



HALL COUNTY PLANNING COMMISSION MINUTES OF MARCH 1, 2021

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, Stan Hunt, Gina Pilcher, Johnny Varner, and Trey Bell

Staff Present: Sarah McQuade, Director of Planning; Justin Crighton, Senior Planner; Laura Ogletree, Clerk

Call to Order: The meeting was called to order by the Chairman at 5:16pm.

Approval of Minutes: February 15, 2021

OLD BUSINESS

- 1. Previously tabled application of The Dell Group, LLC to rezone from Planned Commercial Development (PCD) to Planned Industrial Development (PID) on a 19.82± 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: retail and warehouse space. Commission District 1.**

Motion: *Mr. Hunt made a motion to remove the request from the table, with a second from Ms. Pilcher and the motion passed by a 5-0 vote.*

Background Information:

The applicant is requesting approval for the rezoning of a property measuring approximately 19.82± acres from Planned Commercial Development (PCD) to Planned Industrial Development (PID). The applicant is proposing to develop the property with retail or industrial businesses that would front along Winder Highway (State Route 53). Behind these buildings, the narrative describes multiple buildings to be used as “car condos”. No specific definition of a car condo is provided; however, the application includes a list of similar developments across the United States as well as several conceptual elevations of the buildings. An online search describes the concept as private furnished garages for car enthusiasts.

Applicant’s Presentation:

Sarah McQuade, Planning Director, presented a summary of the request. Ms. McQuade stated that the applicant had requested to table their request to a date to be determined as they were exploring the possibility of acquiring additional property for the project.

Motion: *Mr. Hunt made a motion to table the request to a date to be determined, with a second from Ms. Pilcher and the motion passed by a 5-0 vote.*

2. **Previously tabled application of C. Sam McGee to rezone from Agricultural Residential-III (AR-II) to Light Industrial (I-I) on a 34.28± acre tract located on the west side of Spout Springs Road approximately 428 feet from its intersection with Litany Court; a.k.a. 7038 Spout Springs Road; Zoned AR-III; Tax Parcel 15042 000016J. Proposed Use: self-storage warehouse. Commission District 1.**

Motion: *Ms. Pilcher made a motion to remove the request from the table, with a second from Mr. Hunt and the motion passed by a 5-0 vote.*

Background Information:

The applicant is seeking to rezone a 34.28± acre tract from Agricultural-Residential (AR-III) to Light Industrial (I-I) for a self-storage warehouse facility. The narrative states that the proposed development will feature 24-hour access with office hours from 8am to 5pm. The development will include climate-controlled units, non-climate-controlled units, and recreational vehicle (RV) and boat storage. The RV and boat storage is not specified whether this will be covered or uncovered.

Applicant's Presentation:

Sarah McQuade, Planning Director, presented a summary of the request.

Sam McGee, 6969 Fellowship Lane, Flowery Branch, presented the request. Mr. McGee stated that he had scaled down the amount of land that would be developed as well as agreeing to donate two and a half acres to the road widening project for Spout Springs Road. Mr. McGee stated that these buildings would be double stacked, climate controlled, and 12,000 square feet each. Ending with a total of 72,000 square feet for all 5 buildings. Mr. McGee stated that the proposed RV storage would be two, 17,000 square foot, 3-sided buildings. Mr. McGee showed renderings of the buildings they were using as an example. Mr. McGee also stated that the remainder of the property would become 2 lots, one 12 acres and the other being 16 acres and neither of them would be developed. Mr. McGee stated that he would use all the correct lighting and siding for these buildings. Mr. Braswell asked if this was in Gateway. Ms. McQuade stated that it was. Mr. Hunt asked if the siding would be a masonry product. Mr. McGee stated that it would be a stacked stone siding. Mr. McGee stated that there was a house on the property that would be torn down and showed pictures of how close it is to neighboring properties. He stated that even in the winter, there was a good buffer and was over 280 feet from where the building would be. Mr. Braswell asked how many buildings there would be total. Mr. McGee stated that there would be six, including an office. Mr. Braswell asked what the plan for fencing and security would be. Mr. McGee stated that the property would be completely fenced with one gate and electronic locks. Mr. Hunt asked in the fence would be inside or outside the buffer. Mr. McGee stated that the fencing would be inside the buffers. Mr. Braswell stated that would like for there to be something other than chain link fencing across the front of the property. Mr. McGee

stated that he would be using stone and metal materials for the fencing. Mr. Braswell asked if the elevation of the first building was lower than the road. Mr. McGee stated that he was not completely sure, but the elevation was lower than the road. Mr. Braswell asked if the roof would be metal. Mr. McGee stated that he would use a single slope metal roof. He also stated that they would be using concrete, rather than asphalt. Mr. Bell asked if Gateway Corridor would dictate what Mr. McGee could or could not do. Mr. Braswell stated that it does, however they have some leeway with this particular project developing less than 25% of the property. Ms. Pilcher stated that she had concern would the flood plain and not being sure if this was the best located from the proposed project. Mr. Braswell asked if the size of the pond would be determined during the plan review process. Ms. McQuade stated that it would be. Mr. Hunt asked if the type of fencing would need to be mentioned in a motion. Ms. McQuade stated that he would need to stipulate that in a motion due it not being regulated by Gateway standards.

Public Forum:

No one spoke in favor or opposition of the request.

Planning Commission Comments:

Mr. Braswell stated that Mr. McGee would need to provide the renderings shown during his presentation in order for them to be provided to the Board of Commissioners.

Motion: *Mr. Bell made a motion to recommend approval, with conditions for the request, with a second from Mr. Hunt and the motion passed by a 4-1 vote. (Ms. Pilcher opposed)*

Conditions:

1. *The applicant shall submit renderings of the proposed decorative fencing and architectural materials to the Planning Director for approval prior to the issuance of any building permits.*
2. *The development shall occur as depicted in the site plan and renderings presented during the March 1, 2021 Planning Commission meeting, modified for compliance with current regulations at time of development permit application.*
3. **Previously tabled application of Chris Eberhart for a right yard setback variance from 10 feet to 0 feet on a 0.33± acre tract located on the north side of Stephens Road approximately 184 feet from its intersection with Waverly Way; a.k.a. 4610 Stephens Road; Zoned R-I; Tax Parcel 08054 003004C. Proposed Use: construct an addition. Commission District 2.**

Motion: *Ms. Pilcher made a motion to remove the request from the table, with a second from Mr. Bell and the motion passed by a 5-0 vote.*

Background Information:

The applicant is requesting a right side-yard setback variance from 10 feet to 0.7 feet to construct an enclosed garage addition. The proposed addition is 12 feet by 24 feet in size and will have an interior entrance to the home. The proposed garage is located at the end of the existing driveway.

Applicant's Presentation:

Sarah McQuade, Planning Director, presented a summary of the request.

Chris Eberhart, 4610 Stephens Road, Gainesville, presented the request. Mr. Eberhart reviewed his revised site plan as well as a picture he took of where the garage would be built. Mr. Eberhart stated that he came up with a 3 foot right side-yard setback in the rear of the building, with the front of the garage sticking out approximately 8 feet in front of the house. He stated that he also decreased the size of the garage by half a foot. Mr. Eberhart stated that pushed the garage forward 10 feet to better meet up with the kitchen so he could construct a door on the house. Mr. Hunt asked how far the garage had been moved. Mr. Eberhart stated that he had moved it 10 feet. Mr. Hunt asked how deep the house was. Mr. Eberhart stated that it was 24 feet deep.

Public Forum:

No one spoke in favor or opposition of the request.

Planning Commission Comments:

Mr. Hunt stated that he would approve a 2.5 foot variance, rather than the 0.7 foot variance originally asked for by the applicant.

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

Conditions:

1. *The applicant shall have the proposed addition staked and a site plan developed by a licensed land surveyor prior to the application for a building permit.*
4. **Previously tabled application of Joe Cook for a road frontage variance from 150 feet to 50 feet on a 137.26± acre tract located on the west side of Belmont Highway approximately 334 feet from its intersection with Anglin Drive; a.k.a. 3641 Belmont Highway; Zoned AR-IV & I-II; Tax Parcel 15025 000023. Proposed Use: subdivide property into two tracts. Commission District 3.**

Motion: *Mr. Hunt made a motion to remove the request from the table, with a second from Ms. Pilcher and the motion passed by a 5-0 vote.*

Background Information:

The applicant is seeking a road frontage variance from 150 feet to 50 feet in order to subdivide the property and create a second building lot. Belmont Highway is classified as a *major collector* and this classification requires all parcels to have 150 feet of road frontage. The parent tract is developed with one residence and the reason for subdividing is to establish a caretaker's residence according to the statement of hardship.

Applicant's Presentation:

Sarah McQuade, Planning Director, presented a summary of the request.

Joe Cook, 1198 Mtn. Creek Church Road, Pendergrass, presented the request. Mr. Cook asked what all of his options are. Ms. McQuade stated he could continue with his request as is and see what the Planning Commissioner's final decision would be. He could withdraw his application and be refunded for his application fee and subdivide his property using the existing road frontages on Belmont Highway and Young Drive. Lastly, he could withdraw his application and do nothing further with the property. Mr. Cook and the Planning Commission reviewed his options and Mr. Cook requested to withdraw his request.

Public Forum:

No one spoke in favor or opposition of the request.

Planning Commission Comments:

Mr. Braswell stated that the applicant would be refunded his application fee after withdrawing his request.

Motion: *Mr. Hunt made a motion to approve the applicant's request to withdraw the request and refund the application fee, with a second from Ms. Pilcher and the motion passed by a 5-0 vote.*

NEW BUSINESS

5. **Application of Juana M. Salas for a left side yard setback variance from 15 feet to 10 feet on a 0.55± acre tract location of the west side of Gillsville Highway approximately 518 feet from its intersection with Holly Springs Road; a.k.a. 3321 Gillsville Highway; Zoned AR-III & AR-IV; Tax Parcel 15016A000014. Proposed Use: construct an addition. Commission District 4.**

Background Information:

The applicant is requesting a left side-yard setback variance from 15 feet to 10 feet to construct a 6 foot by 20 foot addition to the existing residence. The addition would be an expansion of the existing kitchen, according to the applicant's submitted hardship statement.

Applicant's Presentation:

Sarah McQuade, Planning Director, presented a summary of the request.

No one was present to present the request.

Public Forum:

No one spoke in favor or opposition of the request.

Planning Commission Comments:

Mr. Braswell stated that he was comfortable approving this request, even though the applicant was not present.

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

- 6. Application of Destin Skye Bennett for a Use Subject to County Commission approval on a 5.94± acre tract located on the west side of Bill Wilson Road approximately 718 feet from its intersection with Cragg Road; a.k.a. 7779 Bill Wilson Road; Zoned AR-IV; Tax Parcel 09032 000003D. Proposed Use: 3 lot subdivision. Commission District 3.**

Background Information:

The applicant is seeking approval for a Use Subject to County Commission for the subdivision of a 5.892± acre property into three lots. The narrative indicates that the currently undeveloped property is owned by the applicant's grandparents. If approved, the property would be subdivided into three residential lots of varying acreage. The lots are intended to be developed with site-built 1,800 square foot single-family residences.

Applicant's Presentation:

Sarah McQuade, Planning Director, presented a summary of the request.

Destin Bennett, 622 Oak Street, Clermont, presented the request. Mr. Bennett stated that he had submitted an updated soil study with new lot lines. Mr. Braswell asked if the lot lines had changed significantly or not. Mr. Bennett stated that they barely changed and they each still all meet the county's requirements. Mr. Bell asked if the 1,800 square feet for the houses was his minimum or his maximum. Mr. Bennett stated that as of right now, all the plans for the houses put them at 1,800 square feet.

Public Forum:

No one spoke in favor or opposition of the request.

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

Conditions:

1. *Prior to the issuance of any building permits, a recorded plat shall be required.*
2. *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.”
3. *All conditions of zoning shall be made part of any plat created for the subdivision.*

7. **Application of Gavin Passmore for a Use Subject to County Commission approval on a 3.52± acre tract located on the north side of Old Cornelia Highway at its intersection with Oconee Circle; a.k.a. 2415 C Old Cornelia Highway; Zoned H-B; Tax Parcel 15021B000008. Proposed Use: tattoo, piercing, or body modification studio. Commission District 3.**

Background Information:

The applicant is requesting approval for a use subject to county commissioner approval for a tattoo and body piercing studio. The applicant's narrative states that they have been working towards this request for over a year through COVID-19 and their request is being made to operate a family-oriented studio. The narrative continues that all employees will be licensed and the business will uphold all standards required by the tattoo industry. The applicant states that this is their way of showcasing their art and giving back to the community.

Applicant's Presentation:

Sarah McQuade, Planning Director, presented a summary of the request.

No one was present to present the request.

Public Forum:

No one spoke in favor or opposition of the request.

Motion: *Mr. Hunt made a motion to recommend approval, with a second from Ms. Pilcher and the motion passed by a 5-0 vote.*

8. **Application of Sacred Heart Tattoo IV for a Use Subject to County Commission approval on a 0.28± acre tract located on the west side of Browns Bridge Road approximately 152 feet from its intersection with Skelton Road; a.k.a. 2206 Browns Bridge Road; Zoned H-B; Tax Parcel 00122 001013. Proposed Use: tattoo, piercing, or body modification studio. Commission District 4.**

Background Information:

The applicant is requesting approval for a use subject to county commissioner approval for a tattoo and piercing studio. The applicant's narrative states that the business hours will be Monday through Saturday 11am to 9pm and Sundays 12pm to 7pm. The total number of employees will be four artists and one receptionist. The applicant notes that they are currently licensed through Hall County Environmental Health for a separate location.

Applicant's Presentation:

Sarah McQuade, Planning Director, presented a summary of the request.

Miguel Olivas, 2206 Browns Bridge Road, Gainesville, presented the request. Mr. Olivas stated that they were looking to expand their business. Mr. Olivas stated that he did have one concern with one comment in the staff report from GDOT. Ms. McQuade stated that they had spoken with GDOT and it was a typo with the address, however the comment still would apply if any modifications were being made to the existing access to the property. Mr. Olivas stated that Environmental Health had already come out and completed an inspection. He stated everything was good to go, minus a few minor repairs such as getting a new cover for a light fixture. Mr. Olivas stated that they would have all of these repairs completed prior to the business opening.

Public Forum:

No one spoke in favor or opposition of the request.


Motion: *Mr. Bell made a motion to recommend approval, with a second from Mr. Varner and the motion passed by a 5-0 vote.*

Other Business

The next Planning Commission meeting will be on Monday, March 15, 2021.

ADJOURNMENT:

There being no further business to conduct, the meeting was adjourned by Mr. Braswell at 6:50pm.


Chris Braswell, Chairman
Hall County Planning Commission


Laura Ogletree, Clerk
Hall County Planning Commission