



HALL COUNTY PLANNING COMMISSION MINUTES OF FEBRUARY 3, 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, Gina Pilcher, Stan Hunt

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 5:20 pm.

Approval of Minutes: January 21, 2019

NEW BUSINESS

- 1. Application of Peter Flynn for a right side yard setback variance from 10 feet to 4 feet on a 0.28± acre tract located on the east side of White Oak Drive approximately 743 feet from its intersection with Oak Hill Drive; a.k.a. 6117 White Oak Drive; Zoned R-I; Tax Parcel 08102A000057; Proposed Use: construct a garage. * Commission District 1.**

Background Information:

The applicant is seeking a right side yard setback variance from 10 feet to 4 feet on a 0.28± acre tract to construct a garage. The proposed garage is 20 feet by 28 feet in side. In the statement of hardship the applicant states that the lot size and placement of the septic tank limits the placement of the garage to the front of the house on the driveway. The applicant also states that the space in the home is limited and the garage will allow the homeowner to have some storage and car protection.

Applicant's Presentation:

Peter Flynn, 6117 White Oak Drive, Flowery Branch, presented the request. Mr. Flynn stated that he was seeking a setback variance in order to construct a two car garage for his home. He stated that due to the small lot size and where the septic was placed, his proposed location for the garage was the only place he would be able to put it.

Public Forum:

No one spoke in favor or opposition of the request.

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

2. **Application of Joab Bowen for a right side yard setback variance from 200 feet to 15 feet on a 46.68± acre tract located on the west side of Lula Road at its intersection with Bowen Bridge Road; a.k.a. 6235 Bowen Bridge Road; Zoned AR-IV; Tax Parcel 12089 000007. Proposed Use: minor subdivision. * Commission District 3.**

Background Information:

The applicant is seeking approval for a side yard setback variance from 200 feet to 15 feet for a minor subdivision on a 46.68± acre tract zoned Agricultural-Residential-IV (AR-IV). In the statement of hardship, the applicant states that they were originally told by Planning Department staff that the side setback was 15 feet from the side property line. While that is the correct side yard setback for the AR-IV zoning district, because the structure is a commercial poultry house a setback of 200 feet is required according to §17.240.060 of the Official Code of Hall County. The applicant also states that the existing home would not allow the property line to be 200 feet from the commercial poultry house because that line would run directly through the existing residence.

Applicant's Presentation:

Joab Bowen, 6235 Bowen Bridge Road, Clermont, presented the request. Mr. Bowen stated that he was requesting a setback variance for a poultry house. He stated that poultry houses are required to have a 200 foot setback, which does not meet with the new property line. Mr. Braswell asked if the poultry houses were going to be sold. Mr. Bowen stated that was correct.

Public Forum:

No one spoke in favor or opposition of the request.

Planning Commission Comments:

Mr. Braswell asked Mr. Bowen if he was requesting to have the application fee refunded due to a miscommunication between the Planning staff and himself. **Sarah McQuade, Planning Director**, stated that based on the miscommunication amongst the staff and request for the fee to be waived, the code does not allow a fee to be waived. However it does state that the applicant is allowed to request it to be refunded. Mr. Hunt clarified that the 15 foot setback variance shall apply to the new property line only and that all future structures shall adhere to current regulations.

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

Motion: Mr. Hunt made a motion to approve the request of the application fee refund with a second from Mr. Sosebee and the motion passed with a 4-0 vote. (Mr. Varner absent)

3. **Application of JCoS Properties, LLC to rezone from Residential-I (R-I) and Agricultural Residential-III (AR-III) to Highway Business (H-B) on a 3.5± acre tract located on the north side of Winder Highway at its intersection with Youngblood Road; a.k.a. 4609 Winder Highway; Zoned R-I and AR-III; Tax Parcel 15037D000002(pt.). Proposed Use: office space. ** Commission District 1.**

Background Information:

The applicant is requesting to rezone a 3.5± acre tracts from Residential-I (R-I) and Agricultural-Residential-III (AR-III) to Highway-Business (H-B) for an office space. The applicant's narrative states that the property will contain two standalone buildings that will service retail or office spaces permitted with the Highway-Business Zoning. The narrative also states that the surrounding properties are residential and that the applicant fully intends to meet the buffer and lighting requirements as set forth in the Official Code of Hall County.

The two standalone buildings will be approximately 20,000 square feet in size based upon the submitted site plan and narrative. The site plan and narrative also place the detention pond in the rear of the property. The narrative mentions that a monument sign will be placed on the property and designed in accordance with the Hall County standards. This will be placed along Winder Highway which is within the Gateway Corridor Overlay District (GCOD).

The applicant is requesting to have a caretaker continue to live in the residence on the property until the plans are finalized and the development permit is issued.

Applicant's Presentation:

Trey Bell, 4743 Plantation Drive, Flowery Branch, presented the request. Mr. Bell stated that this property sits in the future Highway Business zoning area and based on the site plan, the plans fits in and align with the area. Mr. Braswell asked Mr. Bell is he had read the Staff Recommendations. Mr. Bell stated that he had not. Mr. Braswell read and went over the recommendation with Mr. Bell. Mr. Bell stated that he agreed with the conditions.

Public Forum:

No one spoke in favor or opposition of the request.

Motion: Mr. Sosebee made a motion to recommend approval, with conditions for the request with a second from Mr. Hunt and the motion passed with a 4-0 vote. (Mr. Varner absent)

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. All development shall conform with §17.420 Gateway Corridors Overlay District (GCOD).*

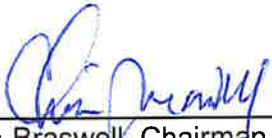
3. *All conditions of zoning shall be made part of any new plats recorded for the property.*

Other Business

The next Planning Commission meeting will be on Monday, February 17, 2019.

ADJOURNMENT:

There being no further business to conduct, the meeting was adjourned by Mr. Braswell at 5:39 pm.



Chris Braswell, Chairman
Hall County Planning Commission



Laura Ogletree, Clerk
Hall County Planning Commission