

STATE OF GEORGIA

COUNTY OF HALL

**A RESOLUTION TO AMEND THE CODE OF ORDINANCES OF HALL COUNTY**  
**WITH REGARD TO SPITE STRIPS AND STREET FRONTAGE REQUIREMENTS**

**WHEREAS**, Hall County has developed zoning regulations governing street frontage requirements found in Chapter 17.240 of the Official Code of Hall County, Georgia; and

**WHEREAS**, due to the creation of Lake Lanier and other developments, Hall County historically permitted the subdivision of lots along established easements or private ways during the period generally ending before January 2000, and

**WHEREAS**, many of such lots remain landlocked and present challenges to their owners and the County's staff in determining the uses that may be permitted on such properties; and

**WHEREAS**, the Board of Commissioners has determined that it is in the County's best interest to assist the owners of such lots and property by taking steps to avoid the designation of these lots as landlocked and non-conforming to existing regulations; and

**WHEREAS**, the Board of Commissioners has determined that it is in the best interest of County residents to remove barriers to the use and marketability of certain landlocked and non-conforming parcels when access has historically been provided by a recorded easement or private way; and

**WHEREAS**, the County has determined that amendments should be made to the County's street frontage requirements so as to provide lot frontage regulations for certain lots accessed only by private easements or ways; and

**WHEREAS**, the County has also determined that provisions should be added to the Official Code of Hall County so as to prohibit “spite strips” which are defined as portions of lots that run for sixty feet or more along a public road with an average depth of the strip along the public road of less than forty feet; and

**WHEREAS**, the County’s Board of Commissioners believes that the elimination of spite strips will benefit the County’s landowners and residents by encouraging access and frontage to public streets and roads; and

**WHEREAS**, the County’s Board of Commissioners believes that the above-referenced changes to its zoning code as described herein are in the best interests of residents and businesses of Hall County, Georgia, and would promote the public health, safety, and general welfare of such residents and businesses.

**NOW, THEREFORE**, the Board of Commissioners does hereby amend The Official Code of Hall County, Georgia as follows:

1.

Section 17.240.130 (Street frontage requirements) of the Official Code of Hall County, Georgia is hereby amended by deleting subsection A in its entirety, and by replacing it with a new subsection A which provides as follows:

“17.240.130. – Street frontage requirements.

A. No principal building shall be placed or erected on a lot or parcel which does not abut:

1. A street or road shown on the official county road map or otherwise maintained by a governmental unit; or
2. An existing public way not maintained by the county; or

3. A newly created street which meets the standards of the county subdivision regulations; or
4. An existing private way serving as the sole access for no more than five lots, provided that such private way is depicted on a recorded plat created before January 1, 2000.”

2.

Chapter 17.240 of the Official Code of Hall County, Georgia is further amended by adding a new Section 17.240.170 which provides as follows:

“17.240.170 – Spite strips and access to landlocked property.

Spite strips shall be prohibited. A spite strip is a portion of a lot that runs for sixty feet or more along a public road with an average depth of the strip along the public road of less than forty feet.

Any landlocked lot of record which is served by an easement and which is within 100 feet of the public road where such easement originates or connects shall be deemed to meet all road frontage requirements of this Code.

3.

The remaining provisions of Chapter 17.240 of the Hall County Code of Ordinances shall remain as they were, unchanged by this amendment.

**SO RESOLVED**, this the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

**HALL COUNTY BOARD OF COMMISSIONERS**

By: \_\_\_\_\_  
Richard Higgins, Chairman

ATTEST:

\_\_\_\_\_  
Jennifer Rivera, County Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
County Attorney