



HALL COUNTY PLANNING COMMISSION  
MINUTES OF JANUARY 21, 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:** Chris Braswell, Chairman, 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 5:15 pm.

**Approval of Minutes:** January 6, 2020

**NEW BUSINESS**

1. **Application of Kyle Ingram for a right side yard setback variance from 10 ft. to 7 ft. on a 0.26± acre tract located on the west side of Shadburn Ferry Road approximately 1,931 feet from its intersection with Rock Springs Circle; a.k.a. 6180 Shadburn Ferry Road; Zoned R-I; Tax Parcel: 07354 003003. Proposed Use: Single Family Residence. Commission District 1.**

**Background Information:**

The applicant is requesting a right side yard setback variance on a 0.26± acre tract zoned Residential-I (R-I) for a single-family residence. In the statement of hardship, the applicant states that the existing home, which is to be demolished, currently sits 6.5 feet from the property line. The new residence is to be built in a similar footprint but will be 7 feet from the right side property line. The applicant also mentions the narrow nature of the lot, approximately 50 feet wide, making side setbacks difficult to meet.

**Applicant's Presentation:**

**Kyle Ingram, 2015 Briekton Station, Buford**, presented the application. Mr. Ingram stated he was wanting to demolish the current house on the property to rebuild one in the same footprint. He stated that the new house will sit further away from the property line. Mr. Ingram stated that the reason they were planning on placing the house back in its original footprint was due to the fact that neighboring house to the left was built across side property line. He stated that the neighbor has written a letter of approval. Mr. Braswell asked how wide the lot was. Mr. Ingram stated that the lot was about 50 feet wide.

**Public Forum:**

No one spoke in favor or opposition of the request.

**Planning Commission Comments:**

Mr. Braswell stated that the request was cut and dry and he liked that the house would go back in its original location. Mr. Hunt agreed.

**Motion: Mr. Sosebee made a motion to approve the request with a second from Ms. Pilcher and the motion passed with a 5-0 vote.**

- 2. Application of Layna Weldon for a front yard setback variance from 15 ft. to 0 ft. on a 0.49± acre tract located on the north side of Winder Highway approximately 1,365 feet from its intersection with Youngblood Road; a.k.a. 4553 Winder Highway; Zoned O-I; Tax Parcel: 15037A000020A. Proposed Use: Insurance office sign. Commission District 1.**

**Background Information:**

The applicant is requesting a front yard setback variance from 15 feet from property line to 0 feet from the property line for the purpose of placing a sign for an insurance office on the property. In the statement of hardship, the applicant states that the property line is 35 feet off of the road due to a significant amount of right-of-way for a drainage ditch. The applicant also states that if they were to place the sign 15 feet off the property line it would not be easily visible from the road and would hurt her chance at creating a successful business.

**Applicant's Presentation:**

**Layna Weldon, 4553 Winder Highway, Flowery Branch**, presented the request. Ms. Weldon stated that she was requesting more parking and a variance for her sign. She mentioned that she was asking for a 0 foot variance so that her sign could be placed in the best spot for customers to see it from the road. Ms. Weldon stated that the current setback variance almost reaches the front door of the house and she does not believe that placing a sign there would be beneficial or appealing to look at. Ms. Weldon then asked about if the fire hydrant that was located on the property and if her sign had to be a certain distance from it. Staff stated that they could put her in contact with the fire marshal. Mr. Sosebee asked what the size of the sign would be. Ms. Weldon stated that it would be approximately 5 feet by 8 feet and would meet corridor standards and it would be 3 to 4 feet from the ground. Ms. Weldon also stated that there would be landscaping around the sign and it would be a monument style. Mr. Sosebee asked if Ms. Weldon would have any room to move the sign at all. Ms. Weldon stated that it was ultimately up to them, she just thought at the 0 foot setback, the sign would be easiest to see. **Sarah McQuade, Staff**, to clarify, stated that the maximum sign area in gateway was 32 square feet.

**Public Forum:**

No one spoke in favor or opposition of the request.

**Planning Commission Comments:**

Mr. Braswell stated that he was concerned with the speed limit on that road and sign being closer to the road. Mr. Hunt stated that he would not have a problem with moving the sign a few feet back, but 15 feet is too far from the road. Mr. Sosebee asked Ms. Weldon if they

moved the sign a few feet back, if that would work for her. Ms. Weldon stated that it could work. Mr. Sosebee stated that he would be comfortable with moving the sign four feet further back from the road. Ms. Pilcher stated that she would not have a problem with four feet.

**Motion:** *Mr. Sosebee made a motion to approve the amended variance request with a second from Ms. Pilcher and the motion passed with a 5-0 vote.*

- 3. Application of Eastwood Homes of GA, LLC for a Use Subject to Planning Commission approval on a 0.31± acre tract located on the south side of Spout Springs Road at its intersection with Cambridge Drive; a.k.a. 6704 Cambridge Drive; Zoned PRD; Tax Parcel: 15042 000601. Proposed Use: Temporary sales trailer. Commission District 1.**

**Applicant's Presentation:**

No one was present to present the request. The applicant had previously requested to withdraw their request.

**Public Forum:**

No one spoke in favor or opposition of the request.

**Motion:** *Mr. Hunt made a motion to approve the request to withdraw with a second from Ms. Pilcher and the motion passed with a 5-0 vote.*

- 4. Application of Chattahoochee Poultry for a Use Subject to Planning Commission approval on a 2.03± acre tract located on the north side of Ramsey Circle approximately 138 feet from its intersection with White Sulphur Road; a.k.a. 2503 Ramsey Circle; Zoned AR-III; Tax Parcel: 09112 000001E. Proposed Use: Additional parking on other than principal lot. Commission District 4.**

**Background Information:**

The applicant is seeking to rezone a 2.03± acre tract from Agricultural Residential-III (AR-III) to Light Industrial (I-I) in order to use the tract for additional parking for a business located on an adjacent property. The narrative explains that the applicant had been using the subject property as additional parking for employees at Soulshine Farms, located on the adjacent parcel to the south. The applicant was unaware that this use is not permitted and that a permit is required for improvements such as grading and adding gravel. The site plan includes parking for 120 vehicles spread throughout the property and indicates that the existing home would be used as an office building. A 35 ft. vegetative buffer is shown along the northern and eastern boundaries of the property where adjacent properties are zoned residential.

A single-family residence was demolished without a permit sometime in 2019; one residence remains on the property.

**5. Application of Chattahoochee Poultry to rezone from Agricultural Residential-III (AR-III) to Light Industrial (I-I) on a 2.03± acre tract located on the north side of Ramsey Circle approximately 138 feet from its intersection with White Sulphur Road; a.k.a. 2503 Ramsey Circle; Zoned AR-III; Tax Parcel: 09112 00001E. Proposed Use: Additional Parking. Commission District 4.**

**Background Information:**

The applicant is seeking to rezone a 2.03± acre tract from Agricultural Residential-III (AR-III) to Light Industrial (I-I) in order to use the tract for additional parking for a business located on an adjacent property. The narrative explains that the applicant had been using the subject property as additional parking for employees at Soulshine Farms, located on the adjacent parcel to the south. The applicant was unaware that this use is not permitted and that a permit is required for improvements such as grading and adding gravel. The site plan includes parking for 120 vehicles spread throughout the property and indicates that the existing home would be used as an office building. A 35 ft. vegetative buffer is shown along the northern and eastern boundaries of the property where adjacent properties are zoned residential.

A single-family residence was demolished without a permit sometime in 2019; one residence remains on the property.

**Applicant's Presentation:**

**Michael Farmer, 4768 Helton Road, Gainesville**, presented the request. Mr. Farmer stated that he was trying to get a portion of the property rezoned in order to park cars on. He stated that he is trying to have employees and company trucks park in different areas on the property to prevent accidents and unnecessary traffic. Mr. Farmer stated that there was a house on the property and if it needed to be torn down, it could be. He said he understood that there was concern with it being there. Mr. Farmer stated that if the house did not need to be torn down, he would like to eventually make it into an office space. He stated that there was a dirt road that would access the additional parking area and he requested that it be able to stay dirt. He stated that there will not be any truck traffic on the dirt road, only employee's personal vehicles. Mr. Farmer stated that he was trying to make this as safe as possible for the employees. Mr. Braswell asked if the entrance was going to be off of Ramsey Circle, Mr. Farmer stated that was what they were hoping to be able to do. Mr. Farmer stated that he was just wanting to line the parking with timbers and gravel the lot. He stated that they have about 100 employees each shift and that would give them about 100 to 120 parking spaces. Mr. Braswell asked if Mr. Farmer had seen the staff reports for both of his requests. Mr. Farmer stated that he had seen the staff reports and he had also gotten permits for the demoing of the house on the property and a permit for graveling the lot. Mr. Braswell stated that there was a comment in the staff report from Traffic Engineering about improving the portion of Ramsey Road, Mr. Farmer stated that he had no problems improving it, however he would have to work with engineering to figure out what would need to be done. Staff stated that it would have to be worked out during Development Review. Mr. Varner asked if Mr. Farmer was okay with the staff recommendations. Mr. Farmer stated that he was. Mr. Varner also stated that there should be a condition added that does not allow trucks to drive on that portion of the property.

**Public Forum:**

**Scott Kettle, 2535 Ramsey Road, Gainesville,** spoke in favor of the request. He stated that he was donating property for a turnaround for school buses and taxi drivers.

**Motion: Mr. Varner made a motion to approve the request for a Use Subject to Planning Commission with a second from Ms. Pilcher and the motion passed with a 5-0 vote.**

**Motion: Mr. Varner made the motion to recommend approval, with conditions the request to rezone with a second from Mr. Hunt and the motion passed with a 5-0 vote.**

Conditions:

1. The development shall conform substantially with the proposed site plan and narrative, modified as necessary for compliance with current development standards at time of site plan approval.
2. A retroactive demolition permit shall be obtained by the applicant for the removal of the house.
3. Only inter-parcel access between the business lot (tax parcel 09121 000012) shall be allowed; if that is not possible, then the developer shall be responsible for improving Ramsey Circle to commercial/industrial standards as required by the Hall County Public Works Department.
4. All site improvements shall be submitted to the Hall County Development Review process and obtain a Land Disturbance Permit, or any other necessary permits as required.
5. All conditions of zoning shall be made a part of any plat of the property.
6. Company vehicles with more than 6 wheels shall not use the additional parking space.

6. **Kurgan Motorsports, LLC for a Use Subject to County Commission approval on a 9.09± acre tract located on the north side of Athens Highway approximately 441 feet from its intersection with Gillsville Highway; a.k.a. 2495 Athens Highway; Zoned H-B; Tax Parcel: 15023 000205. Proposed Use: Automotive shop. Commission District 4.**

**Applicant's Presentation:**

No one was present to present the request. The applicant had previously requested to withdraw their request.

**Public Forum:**

No one spoke in favor or opposition of the request.

**Motion: Mr. Hunt made a motion to approve the request to withdraw with a second from Ms. Pilcher and the motion passed with a 5-0 vote.**

7. **Application of Eagle Ranch Foundation, Inc. to rezone from Agricultural Residential-IV (AR-IV) to Planned Residential Development (PRD) on a 9.70± acre**

**tract located on the south side of Union Church Road approximately 1,203 feet from its intersection with Oliver Road; a.k.a. 5480 Union Church Road; Zoned AR-IV; Tax Parcel: 15042 0000112. Proposed Use: Counseling office space. Commission District 1.**

**Background Information:**

The applicant is requesting to rezone a 9.70± acre tracts from Agricultural-Residential-IV (AR-IV) to Planned Residential Development (PRD) for a counseling office space. The proposed facility is approximately 12,000 square feet and will be available for members of the local community for individual, marriage, and family counseling by licensed counselors. This development would be an expansion of the existing Eagle Ranch facility, which is located to the west of the subject parcel.

The narrative states that the building will also contain four bedrooms which will be used for overnight guest of Eagle Ranch who are attending occasional retreats that are ancillary to the counseling services. The applicant mentions in the narrative that the bedrooms will not be used for permanent residential housing. The access for this facility is planned to be off of Union Church Road as noted on the plat and the applicant's traffic impact expectations are low.

**Applicant's Presentation:**

**Tyler Smith, 301 Green Street, Gainesville**, presented the request for the applicant. Mr. Smith stated that there was a large portion of Eagle Ranch had already been rezoned to PRD. Mr. Smith stated that the purpose for this rezoning was for building the Wing Center, which will have 6 offices used for counseling. The offices will be used during the week. The building will also house offices and conference space. Mr. Smith went into detail about what those spaces can offer. Mr. Smith also went into detail about the layout and overview of what the site will look like. Mr. Smith stated that the only condition that Eagle Ranch did not agree with was the number of parking spaces. They felt that with the office and conference spaces would need more parking spaces, but no more than 22 spaces. Mr. Smith stated that the applicant was in agreement with all other conditions. Mr. Braswell asked what the time frame of the build out would be. **Eddie Staub, 5500 Union Church, Flowery Branch**, stated that they would begin construction in early summer, finishing in late spring. He stated that they have all the money, just waiting for the approval.

**Public Forum:**

**Ronnie Fouts, 5530 Madison Place, Flowery Branch**, spoke in favor of the application. He stated that all the facilities of Eagle Ranch were very nice and he was very pleased with everything they have done.

**Planning Commission Comments:**

Mr. Braswell stated that what they were asking for was very clear.

**Motion: Mr. Sosebee made a motion to recommend approval, with conditions the request with a second from Mr. Hunt and the motion passed with a 5-0 vote.**

*Conditions:*

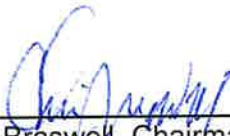
- 1. Development shall be generally consistent with the submitted site plan and narrative, modified for compliance with Hall County regulations at time of development permit application.*
- 2. The development must meet the 10 foot buffer standard stated in §17.260 of the Official Code of Hall County.*
- 3. The development has been granted a variance from the parking standard stated in §17.250 of the Official Code of Hall County and shall be permitted to have a minimum of 22 spaces.*
- 4. Prior to any permit being issued, the development must go through Hall County Development Review.*
- 5. All conditions of zoning shall appear on any plats created for the parcel.*


**Other Business**

The next Planning Commission meeting will be on February 3, 2020.

**ADJOURNMENT:**

There being no further business to conduct, the meeting was adjourned by Mr. Braswell at 6:13 pm.

  
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Chris Braswell, Chairman  
Hall County Planning Commission

  
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Laura Ogletree, Clerk  
Hall County Planning Commission