Applicant ......................................................... Evandro Rocha

Request ......................................................... Rezone from AR-III to H-B

Proposed Use ................................................... Automotive sales

Size ............................................................ 0.43± acres

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

Location ........................................................ At the intersection of McEver Road and McBrayer Road; a.k.a. 5745 McEver Road; Zoned AR-III; Tax Parcel 08090 000003

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

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

Staff Recommendation .................. Denial

Applicant Proposal

The applicant is requesting to rezone a 0.43± acre parcel from Agricultural-Residential-III (AR-III) to Highway Business (H-B) for an automotive sales business. The property is currently vacant. The site plan depicts a 1,500 square foot management office and showroom and parking for approximately 23 vehicles, which includes spaces dedicated for 2 employees and 1 handicap-accessible parking stall.

The applicant acknowledges that 10 foot landscape strips are required and shall be planted along the right-of-way of both McEver Road and McBrayer Road. The applicant is requesting to vary the standards of the transitional vegetated buffer along the rear of the property where adjacent to residentially-zoned lots; the applicant proposes reducing the buffer from 10 feet to 5 feet and also including a 6 foot wooded privacy fence. The applicant states that the size and the triangular configuration of the lot limit development and these variances will greatly improve the lot’s potential for accommodating the business.

The proposed office building will be one story with a mezzanine and measure approximately 24 feet by 40 feet. The applicant states that stormwater management will be addressed with construction plans, all lighting will be non-spill, and signage will consist of a wall-mounted sign on the office and a pole-mounted sign at the intersection of McEver and McBrayer Roads.

Proposed business hours are: Monday through Saturday from 8:00 am to 6:00 pm, closed on Sunday.

The applicant intends to connect to public water provided by the City of Gainesville and to public sewer provided by the City of Flowery Branch. All other utilities shall be underground.

The proposed business would utilize a driveway off McBrayer Road with no access from McEver Road, and the parking area would be gravel.
History and Existing Land Uses

The subject property is currently zoned Agricultural-Residential-III (AR-III) and is approximately 0.43± acres. The lot is included on the recorded plat from 1961 for Holiday Meadow Subdivision, although the lot is not part of the subdivision. The AR-III zoning is original to the property and it is undeveloped.

The adjacent property to the north is also zoned AR-III and is developed with a single-family residence. The property across McEver Road to the west is zoned Light-Industrial and is developed with a manufacturing and warehouse facility. The property across McBrayer Road to the south is within the City of Oakwood and is undeveloped.

Comprehensive Plan Land Use Designation

The rezoning request is not consistent with the Hall County Comprehensive Plan. The subject property is located within the “Residential” land use designation.

Residential areas are characterized by moderate-density residential development and neighborhoods. Street networks are defined by curvilinear streets and green space is largely provided on individual lots but neighborhood open space and/or park amenities may also be provided. Pedestrian connectivity is moderate, where sidewalks may be internal to a neighborhood, but may not currently connect nearby parks and schools.

The request is not consistent with the Comprehensive Plan.

Development Support and Constraints

Hall County Environmental Health
Per Hall County Environmental Health, the following comment was provided: "Must meet all Environmental Health commercial septic system permitting requirements (ie. site plan, detailed business plan, etc.). Further determination will be made during the civil plan review process."

Hall County Fire Services
The subject property is located approximately 3 miles from Hall County Fire Station #5, located at 4187 Falcon Parkway. There is a fire hydrant located across McEver Road.

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 Resources
The Hall County GIS shows that public water is available along both McEver and McBrayer Roads. The applicant has indicated that although City of Flowery Branch public sewer is available along McEver Road, the property would be required to annex into Flowery Branch to connect. The applicant would prefer to install an on-site septic system and has had soil testing analysis conducted for the property.

Georgia Department of Transportation
Per the Georgia DOT, the following comment was provided: “No coordination required.”

Zoning Analysis
- The minimum lot area for H-B zoning is 15,000 square feet (0.34± acres).
- The applicant’s request to operate automotive sales is a permitted use under the H-B zoning district.
- The Comprehensive Plan shows this property as being designated for future Residential uses. The applicant’s request is inconsistent with the Comprehensive Plan.
- The site plan submitted with the application shows a 10 ft. landscape strip along McEver and McBrayer Roads and a 5 ft. planted buffer along the rear boundary with a 6 ft. wooden privacy fence.
  - The applicant is requesting a variance to the rear buffer of 5 ft. from the 10 ft. standard.
- Commercial development is subject to the Hall County Development Review to ensure the development meets local and state development regulations. The review includes land use, erosion and sedimentation, stormwater management, and utility access.
  - If the submitted site plan can be constructed based on review and approval through the Hall County Development Review process, then it appears that the property could support 22 parking spaces and 1 handicapped parking space.
- §17.250 of the Official Code of Hall County requires 1 parking space for each employee at maximum employment on a single shift for automobile sales uses.
  - Parking must be located on the site and not within the right-of-way, and shall be constructed of dust-free materials which will have a surface resistant to erosion, drained so as to prevent damage to abutting properties or public streets and periodically maintained by the owner, and such facilities shall be arranged for convenient access and safety to pedestrians and vehicles.
- §17.380.130 of the Hall County Zoning Regulations states that the approval of any application for a use subject to approval of the county commission shall be effective for a period of no longer than 12 months from the date of approval unless action is taken by the applicant to implement the use proposed in the application by obtaining the proper permit and/or license, and development plat approval, and proceeding with the building, occupancy or establishment of business.

Staff Recommendation
Staff recommends denial of the applicant’s request. However, if the board sees fit to approve the application, staff recommends the following conditions:
1. The development shall conform substantially with the proposed narrative, modified as necessary for compliance with current Hall County development regulations at the time of development.
2. Allowable number of automobiles for sale is contingent upon the maximum employment provided on a single shift and subsequent required ADA parking spaces.

3. Prior to the issuance of a business license, a transitional buffer of 5 feet in width as well as a 6 foot wooden privacy fence shall be installed along the boundary of the subject property where it abuts residentially-zoned property.

4. No storage of wrecked or junk vehicles shall be allowed.

5. All conditions of zoning shall be made part of any plat created for the property.

/EG
Applicant: EVANDRO ROCHA  
Tax Parcel #: 08090 000003  
Location: 5745 MCEVER ROAD, FLOWERY BRANCH, GA 30542  
Commission District 2  
PC Mtg. Date: 07/01/2019
Applicant: EVANDRO ROCHA
Tax Parcel #: 08090 000003
Location: 5745 MCEVER ROAD, FLOWERY BRANCH, GA 30542
Commission District 2 PC Mtg. Date: 07/01/2019

Subject Area

Zoning Boundary
City Limits
Subject Area
Structure
Applicant: EVANDRO ROCHA
Tax Parcel #: 08090 000003
Location: 5745 MCEVER ROAD, FLOWERY BRANCH, GA 30542
Commission District 2 PC Mtg. Date: 07/01/2019
STATEMENT OF HARDSHIP

The Hall County Planning Commission has the authority, in specific cases, to grant variances from the terms of the Zoning Regulations when the variance will not be contrary to the public interest where, owing to special conditions, liberal enforcement of the Zoning Regulations will, in specific cases, result in unnecessary hardship and so that the resolution shall be observed, public safety and welfare secured, and substantial justice done. The authority to grant such variances shall be limited to those instances where a hardship is clearly established as required by the Zoning Regulations.

In all cases involving requests for residential variances from the terms of the Zoning Regulations, a plat or survey of the property prepared by a registered surveyor, architect, or engineer shall be required. In all cases involving variances for commercial or industrial uses of land, a site plan of the property prepared by a registered surveyor, architect, or engineer shall be required. Variances may be granted only upon a finding by the board that:

Describe how each situation listed below relates to your application:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography (the hardship must relate to the physical character of the lot and not to a personal or economic hardship).

   SMALL Lot (0.43 ac) IS TRIANGULAR SHAPE WHICH FURTHER REQUIRES AREAS USEABLE FOR IMPROVEMENTS.

2. The application of the requirements of this resolution to this particular property would create an unusual hardship.

   THE 10' ROOF BUFFER & SETBACK RESULTS PLACEMENT OF IMPROVEMENTS SUCH THAT VEHICULAR CIRCULATION & MANEUVERING IS COMPROMISED

3. Such conditions are peculiar to the particular piece of property involved and not common to other properties in the neighborhood. That is, the application of the regulation would deprive the applicant of the rights commonly enjoyed by others in the neighborhood.

   ADJOINING LOTS ARE LARGER & RECTANGULAR SHAPED

4. Such conditions are not the result of any actions of the property owner.

   THE LOT IS AS ORIGINALLY PLANTED.

5. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this resolution provided; however, that no variance may be granted for a use of land or building or structure that is prohibited by this resolution. For example, granting the variance would not confer any special privilege that is denied by this regulation to other property in the same zoning district.

   NO SPECIAL PRIVILEGES WILL BE OBTAINED BY GRANTING THE VARIANCE. THE REQUIRED BUFFER WILL BE MAINTAINED BY INSTALLING A 6' SOLID WOODEN FENCE.

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

Applicant: [Signature]  Date: 05/09/19

January 2015
Request for Zoning Amendment from AR-III to H-B for McEver Road Auto Sales

5/10/2019

Property Owner:
Jane Wood R/A Banks Et. Al.
c/o Regions Bank Trust Department
P.O. Box 937
Gainesville, GA 30503
(770)503-2638

Applicant:
Evandro Rocha
2090 Oakpointe Ct.
Buford, GA 30519
Phone: (954)701-5570
Amend Zoning from AR-III to H-B

Purpose

This report is to explore the possibility of obtaining a zoning amendment as it applies to a 0.43 acre tract located at 5745 McEver Road, Oakwood, Georgia, 30566, within the AR-III zoning district in Hall County, Georgia. The property is currently vacant, and the owner & applicant propose to develop the tract for automobile sales. The property is owned by Jane Wood R/A Banks et. al., (phone (770)503-2638, and will be developed my Mr. Evandro Rocha. Mr. Rocha can be reached at (954)701-5570.

The subject tract fronts for approximately 192' on State Hwy. 53 (McEver Road), and approximately 201' on McBryer Road, a county road. It is bordered by Hall County AR-III zoning to the north and east, McBryer Road to the south, and McEver Road to the west. The zoning on the south side of McBryer Road is City of Oakwood (zoned A-1) and is currently vacant. The zoning to the west side of McEver Road is City of Oakwood I-I., and is currently occupied by an industrial development. Zoning of the land to the north and east of the subject property is Hall County AR-III. The tract adjoining the subject tracts rear property line is vacant. Immediately to the right (but not touching) of the subject property is a residential lot.

Site Characteristics

Hardwood and pine trees, as well as understory vegetation, currently cover the property. Topographically, the grade is fairly flat, with approximately 4' to 6' of fall from McBryer to the corner of the property where it meets McEver Road. This amount of elevation difference is common to the area.

The site is served by City of Gainesville Water, and Flowery Branch sewer.

No apparent rock or wetland areas were noted on the site during an on-site investigation, but a formal wetland investigation and rock boring study was not performed in conjunction with this study. There appears to be no state waters associated with the property. The soils belong to the Augusta soil series with a noted high water table.
Cultural Requirements for the Project

The subject acreage is in Hall County, Georgia, and is currently zoned AR-III (as confirmed by the Hall County Planning Department). The applicant is asking for a zoning amendment to H-B zoning. Current required building setbacks for H-B zoning as it pertains to the subject property are

- Front: 100' from the centerline of a McEver Road
- 55' from the centerline of McBryer Road
- Side: 20'
- Rear: 10'

Since the property abuts other AR-III residential use lots to the north and east, a 10' transitional buffer is required at the rear property line per ordinance. Ten foot landscape strips will also be placed at the property lines abutting McEver and McBryer Roads. These landscape strips will be heavily landscaped in trees, shrubs and appropriate groundcover as per H-B zoning. Hall County’s Tree Protection and Replacement ordinance will apply as well.

Concurrent with this request for zoning amendment, the owner and applicant request a variance in the rear setback and buffer from 10' to 5'. This is to help alleviate restrictions inherent to the property due to its size and triangular configuration. The owner and applicant plan to mediate the reduction in the buffer by installing a 6' wooden privacy fence along with landscaping on the side of the fence facing the AR-III zoning adjacent to the rear property line.

Proposed Land Use

1) Land Use

- The subject parcel will be developed for use as an auto sales facility, and will include an associated 1,500 s.f. management office and showroom.
- The facility will have approximately 23 parking spaces. Two of these will be for facility employees. The remaining 21 will be for auto sales stock, with the exception of one which will be built to ADA standards for people with disabilities.
2) Building Layout

- The facility's office will be one story with a mezzanine. Dimensions will be approximately 24' x 40'.

3) Project Aesthetics

- It is the owner’s intent to create a project which works with the site and the environment.
- Supplemental landscaping will be installed around the office building to further enhance the project's aesthetics.
- Landscaped areas may be used in conjunction with other BMP’s for storm water quality and quantity control. Some selected areas of pervious paving placed in the parking lot may be used for the same purposes, and to lower the amount of impervious cover.
- All security lighting will be in the form of building façade security lights and parking lot lighting. Fixtures would be the non-spill type designed to contain light spill.
- Project signage will be of the façade type, with a pole-mounted sign to be placed at the intersection of McEver and McBryer.

4) Operating Hours

- The auto sales facility will adhere to the following operating hours:
- Office operating hours will be from 8:00 am to 6:00 pm Monday through Saturday. The facility will be closed on Sundays.

Infrastructure Improvements

1) Water and Sewage Disposal:

- Water service is available and will be provided by the City of Gainesville. Sanitary sewage disposal will be through City of Flowery Branch sanitary sewer.
- Design, construction, installation and operation will conform to all federal, state and local regulations current at the time of development.
2) Other Utilities and Services:

- All utilities, including but not limited to water, sewer, power, gas, cable, and telephone, will be underground and meet all applicable standards. Utilities will be installed per regulatory standards in common trenches or conduit after curbing, if any, is installed but before driveway or sidewalk construction.
- No open cuts shall be allowed in curbs, if any, or roadbeds. All open trenches shall be covered at the end of each work day.
- Fire service will be provided by the Hall County Fire Department.
- There is an existing fire hydrant across McEver Road from the property. Other fire hydrants as required by the Hall County Fire Department will be installed within the project if needed.
- Final project site design will adhere to all state and county regulations pertaining to fire prevention and service.

3) Grading & Stormwater Management

- Grading & Erosion Control: Construction of the project will abide by the Georgia Manual of Erosion and Sediment Control, latest edition. All necessary Best Management Practices will be used. The project grading will be in accordance with all local, state, and federal regulations.
- BMP’s and storm water management facilities will be in place and operating as construction proceeds, and inspected and maintained as per all applicable ordinances.
- All applicable local, state and Federal erosion and sediment control and stormwater management regulations shall be adhered to. Erosion control measures will be maintained at all times.
- Low Impact Development practices, such as pervious paving, will be used where practical. These practices will serve duel purposes - storm water management and aesthetic appeal.
- Retaining walls will be kept to a minimum and, where possible, will be constructed of decorative block.
- Where Low Impact Development practices are not enough to mitigate storm water impacts, conventional detention ponds meeting all Hall County standards will be designed for the project. The intent is to keep any ponds as small as practical, and buffered by vegetation, to lessen aesthetic impact.
- Apparently, there are no state waters requiring buffers crossing the property.
• Any security fencing enclosing detention ponds will be vinyl-coated chain link, colored black or green.

4) Paving Improvements:

• On-site improvements: The project entrance driveway from McBrayer Road shall be built to Hall County standards for a commercial project.
• Parking lot to be surfaced with gravel.

Site development will commence on successfully obtaining this amendment to zoning, along with the requested variance, and acquiring the necessary land disturbance permits.
June 11, 2019

Mr. Evan Rocha  
2090 Oakpointe Court  
Buford, Georgia 30519  
import_cars2010@yahoo.com

Subject: Level 4 Soil Report  
Parcel ID: 08090 000003  
4442 McBrayer Road  
Oakwood, Hall County, Georgia 30566

Dear Mr. Rocha,

Mill Creek Environmental, LLC is pleased to be of assistance on this project. This soil report was prepared in accordance with the Georgia Department of Public Health Manual for On-Site Sewage Management Systems.

Soil surveys were conducted at the subject property on April 11, 2019 and May 31, 2019. The soils were classified as belonging to the Appling (Wet) and Appling (Wet Variant) Soil Series. Evidence of a seasonal high water table was observed in both of these soil types. The Appling (Wet) soils are poorly suited for a conventional septic system, however, a shallow installation, low profile chamber, and aerobic treatment system will allow use of these soils for a septic drain field. The Appling (Wet Variant) Soil Series is generally not suitable for a conventional septic system. An alternate system may be an option for these soils if they are needed for septic drain field.

Soil boring locations and soil series are shown on the attached site plan. Suitability codes and estimated absorption rates are shown on the attached Level 3 Soil Report. If you have any questions or if we can be of further assistance, please call us at (706) 579-1607.

Sincerely,
Mill Creek Environmental, LLC

Ryan Phillippie  
Project Geologist

Dan Centofanti, PG  
Technical Director
# LEVEL 4 SOIL REPORT

**COUNTY:** Hall  
**DATE:** April 11, 2019 & May 31, 2019  
**CONTACT:** Mr. Evan Rocha  
**SITE LOCATION ADDRESS:** 4442 McBrayer Road, Oakwood, GA 30566  
**PHONE NUMBER:** 954-701-5570  
**SCALE:** 1" = 40'

## SOIL PROPERTIES

| SOIL BORING NUMBER | SOIL SERIES<sup>1</sup>  
<table>
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<tbody>
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<td></td>
<td>(SEE SUITABILITY CODES)</td>
<td>SLOPE&lt;sup&gt;2&lt;/sup&gt; (RANGES OF SOIL TYPE)</td>
<td>RESTRICTIVE/REFUSAL LAYER&lt;sup&gt;3&lt;/sup&gt; (INCHES BGS)</td>
<td>DEPTH TO SEASONAL HIGH H2O TABLE (INCHES BGS)</td>
<td>ABSORPTION RATE&lt;sup&gt;4&lt;/sup&gt; AT RECOMMENDED TRENCH DEPTH (MIN/INCH)</td>
<td>RECOMMENDED TRENCH DEPTH (INCHES BGS)</td>
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</tbody>
</table>
| B-1                | Appling (Wet Variant)  
Soil Series         | 2-6%                     | >72              | 24              | 60             | See Codes       | C                |
| B-2                | Appling (Wet)  
Soil Series         | 2-6%                     | >72              | 26              | 60             | 14              | S                |
| B-3                | Appling (Wet Variant)  
Soil Series         | 2-6%                     | 60               | 22              | 90             | See Codes       | C                |
| B-4                | Appling (Wet Variant)  
Soil Series         | 2-6%                     | 62               | 20              | 90             | See Codes       | C                |
| B-5                | Appling (Wet)  
Soil Series         | 2-6%                     | >72              | 28              | 60             | 14-18            | S                |
| B-6                | Appling (Wet)  
Soil Series         | 2-6%                     | >72              | 30              | 90             | 14-20            | S                |
| B-7                | Appling (Wet)  
Soil Series         | 2-6%                     | >72              | 36              | 60             | 14-26            | S                |

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1. Based on field observations.  
2. Based on USDA NRCS descriptions.  
3. Based on Georgia DPH Manual for On-Site Sewage Systems, Table CT-1.  
4. Based on Soil Classifier interpretation of site conditions and soil classification.  
5. BGS = Below Ground Surface
SUITABILITY CODE DESCRIPTIONS & GENERAL NOTES:

SUITABILITY CODE S: These soils have shallow seasonal high water tables and are commonly poorly suited for conventional on-site system installation. However, a shallow system using a low profile chamber and aerobic treatment unit will allow these soils to be used for a septic drain field. Design and installation of an alternative system on these soils must be approved by the local Environmental Health Specialist.

SUITABILITY CODE C: Because of flooding, shallow seasonal water tables, soil horizons with very slow percolation rate, perched water tables, or imperfect drainage, these soils are not suitable for installation of a conventional on-site system without site modifications, special designs or installation. Non-conventional systems and installation must be approved by the local Environmental Health Specialist.

Miscellaneous Notes:

All borings are staked in the field and labeled.

This soil report is in accordance with the standards and regulations set forth in the Georgia Department of Public Health Manual for On-Site Sewage Management Systems, January 2014. Mill Creek Environmental, LLC does not issue permits for, install, maintain or guarantee the performance of any on-site sewage management system. The County Health Department has the authority to permit on-site sewage management systems on this property and may have a different view of the soil conditions. The County Health Department has final jurisdiction over permitting and regulating on-site sewage management systems.

Any alteration to this report without my expressed, written consent and approval will render this report null and void. Any alteration to the site after the date on which the fieldwork was performed may change the nature and suitability of the site.

This report was completed by Certified Soil Classifier:

[Signature]
Dan Centofanti, PG
Georgia Professional Geologist # 1321

Mill Creek Environmental, LLC
**ZONING APPLICATION**

**Applicant (Name and Mailing Address)**

Eduardo Rocha  
2090 Oakpointe Ct.  
Buford, GA 30519  
Phone 951-501-5570

**Property Owner (Name and Mailing Address)**

Jane Wood R/A Banks et al.  
40 Regions Bank Trust Dept.  
PO Box 937, Gainesville, GA 30503  
Phone 770-503-2638

**Email Address**

import_cars2010@yahoo.com  

**Proposed Use**

Auto Sales  
Rezone from AR-II  
Variation of Rear Setback from 10' to 5'

<table>
<thead>
<tr>
<th>Status of Applicant</th>
<th>Requested Action</th>
<th>Supporting Documentation</th>
</tr>
</thead>
</table>
| Owner               | Existing zoning: AR-II  
Rezone to: HB  
Permissive Use: ☐ HCPC ☐ HCC  
Fee $450.00 | ☑ Plat/site plan  
☐ Written report  
☐ Deed  
☐ Other |

**Tax Parcel Number** 08090 000003  
**Acreage** 0.43  

**Location Address** 5745 McEwen Rd, Flowery Branch, GA 30542

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

Sign [Signature]  

Date 05-10-19

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 [Signature]  

Date 04-26-19

**Staff Use Only**

Application Date: 5/10/19  
Tentative Planning Commission Date: 7/1/19  
County Commission District: 2  
Tentative County Commission Date: 7/25/19

Taken by: [Signature]

Revised May 2018
AUTHORIZATION OF PROPERTY OWNERS

Name of owner(s)  The McGraw Family Partnership L.P.
Rex B. McGraw, General Partner

Address  P.O. Box 850, Rainier, WA 98576

Phone Number  208-265-5866

Name of applicant(s)  EVANORO ROCHA

Address  2090 Oakpointe Ct.
Burley, ID 83318

Phone Number  208. 701. 5570

I swear that I am the owner of the property which is the subject matter of the attached applications as shown in the records of Hall County, Georgia.
I authorize the person named above to act as applicant in the pursuit of a rezoning, permissive use, or variance of this property.

Signature of Owner(s)

[Signature]

Personally appeared before me

[Signature]

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Notary Public

Date

4-30-19
CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

This form must be completed by the applicant and property owner, or person representing the property owner, for all zoning actions.

OCGA § 36-67A-3[C] Disclosure of campaign contributions:

(b) When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant’s application for the zoning action, campaign contributions aggregating $250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:

(3) The name and official position of the local government official to whom the campaign contribution was made; and

(4) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(b) The disclosures required by subsection (a) of this Code section shall be filed with ten days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

I hereby certify that I have read the above and that:

I have** ___ I have not ___

within the two years immediately preceding this date, made any contribution(s) aggregating $250.00 or more to any local government official involved in the review or consideration of this application.

**If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.

Name of Official(s): ____________________________ Office: ____________________________

Dollar Amount: ____________________________ Date of Contribution: ____________________________

Applicant/Owner’s Signature: ____________________________ Date: 4/30/2019

The McCary Family Partnership L.P.

Revised November 2017
AUTHORIZATION OF PROPERTY OWNERS

Name of owner(s)  
Jane Wood Banks  
% Regions Bank  
303 Jesse Jewell Parkway  
Gainesville, GA 30501

Address

Name of applicant(s)  
Evandro Rocha  
2090 Oakpointe Ct.  
Buford, GA 30519

Address

Phone Number
770-505-2633 [check mark]

Phone Number
954.701.5576

I swear that I am the owner of the property which is the subject matter of the attached applications as shown in the records of Hall County, Georgia.
I authorize the person named above to act as applicant in the pursuit of a rezoning, permissive use, or variance of this property.

Signature of Owner(s)

[Signature]

Personally appeared before me

L. Lorraine Zimmerman

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Notary Public

[Signature]

Date
5/3/19

Comm. Exp.  
GEORGIA  
Aug. 24, 2019

Revised November 2017
CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

This form must be completed by the applicant and property owner, or person representing the property owner, for all zoning actions.

OCGA § 36-67A-3(C) Disclosure of campaign contributions:

(b) When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant’s application for the zoning action, campaign contributions aggregating $250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:

(3) The name and official position of the local government official to whom the campaign contribution was made; and

(4) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(b) The disclosures required by subsection (a) of this Code section shall be filed with ten days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3(C), enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

I hereby certify that I have read the above and that:

I have** ___  I have not ___

within the two years immediately preceding this date, made any contribution(s) aggregating $250.00 or more to any local government official involved in the review or consideration of this application.

**If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.

Name of Official(s): ____________________________  Office: ____________________________

Dollar Amount: ____________________________  Date of Contribution: ____________________________

Applicant’s/Owner’s Signature: ____________________________  Date: 5-3-19
HALL COUNTY PLANNING DEPARTMENT
P. O. Box 1435
Gainesville, GA 30503
Phone: 770-531-6809
Fax: 770-531-3902

AUTHORIZATION OF PROPERTY OWNERS

Name of owner(s)          Burrell Investments, Ltd.
Address                   12 Glenview Circle
                         Birmingham, AL 35213
Phone Number              334-329-7317

Name of applicant(s)      Evander Rocha
Address                   2090 Oak Pointe Ct
                         Buford, GA 30519
Phone Number              954-701-5570

I swear that I am the owner of the property which is the subject matter of the attached applications as shown in the records of Hall County, Georgia.
I authorize the person named above to act as applicant in the pursuit of a rezoning, permissive use, or variance of this property.

Signature of Owner(s)

Personally appeared before me

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Notary Public

Date

Revised November 2017
CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

This form must be completed by the applicant and property owner, or person representing the property owner, for all zoning actions.

O CGA § 36-67A-3[C] Disclosure of campaign contributions:

(b) When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant’s application for the zoning action, campaign contributions aggregating $250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:

(3) The name and official position of the local government official to whom the campaign contribution was made; and

(4) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(b) The disclosures required by subsection (a) of this Code section shall be filed with ten days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section l).

I hereby certify that I have read the above and that:

I have** ☐ I have not ☐

within the two years immediately preceding this date, made any contribution(s) aggregating $250.00 or more to any local government official involved in the review or consideration of this application.

**If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.

Name of Official(s) ____________________ Office ____________________

Dollar Amount ____________________ Date of Contribution ____________________

Applicant’s/Owner’s Signature ____________________ Date 04-26-19

Date ____________________

Revised November 2017
June 21, 2019

MEMORANDUM

TO:        Sarah McQuade, Planning Manager
FROM:      Ken Rearden, Public Works and Utilities Director
SUBJECT:   Hall County Planning Commission Agenda for July 1, 2019 Meeting

Please be advised that Public Works & Engineering has reviewed the Hall County Planning agenda for the July 1, 2019 meeting.

Upon review, we provide the following comments on this agenda:

1. Application of Joseph and Rachel Bahin
   a) **Utilities**: No Comment
   b) **Engineering**: No Comment
   c) **Traffic**: No Comment

2. Application of CRH Advertising, Inc.
   a) **Utilities**: No Comment
   b) **Engineering**: Sign appears to be in the future floodplain. This may require a design change and will be addressed during the plan review process.
   c) **Traffic**: No Comment

3. Application of Brittany Gunter Turner
   a) **Utilities**: No Sewer Available at this time
   b) **Engineering**: No Comment
   c) **Traffic**: No Comment
4. Application of Ashley Ruelas
   a) **Utilities**: No Comment in Gainesville Sewer District
   b) **Engineering**: No Comment
   c) **Traffic**: No Comment

5. Application of Kathleen Wedegis
   a) **Utilities**: No Sewer Available at this time shared Gainesville-Hall County Sewer District
   b) **Engineering**: Agri-entertainment districts are subject to stormwater rules and regulations. The site might require a stormwater management plan depending upon impervious square footage and other factors that will be examined during the plan review process.
   c) **Traffic**: No Comment

6. Application of Evandro Rocha
   a) **Utilities**: No Comment in Oakwood Sewer District
   b) **Engineering**: No Comment
   c) **Traffic**: Development will need to meet Hall County Access Requirements

7. Application of Application of WE Flip, LLC
   a) **Utilities**: Proposed plan does not align with planned sewer on this property as lots are on the acquired sewer easement. Detailed email sent to Planning on June 13, 2019. Sewer will be available on this property in approximately 2022 if funding is available.
   b) **Engineering**: Some of the road design parameters may not meet Hall County standards. This will be addressed during plan review.
   c) **Traffic**: At minimum, the recommended improvements within the traffic impact study will be required, however, the development will need to meet Hall County and GDOT access criteria, so additional requirements may be necessary during plan review. Developer will need to coordinate design plans with Hall County Traffic Engineering and GDOT.

8. Application of Howorth Properties, LLC
   a) **Utilities**: No Sewer Available at this time shared Gainesville-Hall Sewer District
   b) **Engineering**: Howorth is currently out of compliance on two of their properties. One has been operating without a business license as they have been unable to get into compliance with stormwater rules and regulations for many years. The other is under stop work order for soil erosion violations. Engineering recommends these issues are corrected prior to allowing this rezoning.
   c) **Traffic**: No Comment