Applicant........................................................................... Kathleen Wedegis

Request................................................................. Use Subject to County Commission approval

Proposed Use .................................................. Agri-entertainment district

Size.......................................................... 10.223± acres

Zoning ....................................................... AR-III

Location .......................................................... At the intersection of Cool Springs Road and Chestatee Road; a.k.a. 3910 Chestatee Road; Tax Parcel 10024 000007

Commission District................................. Two

Planning Commission Date .................... July 1, 2019

Staff Recommendation ................................ Approval

Applicant Proposal

The applicant is seeking approval for a use subject to Board of Commissioners approval for the purpose of operating an agri-entertainment venue. The applicant is proposing to use an existing building as an event venue on occasion for activities including a small meetings, clubs, and family gatherings.

The narrative describes the existing building being in a three acre pasture. The building is less than 300 feet from the property lines, and is approximately 240 feet from a property line not owned by the applicant. No proposed changes to the building are anticipated at this time. The proposed parking is described as gravel and crushed asphalt. The submitted site plan shows the parking just to the northeast of the building, with access along the existing driveway from Chestatee Road. Adequate access for emergency vehicles will be provided as determined through the development review process. Personnel will be provided to assist with parking, emergency, and other potential impacts of each event.

The applicant states that the maximum number of occupants will not exceed 50 people. No weddings and no outdoor activities will be allowed. The requested hours of operation would be from 8:30 a.m. to 6:00 p.m., Monday through Saturday. These hours will accommodate morning business meetings. No signage is proposed for the venue.
The narrative states that there is an existing outdoor light that provides light to the area around the outside of the building. Adequate water and sanitary waste disposal systems will be put into place as approved by the Hall County Environmental Health Department. The structure is connected to an existing well and septic tank. Caution will be used to ensure that the property does not constitute a breach of the conservation covenants applicable to the property. There is a tree line surrounding the property where the building exists.

The submitted site plan with the application was the same site plan used for the building permit for a 46 foot by 36 foot barn. That site plan shows the building setbacks as 250 feet from the property line to the north, 200 feet from the property line to the east along Chestatee Road, 260 feet from the property line to the south, and 240 feet from the property line to the west.

The parking area, as shown on the submitted site plan, is located approximately 150 feet from the property line to the north, 120 feet from the property line to the east along Chestatee Road, 275 feet from the property line to the south, and 275 feet from the property line to the west.

**History and Existing Land Uses**

The subject property has 10.223± acres and is zoned Agricultural-Residential-III (AR-III). The subject property is currently developed with an approximately 1,814 square foot single family residence, an approximately 1,200 square foot detached garage, and an approximately 600 square foot detached garage. There is a past building permit from 2018 issued for a farm use barn, which appears to be the structure described in the application. This permit was described as a one story barn for animals and storage, with a loft for hay storage.

The adjacent property to the north is zoned Planned Residential Development (PRD). The Board of Commissioners approval dated August 17, 2018, describes the subdivision as being 99 lots with access from Cool Springs Road. The recorded plat shows the adjacent property to the west as being a flag lot that wraps around the south and west sides of the subject property. That adjacent parcel is zoned AR-III. To the south of the flag lot is another PRD that has been approved and amended for a 393 lot subdivision.

The properties across Chestatee Road appear to be small residential lots developed with residences, and are all zoned Vacation Cottage (V-C). The properties across Cool Springs Road appear to be small residential lots developed with residences, and are all zoned AR-III.

**Comprehensive Plan Land Use Designation**

The Comprehensive Plan’s future land use designation for the subject parcel is “Lake Area Residential”. This land use category is characterized by detached single-family low-density residential development, less intensive agricultural uses, greenways and trails, and civic benefit uses such as community centers, libraries, places of worship, and schools.
Development Support and Constraints

Hall County Environmental Health
Hall County Environmental Health provided the following comments regarding the request: “A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: portable toilets, soil evaluation, septic system installation/modification, and/or food establishment permit may be required after review of business plan.”

Hall County Fire Services
The subject property is located approximately 3.30 miles from Hall County Fire Station #13, located at 2709 Sardis Road. There are fire hydrants located on the east side of Cool Springs Road, across the street from the subject property, and the west side of Chestatee Road, on the same side of the road as the subject property.

Hall County Public Works and Utilities
   Engineering
   No comments were provided.

   Sewer Services
   No comments were provided.

   Traffic Engineering
   No comments were provided.

Hall County Tax Assessors
No comments were provided.

Gainesville Water and Sewer Resources
The Hall County GIS shows that public water is available along Chestatee Road and Cool Springs Road.

Georgia Department of Transportation
No comments were provided.

Zoning Analysis
- The agri-entertainment district was developed as a mechanism for Hall County to permit land and business owners the ability to offer assembly events within an agricultural venue.
- Parking in agri-entertainment districts is permitted on grass or gravel. If gravel parking is desired, then a permit must be obtained from Engineering Department if more than 5,000 square feet of impervious area is added to site.
- Both the parking and structure will require a variance from the standard setback of 200 feet and 300 feet, respectively, as defined by §17.215, of the Official Code of Hall County.
- §17.215.040.D. requires that parking for the agri-entertainment district shall be greater than 200 feet from property lines of a different owner.
The proposed parking is located approximately 150 feet from the adjacent parcel to the north.

- §17.215.040.C. requires that event structures shall be greater than 300 feet from property lines.
  - The proposed event space is located approximately 240 feet from the adjacent parcel to the west.
- §17.215.040.L states that agri-entertainment events shall commence no earlier than 9:00 a.m. and shall terminate no later than 10:00 p.m. on Sunday through Thursday and no later than 12:00 a.m. on Friday and Saturday.
  - The agri-entertainment district hours of operation are proposed to start at 8:30 am, which would require a variance.
- The following activities have been determined to meet the intent of the agri-entertainment district:
  - Small meetings
  - Clubs
  - Family gatherings

**Staff Recommendation**

Staff recommends **approval** of the applicant’s request with the following condition:

1. The proposed activities are approved, and any future changes to dates and/or time of operation and/or expansion of activities or structures on the property for the agri-entertainment venue shall require approval by the Hall County Board of Commissioners.
2. Parking shall be clearly designated on the property.
3. Hours of operation shall not commence before 8:30 a.m. or occur after 6:00 p.m., Monday through Saturday.
4. Any new development related to the agri-entertainment district will be subject to the Hall County Development Review process.
5. The subject parcel shall be held to Hall County Stormwater Management regulations if more than 5,000 square feet of impervious area is added to site.
6. The applicant shall meet Hall County Environmental Health Department standards to ensure regulations pertaining to onsite septic systems, temporary restroom facilities, and food service.

/VF
Applicant: KATHLEEN H WEDEGIS
Tax Parcel #: 10024 000007
Location: 3910 CHESTATEE ROAD, GAINESVILLE, GA 30506
Commission District 2   PC Mtg. Date: 07/01/2019
Description: The building will be used occasionally for small meetings, clubs, and family gatherings. Proposed functions will take place from mid-mornings to early evening. The existing building is in an approximately 3 acre pasture. There will be no signs displayed publicly. The outdoor lighting is a sensor installed (Jackson Electric) light which lights the area around the outside of the building. The barn has been connected to running water and septic from existing well and tank. There is a tree line surrounding the acreage where the building exists.
Clarifications to Narrative

C. The existing structure is less than 300 feet from a property line. It is approximately 240 feet from property on one side that is not owned by me.

D. All parking is located 200 feet from property lines of a different owner.

E. Parking shall be on gravel and crushed asphalt.

F. The existing building is on the property described in plat.

G. The maximum number shall not exceed 50 people which will be regulated by the Hall County Fire Marshal.

H. The occupancy of the barn shall not exceed the provisions of the Uniform Building Code and all limits shall be posted on the premises by the Hall County Building Inspection Dept.

I. The public use of the venue shall be used only after the issuance of a certificate of occupancy by the Hall County Building Inspection Dept.

J. Any improvements required will be made only after the issuance of a building permit by the Hall County Building Inspection Dept.

K. There will be no outdoor activities at the venue and no weddings.

L. A request to make the hours 8:30 am - 6:00 pm Monday through Saturday is requested as the venue will be used for morning business meetings.

M. Adequate water and sanitary waste disposal systems will be put in place as approved by the Hall County Environmental Health Dept.

N. Adequate access and egress for emergency vehicles will be provided as determined through the developmental review process.

O. Adequate personnel will be provided to assist with parking, emergency and other potential impacts of each event.

P. Caution will be used to ensure that the proposed venue use of the property does not constitute a breach of the conservation covenants applicable to the property.

Thank you.
N/F A.D.W.
INVESTMENTS CO.

Scale
1 = 100'

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 16.023 FEET WITH AN ANGULAR ERROR OF 30 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE COMPLUS RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND HAS A PRECISION OF ONE FOOT IN 360.002 FEET. EQUIPMENT USED FOR ANGULAR AND LINEAR MEASUREMENTS:
NIKON DTM-420

Reviewed by:

MARVIN J. HUBBARD

By:

AUGUST 14, 1989

40 8 32' EAST
ZON 2019-00047
RECEIPT 8690768
INV # 77 84725

HALL COUNTY PLANNING DEPARTMENT
P. O. Box 1435
Gainesville, GA 30503
Phone: 770-531-6809
Fax: 770-531-3902

ZONING APPLICATION

Applicant (Name and Mailing Address)
Kathleen H Wedegis
3910 Chestatee Rd
Gainesville GA 30506
Phone 770 718 6174
Email Address info@thecoloredguy.com
Proposed Use Venue - "meeting house"

Property Owner (Name and Mailing Address)
David + Kathleen Wedegis
3910 Chestatee Rd
Gainesville GA 30506
Phone 770 297 1123
Email Address dkwedegis1@bellsouth.net

Status of Applicant
☑ Owner
☐ Option to purchase
☐ Area resident
☐ Other

Requested Action
Existing zoning: AR-111
Rezone to:
Permissive Use: ☐ HCPC ☑ HCC
Fee $ 600 -

Supporting Documentation
☑ Plat/site plan
☐ Written report
☐ Deed
☐ Other

Tax Parcel Number 10024 000067
Location Address 3910 CHESTATEE RD. GAINESVILLE GA 30506
Acreage 1.7 1.123

I hereby certify that the above information and all attached information are true and correct.

Sign Kathleen Wedegis Date 5-7-2019

Applicant must complete all information above. Failure to complete this section will result in the refusal of the application. The Planning Department has 15 days to review all applications and will set the dates for each application. If the application is found insufficient, an agenda date will not be set until the required information is submitted. Please note that the Planning Commission and County Commission dates are tentative.

Application Withdrawal: I hereby withdraw the application.

Sign Date

Staff Use Only
Application Date: May 7, 2019
Tentative Planning Commission Date: July 1, 2019
County Commission District: Two

Taken by: VANESSA FOSTER
Tentative County Commission Date: July 25, 2019

Revised May 2018
Please find Environmental Health comments below:

Item 3, 6497 Couch Drive: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. Proposed lot configurations shown on plat submitted for review on 5/2/19 (HPZ2019-01252) meet these requirements.

Item 5, 3910 Chestatee Road: A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: portable toilets, soil evaluation, septic system installation/modification, and/or food establishment permit may be required after review of business plan.

Item 7, 0 and 4435 Ridge Road: If sewer unavailable, then all proposed lots must meet Hall County Board of Health Lot Size Resolution requirements.

Item 8, 4153, 4151, 4127 Browns Bridge Road: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements.

Emily McGahee
Hall County Environmental Health
Hall County Government Center – 3rd Floor
2875 Browns Bridge Road
Mailing: PO Box 5901
Gainesville, GA 30504
(770) 531-3973
(770) 531-6767 (fax)

http://dph.georgia.gov/environmental-health (State Website)
http://www.phdistrict2.org/HallCounty.htm (District Website)
http://www.hallcounty.org/devserv/environmental.asp (County Website & Forms)