DENSITY	6.25 UPA
WATER AND SEWER	GAINESVILLE CITY WATER AND HALL COUNTY SEWER
REQUIRED OPEN SPACE- TO MEET REQUIREMENTS OF sections §17.430.100 through §17.430.150.	30%
SIDEWALKS- BOTH SIDE OF ROAD- INTERNAL ONLY	5 FT.
STREETS	PUBLIC
MINIMUM LOT WIDTH AT BUILDING LINE	20 FT.
MINIMUM LOT DEPTH	80 FT.
MINIMUM LOT SIZE	1,600 SF
FRONT SETBACK (FROM back of sidewalk - all proposed units are front load garages, not rear load)	22 FT.
INTERNAL SIDE SETBACK	0 FT.
INTERNAL REAR SETBACK	30 FT.
PERIMETER FRONT SETBACK	40 FT.
PERIMETER REAR SETBACK	50 FT.
PERIMETER SIDE SETBACK	50 FT.
MAXIMUM BUILDING HEIGHT	35 FT.
SIDE SEPERATION-ROOF OVERHANG TO ROOF OVERHANG	10 FT.



GARAGE % IF FRONT FACADE	50%
MINIMUM HEATED FLOOR AREA	1,400 SQ. FT.
EXTERIOR BUFFER	50 FT.

5. The development shall meet all required Fire Codes (IFC) including, but not limited to the follow:
  - a. IFC Section D107, Developments of one or two family dwellings where the number of dwelling units exceeds 120 shall be provided with two separate and approved fire apparatus access roads. Note: exceptions to this code are found in IFC Appendix D  
107.1
  - b. IFC Section 507: All buildings must be with in the 400' hose lay distance requirements from a fire hydrant as the truck travels.
  - c. A Complete set of engineered civil plans will have to submit for review and approval by the Hall County Fire Marshal's Office.
6. All parking indicated shall be Off Street parking in accordance with section 17.180.060.B.11.d:  
Parking shall conform to requirements specified in chapter 17.250, in addition to any parking and loading requirements or accessibility guidelines pertaining to the Americans with Disabilities Act. On-street parking is prohibited in all planned residential developments. Off-street parking areas that make it necessary for vehicles to back out directly into a public road, street, or highway are prohibited in all planned residential developments
7. No vinyl fencing shall be permitted on the site, except around stormwater facilities if requested by the Public Works Department.
8. The sanitary sewer connection point shall be identified prior to submission of the LDP. The LDP/ Preliminary Plat submission shall include a full design for any sewer line extensions.
9. Any easements across private property or permits needed to place sewer lines in a ROW shall be obtained prior to submission of the LDP/ Preliminary Plat.
10. The recommendations of the traffic study (dated September 9, 2022 by Southeastern Engineering, Inc.), subject to the review and approval of both Hall County Traffic Engineering and the Georgia Department of Transportation shall be implemented. Any cost associated with these improvements shall be the responsibility of the developer.
11. Two Model Home Permits will be permitted under the following conditions: An LDP and Preliminary Plat approval is required prior to issuing a building permit for a model home prior to Final Plat (this is different than the request in the submitted narrative).
  - a. No Certificates of Occupancy for model homes shall be issued prior to a Final Plat being approved and recorded at the Clerk of Court.



- b. No Temporary Certificates of Occupancy shall be authorized for any model home prior to a Final Plat being recorded.
  - c. All public utilities shall be installed prior to issuing a building permit for a model home. The installation of the utilities shall be certified by Hall County Public Works.
  - d. A hard surface (crusher run or equivalent) access is provided that meets all requirements of a GSWCC "Construction Road" as specified in the GSWCC manual.
  - e. Fire protection shall be provided within 500 feet of any structure under construction.
  - f. Restroom facilities shall be provided for any structure under construction.
  - g. No model home site shall be used as a stockpile area, for storage of construction materials or as a trash site.
  - h. An as-built survey shall be required for all model home structures built or under construction prior to approval of a Final Plat in any future phase to ensure the proposed platted lines meet all ordinance requirements.
12. The proposed development must provide curbing, gutters, and minimum 5-foot-wide sidewalks along the full length of the subject property, both against Old Winder Highway and Union Church Road, if determined to be feasible by the Hall County Planning Director and Hall County Public Works Director.
13. The 10 parcels cited as part of this rezoning request must be formally combined into a single parcel through the combination platting process and a new legal description submitted to the Planning Department within two years of this rezoning approval. If this process is not completed within two years of rezoning approval, all parcels will revert back to their original Agricultural-Residential IV zoning.
14. No land disturbance permit shall be accepted for processing until the new combination plat is formally recorded with Hall County Clerk of Court.
15. Per §17.180.060.B.8, the development shall conform to all open space requirements of sections §17.430.100 through §17.430.150. Prior to submission of the LDP/ Preliminary Plat for review, a revised Open Space plan shall be submitted for review and approval by the Planning Director. This may include modification of street and lot layouts to comply with the Open Space design standards.
16. All conditions of zoning shall be made part of any plats created for the property.
17. Architectural standards: All facades of all residences shall be finished with masonry (brick or stone), wood, or fiber cement / Hardi-plank type siding. The front facades shall be 100% masonry as depicted on the architectural elevations submitted with the application package.
18. Garage doors shall not exceed 16 feet in width.



19. Driveways shall be at least 22 feet in length, as measured from behind the edge of the sidewalk to the garage.
20. A minimum 50-foot planted buffer shall be established along the perimeter of the property adjacent to residential and/or non-residential zoning districts to ensure that the planned development is appropriately screened. The planted buffers shall conform to the requirements described in section 17.260.020 titled Vegetation Buffers and Vision Clearance.
21. Except for approved road connections, a 5' Non-Access Easement shall be indicated on the plat for access to Old Winder Highway and Union Church Road.
22. A property maintenance association is required to maintain common ownership elements of the development. Draft HOA documents shall be submitted with the LDP/ Preliminary Plat submission for review to ensure compliance with the conditions of zoning and review for any inconsistencies with County ordinances. This is required by §16.30.120 Contents of preliminary plat application.
23. The amenity package shall be completed before the building permits are granted for the fifth building.

**Board Action required on Requested Variances:**

1. Allow the developer to modify the arrangement of lots, roads, amenities, and other improvements shown on the Conceptual Plan. The only thing the developer may not change is the proposed land use (i.e., townhomes), the proposed project density (i.e., 135 units), or proposed perimeter buffers (i.e., 50-foot setbacks / planted buffers shown on the Conceptual Plan). Staff **does not support** this variance as this would be **contrary to the stated purpose and intent of the PRD** ordinance that the Board of Commissioners reviews and approves the conceptual site plans. If modifications to a conceptual site plan for a PRD is requested, the Board of Commissioners should have the right to review the changes.
2. Allow the applicant to provide only one access rather than two required by the Fire Code. (IFC Section D107) . The Board of Commissioners **cannot vary the adopted Fire Code with a zoning action**, as the zoning ordinance does not contain the fire code. Additional Board action would be required for this variance to be allowed.
3. Allow garage doors to constitute 70 percent of the width of the individual townhome unit. (17.180.060.B.9.c.ii) Staff **does not support** this request, this is not within the design guidelines of the PRD ordinance. This is addressed in staff recommendation #5, Development Standards table.
4. Allow the option to use one car garages to meet the 1.5 parking space per unit parking minimum. (17.240.020A). Staff **supports** this request if driveways are at least 22 feet in length, as measured from behind the edge of the sidewalk to the garage.



5. Waive the requirement of at least two trees per lot in the front, side, or rear setbacks, outside of easements or septic drain fields, which are currently required prior to Certificate of Occupancy.  
(17.180.060.B.6) Staff **supports** this request if **one** street tree is required per unit. Staff acknowledges two trees may be a design challenge with the proposed
6. Allow the use of stream buffers and detention ponds to count towards the minimum 30% open space requirement. (17.180.060.B.8) Staff **does not support** this request as this action would decrease the amount of usable open space to the detriment of water quality and the quality of life of future residents.
7. Allow the use of Temporary Sales and Marketing Signs along the property frontage of Union Church Road. These signs shall not exceed 32 square feet per sign face or 8 feet in height. (Section 17.420.060 / Chapter 17.270) Staff **supports this request** under the following conditions: 1. The signs will be removed once the permanent subdivision entrance sign is completed. OR The signs shall be removed within 1 year of the approval of the Final Plat, whichever is first.
8. Allow the use of illuminated signage at the community entrance. (Section 17.420.060. / Chapter 17.270) Staff **supports this request** under the following conditions: 1. There shall be no internally illuminated signage to be consistent with the Hall Gateway Corridors Overlay standards. 2. All lighting shall be external down lighting, with no lighting aimed towards streets.
9. Allow the installation of a monument sign at the community entrance. The monument sign will have a natural stone base, maximum total size of 42 square feet (includes the monument base and signage), and be placed a minimum distance of 5 feet from the nose of the median. (Section 17.420.060 / Chapter 17.270) Staff **supports this request** under the following conditions: 1. The sign shall not be placed in any right of way and a site plan is required 2. Engineered drawings to meet building code shall be required.
10. Allow the release of up to two model home permits to be issued prior to Final Plat, providing that hard surface (crusher run) access is provided, and fire protection is located within 500 feet of any structure under construction. Staff **supports this request** as outlined in staff recommendation #12.
11. Allow the installation of one sales trailer and construction trailer with associated parking areas in locations to be determined at time of final plat approval. Staff **supports this request** under the following conditions:
  1. Both the sales and construction trailer locations will be identified on the Preliminary Plat and located within the approved limits of disturbance.
  2. Both the sales and construction trailer locations shall receive a building permit prior to receiving temporary power.
  3. The sales trailer shall be removed once a model home receives a CO and can serve as a sales office.
  4. The construction trailer shall be removed within one year of being permitting. Further permits shall be subject to Planning Commission approval and Building Permit approval.



12. Allow the use of ornamental sculptures at the community entrance. Staff **supports this request** under the following conditions: 1. The sculptures shall be permitted as signs with a site plan. 2. The sculptures shall not be placed in any right of way 3. Engineered drawings to meet building code shall be required.

13. Allow the use of PVC fencing. Staff **does not support** this request.

### **Excerpts from the minutes of the October 17, 2022 meeting**

#### **Applicant's Presentation:**

**Ellis Still, Assistant Planning Director**, presented a summary of the request.

**Steve Gilliam, 340 Jesse Jewell, Gainesville**, presented the request. Mr. Gilliam stated that there will be amenities at the development such as a cabana with restrooms, pool, parking lot, and a USPS kiosk. Mr. Gilliam stated that the minimum lot size would be 1600 square foot with a minimum of 1400 square foot heated floor area. Mr. Gilliam stated that some changes were made to the site plan including eleven more parking spaces, entrance to the common area, and a fire entrance from Union Church Road. Mr. Gilliam requested a variance for a 20 foot internal rear setback rather than 30 foot, garage front facade to be 70 percent rather than 50 percent, remove the conditions that no land disturbance permit shall be issued until the new combination plat is formally recorded with Hall County Clerk of Court, allow stream buffer space to be a part of open space, and to use PVC fencing rather than wood. Mr. Gilliam requested clarification of staff recommended conditions.

**Cameron Henderson, 14 W Main Street, Buford**, presented the request. Mr. Henderson requested clarification on staff condition #14. Mr. Henderson questioned if the easement needs to be placed in or outside the development.

#### **Public Forum:**

**Terry Mercer, 400 Kinsley Way, Statham, GA**, spoke in favor. Spoke about the property owners' enthusiasm.

#### **Planning Commission Comments:**

Mr. Braswell questioned what the amenity package included. Mr. Henderson stated that the package would mainly cater to active adults. The amenity package would include a cabana, Dog Park, and picnic benches. Mr. Braswell questioned why 20 feet setback is requested rather than 30 feet. Mr. Henderson answered that it is to have flexibility. Mr. Hunt questioned if the applicant had a commitment letter of sewer availability. Mr. Henderson stated it is still in the works due to adjacent developments. Mr. Bell questioned the mix of one to two cars garages. Mr. Bell stated that a one car garage is better for the front view of the homes with a wider driveway to allow more cars since street parking is not allowed. Mr. Varner stated that with no commitment to sewer it was difficult to proceed. Mr. Bell requested clarification from Ms. Doveton regarding staff recommendations. There was much discussion about the fire access road to Union Church Road, the landscaping of the detention pond and maintenance of said landscaping, The Planning



Commission stated that it would be advisable to present the revised site plan and a timeline/plan for sewer service prior to the Board of Commission voting meeting on November 17th.

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

Conditions:

1. *All streets shall be built to Hall County Public Streets standards as indicated on the site plan presented at the meeting. No Variances to Public Street design standards in Articles 16, Subdivisions, and the parking requirements in Article 17. No on street parking shall be allowed.*
2. *Front setbacks for each townhome unit shall be a minimum of 22 feet from back of sidewalk; 0 feet side internal setback; minimum 10 foot building separation (unless greater spacing is required by the Building or Fire code); and 20 foot rear setbacks on internal lots. The setbacks for each building shall be determined and approved on the Preliminary Plat.*
3. *There shall only be 74 units of 24 foot lots and 61 units of 20 foot lots for the approval of 135 units.*
4. *Development standards shall meet or exceed the following table:*

<b>SINGLE-FAMILY ATTACHED (FEE SIMPLE TOWNHOMES)</b>	
<b>STAFF RECOMMENDATIONS</b>	
<i>SITE AREA</i>	<i>19.2 ACRES</i>
<i>RECORDED PLAT- UNITS</i>	<i>135</i>
<i>PROPOSED DENSITY</i>	<i>7.03 UPA</i>
<i>WATER AND SEWER</i>	<i>GAINESVILLE CITY WATER AND HALL COUNTY SEWER</i>
<i>REQUIRED OPEN SPACE- TO MEET REQUIREMENTS OF sections §17.430.100 through §17.430.150.</i>	<i>30%</i>
<i>SIDEWALKS- BOTH SIDE OF ROAD- INTERNAL ONLY</i>	<i>5 FT.</i>
<i>STREETS</i>	<i>PUBLIC</i>
<i>MINIMUM LOT WIDTH AT BUILDING LINE</i>	<i>20 FT.</i>
<i>MINIMUM LOT DEPTH</i>	<i>80 FT.</i>
<i>MINIMUM LOT SIZE</i>	<i>1,600 SF</i>
<i>FRONT SETBACK (FROM back of sidewalk - all proposed units are front load garages, not rear load)</i>	<i>22 FT.</i>
<i>INTERNAL SIDE SETBACK</i>	<i>0 FT.</i>
<i>MAXIMUM BUILDING HEIGHT</i>	<i>35 FT.</i>



SIDE SEPERATION-ROOF OVERHANG TO ROOF OVERHANG	10 FT.
GARAGE % OF FRONT FACADE	70%
MINIMUM HEATED FLOOR AREA	1,400 SQ. FT.
EXTERIOR BUFFER	50 FT.

5. *The development shall meet all required Fire Codes (IFC) including, but not limited to the follow:*
  - a. *IFC Section D107, Developments of one or two family dwellings where the number of dwelling units exceeds 120 shall be provided with two separate and approved fire apparatus access roads. Note: exceptions to this code are found in IFC Appendix D 107.1*
  - b. *IFC Section 507: All buildings must be with in the 400' hose lay distance requirements from a fire hydrant as the truck travels.*
  - c. *A Complete set of engineered civil plans will have to submit for review and approval by the Hall County Fire Marshal's Office.*
6. *All parking indicated shall be Off Street parking in accordance with section 17.180.060.B.11.d:*

*Parking shall conform to requirements specified in chapter 17.250, in addition to any parking and loading requirements or accessibility guidelines pertaining to the Americans with Disabilities Act. On-street parking is prohibited in all planned residential developments. Off-street parking areas that make it necessary for vehicles to back out directly into a public road, street, or highway are prohibited in all planned residential developments*
7. *No vinyl fencing shall be permitted on the site, except around stormwater facilities if requested by the Public Works Department.*
8. *The sanitary sewer connection point shall be identified prior to submission of the LDP. The LDP/ Preliminary Plat submission shall include a full design for any sewer line extensions.*
9. *Any easements across private property or permits needed to place sewer lines in a ROW shall be obtained prior to submission of the LDP/ Preliminary Plat.*
10. *The recommendations of the traffic study (dated September 9, 2022 by Southeastern Engineering, Inc.), subject to the review and approval of both Hall County Traffic Engineering and the Georgia Department of Transportation shall be implemented. Any cost associated with these improvements shall be the responsibility of the developer.*
11. *Two Model Home Permits will be permitted under the following conditions: An LDP and Preliminary Plat approval is required prior to issuing a building permit for a model home prior to Final Plat (this is different than the request in the submitted narrative).*
  - a. *No Certificates of Occupancy for model homes shall be issued prior to a Final Plat being approved and recorded at the Clerk of Court.*
  - b. *No Temporary Certificates of Occupancy shall be authorized for any model home prior to a Final Plat being recorded.*
  - c. *All public utilities shall be installed prior to issuing a building permit for a model home. The installation of the utilities shall be certified by Hall County Public Works.*



- d. *A hard surface (crusher run or equivalent) access is provided that meets all requirements of a GSWCC "Construction Road" as specified in the GSWCC manual.*
- e. *Fire protection shall be provided within 500 feet of any structure under construction.*
- f. *Restroom facilities shall be provided for any structure under construction.*
- g. *No model home site shall be used as a stockpile area, for storage of construction materials or as a trash site.*
- h. *An as-built survey shall be required for all model home structures built or under construction prior to approval of a Final Plat in any future phase to ensure the proposed platted lines meet all ordinance requirements.*
- 12. *The proposed development must provide curbing, gutters, and minimum 5-foot-wide sidewalks along the full length of the subject property, both against Old Winder Highway and Union Church Road, if determined to be feasible by the Hall County Planning Director and Hall County Public Works Director.*
- 13. *No land disturbance permit shall be issued until the new combination plat is formally recorded with Hall County Clerk of Court.*
- 14. *Per §17.180.060.B.8, the development shall conform to all open space requirements of sections §17.430.100 through §17.430.150. Prior to submission of the LDP/ Preliminary Plat for review, a revised Open Space plan shall be submitted for review and approval by the Planning Director. This may include modification of street and lot layouts to comply with the Open Space design standards.*
- 15. *All conditions of zoning shall be made part of any plats created for the property.*
- 16. *Architectural standards: All facades of all residences shall be finished with masonry (brick or stone), wood, or fiber cement / Hardi-plank type siding. The front facades shall be 100% masonry as depicted on the architectural elevations submitted with the application package.*
- 17. *Garage doors shall not exceed 70% of front facade.*
- 18. *Driveways shall be at least 22 feet in length, as measured from behind the edge of the sidewalk to the garage and all driveways shall be the width of the 2 car garage product.*
- 19. *A minimum 50-foot planted buffer shall be established along the perimeter of the property adjacent to residential and/or non-residential zoning districts to ensure that the planned development is appropriately screened. The planted buffers shall conform to the requirements described in section 17.260.020 titled Vegetation Buffers and Vision Clearance. This shall cover the road frontage along Union Church Road.*
- 20. *Except for approved road connections, a 5' Non-Access Easement shall be indicated on the plat for access to Old Winder Highway and Union Church Road.*
- 21. *A property maintenance association is required to maintain common ownership elements of the development. Draft HOA documents shall be submitted with the LDP/ Preliminary Plat submission for review to ensure compliance with the conditions of zoning and review for any inconsistencies with County ordinances. This is required by §16.30.120 Contents of preliminary plat application.*
- 22. *The amenity package shall be completed before the building permits are granted for the fifth building.*
- 23. *There shall only be up to one construction trailer issued on site after LDP.*



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



## ZONING APPLICATION

Applicant (Name & Mailing Address)

Property Owner (Name & Mailing Address)

Atlas Development Services, Inc  
am

See Attached  
"Exhibit D"

Phone 678-978-6782

Phone ---

Email Address Cameron@atlaslanddev

Email Address ---

Proposed Use Single Family Townhomes / PRD

Contact Person (Name & Mailing Address)

Status of Applicant

Requested Action AR-1V

Lauren Henderson and

☐ Owner

Existing Zoning: ~~U-1A~~

Cameron Henderson and

☒ Option to Purchase

Rezone to: PRD

Steve Gilliam - S Gilliam@sgwmfirm  
com

☐ Area Resident

Fee: \$ 750.

Phone 678-873-7825

☐ Other

Receipt #: 859007

Email Address lauren.k.henderson@gmail.com

Check #: ~~859007~~  
1124

Tax Parcel Number See Attached "Exhibit C"

Acreage 19.2

Location Address See Attached "Exhibit C"

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

Sign [Signature]

Date: 5/29/2022

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

Application Withdrawal: I hereby withdraw the application.

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

### Staff Use Only

Application Date: 5/31 Taken by: \_\_\_\_\_

Tentative Planning Commission Date: 7/18 Tentative County Commission Date: 8/25

County Commission District: 1

30N 2022 - 80057  
5580 Old Winder



PLANNING AND DEVELOPMENT DEPARTMENT  
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504  
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t: 770-531-6809 | f: 770-531-3902



### AUTHORIZATION OF PROPERTY OWNERS

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

Name of owner(s) Kevin & Janice Kanieski  
Address 5572 Old Winder Hwy.  
Brazelton, Ga  
Phone Number \_\_\_\_\_

Name of applicant(s) ATLAS DEVELOPMENT  
Address 14 W MAIN ST, SUITE C  
BUFORD, GA, 30514  
Phone Number 678-978-6782

**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.**

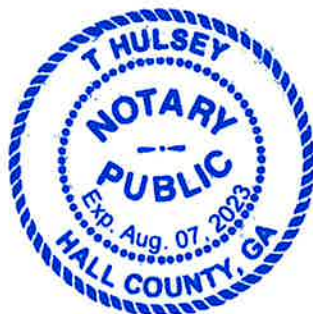
**I authorize the person named above to act as applicant in the pursuit of a rezoning, permissive use, or variance of this property.**

Signature of Owner(s)  
Kevin & Janice Kanieski

Personally appeared before me  
Kevin and Janice Kanieski

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

J. Hulsey  
Notary Public



5-27-2022  
Date

5572  
OLD WINDER



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



### AUTHORIZATION OF PROPERTY OWNERS

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

Name of owner(s) Bryan Kanieski  
Address 5580 Old Winder Highway  
Brashton, Ga  
Phone Number \_\_\_\_\_

Name of applicant(s) ATLAS DEVELOPMENT  
Address 14 W MAIN ST, SUITE C  
BRASHTON, GA, 30517  
Phone Number 678-978-6782

**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.**

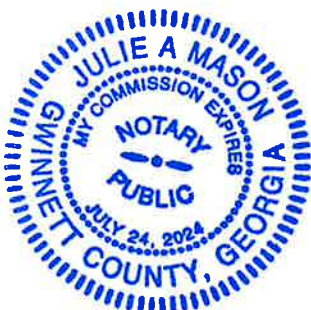
Signature of Owner(s) [Signature] 5-27-22

Personally appeared before me  
BRYAN KANIESKI

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

Julie Amason  
Notary Public

5-27-2022  
Date



5580  
OLD WINDER



PLANNING AND DEVELOPMENT DEPARTMENT  
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504  
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**AUTHORIZATION OF PROPERTY OWNERS**

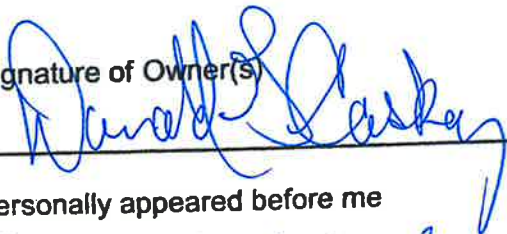
*Note: If the applicant is the property owner, please disregard this form.*

Name of owner(s) DONALD G. CASKEY  
Address 4075 CABLE ROAD  
LULA, GA 30554  
Phone Number 678-672-4445

Name of applicant(s) ATLAS DEVELOPMENT  
Address 14 W MAIN ST, SUITE C  
BUFORD, GA, 30518  
Phone Number 678-978-6782

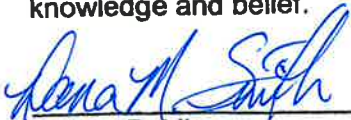
**I swear that I am the owner of the property which is the subject matter of the attached applications as shown in the records of Hall County, Georgia.**

**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  
Donald G. Caskey

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

  
Notary Public



May 31, 2022  
Date



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



### AUTHORIZATION OF PROPERTY OWNERS

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

Name of owner(s) Ricky Lee Davis, Kimberly Hope Burnett  
Address 5556 Old Windsor Highway  
Braselton, Ga  
Phone Number \_\_\_\_\_

Name of applicant(s) ATLAS DEVELOPMENT  
Address 14 W MAIN ST, Suite C  
BUFORD, GA, 30514  
Phone Number 678-978-6782

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)

Ricky Lee Davis Kimberly Hope Burnett Davis

Personally appeared before me

AMANDA GAIL TRUELOVE-BUCE

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

Ambuce  
Notary Public  
EXPIRATION DATE  
AUG. 29, 2022

May 27, 2022  
Date



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



### AUTHORIZATION OF PROPERTY OWNERS

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

Name of owner(s) Shana Dorton  
Address 5925 Union Church Rd  
Breserton, Ga  
Phone Number 678 736 1569

Name of applicant(s) ATLAS DEVELOPMENT  
Address 14 W MAIN ST, Suite C  
BUFORD, GA, 30514  
Phone Number 678-978-6782

**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)

Shana Dorton

Personally appeared before me

Shana Dorton

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

Sarah Smith  
Notary Public



5-31-2022  
Date



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



### AUTHORIZATION OF PROPERTY OWNERS

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

Name of owner(s) Bryan Kanieski  
Address 5901 Union Church Rd  
Braselton, Ga  
Phone Number \_\_\_\_\_

Name of applicant(s) ATLAS DEVELOPMENT  
Address 14 W MAIN ST, SUITE C  
BRASALTON, GA, 30518  
Phone Number 678-978-6782

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)

[Signature] 5-27-22

Personally appeared before me

BRYAN KANIESKI

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

[Signature]  
Notary Public



5-27-2022  
Date

5901  
UNION  
Church



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



### AUTHORIZATION OF PROPERTY OWNERS

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

Name of owner(s) Janice E. Kanieski  
Address 5911 Union Church Rd  
Braselton Ga  
Phone Number \_\_\_\_\_

Name of applicant(s) ATLAS DEVELOPMENT  
Address 14 W MAIN ST, Suite C  
BUFORD, GA, 30514  
Phone Number 678-978-6782

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)

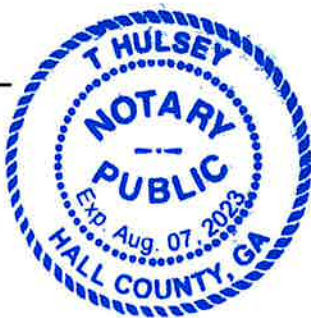
Janice E. Kanieski

Personally appeared before me

Janice Kanieski

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

J. Hulsey  
Notary Public



5/27/2022  
Date

5911  
UNION Church Rd



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



### AUTHORIZATION OF PROPERTY OWNERS

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

Name of owner(s) Craig A and Ulrike Caskey  
Address 5548 Old Winder Hwy  
Braselton, Ga 30517  
Phone Number 770-883-8589

Name of applicant(s) ATLAS DEVELOPMENT  
Address 14 W MAIN ST, Suite C  
BUFORD, GA, 30518  
Phone Number 678-978-6782

**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)

Craig Caskey Ulrike Caskey

Personally appeared before me

CRAIG CASKEY & ULRIKE CASKEY

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

[Signature]  
Notary Public



6/3/2022  
Date



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



### AUTHORIZATION OF PROPERTY OWNERS

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

Name of owner(s) LARRY W. CASKEY  
Address P.O. Box 25  
CRESTVIEW FL 32536  
Phone Number 850 826 1669

Name of applicant(s) ATLAS DEVELOPMENT  
Address 14 W MAIN ST, SUITE C  
BUSAN, GA, 30518  
Phone Number 678-978-6782

**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)

[Signature]

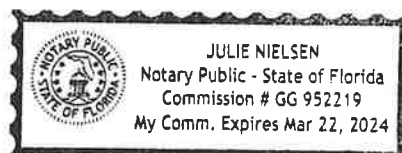
Personally appeared before me

Larry W Caskey

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

[Signature]  
Notary Public

June 1 2022  
Date





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



### AUTHORIZATION OF PROPERTY OWNERS

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

Name of owner(s) ROBERT C CHRISTLIEB STEPHANIE S CHRISTLIEB  
Address 5919 UNION CHURCH RD  
BRASELTON GA 30517  
Phone Number 678-725-0663 (STEPHANIE MOBILE)

Name of applicant(s) ATLAS DEVELOPMENT  
Address 14 W MAIN ST, SUITE C  
BUFORD, GA, 30514  
Phone Number 678-978-6782

**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)

[Signature] Stephanie S Christlieb

Personally appeared before me

Vishal Patel

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

[Signature]  
Notary Public

06/25/22  
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:

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

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

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

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

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

Date: 5/29/2020

Applicant's/Owner's Name (Printed): CAMERON ANDERSON



PLANNING AND DEVELOPMENT DEPARTMENT  
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504  
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Name of Official(s): \_\_\_\_\_

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

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

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

Applicant's/Owner's Signature: [Signature]

Date: 6/27/2022

Applicant's/Owner's Name (Printed): SIANA DORTON



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

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

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

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

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

Date: 6/30/2022

Applicant's/Owner's Name (Printed): Ulrike Caskey Craig Caskey

Ulrike Caskey



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: Larry W. Caskey

Date: 6/27/2022

Applicant,s/Owner,s Name (Printed): LARRY W. CASKEY



## CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

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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: Donald G. Caskey

Date: 6/23/2022

Applicant's/Owner's Name (Printed): DONALD G. CASKEY



PLANNING AND DEVELOPMENT DEPARTMENT  
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504  
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Name of Official(s): \_\_\_\_\_

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

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

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

Applicant's/Owner's Signature: [Signature]

Date: 6-24-22

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

ROBERT CHRISTIE



PLANNING AND DEVELOPMENT DEPARTMENT  
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504  
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Name of Official(s): \_\_\_\_\_

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

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

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

Applicant's/Owner's Signature: 

Date: 6-22-22

Applicant's/Owner's Name (Printed): BRYAN KANIESKI



PLANNING AND DEVELOPMENT DEPARTMENT  
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504  
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Name of Official(s): \_\_\_\_\_

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

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

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

Applicant's/Owner's Signature: Kevin Kanieski

Date: 6-23-22

Applicant's/Owner's Name (Printed): Kevin Kanieski



PLANNING AND DEVELOPMENT DEPARTMENT  
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504  
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Name of Official(s): \_\_\_\_\_

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

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

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

Applicant's/Owner's Signature: Jan Kanielski

Date: 6-23-22

Applicant's/Owner's Name (Printed): Janice Kanielski



PLANNING AND DEVELOPMENT DEPARTMENT  
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Name of Official(s): \_\_\_\_\_ Office: \_\_\_\_\_

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

Applicant's/Owner's Signature: Stephanie Christlieb Date: 6/24/2022

Applicant's/Owner's Name (Printed): STEPHANIE CHRISTLIEB



PLANNING AND DEVELOPMENT DEPARTMENT  
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504  
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Name of Official(s): \_\_\_\_\_ Office: \_\_\_\_\_

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

Applicant's/Owner's Signature: Kimberly Hope Burnett Davis Date: 10-22-22

Applicant's/Owner's Name (Printed): Kimberly Hope Burnett Davis



PLANNING AND DEVELOPMENT DEPARTMENT  
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Office: \_\_\_\_\_

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

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

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

Date: 6-22-2022

Applicant's/Owner's Name (Printed): \_\_\_\_\_

Ricky Lee Davis



Rec'd  
8/15/22  
JG

## **Project Narrative for** **Union Church Road and Winder Highway**

**LOCATION** - 5166 Union Church Road,  
Flowery Branch, GA 30542

**ACREAGE** – 19.2 acres +/-

**APPLICANT** – Atlas Development Services, Inc.,  
Smith Gilliam Williams & Miles

### **Summary**

The accompanying application seeks zoning district change from R-I and AR-III to PRD for 19.2 acres of undeveloped property located on Union Church Road and Winder Highway in south Hall County. The intent is to develop up to 135 Fee Simple Townhouse units of quality, traditional housing with an amenity area and 37.9% open space. The proposed use 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. Additionally, the above-mentioned area is slated for a “Mixed Use Corridor” in the Future Development Map, which is defined as Retail activities, office-based employment, civic uses, single-family residential, with a low-impact industrial or higher density residential only where the same is found on adjacent properties. Completion of development is anticipated by 2024.

### **Site Description**

The overall tract has approximately 630 LF of frontage along Union Church Road and 900 LF along Winder Highway. The overall tract is mostly rectangular in shape and is approximately 800 LF deep with an average width of 1200 LF. These measurements form one large tract that is an assemblage of 10 (ten) smaller tracts combined. The overall tract contains multiple single-family homes and multiple modular homes which is consistent with its current residential and agricultural uses.



The majority of the site is heavily wooded. As such, the Southernmost side of the property, along the south side of Union Church, borders a flood plain hazard zone per Hall County FIRM panel 13157C0100C dated 12/17/2010. The domestic water provided by the City of Gainesville is located along Union Church Road and Winder Highway. Hall County will also serve the site through an existing sanitary sewer lift station that is located on Howington Road. Developer will be responsible for running an outfall line to the existing lift station. All other dry utilities are located within a reasonable distance for service extensions. There are no known impediments to its successful development for the purposes intended.

#### **Adjacencies** (exhibit B)

The property is surrounded by residential zonings (AR-III) to the north, PRD and PCD to the east and consisting of approximately 1600 units, AR-III to the south and R-I and AR-III to the west.

#### **Access**

Access to the property is from Old Winder Highway (SR211), a two lane, paved and state-maintained roadway that connects to Winder Highway (SR 53) to the north and intersects Union Church Road to the southeast. Interstate access to I-85 (Exit 126) is approximately 2.5 miles to the east.

#### **Proximity to Other Uses**

- Nearest distance to undeveloped commercial property – parcel zoned as PCD and PRD, directly across Old Winder Highway.
- Nearest distance to developed commercial property – parcel contains multiple zonings (C-2, Mixed Use, Medical, etc.), approximately 0.5 miles south at Old Winder Highway (SR 211) and Lanier Islands Parkway (SR 347).
- Nearest distance to a single-family development – a single family home



development is located approximately 1200 feet at 5836 Union Church Road on the southwest side of Union Church Road.

### **Comprehensive Plan Consistency**

The project is consistent with the residential designation of the Future Land Use Map and numerous Goals, Policies and Objectives of the Comprehensive Plan and is not known or believed to be in conflict with any of the above.

### **Aerial View**





### Project Dimensional Standards

Parcel Size	19.2
Proposed Number of Lots	135
Proposed Density	7.03 UPA
Proposed Open Space	37.9%
Streets	Public
Water and Sewer Provider	Gainesville City Water and Hall County Sewer
Sidewalks-Both side of Road- Internal Only	5Ft
Amenities	Cabana, Pool, Walking Trail
Minimum Lot width at Building Line	20 Ft
Minimum Lot Depth	80ft
Minimum Lots Area	1600 sq Ft
Maximum Height	35 ft
Front setback from R/W	10 ft
Minimum Driveway length from back of sidewalk	20ft
Internal Rear Setback	0ft
Internal Side Setback	0ft
Internal Front Setback	0ft
Perimeter Front Setback	40ft
Perimeter Rear Setback	50ft
Perimeter Side Setback	50ft
Side Separation-Foundation to Foundation	10ft
Garage- % of front Façade	70%
Minimum Heated Floor Area	1400 Sq ft



### **Architectural Materials & Site Improvements**

The builder intends to build:

- One and Two-car garages (width not to exceed 70% of front building width)
- Front facades with a combination of masonry and hardi-siding materials
- Side & Rear facades with masonry, hardi-plank, or shake siding
- Sodded yards (4 sides)

### **Amenities**

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

- Cabana with restrooms
- Pool
- Parking Lot
- Mailbox kiosk

Other amenities, at the sole discretion of the Developer, may include the following items:

- Walking Trails
- Passive Pocket Parks

### **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 Union Church Road.

8/15



### **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 permission 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. Applicant is requesting a modification to the existing zoning conditions for approval of a non-breakaway base, a minimum distance of 5' from the nose of the median and a total sign area of 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. Developer is requesting a variance to allow for the development of lots 39-42 and lots 70-73. Developer is requesting to develop the above referenced lots as shown on the attached site plan.

### **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 Constitution of 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 PRD master plan application be granted as requested by the Applicant. If there are any questions about this request, you may contact:

Cameron Henderson  
Atlas Development, Services  
14 W Main Street, Ste C  
Buford, Ga 30518  
678-978-6782  
Cameron@atlaslanddev.com

Steve Gilliam  
Smith, Gilliam, Williams, and Miles  
301 Green Street NW, Ste 200  
Gainesville, Ga 30501  
770-536-3381  
[sgilliam@sgwmfirm.com](mailto:sgilliam@sgwmfirm.com)



## **Project Narrative for Union Church Road and Winder Hwy**

**LOCATION** – 5166 Union Church Road, Flowery Branch, GA 30542

**ACREAGE** – 19.2 acres +/-

**APPLICANT** – Atlas Development Services Inc, **Smith Gilliam Williams & Miles**

### **Summary**

The accompanying application seeks zoning district change from R-I and AR-III to PRD for 19.2 acres of undeveloped property located on Union Church Road and Winder Highway in south Hall County. The intent is to develop up to 140 Townhouse units of quality, traditional housing with an amenity area and over 20% open space. The proposed use 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. Additionally, the above-mentioned area is slated for a “Revitalization Corridor” in the Future Development Map. Completion of development is anticipated by 2024.

### **Site Description**

The overall tract has approximately 630 LF of frontage along Union Church Road and 900 LF along Winder Highway. The overall tract is mostly rectangular in shape and is approximately 800 LF deep with an average width of 1200 LF. These measurements form one large tract that is an assemblage of 10 (ten) smaller tracts combined. The overall tract contains multiple single-family homes and multiple modular homes which is consistent with its current residential and agricultural uses. The majority of the site is heavily wooded. As such, the Southern most side of the property, along the south side of Union Church, borders a flood plain hazard zone per Hall County FIRM panel 13157C0100C dated 12/17/2010. The domestic water provided by the City of Gainesville is located along Union Church Road and Winder Highway. Hall County will also serve the site through an existing sanitary sewer lift station that is located on Howington Road. Developer will be responsible for running an outfall line to the existing lift station. All other dry utilities are located within a reasonable distance for service extensions. There are no known impediments to its successful development for the purposes intended.

### **Adjacencies** (exhibit B)

The property is surrounded by residential zonings (AR-III) to the north, PRD and PCD to the east and consisting of approximately 1600 units, AR-III to the south and R-I and AR-III to the west.

### **Access**

Access to the property is from Old Winder Highway (SR211), a two lane, paved and state-maintained roadway that connects to Winder Highway (SR 53) to the north and intersects Union Church Road to the southeast. Interstate access to I-85 (Exit 126) is approximately 2.5 miles to the east.



### **Proximity to Other Uses**

- Nearest distance to undeveloped commercial property – parcel zoned as PCD and PRD, directly across Old Winder Highway.
- Nearest distance to developed commercial property – parcel contains multiple zonings (C-2, Mixed Use, Medical, etc.), approximately 0.5 miles south at Old Winder Highway (SR 211) and Lanier Islands Parkway (SR 347).
- Nearest distance to a single-family development – a single family home development is located approximately 1200 feet at 5836 Union Church Road on the southwest side of Union Church Road.



### **Comprehensive Plan Consistency**

The project is consistent with the residential designation of the Future Land Use Map and numerous Goals, Policies and Objectives of the Comprehensive Plan and is not known or believed to be in conflict with any of the above.

### **Aerial View**





<b>Proposed Dimensional Standards</b>	
Parcel Size	19.2
Proposed # of Lots	140
Proposed Density	7.29 UPA
Minimum Open Space	20%
Streets	Public
Water & Sewer Provider	Gainesville/Hall County
Sidewalks - both sides of road-internal only	5'
Amenities	cabana, pool, walking trail
Minimum lot width @ building line	20'
Minimum lot depth	100'
Minimum lot area	<del>1600</del> 2000 sf
Maximum height	35'
Front setback from R/W	10'
Minimum driveway length from back of sidewalk	20'
Rear setback	20'
Side setback	0'
Side Separation (foundation to foundation)	10'
Garage - % of front façade	55%
Minimum heated floor area	1600 sf

### **Architectural Materials & Site Improvements**

The builder intends to build:

- One and Two-car garages (width not to exceed 55% of front building width)
- Front facades with a combination of masonry and hardi-siding materials
- Side & Rear facades with masonry, hardi-plank, or shake siding
- Sodded yards (4 sides)
- One street trees per home (minimum 2 ½" caliper)

### **Entrance Monumentation**

The entrance may be gated and if so, the private streets will be maintained by the Homeowner's Association (HOA). All necessary requirements to allow access for public safety and other services will be provided. At least one central mail kiosk will be provided subject to USPS review and approval. The entrance may include the following structural items:

- Masonry walls
- Wood or PVC fencing
- Gate House



- Operable or Faux Gates
- Illuminated Signage in accordance with the Hall County Sign Ordinance
- Ornamental Sculpture
- Landscaping & Irrigation

### **Amenities**

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

- Cabana with restrooms
- Pool
- Parking Lot
- Mailbox kiosk

Other amenities, at the sole discretion of the Developer, may include the following items:

- Walking Trails
- Passive Pocket Parks

### **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 Union Church Road.

### **Model Home Permits**

Applicant requests that up to ten (10) 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 permission 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. Applicant is requesting a modification to the existing zoning conditions for approval of a non-breakaway base, a minimum distance of 5' from the nose of the median and a total sign area of 42 SF.



### **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.



## **I. CONCLUSION**

For the foregoing reasons, the Applicant respectfully requests that this PRD master plan application be granted as requested by the Applicant. If there are any questions about this request, you may contact:

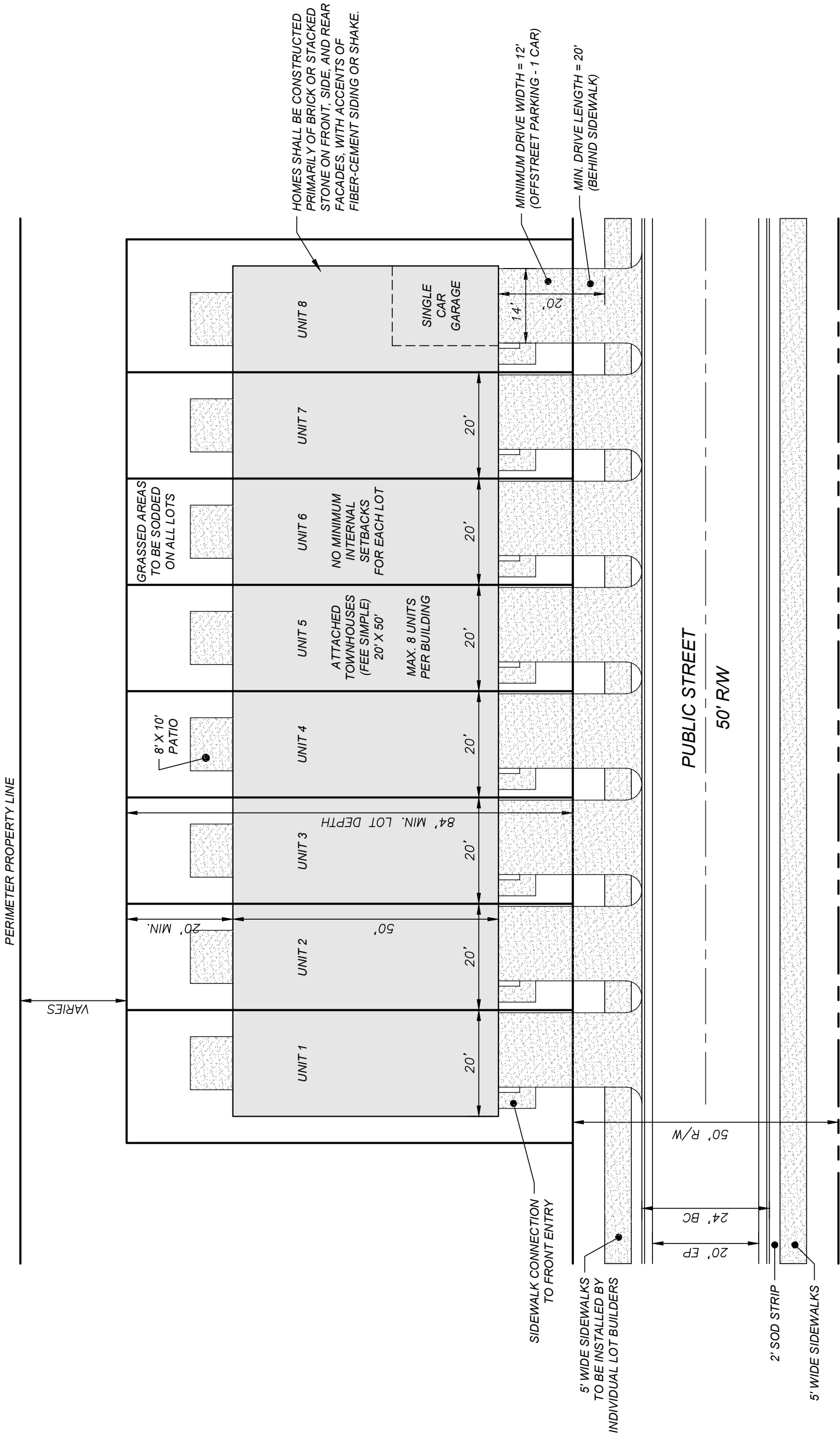
Cameron Henderson  
Atlas Development Services  
14 W Main St, Suite C  
Buford, GA 30518  
(678) 978-6782  
[Cameron@atlaslanddev.com](mailto:Cameron@atlaslanddev.com)

Steve Gilliam  
Smith Gilliam Williams & Miles  
301 Green St NW, Suite 200  
Gainesville, Ga 30501  
(770) 536-3381  
[sgilliam@sgwmfirm.com](mailto:sgilliam@sgwmfirm.com)





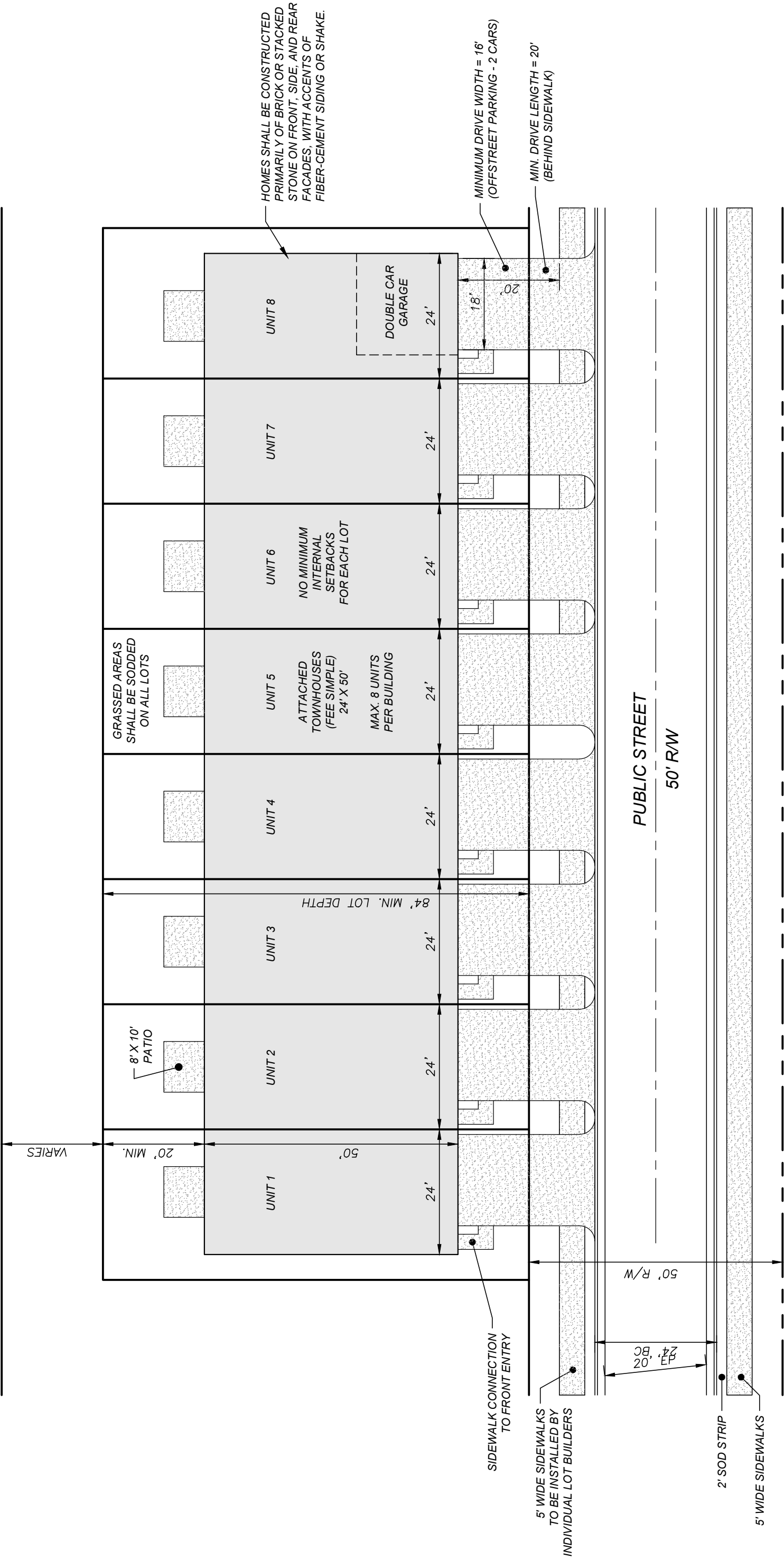




TYPICAL LOT LAYOUT  
20' WIDE UNITS



PERIMETER PROPERTY LINE



# TYPICAL LOT LAYOUT 24' WIDE UNITS



**REED**  
PLANNING & DESIGN  
100 Old Dawson Village Rd  
Suite 110  
Dawsonville, GA 30534  
Phone: 706-531-8428

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ALL RIGHTS RESERVED

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OR BY ANY MEANS, ELECTRONIC OR MECHANICAL,  
INCLUDING PHOTOCOPYING, RECORDING, OR BY  
ANY INFORMATION STORAGE AND RETRIEVAL  
SYSTEM, WITHOUT PERMISSION IN WRITING FROM  
REED PLANNING & DESIGN, INC.

STAMP

GSWCC LEVEL 2  
"CERTIFIED DESIGN  
PROFESSIONAL"  
CERTIFICATION NO. 1439  
EXPIRES 10/27/2023

ATLAS DEVELOPMENT  
TOWNHOUSE PROJECT

**OWNER/DEVELOPER**  
CAMERON HENDERSON  
ATLAS DEVELOPMENT  
218 S. HILL STREET  
BUFORD, GA 30518

**CIVIL ENGINEER**  
REED PLANNING & DESIGN, INC.  
100 OLD DAWSON VILLAGE RD.  
DAWSONVILLE, GA 30634  
CONTACT: KEVIN REED  
PHONE: 706-531-8428

**AREA SUMMARY**  
PROPOSED LOTS = 6.84 AC.  
PROPOSED R/W = 3.85 AC.  
POND AREA = 1.43 AC.  
OPEN SPACES = 7.28 AC.  
TOTAL AREA = 19.20 AC.

**SITE SUMMARY**  
APPROXIMATE SITE AREA = 19.2 AC.  
PROPOSED ZONING = PRD  
USE = TOWNHOUSES (FEE SIMPLE)  
TOTAL UNITS = 135 LOTS  
SITE DENSITY = 7.03 UNITS/ACRE  
OPEN SPACES = 7.28 ACRES (37.9%)  
(INCLUDES ALL BUFFERS AND POND)  
(90% MINIMUM OPEN SPACES REQUIRED)  
MIN. LOT SIZE = 1,600 SF (20' X 80')  
MIN. LOT WIDTH = 20' (ATTACHED UNITS)  
PERIMETER SETBACKS = 40' FRONT  
50' REAR  
50' SIDE  
INTERNAL SETBACKS (ATTACHED UNITS)  
0' FRONT, 0' REAR, 0' SIDE  
WATER SERVICE = PUBLIC  
SEWER SERVICE = PUBLIC

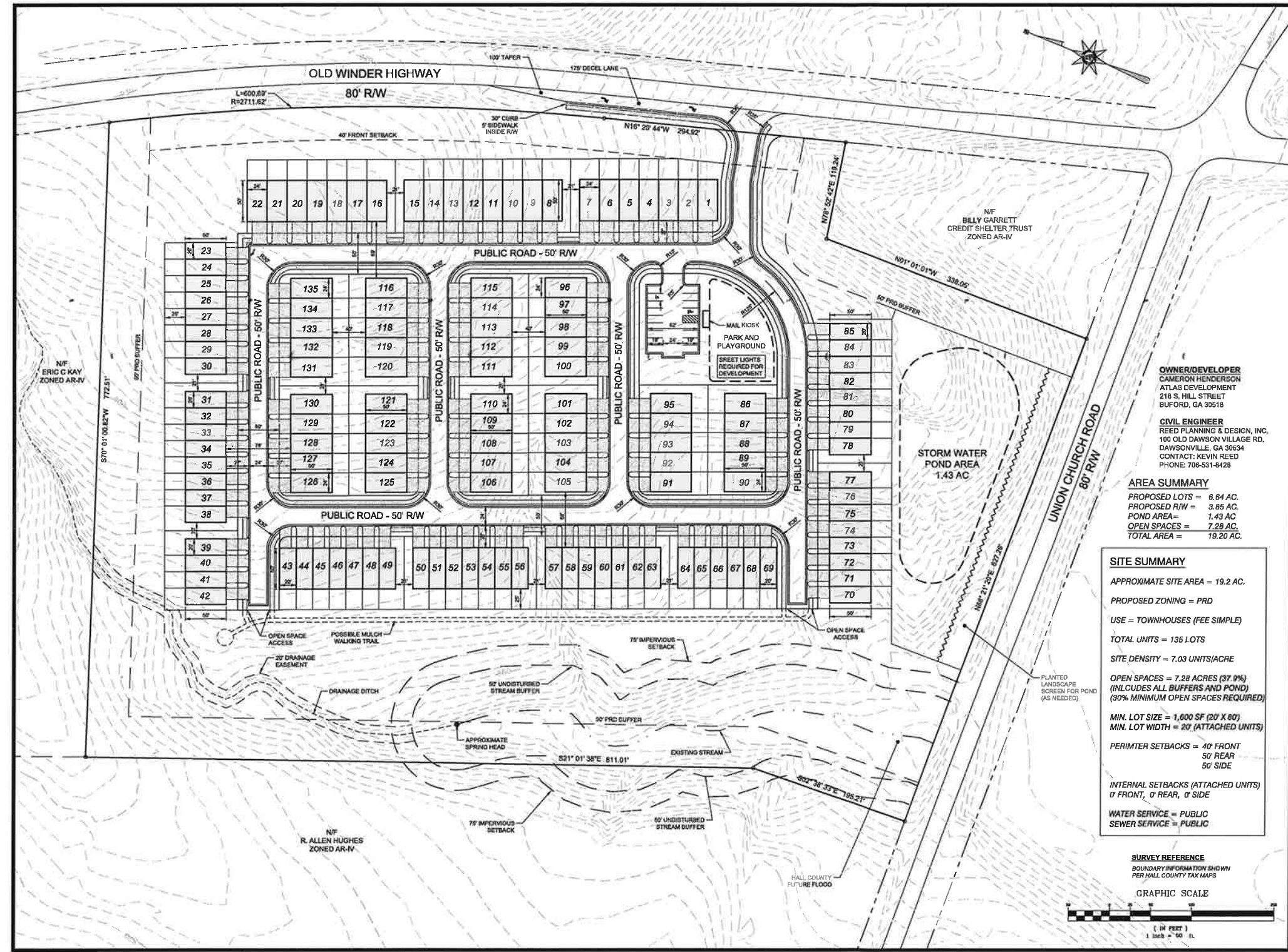
**SURVEY REFERENCE**  
BOUNDARY INFORMATION SHOWN  
PER HALL COUNTY TAX MAPS  
GRAPHIC SCALE  
1" = 50' FT.

JOB NUMBER  
22100-CH2

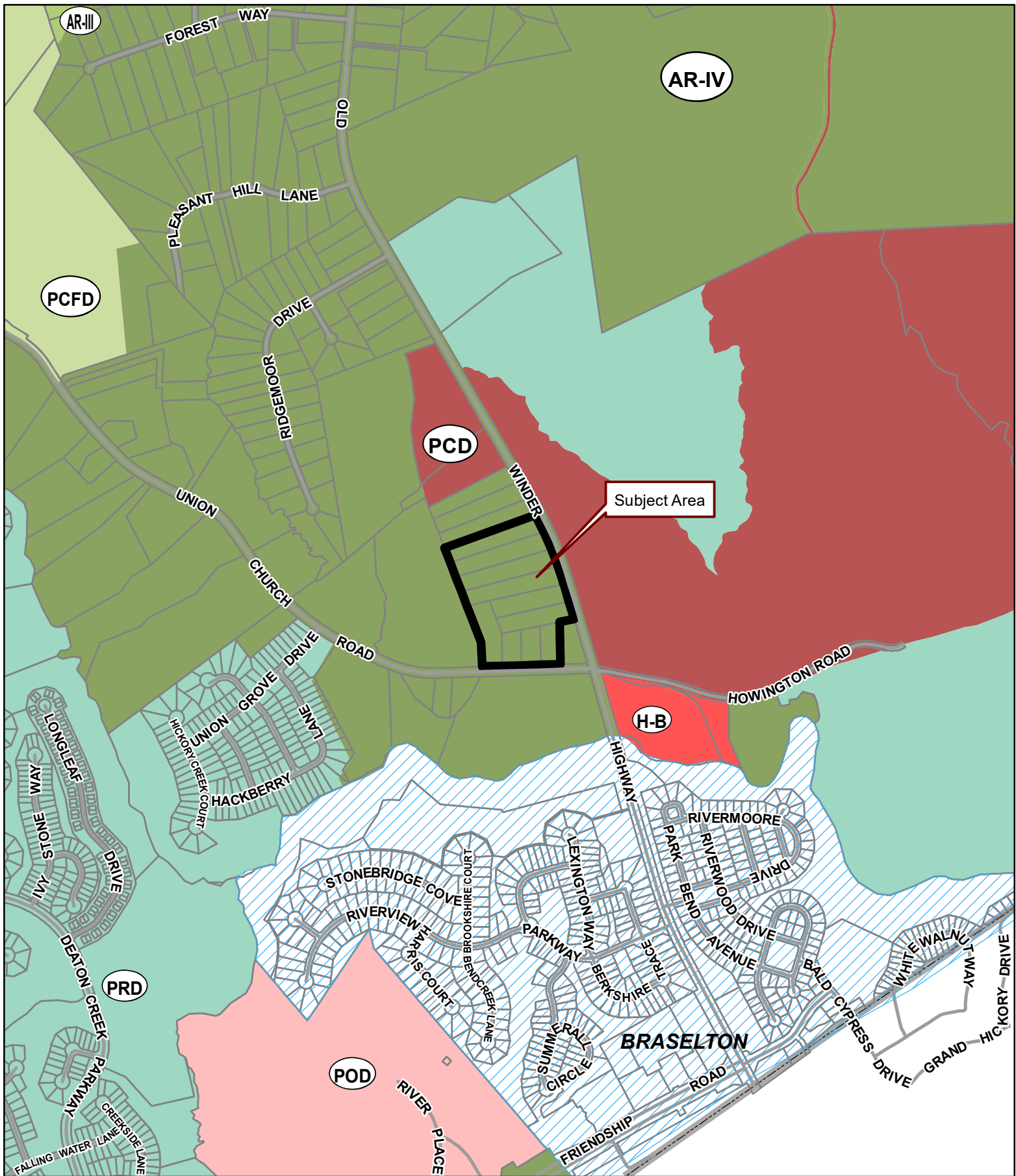
DATE  
7-12-2022

DATE	NO.	REVISION

C-1







**Applicant:** ATLAS DEVELOPMENT SERVICES, INC.

**Tax Parcel #s:** 15039A000018 – 000023 & 000025 – 000028

**Location:** 5540, 5548, 5556, 5564, 5572, & 5580 OLD WINDER HIGHWAY,  
& 5925, 5919, 5911, & 5901 UNION CHURCH ROAD, BRASELTON, GA 30517

**Commission District 1**

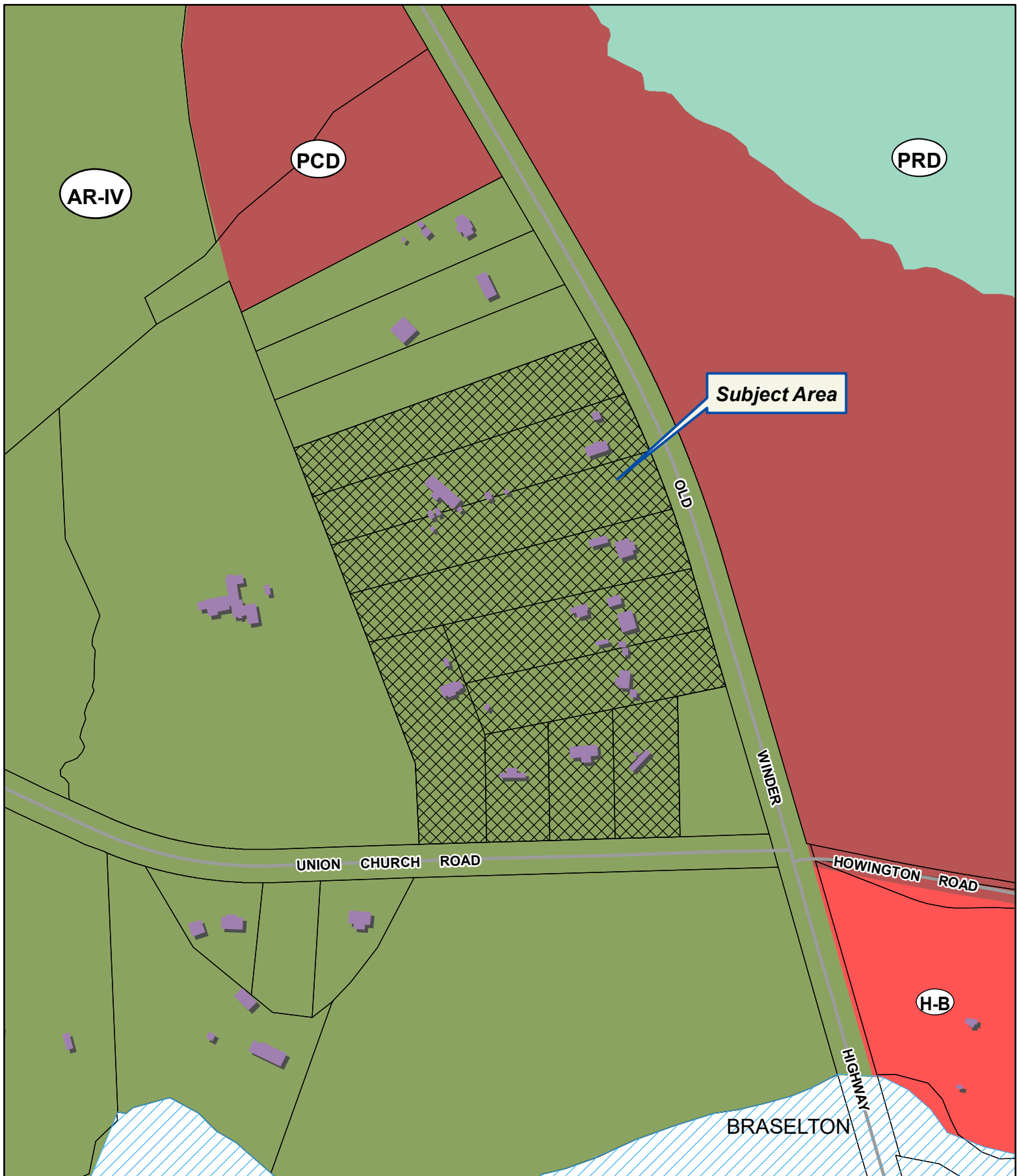
**PC Mtg. Date:** 07/18/2022

0 300 600 1,200  
Feet

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







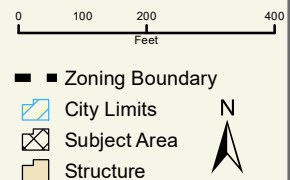
**Applicant:** ATLAS DEVELOPMENT SERVICES, INC.

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& 5925, 5919, 5911, & 5901 UNION CHURCH ROAD, BRASELTON, GA 30517

**Commission District 1**

**PC Mtg. Date:** 07/18/2022







**Applicant:** ATLAS DEVELOPMENT SERVICES, INC.

**Tax Parcel #s:** 15039A000018 – 000023 & 000025 – 000028

**Location:** 5540, 5548, 5556, 5564, 5572, & 5580 OLD WINDER HIGHWAY,  
& 5925, 5919, 5911, & 5901 UNION CHURCH ROAD, BRASELTON, GA 30517

**Commission District 1**

**PC Mtg. Date:** 07/18/2022

0 75 150 300  
Feet

— Zoning Boundary

City Limits

Subject Area

































**"Exhibit C"**

**Legal Description:**

Clinchem G.M.D. 392, Hall County, Georgia, Being Lot #6 containing 2.497 acres as shown and delineated on Plat of Survey for Mulberry Hills prepared by Patton-Patton & Associates, dated May 4, 1984, recorded in Plat Book 96, Page 124 of the Hall County, Georgia Deed Records, which Plat and the reference thereto is incorporated herein for a more complete description of the property.

This property is also described as Lots Three and Four according to that certain plat for Mary C. Caskey and Cora C. Ingle dated December 29, 1986, recorded in Plat Book 117, Pages 116-117 of the Hall County Georgia Deed Records.

**Legal Description:**

Clinchem G.M.D. 392, Hall County, Georgia, being Lot #7 containing 2.516 acres as shown and delineated on Plat of Survey for Mulberry Hills prepared by Patton-Patton & Associates, dated May 4, 1984, recorded in Plat Book 96, Pages 125-125 of the Hall County, Georgia Deed Records, which Plat and the reference thereto is incorporated herein for a more complete description of the property.

This property is also described as Lots Five and Six according to that certain plat for Mary C. Caskey and Cora C. Ingle dated December 29, 1986, recorded in Plat Book 117, Pages 116-117 of the Hall County Georgia Deed Records.

**Legal Description:**

**ALL THAT TRACT OR PARCEL OF LAND** lying and being in Clinchem G.M.D. 392, Hall County, Georgia, being Lot #9 containing 1.954 acres as shown and delineated on plat of survey for Mulberry Hills prepared by Patton- Patton & Associates, dated May4, 1984, recorded in Plat Book 96, pages 124 and 125, Hall County Records, which plat and the reference thereto is incorporated herein for a more complete description of the property. Plot plan required Lot 15 for septic tank approval.

**APN:15039A000022**

**FOR INFORMATIONAL PURPOSES ONLY, THE PROPERTY ADDRESS IS:  
5572 OLD WINDER HWY  
BRASELTON, GA 30517-1206**

**Legal Description:**

**ALL THAT TRACT OR PARCEL OF LAND** lying and being in Clinchem G.M.D. 392, Hall County, Georgia, being Lot #10 containing 1.896 acres as shown and delineated on plat of survey for Mulberry Hills prepared by Patton- Patton & Associates, dated May4, 1984, recorded in Plat Book 96, pages 124 and 125, Hall County Records, which plat and the reference thereto is incorporated herein for a more complete description of the property.

Being that parcel of land conveyed to Bryan J. Kanieski and Jolene R. Kanieski as joint tenants with right of survivorship and not as tenants in common from BILLY GARRETT AND PHILLIP BEARD by that deed dated 03/30/1985 and recorded 07/09/1985 in Deed Book 879, at Page 331 of the HALL County GA Public Registry.

**Legal Description:**

**ALL THAT TRACT OR PARCEL OF LAND** lying and being in Clinchem G.M.D. 392, Hall County, Georgia, being Lot #8 containing 2.502 acres as shown and delineated on plat of survey for Mulberry Hills prepared by



**"Exhibit C"**

**Patton- Patton & Associates, dated May4, 1984, recorded in Plat Book 96, pages 124 and 125, Hall County Records, which plat and the reference thereto is incorporated herein for a more complete description of the property. Plot plan required Lot 15 for septic tank approval.**

**Legal Description:**

**All that tract or parcel of land lying and being in Clinchem G.M.D. 392, Hall County, Georgia, being Lot #12 containing 1.180 acres as shown on Plat of Survey for Mulberry Hills prepared by Patton and Patton Associates, dated May 4, 1984, recorded in Plat Book 96, Pages 125-125 of the Hall County, Georgia Deed Records, which Plat and the reference thereto is incorporated herein for a more complete description of the property.**

**Together with all rights, title and interest in that certain mobile home, Schult 1986 model UMK with VIN number C205273, currently located on the subject property.**

**Legal Description:**

**ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING in Clinchem G.M.D. 392, Hall County, Georgia, being described as 1.083 acres, Mulberry Hills, as per plat recorded in plat book 96, Page 124, Hall County Georgia Records, being known as 5919 Union Church Road, Braselton, Georgia, according to the present system of numbering houses in Hall County, Georgia.**

**Legal Description:**

**Clinchem G.M.D. 392, Hall County, Georgia, Being Lot #5 containing 2.453 acres as shown and delineated on Plat of Survey for Mulberry Hills prepared by Patton-Patton & Associates, dated May 4, 1984, recorded in Plat Book 96, Page 124 of the Hall County, Georgia Deed Records, which Plat and the reference thereto is incorporated herein for a more complete description of the property.**

**This property is also described as Lots One and Two. according to that certain plat for Mary C. Caskey and Cora C. Ingle dated December 29, 1986, recorded in Plat Book 117, Pages 116-117 of the Hall County Georgia Deed Records.**

**Legal Description:**

**ALL THAT TRACT OF PARCEL OF LAND lying and being in Clinchem G.M.D. 392, Hall County, Georgia, containing 0.963 acres, being Lot 14, Mulberry Hills, as shown on plat recorded in Plat Book 96, Pages 124-125, hall County, Georgia Plat Records, which plat is incorporated herein by reference and made a part hereof.**

**Legal Description:**

**ALL THAT TRACT OF PARCEL OF LAND lying and being in Clinchem G.M.D. 392, Hall County, Georgia, being Lot #15 containing 1.966 acres as shown and delineated on plat of survey for Mulberry Hills prepared by Patton- Patton & Associates, dated May4, 1984, recorded in Plat Book 96, pages 124 and 125, Hall County Records, which plat and the reference thereto is incorporated herein for a more complete description of the property. Plot plan required Lot 15 for septic tank approval.**



## Anael Dominguez (Planning)

---

**From:** Emily McGahee (Environmental Health)  
**Sent:** Wednesday, September 14, 2022 11:56 AM  
**To:** Randi Doveton (Planning); Anael Dominguez (Planning)  
**Cc:** Kelly Hairston (Environmental Health); Chad Harper (Environmental Health)  
**Subject:** HCPC Tentative Agenda 10.3.22

Please find Environmental Health comments below:

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

Item 2, 3746, 3740, 3774 Friendship Circle, Puckett: No comment. Public sewer.

Item 3, 2363 Whippoorwill Lane, Beddingfield: Must meet all Environmental Health residential septic system permitting requirements. 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.

Items 4 and 5, 6599 River Station, Ridgeline Planning: No comment. Public Sewer.

Item 6, 5385 Winder Hwy, Dell Group: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements.

Item 7, 5540,5548,5556,5564,5572,5580 Old Winder & 5925,5919,5911,5901 Union Church Rd: 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 8, 3820 James Ed Road, Price: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements.

Item 9, 2866 Lanier Tech Drive, Capstone: No comment. Public Sewer.

Item 10, 5954 Jim Crow Road, Hausen: 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)

<http://www.hallcounty.org/devserv/environmental.asp> (County Website & Forms)



## Anael Dominguez (Planning)

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**From:** Niebauer, Parker J <PNiebauer@dot.ga.gov>  
**Sent:** Monday, September 19, 2022 1:56 PM  
**To:** Anael Dominguez (Planning)  
**Cc:** Randi Doveton (Planning); Peevy, Jonathan; Chavers, Veronica E  
**Subject:** RE: Tentative Planning Agenda for October 3, 2022

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

Please see GDOT responses below in **red**

Dell, Atlas, and Capstone will required GDOT Coordination

Thank you,

**Parker Niebauer**

*DITO Traffic Operations Supervisor*



District 1 Division of Field Services  
1475 Jesse Jewell Pkwy  
Suite 100  
Gainesville, GA, 30501  
770.533.8275 office  
770.519.3223 cell

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**From:** Anael Dominguez (Planning) <adominguez@hallcounty.org>  
**Sent:** Monday, September 12, 2022 5:41 PM  
**To:** Becky Ruffner (Parks & Leisure) <bruffner@hallcounty.org>; Bill Nash (Public Works) <bnash@hallcounty.org>; Brandi Smith (Business License) <bsmith@hallcounty.org>; Bryan Cash (Fire Services) <bcash@hallcounty.org>; Chad Harper (Environmental Health) <charper@hallcounty.org>; Chris Braswell (Planning) <cbraswell@hallcounty.org>; Christopher Armstrong (Fire Services) <carmstrong@hallcounty.org>; Dan Barnes <Daniel.C.Barnes@usace.army.mi>; Ellis Still (Planning) <estill@hallcounty.org>; Emily McGahee (Environmental Health) <emcgahee@hallcounty.org>; Frank Miller (Engineering) <fmiller@hallcounty.org>; Dykes, Jason <jdykes@dot.ga.gov>; Jason Skarda (Engineering) <jskarda@hallcounty.org>; Jeremy Wills <jeremy.wills@gainesville.org>; John Hornick (Fire Services) <jhornick@hallcounty.org>; Peevy, Jonathan <jpeevy@dot.ga.gov>; Kelly Hairston (Environmental Health) <khairston@hallcounty.org>; Randi Doveton (Planning) <rdoveton@hallcounty.org>; Matt Cox <matt.cox@hallco.org>; Michael Vieira (Fire Services) <mvieira@hallcounty.org>; Mike Little (Parks and Leisure) <mlittle@hallcounty.org>; Nicole Griffin (Tax Assessors) <nicole.griffin@hallcounty.org>; nswofford <nswofford@gainesville.org>; Pam Cravero <Pam.Cravero@hallco.org>; Niebauer, Parker J <PNiebauer@dot.ga.gov>; Randi Doveton (Planning) <rdoveton@hallcounty.org>; rich <rich@flowerybranchga.org>; Scott Puckett <spuckett@hallcounty.org>; Srikanth Yamala (Public Works) <syamala@hallcounty.org>; Stephen Cain <troy.s.cain@usace.army.mil>; Steve Watson (Real Property) <rswatson@hallcounty.org>; Tammie Croy (Engineering) <tcroy@hallcounty.org>; Tracy Gilreath (Tax Assessors) <tgilreath@hallcounty.org>; Wanda Moreno (Engineering) <wmoreno@hallcounty.org>; Wanda Sutton



(Engineering) <wsutton@hallcounty.org>; will schofield <will.schofield@hallco.org>

**Subject:** Tentative Planning Agenda for October 3, 2022

Good afternoon –

Here is the Tentative Agenda and Maps for the **Monday, October 3, 2022** Hall County Planning Commission Meeting.

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

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

Comments are due by **Monday, September 19<sup>th</sup>**. Email comments to Randi ([rdoveton@hallcounty.org](mailto:rdoveton@hallcounty.org)) and Ana ([adominguez@hallcounty.org](mailto:adominguez@hallcounty.org)).

## **CALL TO ORDER**

## **AGENDA REVIEW**

## **APPROVAL OF MINUTES – September 19, 2022**

## **OLD BUSINESS**

1. [Previously tabled application of Michael James Remodeling to rezone from Residential-I \(R-I\) to Office and Institutional \(O-I\) on a 6.85± acre tract located on the west side of Thompson Bridge Road at its intersection with Tommy Aaron Drive; a.k.a. 3461 Thompson Bridge Road; Zoned R-I; Tax Parcel 10114 000039A. Proposed use: office. \\*\\* Commission District 2.](#)
2. [Previously tabled application of Scott Puckett, Inc to rezone from Agricultural Residential-III \(AR-III\) to Planned Residential Development \(PRD\) on a 115.98± acre tract located on the south side of Friendship Circle at its intersection with Friendship Place; a. k. a. 3746, 3760, & 3774 Friendship Circle & 3654 Friendship Road; Zoned AR-III; Tax Parcel 15048 000007, 000008, 000025C, & 000204. Proposed use: 349-unit residential development. \\*\\* Commission District 1.](#)

## **NEW BUSINESS**

3. [Application of Thomas Ryan & Vicki Beddingfield for a front yard setback variance from 55 feet to 41 feet, right side yard setback variance from 10 feet to 3 feet, and a left side yard setback variance from 10 feet to 3 feet on a .14± acre tract located on the west side of Whippoorwill Lane approximately 848 feet from its intersection with Sportsman Club Road; a.k.a. 2363 Whippoorwill Lane; Zoned R-I; Tax Parcel 00109A000029. Proposed use: single-family residence. \\* Commission District 4.](#)
4. [Application of Ridgeline Land Planning, Inc. for a front yard setback variance from 30 feet to 15 feet on a .51± acre tract located at the terminus of River Station Drive; a.k.a. 6599 River Station Drive; Zoned PRD; Tax Parcel 09079C000035. Proposed use: single family dwelling. \\* Commission District 3.](#)
5. [Application of Ridgeline Land Planning, Inc. for a front yard setback variance from 30 feet to 15 feet on a .61± acre tract located at the terminus of River Station Drive; a.k.a. 6595 River Station Drive; Zoned PRD; Tax Parcel 09079C000036. Proposed use: single family dwelling. \\* Commission District 3.](#)
6. [Application of The Dell Group, LLC to amend conditions of a Planned Commercial Development \(PCD\) on a 21.20± acre tract located on the north side of Winder Highway at its intersection with Benefield Road; a.k.a. 5385 Winder Highway; Zoned PCD; Tax Parcel 15028B000015. Proposed use: car condos, storage, commercial uses, and retail. \\*\\* Commission District 1.](#)

**GDOT Coordination Required**



7. [Application of Atlas Development Services, Inc. to rezone from Agricultural Residential-IV \(AR-IV\) to Planned Residential District \(PRD\) on a 19.21± acre tract located at the intersection of Old Winder Highway and Union Church Road; a.k.a. 5540, 5548, 5556, 5564, 5572, & 5580 Old Winder Highway & 5925, 5919, 5911, & 5901 Union Church Road; Zoned AR-IV; Tax Parcel 15039A000018 – 000023 & 000025 – 000028. Proposed use: single-family townhomes. \\*\\* Commission District 1.](#)  
**GDOT Coordination Required**
8. [Application of Paul and Ana Price for a Use Subject to County Commission approval on a 7.58± acre tract located at the terminus of James Ed Road; a.k.a. 3820 James Ed Road; Zoned V-C; Tax Parcel 10142 000006. Proposed use: 4-lot subdivision. \\*\\* Commission District 3.](#)
9. [Application of Capstone Acquisitions, LLC to rezone from Light-Industrial \(L-I\) to Residential Multi-Family \(RMF\) on a 58.26± acre tract located at the terminus of Lanier Tech Drive; a.k.a. 2866 Lanier Tech Drive; Zoned I-I; Tax Parcel 15021 000085. Proposed use: 342-unit multi-family complex. \\*\\* Commission District 3.](#)  
**GDOT Coordination Required**
10. [Application of Russell Hausen to appeal an administrative decision for a short term rental on a 1.01± acre tract located on the north side of Jim Crow Road approximately 28 feet from its intersection with Old Federal Road; a.k.a. 5954 Jim Crow Road; Zoned AR-III; Tax Parcel 08101 002003. Proposed use: short-term rental. \\* Commission District 2.](#)

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

The Hall County Board of Commissioners will hear appeals at a public hearing **Thursday, November 10, 2022** at 6:00 p.m. at the Hall County Government Center, 2<sup>nd</sup> Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

\*\*The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on **Thursday, November 10, 2022**. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2<sup>nd</sup> Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

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



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





# Hall County Government

## PUBLIC WORKS AND UTILITIES

### MEMORANDUM

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

DIRECTOR  
**Srikanth Yamala**

ASSISTANT DIRECTOR  
**Bill Nash, P.E.**

**TO:** Randi Doveton, Director of Planning and Development  
**FROM:** Srikanth Yamala, Director of Public Works and Utilities  
**DATE:** September 16, 2022  
**SUBJECT:** October 3, 2022 – Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the October 3, 2022 meeting. Upon review, we provide the following comments:

#### **OLD BUSINESS**

1. Previously tabled application of Michael James Remodeling to rezone from Residential-I (R-I) to Office and Institutional (O-I) on a 6.85± acre tract located on the west side of Thompson Bridge Road at its intersection with Tommy Aaron Drive; a.k.a. 3461 Thompson Bridge Road; Zone R-1; Tax Parcel 10114 000039A. Proposed Use: Office.  
\*\*Commission District 2.
  - a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage. Show buffer and impervious setback from wretched vegetation, not centerline of creek.
  - b) **Traffic:** Driveway may need to be upgraded to accommodate two-way traffic.
  - c) **Utilities:** City of Gainesville Sewer.
2. Application of Scott Puckett, Inc. to rezone from Agricultural Residential-III (AR-III) to Planned Residential Development (PRD) on a 115.98± acre tract located on the south side of Friendship Circle at its intersection with Friendship Place; a.k.a. 3746, 3760, & 3774 Friendship Circle & 3654 Friendship Road; Zoned AR-III; Tax Parcel 15048 000007, 000008, 000025C, & 000204. Proposed use: 349-unit residential development.  
\*\*Commission District 1.
  - a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage. Show buffer and impervious setback from wretched vegetation, not centerline of creek. Show flood Hall County studied and FEMA. Roads must meet all Hall County Standards; Stormwater ponds must be out of the flood zone; development is not allowed in flood.
  - b) **Traffic:** GDOT approval/permitting required. Improvements/Modifications to the intersection of Friendship Circle and Friendship Place may be required.





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**Srikanth Yamala**

ASSISTANT DIRECTOR  
**Bill Nash, P.E.**

Improvements/Modifications (possibly including signalization) may be required for the intersection of Friendship Road (SR 347) and Friendship Place/Swansey Road. Developer should be financially responsible for all required roadway improvements/modifications and they should be constructed concurrently with the development.

- c) **Utilities:** Hall County sewer district; no sewer available. No application for land disturbance permit can be made prior to Friendship Road sewer project construction is less than one year from its anticipated completion. No final plat will be approved until Friendship sewer is installed and operating.

### **NEW BUSINESS**

3. Application of Thomas Ryan & Vicki Beddingfield for a front yard setback variance from 55 feet to 41 feet, right side yard setback variance from 10 feet to 3 feet, and a left side yard setback variance from 10 feet to 3 feet on a .14± acre tract located on the west side of Whippoorwill Lane approximately 848 feet from its intersection with Sportsman Club Road; a.k.a. 2363Whippoorwill Lane; Zoned R-I; Tax Parcel 00109A000029. Proposed use: single-family residence. \*Commission District 4.

- a) **Engineering:** Show flood Hall County studied and FEMA.  
b) **Traffic:** No comments.  
c) **Utilities:** No Comments.

4. Application of Ridgeline Land Planning, Inc. for a front yard setback variance from 30 feet to 15 feet on a .51± acre tract located at the terminus of River Station Drive; a.k.a. 6599 River Station Drive; Zoned PRD; Tax Parcel 09079C000035. Proposed use: Single-family dwelling. \*Commission District 3.

- a) **Engineering:** All construction to stay out of the drainage easement.  
b) **Traffic:** No comments.  
c) **Utilities:** No Comments.

5. Application of Ridgeline Lane Planning, Inc. for a front yard setback variance from 30 feet to 15 feet on a .61± acre tract located at the terminus of River Station Drive; a.k.a. 6595 River Station Drive; Zoned PRD; Tax Parcel 09079C000036. Proposed use: Single-family dwelling. \*Commission District 3.

- a) **Engineering:** All construction to stay out of the drainage easement.  
b) **Traffic:** No comments.  
c) **Utilities:** No Comments.

6. Application of The Dell Group, LLC to amend conditions of a Planned Commercial Development (PCD) on a 21.20± acre tract located on the north side of Winder Highway at its intersection with Benefield Road; a.k.a. 5385 Winder Highway; Zoned PCD; Tax Parcel 15028B000015. Proposed use: Car Condos, Storage, Commercial Uses, and Retail. \*Commission District 1





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DIRECTOR  
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**Bill Nash, P.E.**

- 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 buffers and impervious setback from wretched vegetation not centerline of stream.
  - b) **Traffic:** No comments.
  - c) **Utilities:** No sewer in the area of project; septic proposed—requires Health Department approval.
7. Application of Atlas Development Services, Inc. to rezone from Agricultural Residential-IV (AR-IV) to Planned Residential District (PRD) on a 19.21± acre tract located at the intersection of Old Winder Highway and Union Church Road; a.k.a. 5540, 5548, 5556, 5564, 5572, & 5580 Old Winder Highway & 5925, 5519, 5911, & 5901 Union Church Road; Zoned AR-IV; Tax Parcel 1539A000018 – 000023, & 000025 – 000028. Proposed Use: Single-Family Townhomes. \*Commission District 1.
- a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage. Show buffer and impervious setback from wretched vegetation, not centerline of creek. Show flood Hall County studied and FEMA. Roads must meet all Hall County Standards; Stormwater ponds must be out of the flood zone; development is not allowed in flood.
  - b) **Traffic:** Development access must be approved and permitted through GDOT. Improvements recommended in the traffic study should be required.
  - c) **Utilities:** No Sewer in the area of project; requires a Hall County Sewer Availability Letter and Application approval.
8. Application of Paul and Ana Price for a Use Subject to County Commission approval on a 7.58± acre tract located at the terminus of James Ed Road; a.k.a. 3820 James Ed Road; Zoned V-C; Tax Parcel 10142 000006. Proposed use: 4-lot subdivision. \*Commission District 3.
- a) **Engineering:** This subdivision is over six (6) lots and will require stormwater management.
  - b) **Traffic:** No comments.
  - c) **Utilities:** No Comments.
- 9) Application of Capstone Acquisitions, LLC to rezone from Light-Industrial (L-I) to Residential Multi-Family (RMF) on a 58.26± acre tract located at the terminus of Lanier Tech Drive; a.k.a. 2866 Lanier Tech Drive; Zoned I-I; Tax Parcel 15021 000085. Proposed use: 342-unit multi-family complex. \*\* Commission District 3.
- a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage. Show buffer and impervious setback from wretched vegetation, not centerline of creek. Show flood Hall County studied and FEMA.





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- b) **Traffic:** Lanier Tech Drive is a City of Gainesville roadway and proposed connection will need to be approved and permitted by Gainesville. Unclear if proposed roadway extension is to also be in Gainesville's jurisdiction. A cul-de-sac should be required at the end of the public roadway. The traffic study indicated a proposed connection to Oconee Circle, however, the provided concept plan and narrative did not mention this, confusing.
- c) **Utilities:** Gainesville Sewer district.

10) Application of Russell Hausen to appeal an administrative decision for a short term rental on a 1.01± acre tract located on the north side of Jim Crow Road approximately 28 feet from its intersection with Old Federal Road; a.k.a. 5954 Jim Crow Road; Zoned AR-III; Tax Parcel 08101 002003. Proposed use: short-term rental. \* Commission District 2.

- a) **Engineering:** No Comment.
- b) **Traffic:** No comments.
- c) **Utilities:** No Comment.



## Anael Dominguez (Planning)

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**From:** John Hornick (Fire Services)  
**Sent:** Friday, September 16, 2022 5:01 PM  
**To:** Randi Doveton (Planning); Anael Dominguez (Planning)  
**Cc:** Michael Vieira (Fire Services); John Tucker (Fire Services); Jeff Suggs (Fire Services)  
**Subject:** Fire Comments Commission Meeting  
**Attachments:** Fire Access State Mods.pdf

Good afternoon – Hall County Fire Comments

Here is the Tentative Agenda and Maps for the **Monday, October 3, 2022** Hall County Planning Commission Meeting.

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

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

Comments are due by **Monday, September 19<sup>th</sup>**. Email comments to Randi ([rdoveton@hallcounty.org](mailto:rdoveton@hallcounty.org)) and Ana ([adominguez@hallcounty.org](mailto:adominguez@hallcounty.org)).

### **CALL TO ORDER**

### **AGENDA REVIEW**

### **APPROVAL OF MINUTES – September 19, 2022**

### **OLD BUSINESS**

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### **NEW BUSINESS**

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The Hall County Fire Marshal's Office has no comments regarding the single family residence set back's as proposed.
4. [Application of Ridgeline Land Planning, Inc. for a front yard setback variance from 30 feet to 15 feet on a .51± acre tract located at the terminus of River Station Drive; a.k.a. 6599 River Station Drive; Zoned PRD; Tax Parcel 09079C000035. Proposed use: single family dwelling. \\* Commission District 3.](#)  
The Hall County Fire Marshal's Office has no comments regarding the set back as proposed.



5. [Application of Ridgeline Land Planning, Inc. for a front yard setback variance from 30 feet to 15 feet on a .61± acre tract located at the terminus of River Station Drive; a.k.a. 6595 River Station Drive; Zoned PRD; Tax Parcel 09079C000036. Proposed use: single family dwelling. \\* Commission District 3.](#)  
The Hall County Fire Marshal's Office has no comments regarding the set back as proposed.
6. [Application of The Dell Group, LLC to amend conditions of a Planned Commercial Development \(PCD\) on a 21.20± acre tract located on the north side of Winder Highway at its intersection with Benefield Road; a.k.a. 5385 Winder Highway; Zoned PCD; Tax Parcel 15028B000015. Proposed use: car condos, storage, commercial uses, and retail. \\*\\* Commission District 1.](#)  
IFC Section 903, 20,000 SF building exceeds the 12,000 SF sprinkler threshold requirements and may be required to have a fire protection system installed.  
IFC Section 903, A Group S-1 fire area used for the storage or repair of commercial motor vehicles where the fire area exceeds 5000 SF will be required to have a fire protection system installed.  
IFC Section 903, A Group S-1 occupancy used for the storage or manufacture of upholstered furniture or mattresses where the fire area exceeds 2500 SF will be required to have a fire protection system installed.  
IFC Section 903, A Group F-1 occupancy containing a wood working operation where the fire area exceeds 2500 SF will be required to have a fire protection system installed.  
IFC Section 507, All buildings must be within the 400' hose lay distance requirements from a fire hydrant as the truck travels. Fire hydrants may have to be installed along the access road to meet the hose lay distance requirements.  
IFC Section 506, All buildings will be required to have a Knox Box installed.  
Complete set of engineered civil plans will have to be submitted for review and approval by the Hall County Fire Marshal's Office.
7. [Application of Atlas Development Services, Inc. to rezone from Agricultural Residential-IV \(AR-IV\) to Planned Residential District \(PRD\) on a 19.21± acre tract located at the intersection of Old Winder Highway and Union Church Road; a.k.a. 5540, 5548, 5556, 5564, 5572, & 5580 Old Winder Highway & 5925, 5919, 5911, & 5901 Union Church Road; Zoned AR-IV; Tax Parcel 15039A000018 – 000023 & 000025 – 000028. Proposed use: single-family townhomes. \\*\\* Commission District 1.](#)  
IFC Section D107, Developments of one or two family dwellings where the number of dwelling units exceeds 120 shall be provided with two separate and approved fire apparatus access roads, see attachment.  
IFC Section 507, All buildings must be within the 400' hose lay distance requirements from a fire hydrant as the truck travels.  
Complete set of engineered civil plans will have to be submitted for review and approval by the Hall County Fire Marshal's Office.
8. [Application of Paul and Ana Price for a Use Subject to County Commission approval on a 7.58± acre tract located at the terminus of James Ed Road; a.k.a. 3820 James Ed Road; Zoned V-C; Tax Parcel 10142 000006. Proposed use: 4-lot subdivision. \\*\\* Commission District 3.](#)  
Existing fire hydrant is located at the corner of James Ed and Trotter Rd.  
IFC Section 503, Fire apparatus road shall have an unobstructed width of 20' exclusive of shoulders. The portion of James Ed road leading to the proposed driveways would be considered the fire apparatus access road and would have to meet the 20' minimum width requirement.  
IFC Section 503, Dead end fire apparatus access roads in excess of 150' shall be provided with an approved turn around. Existing dead end turnaround may need to be modified to meet Hall County Fire and Hall County standards.
9. [Application of Capstone Acquisitions, LLC to rezone from Light-Industrial \(L-I\) to Residential Multi-Family \(RMF\) on a 58.26± acre tract located at the terminus of Lanier Tech Drive; a.k.a. 2866 Lanier Tech Drive; Zoned I-I; Tax Parcel 15021 000085. Proposed use: 342-unit multi-family complex. \\*\\* Commission District 3.](#)  
All access controlled gates will require a Knox key switch override device for fire department access into gated development.  
IFC D106.2, Multifamily developments having more than 200 dwelling units shall be provided with two separate and approved fire apparatus access roads regardless of whether they are equipped with an approved automatic sprinkler system. Concept plan show one access into development two are required.  
IFC D105.2, Where the vertical distance between the grade plane and the highest roof surface exceeds 30' approved aerial access roads shall be provided and shall have a minimum unobstructed width of 26' exclusive of shoulders.



IFC Section 912, Fire department connections shall be installed on each building and located no greater than 50' from a fire hydrant. Fire department connections shall be located that the fire apparatus and hose connected to the supply system ( fire hydrant ) will not obstruct access to the building for other fire apparatus.  
IFC 510, Emergency responder radio frequency test will be required and installation of a bi-directional antenna system may be required.  
NFPA 13R or 13 fire protection system will be required to be installed, tested and certified.  
NFPA 72 fire alarm system will be required to be installed, tested and certified.  
Complete set of engineered civil plans will have to submitted for review and approval by the Hall County Fire Marshal's Office.

10. Application of Russell Hausen to appeal an administrative decision for a short term rental on a 1.01± acre tract located on the north side of Jim Crow Road approximately 28 feet from its intersection with Old Federal Road; a.k.a. 5954 Jim Crow Road; Zoned AR-III; Tax Parcel 08101 002003. Proposed use: short-term rental. \* Commission District 2.

Fire and Life safety Code will not apply until the occupancy exceeds 5 guest rooms or 10 occupants.  
Existing building is located less than 400' from an existing fire hydrant. No fire hydrant installation will be required.

Regards,

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





**D105.2 Width.** Aerial fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7925 mm), exclusive of shoulders, in the immediate vicinity of the building or portion thereof.

**D105.3 Proximity to building.** One or more of the required access routes meeting this condition shall be located not less than 15 feet (4572 mm) and not greater than 30 feet (9144 mm) from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the *fire code official*.

**D105.4 Obstructions.** Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building. Other obstructions shall be permitted to be placed with the approval of the *fire code official*.

### SECTION D106

#### MULTIPLE-FAMILY RESIDENTIAL DEVELOPMENTS

**D106.1 Projects having more than 100 dwelling units.** Multiple-family residential projects having more than 100 dwelling units shall be equipped throughout with two separate and approved fire apparatus access roads.

**Exception:** Projects having up to 200 dwelling units shall have not fewer than one approved fire apparatus access road where all buildings, including nonresidential occupancies, are equipped throughout with approved automatic sprinkler systems installed in accordance with Section 903.3.1.1 or 903.3.1.2.

**D106.2 Projects having more than 200 dwelling units.** Multiple-family residential projects having more than 200 dwelling units shall be provided with two separate and approved fire apparatus access roads regardless of whether they are equipped with an approved automatic sprinkler system.

**D106.3 Remoteness.** Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

### SECTION D107

#### ONE- OR TWO-FAMILY RESIDENTIAL DEVELOPMENTS

**D107.1 One- or two-family dwelling residential developments.** Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads.

##### Exceptions:

1. Where there are more than 30 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or

903.3.1.3, access from two directions shall not be required.

2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the *fire code official*.

**D107.2 Remoteness.** Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

### SECTION D108

#### REFERENCED STANDARDS

ASTM	F2200—14	Standard Specification for Automated Vehicular Gate Construction	D103.5
UL	325—02	Door, Drapery, Gate, Louver, and Window Operators and Systems, with Revisions through May 2015	D103.5

SEE STATE MODIFICATION  
CHAP 5





# Rules and Regulations of the State of Georgia

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Route : [GA R&R](#) » [Department 120](#) » [Chapter 120-3](#) » [Subject 120-3-3](#)

## 6. Add a new section, Appendix D 107.1, as follows:

Developments of one- or two-family dwellings where the number of dwelling units exceeds 120 shall be provided with two separate and approved fire apparatus access roads.

### Exceptions:

1. Where there are more than 120 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, access from two directions shall not be required.
2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.
3. The fire apparatus access roads cannot be installed because of location on the property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.

Plans shall accompany the written request that delineate improvements to proposed fire apparatus access roads approved by the fire code official of the local responding fire department. Recommended compliance alternatives for residential developments having less than the minimum of two entrances includes, but is not limited to one of more of the following alternative remedies:

1. Enhanced turning radii to meet local responding fire department requirements; and/or
2. Increased road widths to meet local responding fire department requirements; or
3. Fire Lane signs per D103.6 in locations determined by the Fire Code Official; or
4. The absence of dead-end streets and cul-de-sacs; and unless the requirements meet or exceed Table D103.4 for Fire Apparatus Access Roads; or
5. The primary entrance roadway being a boulevard with medians and each lane meeting fire access road widths; or
6. Single entrance roads providing a dedicated emergency lane separating each drive lane; or
7. Additional fire apparatus access road which is permitted to be a roadway or approved surface not accessible to motor vehicles, designed by a registered design professional to meet the loading requirements and minimum specifications of Appendix D; and this surface provides all weather conditions capabilities for emergency fire department access; or
8. Statement by Fire Code Official that the Plans submitted meet the requirements of Exception 3 and/or Appendix D for access by local responding fire department

Pursuant to O.C.G.A. Title 25-2-12 (e)(4) the local fire official, building official, or developer may obtain a waiver when adequate access appropriate for the fire apparatus of the local responding fire department is not met or provided by using alternative methods on a waiver form designed and prescribed by the Safety Fire Commissioner. The State Fire Marshal or designated representative shall respond within 30 days for the decision for approval or disapproval or recommendations for modifications to the Plan. If the 30-day time frame is not met, the Plans submitted shall be deemed to be approved.

## Add a new section, Appendix D 107.2, as follows:

Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

CHAP. 5



To Hall County Board of Commissioners and Planning Commission Members:

RE: Atlas Development Services request to rezone 19.21 Acre tract to PRD - Single Family Townhomes

Our names are Teresa and Allen Hughes and we own 63 acres surrounding and adjacent to a 19.21 Acre tract the owners of which have applied for rezoning.

We have spent the last 9 years building our dream home and the home in which we plan to retire. We have spent a considerable part of our retirement funds toward the purchase and building of our property. While we do not expect to have a great deal of ability to stop or control others' property matters, we do strongly feel that you should put heavy requirements on limiting the number of homes and more importantly, vehicles, that will be using the roads.

Our requests for requirements would be at a minimum:

1. Access points to the proposed development should be limited to Highway 211 (Old Winder Hwy) only and not involve access to or from Union Church Road. Union Church Road is becoming increasingly more dangerous with the volume of traffic from recent and continuous development of single family detached subdivisions along its corridor. With the build-up of traffic along Union Church Road, access to Union Church Road from the proposed development would be nearly impossible due to the proximity of the intersection with Highway 211. Furthermore, any entrances to and from the proposed development should be installed along Highway 211 as far north as possible to avoid increased congestion and incidence risks associated with the Union Church Road – Highway 211 intersection. The volume of traffic from 135 units entering onto 211 from the development and entering the development is too close to the Union Church intersection from the current proposed access point. The grade of 211 coming from the north also adds another hazard for cars entering onto 211 from the proposed development. There will be a definite need for a turn lane on 211 and a possible red light at Union Church to prevent accidents that will surely increase with the increase of volume. With no red light there will be back ups on Union Church Rd with cars trying to turn left and right onto 211. There will be increased traffic from Deaton Creek and Union Grove Subdivisions, which are currently in development. The impacts on traffic from these developments will not be known until they are built out, but it will be an increasing problem as more and more houses are sold. It is impossible to determine at this time the true impacts of the proposed development on local traffic until Deaton Creek and Union Grove close out. Additionally, the previously approved new development on the Northeast 700 acres of the intersection will bring substantial new traffic to the area.
2. The installation of a substantial privacy screen constructed/planted along the length of our property line as well as the northern property line of the proposed development to provide visual privacy and protection from the additional noise that will be generated by the proposed development.
3. All current storm water and additional storm water created by the project must be directed into storm sewers. There is substantial storm runoff already draining onto our property creating muddy flows throughout the year. The storm water that will be created by the impervious surfaces within the proposed development will create additional runoff that the current watershed patterns will not be able to handle, thus creating a risk of property damage to downstream structures. Impervious structures should be kept to a minimum, parking should be restricted to the driveways and garages of each unit in order to eliminate the need for parking lots which will create additional runoff.



4. Strict conditions regarding the density of the proposed development should be imposed. The propensity of single-family townhomes to become rental units increases the risk of multiple families or multiple adults occupying a single unit. This raises the risks of increased traffic and a general overload of the local infrastructure. At the very least, rental controls should be implemented to avoid the townhomes becoming apartment-like in density.
5. Using the density of the Reveille project as a gauge is inappropriate. Putting a small segment of a high density section inside a 500 acre development is substantially different in the effect on traffic. 135 homes directly on 211 causes measurably different direct traffic problems. The traffic on 211 can be backed up for a mile from the red light at Friendship road at any time of day. It makes little sense to add the new 135 homes to the 1500 across at Reveille to an overburdened intersection without first making the intersection upgrades to handle it.
6. Traffic currently coming from both directions is constantly causing crashes and numerous near misses. I have to turn left at Union Church/211 to go north on 211 several times a day. It is a dangerous act many of those times. People pass the left turning northbound traffic on 211 with no regard for the interesting and its dangers. Southbound traffic approaches the coming downhill at much higher rates of speed than is safe in current conditions. People are passing at full speed on 211 and I have personally witnessed dozens of near misses in the past few years. During bad weather it is a scary situation, heavy rain and icy conditions are a death trap.
7. All structures within the proposed development should consists of brick or stone exteriors to insure long term upkeep and quality of construction.
8. All structures should be no more than two stories above grade with a maximum height of 25' above grade.
9. Developers should be required to design the proposed development so as to preserve the current look and feel of the area. The removal and/or trimming of existing trees should be kept to a minimum to provide an attractive appearance and maintain the current natural beauty of the area.
10. No structures or impervious surfaces should be constructed within 75' of an adjacent property or within 100' of a wet or dry stream.

It is our contention that the proposed development is not in keeping with the current uses in the immediate area. Currently, there are no high density residential or townhome tracts in this part of Hall County and the development of such in this area would be inconsistent with surrounding uses.

Your attention to this matter is very much appreciated.

Allen and Teresa Hughes  
5883 Union Church Rd  
Braselton, Ga 30517

[rallenhughes@protonmail.com](mailto:rallenhughes@protonmail.com)  
404-375-9972



# ZONING NOTICE

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

APPLICANT: ATLAS DEVELOPMENT SERVICES, INC

REQUEST: REZONE FROM AR-IV TO PRD FOR SINGLE-FAMILY TOWNHOMES

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION	AND	COUNTY COMMISSION
Date: <u>10-17-2022</u>		Date: <u>11-17-2022</u>
Time: <u>05:15 PM</u>		Time: <u>06:00 PM</u>

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: ATLAS DEVELOPMENT SERVICES, INC.

REQUEST: REZONE FROM AR-IV to PRD to ALLOW

SINGLE FAMILY TOWNHOMES

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION

COUNTY COMMISSION

Date: 10-17-2022

AND

Date: 11-17-2022

Time: 5:15 PM

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: ATLAS DEVELOPMENT SERVICES, INC

REQUEST: REZONE FROM AR-IV TO PRD FOR

SINGLE-FAMILY TOWNHOMES

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION

Date: 10-17-2022

Time: 05:15 PM

COUNTY COMMISSION

Date: 11-17-2022

Time: 06:00 PM

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

FOR MORE INFORMATION CALL: (770) 531-6809





## AGENDA ITEM

### Tax Assessors

**REPORT TO:** Meeting (11/14/22)

**REPORT TO:** Meeting (11/17/22)

**ITEM NO:** 561/2022

**SUBJECT:** Approve the purchase of Commercial & Industrial Appraisal Cost Tables to be updated for Tax Year 2023 for the Tax Assessor's Office to Georgia Mass Appraisal Solutions and Services, Inc. (GMAS, Inc) of Norwood, GA, in the amount of \$50,000.00.

### Meetings:

**Work Session Date:** 11/14/22

**Voting Meeting Date:** 11/17/22

### Executive Summary:

**Presenter:** SW  
**Recommendation:** Approval.

### Purpose of Request:

To update the commercial and industrial appraisal cost tables for Tax Year 2023.

### History:

Funds have been budgeted in Technical & Professional Services for this project. The commercial and industrial appraisal cost tables are well outdated. The last time the commercial/industrial cost tables were updated was for 2015, 7-years ago.

### Facts and Issues:

### Options:

<b>Funding Requested</b>	\$ 50,000.00
<b>Are funds within current budget?</b>	Yes
<b>Source of Funds</b>	General Fund
<b>Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?</b>	Yes
<b>Has it been reviewed by the County Attorney?</b>	Yes
<b>Is there a deadline for this item?</b>	2022-10-27

### Approvals:

Submit	Approve	Budget	Finance
RW	RW	EW	WG



<b>Attorney</b>	<b>Administration</b>	<b>Clerk</b>
WLI	LJ	AO

---

**Attachments:**

Financial Supplement

Proposal for Commercial/Industrial Appraisal Cost Tables Update





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

**AGENDA ITEM 561/2022**

**Funds Requested:** \$ 50,000.00

**Request Budgeted:** Yes

**Proposed Source of Funding:**

**Budget Transfer Requested:**

General Fund

No

**Funding Source Items:**

Fiscal Year	Fund	Division	Account	Amount
2023	001 - GENERAL	109 - TAX ASSESSORS-REAL	4419 - TECHNICAL & PROFESSIONAL	\$50,000.00

**Budget Transfer Items:**

**Additional Information/Comments:**

**Contact for Questions:** SW

**Phone:** 770.531.6733



Georgia Mass Appraisal Solutions & Services, Inc.

[www.gmass.net](http://www.gmass.net)



PROPOSAL  
FOR  
APPRAISAL  
MAINTENANCE  
SERVICES IN  
HALL  
COUNTY, GA



Kristi Reese  
President, GMASS, Inc



Georgia Mass Appraisal Services & Solutions, Inc., GMASS, respectfully submits the following proposal for appraisal maintenance services in Hall County, Georgia. This proposal is dated March 1<sup>th</sup>, 2022 and will be valid until 1 (one) year from this date.

## Items of Submission:

The cost submitted for this request covers the following items:

### Commercial & Industrial Properties (Land and Improvements)

- Developing cost schedules for Commercial and Industrial building types
  - Schedules will be based on cost values that when adjusted to local market conditions will produce fair market values.
- Neighborhood and location adjustments and tables will be developed and applied where market conditions dictate.

### Administrative and Quality Control

- Review parcels where value changes are extreme.
- Generating sales ratio studies for all property types that meet the requirements of the bid request
- Review and edit of all data, information, and schedules prior to the mailing of assessment notices.
- Provide weekly updates to Chief Appraiser and present monthly updates to the Board of Assessor at their meetings as requested.
- Providing an appraiser registered with the Georgia Real Estate Appraiser Board for hearings or assistance with appeals (per diem applies)

### Responsibility of County:

- The county is responsible for all sales data qualification.
- The county is responsible for mailing of all timber questionnaire letters.
- The county is responsible for providing aerial photography with a parcel layer.



## Cost of Services:

The cost for providing the services above shall be as follows:

Updating cost schedules for Commercial and Industrial improvements	\$50,000.00
<b>Total Cost</b>	<b>\$50,000.00</b>
<b>Optional Costs</b>	
Per Diem for appeal preparation and BOE hearings (includes expense)	\$750.00
Per Diem for appeal preparation and Superior Court hearings (includes expenses)	\$1,000.00



# Company Information

Along with references, GMASS, Inc. would like to submit information regarding the company and appraisal work performed in Georgia. GMASS, Inc. was created under an agreement by its current owner Kristi Reese and has been in business for over 14 years. Prior to the formation of GMASS, Kristi had over 15 years of experience serving local governments in the ad valorem tax field. GMASS, Inc. has performed property tax work in over 80 Georgia counties. The GMASS, Inc. staff members have over 150 total years of experience in the appraisal process, GIS and CAMA work. GMASS, Inc. currently has on its staff a retired DOR agent, Gregg Reese, who was responsible for developing and teaching Georgia Certification courses, IV-B: The Appraisal of Rural Land and Timber Regulations. Also, on staff we have Stan King, a certified GIS Analyst. Stan is very knowledgeable with all aspects of GIS and its integration with WinGAP. Mark Loyd, former Training Instructor for the Georgia Department of Revenue and has brought with him years of experience with Georgia tax law. Tracy Thomas and Mark Lovett, both former DOR instructors, joined our staff in November of 2019 to fully complete our team.

Georgia Mass Appraisal Solutions and Services, Inc. (GMASS, Inc)

P.O. Box 67

Norwood, GA 30821

Kristi S. Reese, President

(706) 339-4396



**Invoices:** Invoices will be billed on a monthly basis for a period of up to 1 (one) year based of equal amounts of the total contract. Invoices are net 30 days, after 30 days 1 ½ interest will be added to all late payments.

## Conflict of Interest & Authorized Signature:

I, Kristi Reese, as Chief Financial Officer of GMASS do state that there are no circumstances that create conflict of interest in performing the services of this contract.

I, also, state that I am authorized to submit this proposal for GMASS.

---

Kristi Reese

GMASS, President & CFO



## Completed Contracts during last 2 Years:

County Name	Address	Telephone	Contact
Oglethorpe	P O Box 136 Lexington GA 30648	706-743-5166	Kem Caldwell
Crisp	210 S 7 <sup>th</sup> St Room 301 Cordele GA 31015	229-276-2635	Sean Sammons
Gordon	P O Box 533 Calhoun GA 30703	706-629-6812	Dana Burch
Jeff Davis	P O Box 609 Hazlehurst GA 31539	912-375-6624	Kathy Yawn
Liberty	P O Box 829 Hinesville GA 31310	912-876-2823	Glenda Roberts
Hall	P O Box 2895 Gainesville GA 30503	770-531-6720	Steve Watson
Telfair	128 E Oak St Suite 9 McRae GA 31055	229-868-2896	Nette McLean
Burke	P.O. Box 46 Waynesboro, GA 30830	706-554-2607	Philip Wren
Coweta	37 Perry Street Newnan, GA 30263	770-254-2680	Mike Marchese
Talbot	38 South Jefferson Street, Talbotton, GA 31827	706-665-3377	Lauren Harbin
Carroll	423 College Street Carrollton, GA 30117	770-830-5212	Renee Parmer
Towns	48 River Street, Suite F, Hiawassee, GA 30546	706-836-2276	Sonya Young



# County Contracts in Progress:

## CLIENT REFERENCES

County	Contact	Phone #	Job/Time frame
Oglethorpe	Kem Caldwell	706-743-5166	Revaluation-2018-2019
Hall	Steve Watson	770-531-6720	Comm Reval-Ongoing Maintenance 2016-Current
Coweta	Dean Henson	770-254-2680	Revaluation - 2016-current
Haralson	Bob McPherson	770-646-2022	Rural land Schedules-GIS Mapping - 2016-current
Carroll	Hubert Sparks	770-830-5212	Contracted Comm. Appraiser-Revaluation 2016-Current
Gordon	Dana Burch	706-629-6812	Contracted Appraiser-GIS Mapping -2018-Current
Whitfield	Ashley O'Donald	706-275-7410	Contracted Appraisal Services - 2017-Current
Emanuel	Joyce Lamb	478-237-1222	Contracted Appraisal Services - 2018-current
McIntosh	Keith Payne	912-437-6663	Appraisal Maintenance 2012- current
Charlton	Laurie Thomas	912-496-4645	Appraisal Maintenance 2020-2022
Colquitt	Jim Mac Booth	229-616-7425	Commercial Revaluation 2020
Lee	Dennis Lee	229-759-6010	Full revaluation 2020-2021
Talbot	Lauren Harbin	706-665-3377	Revaluation Update 2020



# Personnel Resumes:

Gregg Reese  
5040 Ridge Rd  
Norwood GA 30821

## Objective:

Assist local jurisdictions in the equalization of their tax bases.

## EDUCATION:

### **GEORGIA DEPARTMENT OF REVENUE APPRAISER CERTIFICATION COURSES**

- 1. COURSE I**
- 2. COURSE II**
- 3. COURSE IV**

### **GEORGIA INSTITUTE OF TECHNOLOGY – BS IN TEXTILE MANAGEMENT WARREN COUNTY HIGH SCHOOL**

## QUALIFICATIONS:

I hold the designation of a property Appraiser IV by the Department of Revenue.

Since retirement from DOR in August, 2012, I have completed 4 rural land revaluations for counties and assisted in other revaluations being conducted by K&G Consulting Services, LLC .

I was the lead developer/designer for WinGAP, the predominate CAMA in Georgia counties, during my tenure with the Georgia Department of Revenue. During my time with DOR, I, also, developed and provided instruction for 6 Georgia Certification Courses for WinGAP and two appraisal courses, Course IV-B, Valuation of Rural Land, and Timber Regulations. I have taught the DOR GCP course, Course IV-A, Valuation of Urban Land.

From 1976-1981, I held the position of Chief Appraiser in Warren County, where I conducted a county-wide revaluation.

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**POSITIONS HELD:**

1. K&G Consulting Services, LLC - President (2012 to present)
2. Department of Revenue - Business Analyst Supervisor (2006 - 2012)
3. Department of Revenue - Principal Property Tax Appraiser (1981 - 2006)
4. Warren County - Chief Appraiser (1976-1981)



**Kristi Reese**

**5040 Ridge Rd**

**Norwood GA 30821**

G.R.E.A.B. Registered Appraiser # 7079

**Carroll County**

Tax Assessors Office

1989-1996

**Reese & Associates**

Self Employed

1997-2008

**Taliaferro County**

Contract Chief Appraiser

1998 - 2004

2009-present

**Wilkes County**

Contract Asst. Chief Appraiser -2007

**GMASS Inc. 2008-present**

Self Employed

**Appraisal Education**

90 Hours pre certification GREAB # 7079

300 Hours continuing education GREAB



## Reference Counties

Hart, Camden, Gordon, Gilmer, Jones, Taliaferro, Oglethorpe, Emanuel, Franklin, Terrell, Quitman, Randolph, Laurens, Telfair, Elbert, Dooly, Wheeler, Long, Jeff Davis, Montgomery, Taylor, Wilkinson, Jefferson, Schley, McIntosh, Tift, Washington, Lee, Wilkes



# Howard Stanley King, Jr.

## **Work History**

1994-1997 Forsyth County Cumming, GA

### **Field Appraiser**

Data collection and entry of new construction.

Appraise subdivisions.

Assisted appraiser supervisors in any other activities.

1997-1999 Dawson County Dawsonville, GA

### **Field Appraiser**

Assisted in the completion of a total county wide revaluation.

Built CAMA schedules and tables for WinGAP.

Defend values to the Board of Equalization.

1999-2000 Blacks Mill Group, Inc. Dawsonville, GA

### **Project Manager**

Organize county revaluations.

Manage Appraisal Staff.

Set up and install networks.

Data base management and CAMA operations.

2000-2002 Dawson County Dawsonville, GA

### **Deputy Chief Appraiser**

Maintain office network.

Help convert and build WinGAP schedules and tables.

Manage field staff and data entry clerks.

2002- 2003 McCormick Consulting, Inc. Dawsonville, GA

### **Project Manager**

Organize county revaluations.

Set up and install Networks.

Data base management and CAMA operations.

Reports and program building using FoxPro

GIS manager

Public Speaking

2003 - Current H.S. King, Inc. Dawsonville, GA

### **Owner**

Contracting with counties and other firms in county consulting services.

Organize county revaluations.

Set up and install LAN and wireless networks.

Data base management and CAMA (computer assisted mass appraisal) operations

GIS~CAMA integrations

Online support/maintenance

Public Speaking

Contract Chief Appraiser

*GREAB # : 324802*

2009 - 2011 Gilmer County Ellijay, GA

### **Deputy Chief Appraiser**

Manage Appraisal Staff.

Organize county revaluations annually.

Qualify sales.

All Commercial, Industrial, and complex appraisals.

Review all final sales ratio studies for all classes of property.

Defend values in appeals to BOE, Arbitration, Mediation, and Superior Court.

Maintain and Submit Digest annually.



GIS manager.

GAAO Commercial Committee

2011 – GMASS, INC Norwood, GA

**COO, Project Manager**

Manage Appraisal Staff.

Organize and manage multiple revaluation projects.

Perform Residential, Commercial, Industrial, and complex appraisals.

Defend values in appeals to BOE, Arbitration, Mediation, and Superior Court.



# Mark M. Lovett

---

501 S. Victory Dr. Waynesboro, GA 30830 • 706-338-4228 • [mmcflovett@gmail.com](mailto:mmcflovett@gmail.com)

## Summary of Qualifications

- Digest Compliance auditor with seven years of Department of Revenue experience.
- Department of Revenue Timberland and Rural land instructor.
- Georgia Department of Revenue Certified Appraiser III.
- Geographic Information Systems (GIS) and SQL Server analyst.
- WinGAP Computer Assisted Mass Appraisal system technician and instructor.

## Professional Experience

### Georgia Department of Revenue Compliance Specialist

#### Georgia Department of Revenue Appraiser III, June 2011–Present

- Audit county tax digests through a three year rotational process and provide guidance to county Board of Assessors
- Develop, maintain (through state legislative updates), and instruct county appraisal staff and Board of Assessor members course material relevant to the ad valorem tax process using Official Code of Georgia title 48 and Georgia Department of Revenue Rules and Regulations (Appraisal Procedure Manual)
- Assist in drafting and amending Georgia Department of Revenue Rules and Regulations (Appraisal Procedure Manual)
- Appraise property designated as Public Utility property throughout the state of Georgia
- Incorporate GIS and SQL Server analysis into appraisal projects utilized by the Department of Revenue
- Provide weekly technical support to county appraisal staff utilizing the WinGAP Computer Assisted Mass Appraisal system
- Responsible for the Conservation Use Market study used in the development of an annual table of values for the Conservation Use and Forest Land Protection Act covenants
- Audit Forestland Protection Act Covenants for data entry and recording accuracy

### Greene County Board of Assessors (Greensboro, Georgia)

#### Appraiser III, April 2003–June 2011

- Maintained Mylar and GIS parcel maps
- Created, through use of GPS technology, the county's first GIS address coverage
- Appraised all real property digest classifications of property including Residential, Commercial, Agricultural
- Appointed secretary to the Board of Assessors from 2009-2011
- Assisted the Chief Appraiser in the development of all real property schedules and tables used in appraising all real property classifications.
- Represented the Board of Assessors in appeal hearings before the county Board of Equalization

## Education

- Bachelor of Science, 2000. Georgia College and State University, Milledgeville, Georgia.

## Skills



- Extensive computer skills including ESRI, Manifold, and Bentley Microstation software; WinGAP software; SQL Server 2008, 2008R2, 2012, and 2016 software; highly proficient in MS Word, Excel, and Power Point
- Highly motivated and a self-starter; able to multi-task; very organized and prepared



## Derek Brewer

GREAB # 304597

### Work History

2007-2011 Gilmer County Ellijay, GA

Appraiser

Data collection and entry of commercial and residential property

Appraise rural and urban land.

Assisted in the completion of a total county wide revaluation.

Built CAMA schedules and tables for WinGAP.

Defend values to the Board of Equalization.

2011- Present GMASS, INC . Norwood, GA

Appraiser

Defend values to the Board of Equalization.

Discover and correct taxing irregularities

Appraise rural and urban land.

Assist project manager in any other activities.

### Education/Experience

I have been a registered appraiser with the Georgia Real Estate Appraisers Board since 2006 and also received an Appraiser II designation from the Georgia Department of

Revenue in 2008. Since 2006 I have taken numerous continuing education courses with both the Georgia Department of Revenue and with the Georgia Real Estate Appraisers Board.

### Contact

Derek Brewer

38 Walnut Ridge Ln.

Ellijay, GA 30540

Phone: (706) 297-1509

Email: brew-44@hotmail.com



## Joseph David (Joe) Wright

2970 Carter Road  
Sycamore, Georgia 31790  
(229) 256-1370

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- OBJECTIVE:** I look forward to continuing to seek work in the field of property tax administration, appraisal and audits through the proposals and contracts as a consultant to the Tax Assessors Office. We can modify our services to accommodate the needs specific to the task at hand where previous work experience and qualifications will be applicable.
- QUALIFICATIONS:**
- Management:** Monitor and maintain pertinent records...Assess needs and establish work priorities...Control inventory; balance cash and accounts receivable...Assure satisfaction and compliance with regulations.
- Personnel:** Maintain harmonious working conditions with diverse personnel...Promote team performance.
- Research/Investigation:** Able to conduct diligent searches of probable accounts...Skilled and creative in adjusting to new methods in light of new facts and equipment.
- EXPERIENCE:**
- 2016 - Current*
- Georgia Mass Appraisal Solutions & Services
- Norwood, Georgia
- Project Manager/Field Appraiser
- We offer a unique service to local governments in Georgia through contracts for assistance with the Board of Assessors. We pride ourselves in providing any kind of services needed in the tax assessor's office, through our business model and partnerships that we have established. We ensure compliance and satisfaction in the delivery of the finished product.



*August 2012 - Current* MW Consulting & Associates LLC  
Sycamore, Georgia

Owner/Operator

Serve as the contract chief appraiser in Schley County and Webster County.

*July 2008 - June 2017* Lee County Board of Assessors

Leesburg, Georgia

Chief Appraiser

Responsible for the duties of the chief appraiser position including the day to day operation and management of the office and appraisal staff, the successful completion of the annual tax digest, the annual budget for the department and ensuring and maintaining compliance with all state laws and regulations.

*Mar 2007 - June 2008* Georgia Department of Revenue, Local Government Services

Atlanta, Georgia

Property Tax Appraiser

Responsible for the southwest territory consisting of twenty-five counties, including providing support and assistance to the tax assessor's offices within the territory, completing digest reviews and public utility appraisal work on an annual basis. I also was an instructor in the Georgia Certification Program, as well as a technical support agent for WinGAP.

*Mar 2002 - Mar 2007*

Turner County Board of Assessors

Ashburn, Georgia

Chief Appraiser

Responsible for the duties of the chief appraiser position including the day to day operation and management of the office and appraisal staff, the successful completion of the annual tax digest, the annual budget for the department and ensuring and maintaining compliance with all state laws and regulations.

*Sept 1998 - Mar 2002*

Berrien County Board of Assessors

Nashville, Georgia

Field Appraiser

Responsible for all types of real property appraisals, researching and qualifying deeds, mapping, assisting in an ongoing reevaluation, sales



ratio studies and analysis, hearing appeals from taxpayers, and any other responsibility that may arise as an employee of the tax assessor's office.

## EDUCATION:

Ben Hill-Irwin Technical Institute

Fitzgerald, Georgia

Industrial Maintenance Technology

1995, No Diploma

Abraham Baldwin Agricultural College

Tifton, Georgia

Major, Undecided

1990 - 1993, No Diploma (45 credit hours)

Tift County High School

Tifton, Georgia

1992, Diploma

## ACHIEVEMENTS:

Honor Graduate: Graduated in the top ten percent of my graduating class. (25<sup>th</sup> out of approximately 400)

President of Key Club 1990-1992.

Tift County High Marching Brigade Section Leader 1991-1992.

Member of Beta Club 1990 - 1992.

Member of Joint Enrollment Program TCHS/ABAC 1990-1992. (Allowing me to begin college as a high school junior).

Appraiser I Designation - 1997

Appraiser II Designation - 1997

Appraiser III Designation - 2002

Appraiser IV Designation - 2009

Georgia Real Estate Appraiser's Board - 2018

State Registered Real Property Appraiser License #383889



**REFERENCES:**

Nette McLean

Office (229) 868-2896 Extension 5

Beth Harding

Cell (478) 832-0674

Heather Harden

Office (229) 467-2428

Cell (229) 938-3109



**R. KEVIN STAPLER  
1350 HILLCREST ROAD  
BOWDON, GEORGIA 30108**

G.R.E.A.B. Registered Appraiser # 357652

**Positions Held**

**United States Air Force**

1985-1989

**Carroll County**

Tax Assessors Office

1990-1993

**Carroll County Airport Authority**

Manager

1993-1996

**Douglas County**

Tax Assessors Office

1996-1998

**Kingsbridge Industrial**

Owner/Operator

1998-2013

**GMASS, Inc**

Appraiser

2013-Present



**Appraisal Education**

90 Hours pre certification GREAB # 357652

**QUALIFICATIONS:**

I hold a certification as a registered appraiser with the Georgia Real Estate Appraisers Board.

While enlisted in the U.S. Air Force I learned many life skills that are necessary to perform well in my work ethics as well as my personal life. I have also completed many property tax revaluations for counties during my previous jobs with counties and with K&G Consulting Services, LLC . During these re-evaluations I have represented the county in many Board of Equalization hearings and resolved appeals for the Board of Assessors.

**Reference Counties** Carroll, Douglas, Coweta, Hall



## Additional Appraisers – years with GMASS Inc.

- Josh Stapler - 10 years GREAB # 352728
- Andy Garrison - 10 years GREAB # 328254
- Erick Garrison - 6 years GREAB #328255
- Nathan Vaughan - 6 years GREAB #370818
- Kevin Murphy - 5 years GREAB #369766
- Linsey May - 4 years GREAB # 383452
- Robert Hamrick - 4 Years GREAB # 376127
- Stevie Rich - 4 Years GREAB #388465



# Contract for Services

## County of Hall

## State of Georgia

THIS CONTRACT is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_ 2022 (the "Effective Date"), by and between HALL COUNTY, GEORGIA, a political subdivision of the state of Georgia, acting by and through its Board of Tax Assessors (herein, the "County") and Georgia Mass Appraisal Solutions and Services Inc, (G.M.A.S.S.) (herein the "Company") for the purposes of providing appraisal services as more defined below.

In consideration of the promises, covenants, and conditions set forth herein, the County and the Company agree as follows:

### Commercial & Industrial Properties (Land and Improvements)

- Developing cost schedules for Commercial and Industrial building types
  - Schedules will be based on cost values that when adjusted to local market conditions will produce fair market values.
- Neighborhood and location adjustments and tables will be developed and applied where market conditions dictate.

### Administrative and Quality Control

- Review parcels where value changes are extreme.
- Generating sales ratio studies for all property types that meet the requirements of the bid request
- Review and edit of all data, information, and schedules prior to the mailing of assessment notices.
- Provide weekly updates to Chief Appraiser and present monthly updates to the Board of Assessor at their meetings as requested.
- Providing an appraiser registered with the Georgia Real Estate Appraiser Board for hearings or assistance with appeals (per diem applies)

### Responsibility of County:

- The county is responsible for all sales data qualification.
- The county is responsible for mailing of all timber questionnaire letters.
- The county is responsible for providing aerial photography with a parcel layer.



## Cost of Services:

The cost for providing the services above shall be as follows:

Updating cost schedules for Commercial and Industrial improvements	\$50,000.00
<b>Total Cost</b>	<b>\$50,000.00</b>
<b>Optional Costs</b>	
Per Diem for appeal preparation and BOE hearings (includes expense)	\$750.00
Per Diem for appeal preparation and Superior Court hearings (includes expenses)	\$1,000.00



**Term:** The term of this Contract shall begin on the Effective Date and shall expire May 1<sup>st</sup>, 2023

**Termination:** The County or the Company may terminate this contract for any reason by giving the other party 30 days' written notice. Upon termination under this provision, the County shall be responsible for paying the Company for the services provided prior to termination. If the County has paid the Company more than the value of the services provided, the Company shall pay the County the value of the overage.

**Invoices:** In exchange for the services provided for in this Contract, the County shall pay the Company the amount of \$78,500.00. Invoices will be submitted monthly and will be based on equal monthly payments. All invoices will be submitted to the Board of Tax Assessors for approval and will be delivered by the 10<sup>th</sup> of each month. Invoices are net 30 days and interest (1.5 %) will be added to all late payments after 30 days.

**Contract Assignment:** The Company shall not be authorized to assign this Contract, or any of the Company's rights, duties or obligations under the Contract to any other person or entity without the express written consent of the County, which consent shall be provided or withheld in the sole and absolute discretion of the County.

**Choice of Law:** This Contract shall be governed by and interpreted in accordance with the laws of Georgia. Likewise, Georgia law shall govern any dispute between the parties. Any lawsuits resulting from this contract shall be filed with the Clerk of Court in Hall County.

**Insurance:** The Company shall carry no less than One Million Dollars (\$1,000,000.00) in comprehensive general liability insurance during the pendency of this Contract. The Company shall name the County as an additional insured under the policy(ies).

This \_\_\_\_ day of \_\_\_\_\_, 2022.

X

\_\_\_\_\_  
For Hall County

X

\_\_\_\_\_  
For GMASS