



HALL COUNTY PLANNING COMMISSION MINUTES OF JANUARY 6, 2020

The regular meeting of the Hall County Planning Commission was held in the 2nd Floor Meeting Room, Hall County Government Center, 2875 Browns Bridge Road, Gainesville, Georgia.

Members Present: Frank Sosebee, Vice Chairman, Gina Pilcher, Stan Hunt Johnny Varner

Staff Present: Sarah McQuade, Director of Planning; Beth Garmon, Senior Planner; Katie Greenway, Planner; Vanessa Foster, Civil Engineer; Laura Ogletree, Clerk

Call to Order: The meeting was called to order by the Chairman at 5:18 pm.

Approval of Minutes: December 2, 2019 & December 16, 2019

NEW BUSINESS

- 1. Application of Elbert N. Griffin & Heidi L. Griffin for a front yard setback variance from 55 feet from the centerline to 25 feet from the centerline on a 0.22± acre tract located on the east side of Whippoorwill Lane approximately 1,117 feet from its intersection with Sportsman Club Road; a.k.a. 2372 & 2380 Whippoorwill Lane; Zoned R-I; Tax Parcel: 00109A000042 & 00109A000041. Proposed Use: Construct an attached garage. Commission District 4.**

Background Information:

The applicant is requesting a front yard setback variance in order to construct a new single family residence. The subject property is 0.22± acres and zoned Residential-I (R-I). The existing residence is to be torn down and replaced with a new structure with a similar footprint to the existing house. The existing residence to be demolished was constructed in 1961 according to Hall County records. The applicant's statement of hardship states that the lot width varies from 49 feet to 84 feet in depth and that the application of the current setback requirements would create a hardship for this lot. The applicant also mentions that the lot configuration is similar to other surrounding lots that have been granted setback variances to make improvements or build new residences.

Applicant's Presentation:

Elbert Griffin, 2372 Whippoorwill Lane, Gainesville, presented the request. Mr. Griffin stated that he and his wife were requesting this variance for this property so they could make this home their fulltime residence. Mr. Griffin stated that the home is 61 years old and needs a good bit of work. Mr. Griffin stated that the house is sitting on a road that is 24 feet wide and has an 18 foot right of way, therefore the road takes up most of the right of way. He added that the Lake Lanier flood plain comes onto the back of his lot as well, which creates even less room for him to work with. He stated that a few of his neighbors have

asked for similar requests and have been granted the variances. Mr. Griffin stated that he read part of the Hall County code and was under the impression that if he had two developed lots next to his lot, he is not required to meet the zoning setbacks.

Public Forum:

No one spoke in favor or opposition of the request.

Planning Commission Comments:

Mr. Varner stated that he did not have any issues with the plans. Ms. Pilcher asked for clarification on exactly what he would be building. Staff clarified that he will be tearing down the current home, rebuilding it, and adding an attached garage.

Motion: *Mr. Varner made a motion to approve the request with a second from Ms. Pilcher and the motion passed with a 4-0 vote. (Mr. Braswell absent)*

2. **Application of Phillip K. Parkey for a left side yard setback variance from 10 feet to 1 foot on a 1.96± acre tract located on the east side of Honeytree Drive approximately 752 feet from its intersection with J J Lott Road; a.k.a. 5619 Honeytree Drive; Zoned R-I; Tax Parcel: 15028G000005. Proposed Use: Construct a detached garage. * Commission District 1.**

Background Information:

The applicant is requesting approval to vary the left side yard setback from 10 feet to 1 foot in order to construct a detached garage. The narrative states multiple reasons for the necessity of this variance. First, the narrow lot size along with the placement of the home and swimming pool limit the space where the garage can be located, unless placed in front of the house. Next, the narrative states that the home was placed as to not disturb the normal creek drainage bed and pathways while still providing space for the septic tank. The applicant also mentions the limited access around the side of the house to the rear of the property.

Applicant's Presentation:

Phil Parkey, 5619 Honeytree Drive, Braselton, presented the request. Mr. Parkey stated that he is renovating the current residence and is requesting a setback to build a detached garage on the property. He stated that garage would need to be moved to the left side of the driveway and a 1 foot setback for the desired size of the garage. Mr. Parkey stated that there is a drainage culvert under the driveway and a creek bed that cuts across the property. He stated that if he was to place the garage anywhere else on the property, it would put it in front of his house, which is against HOA, or onto his neighbor's property. The previous owner had a pool installed and the septic doesn't allow different placement for the garage either. He stated that there are 6 fruit trees lining his neighbor's property that would need to come down, which he stated that 4 of them are diseased and need to be taken down anyways. Mr. Parkey stated that this garage does not encroach on his neighbors. Mr. Sosebee asked if the dimensions, 28 by 60, were correct and if he needed all of that. Mr. Parkey stated they were correct and yes, he has 5 collector cars. Mr. Parkey stated that he

has already taken 2 feet off the original dimensions. Mr. Hunt asked if he had spoken with his neighbors. Mr. Parkey stated that he has tried to speak with him 4 times now, but his neighbor has apparently been out of town. However, he did speak to him prior to buying the property and he did not have any concerns at that point. Mr. Hunt asked if it would be possible to build without encroaching on the neighbor's property. Mr. Parkey stated that it would be a slab construction and it would stop a foot away from the property line, therefore not going onto the neighbor's property. Mr. Hunt if the garage could be built closer to the house. Mr. Parkey stated that it would make turning out of the garage very difficult. Mr. Parkey stated that he would be happy to move the garage further back on the property, however there is a transformer on the back of the property, which must have 10 feet left around it for maintenance. Mr. Hunt and Mr. Sosebee stated that they did not believe they could support a 1 foot setback, however if Mr. Parkey was willing to work with them, they would try to work with him.

Public Forum:

No one spoke in favor or opposition of the request.

Planning Commission Comments:

Mr. Hunt stated that he could support it if they changed the setback to 4 feet at the minimum. Mr. Varner and Ms. Pilcher agreed. Mr. Sosebee asked Mr. Parkey if he would be willing to work with that. Mr. Parkey stated if he reconfigured the house and made the garage an attached garage, he may be able to.

Motion: *Mr. Hunt made a motion to approve the amended request with a second from Mr. Pilcher and the motion passed with a 4-0 vote. (Mr. Braswell absent)*

Other Business

The next Planning Commission meeting will be on January 21, 2020.

ADJOURNMENT:

There being no further business to conduct, the meeting was adjourned by Mr. Braswell at 5:46 pm.



Chris Braswell, Chairman
Hall County Planning Commission



Laura Ogletree, Clerk
Hall County Planning Commission