



**HALL COUNTY BOARD OF COMMISSIONERS
VOTING MEETING
MINUTES**

**Hall County Government Center 2nd Floor
2875 Browns Bridge Road, Gainesville, GA 30504
Thursday, February 08, 2018 - 6:00 p.m.**

1. Call to Order

Chairman Higgins called the meeting to order at 6:09 p.m.

Present:

Chairman Richard Higgins, Vice Chairman Kathy Cooper and Commissioners Billy Powell, Scott Gibbs, and Jeff Stowe

Also present were County Administrator Jock Connell, Assistant County Administrator Marty Nix, Assistant County Administrator Lisa Johnsa, Commission Clerk Lisa Ritchie, and County Attorney Bill Blalock

2. Approve Agenda

Motion by Commissioner Powell, seconded by Commissioner Gibbs and voted, unanimously, to approve the Agenda.

3. Invocation

3.1. Dr. Levi Skipper, Senior Pastor, Concord Baptist Church

4. Pledge of Allegiance

4.2. Commissioner Kathy Cooper

5. Presentations

5.3. Georgia Firefighters Burn Foundation

Commissioner Powell presented the Proclamation.

Interim Fire Chief Mark Arnold stated that this was the second year in a row that they have won this award.

6. Public Comment - Agenda Items Only (2 minutes per speaker/20 minutes maximum)

There were no comments from the public.

Motion by Commissioner Gibbs, seconded by Commissioner Cooper and voted, unanimously, to approve the Consent Agenda.

7. Consent Agenda

- 7.4. Approve January 25, 2018 Voting Meeting Minutes
- 7.5. Approve January 22, 2018 Work Session Minutes
- 7.6. Approval of Intergovernmental Agreement (IGA) between Hall and Dawson Counties which facilitates sharing the cost of two positions 50/50.
- 7.7. Approval of Award for Inmate Storage Racks for the Hall County Jail to Pacific Concepts
- 7.8. Approve Award of RFQ #38-010 Engineering Consultant Services for Landfill Phase II - Cell Two to Oasis Consulting Services of Roswell, GA

8. Other Business

Susan Rector, Business License Director, addressed the Board.

- 8.9. Business License Renewal for 2018 for THE FARMHOUSE AT 30542, located at 4627 Guth Rd., Flowery Branch, Ga. Commission District 1.

Motion by Commissioner Cooper, seconded by Commissioner Gibbs and voted, unanimously, to approve a temporary license for 180 days.

- 8.10. First Reading and Public Hearing for an application for a new Malt Beverage and Wine Package license for FASTRIP FOOD & GAS, located at 2052 Candler Rd., Gainesville, Ga. 30507. Commission District 4.

Mr. Blalock issued the Reading and Public Hearing.

- 8.11. Approve Award of RFP38-011 Contract Service for Hall County Parks & Leisure Tennis Program to Focused Tennis of Hochtton, GA

Tim Sims addressed the Board.

Motion by Commissioner Stowe, seconded by Commissioner Gibbs and voted, unanimously, to approve item 8.11.

- 8.12. Second Reading and Public Hearing for a resolution to amend Chapter 3.90, Mobile Home and Manufactured Home Decals, of Title 5 of the Official Code of Hall County.

Motion by Commissioner Powell, seconded by Commissioner Gibbs and voted, unanimously, to approve item 8.12.

9. Public Hearing to consider applications to amend the Zoning Map of Hall County as follows:

Mr. Blalock gave the Public Hearing Instructions.

- 9.13. Application of Daniel Perdomo to rezone from Residential-I (R-I) to Highway-Business (H-B) on a 1.52± acre tract located on the southeast side of Atlanta Highway, approximately 535± ft. north of its intersection with Mount Salem Circle; a.k.a. 6075 Atlanta Highway; Zoned R-I; Tax Parcel 08138 002020.

Proposed Use: Mechanic shop. Commission District 1. NOTE: Tabled at the January 11, 2018 Commissioners Voting Meeting until the February 8, 2018 Commissioners Voting Meeting

Motion by Commissioner Cooper, seconded by Commissioner Powell and voted, unanimously, to remove item 9.13 from the table.

Mr. Blalock issued the Reading.

Mr. Yamala stated that the Planning Commission recommended denial.

Mr. Blalock issued the Public Hearing.

Daniel Perdomo, 6075 Atlanta Highway, Flowery Branch, addressed the Board in favor of the item.

Motion by Commissioner Cooper, seconded by Commissioner Stowe and voted, unanimously, to approve item 9.13 with the conditions that follow:

- 1) Business hours – 9:00 a.m. to 6:00 p.m. and Monday through Friday and 9:00 a.m. to 5:00 p.m. on Saturday.
- 2) Following the Gateway Corridor Guidelines with the set back buffers that are in place
- 3) Bring the rear of the building forward; and additional 20 feet more

9.14. Application of Cooley Enterprises, LLC for a Use Subject to County Commission Approval on an 11.27± acre tract of land located on the east side of Memorial Park Drive, approximately 350± feet from its intersection with Industrial Drive; a.k.a. 2063 Memorial Park Drive; Zoned I-I; Tax Parcel 08007 003001B. Proposed Use: Poultry Processing. Commission District 2.

Mr. Blalock issued the Reading.

Mr. Yamala stated that the Planning Commission recommended approval.

Mr. Blalock issued the Public Hearing.

Steve Gilliam, 301 Green Street, Gainesville, addressed the Board in favor of the item.

Motion by Commissioner Powell, seconded by Commissioner Gibbs and voted, unanimously, to approve item 9.14.

9.15. Application of J. Kelly Moore, Inc. for a Use Subject to County Commission Approval on a 9.26 ± acre tract of land located on the west side of Eberhart Cemetery Road, approximately 210± feet from its intersection with Gaines Mill Drive; a.k.a. 3343 Eberhart Cemetery Road; Zoned AR-IV; Tax Parcel 15016 000095. Proposed Use: 6 lot subdivision. Commission District 4.

Mr. Blalock issued the Reading.

Mr. Yamala stated that the Planning Commission recommended approval.

Mr. Blalock issued the Public Hearing.

Kelly Moore, 4017 Sargent Circle, Gainesville, addressed the Board in favor of the item.

Motion by Commissioner Stowe, seconded by Commissioner Powell and voted, unanimously, to approve item 9.15.

9.16. Application of Motors in Motion, Inc. for a Use Subject to County Commission Approval on a 6.70 ± acres located on the south side of Cleveland Highway, at

its intersection with Pass Circle; a.k.a. 2800, 2876, and 2774 Cleveland Highway; Zoned H-B; Tax Parcels 10138 000086, 10138 000087, and 10138 000060. Proposed Use: Utility Trailer Sales and Service. Commission District 3.

Mr. Blalock issued the Reading.

Mr. Yamala stated that the Planning Commission recommended approval with six conditions.

Mr. Blalock issued the Public Hearing.

Kim and Hugo Dietlin, 6220 Green Mountain Lane, Clermont, addressed the Board in favor of the item.

Motion by Commissioner Gibbs, seconded by Commissioner Powell and voted, unanimously, to approve item 9.16 with the following conditions:

- 1) Any outdoor storage or display of materials shall be contained within the property lines and not within the right-of-way.
- 2) Signage shall meet the requirements of §17.420 - Gateway Corridors Overlay District (GCOD).
- 3) If future clearing is proposed in any wooded portions of any of the parcels, a permit shall be required with a site plan showing proposed buffers.
- 4) No mechanical or engine repair work on vehicles shall be permitted.
- 5) Manufacturing and fabrication shall be an inside use which occupies no more than 1,000 square feet of floor area, provided all materials produced shall be sold on the premises.
- 6) If any structures or buildings are added to either vacant parcel (10138 000087 and 10138 000060), then all three parcels would be required to be combined and a new plat recorded.

9.17. Application of Mark Skelton to rezone from Agricultural-Residential-III (AR-III) to Planned Residential Development (PRD) on a 10.94 ± acre tract of land located on the south side of L J Martin Drive, approximately 1,075± feet from its intersection with Ponderosa Farm Road; a.k.a. 5301 L J Martin Drive; Zoned AR-III; Tax Parcel 15037 00003(pt.). Proposed Use: 6 lot subdivision. Commission District 1.

Mr. Blalock issued the Reading.

Mr. Yamala stated that the Planning Commission recommended approval with eight conditions.

Mr. Blalock issued the Public Hearing.

Mark Skelton, 5301 LJ Martin Drive, addressed the Board in favor of the item.

Motion by Commissioner Cooper, seconded by Commissioner Powell and voted, unanimously, to approve with the following conditions:

- 1) The development shall be limited to a total of 6 lots, including the adjacent 2.65 acres subdivided from the subject parcel in June 2017. If the applicant chooses to develop a total of 7 lots the applicant shall be required to submit a stormwater management plan for the development.
- 2) The entire document entitled "Declaration of Protective and Restrictive Covenants" submitted by the applicant and attached to this report shall be added to these conditions. The proposed conditions and the attached Conditions of Zoning shall govern the development of the

project. Anything not specifically addressed or interpreted to be addressed in either document shall be subject to the standard requirements of the Hall County Code. If there is a discrepancy between the listed conditions and the applicant's Conditions of Zoning, the listed conditions shall apply.

- 3) Each lot shall have a 50-foot landscape buffer along L J Martin Drive, as well as a 200-foot building setback from the front property line.
- 4) All residences shall have no less than 2,200 square feet of heated floor space for any one-story home and no less than 3,400 square feet of heated floor space for any two-story home.
- 5) All structures including residences and outbuildings shall be constructed of four-sided brick, stone veneer, stone, or similar equivalent. Stucco and vinyl siding are prohibited. There shall be no exposed concrete block.
- 6) All residences must have a double-car garage or carport.
- 7) 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."
- 8) The subject property shall be exempt from stormwater management regulations.

9.18. Application of CalAtlantic Group, Inc. to rezone from Agricultural-Residential-III (AR-III), Residential-I (R-I), and Vacation-Cottage (V-C) to Planned Residential Development (PRD) on a 72.23 ± acre tract of land located on the north side of Stephens Road, approximately 300± feet from its intersection with Flat Creek Road; a.k.a. 5062 Stephens Road; Zoned AR-III; Tax Parcel 08065 000002. Proposed Use: 194 lot, age-restricted subdivision. Commission District 2.

Mr. Blalock issued the Reading.

Mr. Yamala stated that the Planning Commission recommended approval with twelve conditions.

Mr. Blalock issued the Public Hearing.

The following people addressed the Board in favor of the item:

- Brian Rochester, Rochester & Associates, 425 Oak Street
- Bill Smidtt, 9915 Vice Road, Alpharetta
- Jim Edwards, Hidden Harbor, 5759 Harbor North
- David Skobee, 5102 Town Creek Court

The following people addressed the Board in opposition/question of the item:

- Karen McDade, 5065 Stephens Road
- Pam Turk, 4856 Flat Creek Road
- Linda Dotson, 5036 Whites Mill Road

Brian Rochester addressed the Board in rebuttal.

Motion by Commissioner Powell, seconded by Commissioner Gibbs and voted, unanimously, to approve the application with the new conditions that were submitted during the meeting. Those conditions are as follows:

- 1) The development of the site shall occur in substantial conformance to the concept plan and descriptive narrative submitted, modified as necessary for compliance with development standards in place at the time of site plan approval.
- 2) Development shall be limited to a maximum of 194 lots as shown on the concept plan and descriptive narrative submitted.
- 3) The development is subject to the following development standards:
 - Maximum building height: 2 stories with a basement
 - Minimum lot size: 6,500 square feet
 - Minimum lot frontage: 52 feet except cul-de-sac lots with a 40' cord distance
 - Minimum lot width: 52 feet at the building line
 - Front setback: 20 feet
 - Rear setback: 20 feet
 - Side yard setback: 10 foot building separation, at foundation
 - Exterior buffer: 25 feet
 - Landscape buffer: 25 feet along Stephens Road
- 4) All homes shall contain a minimum of 1,600 square feet of heated floor area, two car garages, and have sodded front, side, and rear lawns. Graded slopes on the property shall be matted with grass seeded.
- 5) The developer shall submit architectural renderings, a lighting plan and proposed signage for review to the Planning Director prior to the application for any building permits.
- 6) The developer shall prepare a landscape plan for the PRD to be reviewed and approved by the Hall County Planning Department. This plan shall detail buffers to be planted along the exterior property lines and visual screening along Stephens Road. It is intended that supplemental landscape material include the use of berms, privacy fence or wall, and mixture of deciduous and evergreen trees and shrubs to provide effective visual screening at these locations.
- 7) The developer has submitted representative architectural images of the front elevations for review and approval by the Hall County Planning Department. Developer shall use a variety of techniques to avoid the monotonous appearance of identical homes. Such techniques may employ among others, the use of differing front elevations, architectural styles, building exterior, setbacks or other similar techniques to achieve variety in the streetscape of the Community. As a minimum, homes will be constructed with siding materials of brick, stone, or other cementitious materials such as Hardi-plank. Homes will have minimum roof pitches of 8:12 as viewed on front elevations of 5 ½:12 on side elevations.
- 8) An amenity consisting of a small cabana/clubhouse, swimming pool and two tennis or pickle ball courts are planned. In addition, a previously permitted community dock will be available for resident use only.
- 9) Areas designated as open space may have passive amenities such as walking trails but will primarily consist of vegetated or grassed areas only.
- 10) No access shall be permitted on Whites Mill Road.
- 11) The age restriction shall comply with HUD guidelines.
- 12) All conditions of zoning shall be made a part of any plats created for the subdivision.
- 13) Developer shall install non-spill lighting for the tennis/pickle ball courts

and swimming pool. The tennis/pickle ball courts shall not be located adjacent to the Hidden Harbor property line. The exterior buffer, along the Hidden Harbor property line, within the amenity area shall be increased to 40'.

- 14) All exterior 25' buffers shall be owned and maintained by the Home Owners Association (HOA). In the case of a hardship, as approved by the Planning Director, lot lines may extend into the buffer. However, the buffer shall continue to be maintained by the HOA and undisturbed by the homeowner.
- 15) Construction hours shall be limited as follows:
 - Monday through Friday – 7:00 am until 9:00 pm
 - Saturday – 8:00 am until 7:00 pm
 - Sunday – No work onsite other than maintenance of erosion control measures.
- 16) Activities at the amenity area shall conclude no later than 11:30 pm with the exception of special events

10. Report from County Attorney

Mr. Blalock did not have any items to report.

11. Report from County Administrator

Mr. Connell recognized the passing of retired Lt. Richard Rampley. He stated that Lt. Rampley retired, from fire services, on October 27, 2017 and passed away February 6, 2018. Mr. Connell said his service is much appreciated.

12. Commission Time

Commissioner Kathy Cooper, District 1, did not have any items to report.

Commissioner Billy Powell, District 2, made a motion to refund the Motors in Motion application fee of \$550.00 fee seconded by Commissioner Gibbs and voted, 4 to 1, to approve the refund.

Vote: 4 to 1

Commissioner Cooper –aye

Commissioner Powell – aye

Chairman Higgins – aye

Commissioner Gibbs – aye

Commissioner Stowe – nay

Motion passed.

Commissioner Powell invited Leadership Hall students to address the Board. The following introduced themselves:

- Janet Walden
- Jay Perish
- Joe Kennedy
- Eric Wilbar
- Blyth Hammonds
- Gracie McGarity

- Michael Kelly
- Jennie Early
- Sara Bell
- Monica Jackson
- John Turner

Commissioner Billy Powell, District 2, made a motion to continue to support the Lake Lanier Association's cleanup effort near the Lake Lanier Olympic Park in the amount of \$5,000. Commissioner Stowe seconded the motion and the Commission voted, unanimously, to approve.

Commissioner Scott Gibbs, District 3, did not have any items to report.

Commissioner Jeff Stowe, District 4, made a motion to amend the Commissioners Meeting schedule as follows:

- Cancel the March 8, 2017 Voting Meeting and replace it with a Special Called Voting Meeting on Tuesday, March 6, 2018 at 6:00 p.m.
- Cancel the May 10, 2018 Voting Meeting and replace it with a Special Called Voting Meeting on Tuesday, May 8, 2018 at 6:00 p.m.

Commissioner Powell seconded the motion. The Commission Voted, unanimously, to approve the amendment.

Chairman Richard Higgins did not have any items to report.

13. Adjourn

Motion by Commissioner Cooper, seconded by Commissioner Gibbs and voted, unanimously, to adjourn the meeting at 7:22 p.m.