

VARIANCE APPLICATION

Applicant (Name and Mailing Address)

Hall County Planning Staff

2875 Browns Bridge Rd 3rd Floor

Gainesville, GA 30504

Phone 770-531-6809

Email Address planning@hallcounty.org

Location of Property 8730 Forrester Rd

Present Zoning AR-IV Existing Structures House and Commercial Kennels (ZON2007-00153,ZON2007-00113)

Type of Appeal:

- Setback Variance
 Road Frontage Variance
 Sign Variance
 Hardship Mobile Home

- Front Yard From ____ ft. to ____ ft.
 Right Side Yard From ____ ft. to ____ ft.
 Left Side Yard From ____ ft. to ____ ft.
 Rear Yard From ____ ft. to ____ ft.
 Road Frontage From 50 ft. to 0 ft.
 Sign Area From ____ ft. to ____ ft.
 Sign Height From ____ ft. to ____ ft.
 Doctor's Letter
 Terms Agreement

Supporting Documents: Plat of Property

Site Plan

Deed of Property

Floor Plans

Hardship Statement

Other

Fee (Must be paid for application to be complete): \$ fee waived

Hardship Mobile Home:

I understand that, if granted, the mobile home must be removed from the property when my hardship ceases to exist.

(Signature)

I hereby certify that the above information is true & correct to the best of my knowledge.

Sign

Date 2/24/23

I hereby withdraw this application.

Sign

Date 2/24/23

Staff Use Only

Application Date: 2-17-2023

Taken by: JRD

Tentative Planning Commission Date: N/A

IfAppealed County Commission Date: 3-23-2023

County Commission District: Three (3)

AUTHORIZATION OF PROPERTY OWNERS

Note: If the applicant is the property owner, please disregard this form.

Name of owner(s) Steven and Holly Crumley

Address 8730 Forrester Rd

Lula, GA 30554

Phone Number 678.316.4519

Name of applicant(s) Hall County Planning Staff

Address 2875 Browns Bridge Rd 3rd floor

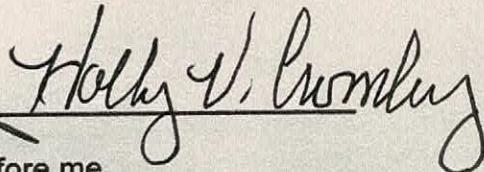
Gainesville, GA 30504

Phone Number 770-531-6809

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.

Cindy L. West
Notary Public

2/24/23

Date

**Cindy L West
NOTARY PUBLIC
Hall County, GEORGIA
My Commission Expires 07/09/2026**

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, a literal 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).

The current house, residential accessory buildings, and commercial kennel is located on a 9.49-acre parcel with no frontage on a public right-of-way.

The property is accessed via permanent perpetual non-exclusive 50FT easement. The easement is the flag pole portion of tax parcel 12128.000005, also known as 8720 Forrester Rd. The property was created by deed in the early 1990's and has continued to be transferred by deed.

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

The parcel currently exists as a non-conforming parcel which was created by a deed in the early 1990s. Permits to construct a house, accessory buildings, and a commercial kennel were obtained between 1999 and 2020. We have a buyer for both the house and commercial

kennels but the purchaser must obtain loans from 2 different sources; therefore, the property must be subdivided.

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.

All lots served by the flag pole prescriptive easement have the same access issue. This property is being sold to 1 owner but must be separated to meet the lending criteria of the bank and SBA. The property will continue to under one ownership.

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

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.

Granting a variance will not create an issue related to safety and access since nothing is changing except that an existing parcel with an existing residential use and commercial use is being sold to one buyer with separate lien holders.

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

Applicant

S. [Signature] Holly Cumley

Date 2/24/23

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 within 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.

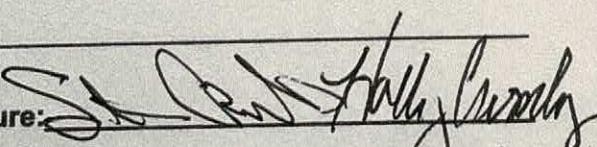
****If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.**

Name of Official(s): _____

Office: _____

Dollar Amount: _____

Date of Contribution: _____

Applicant's/Owner's Signature: 

Date: 2/24/23

Applicant's/Owner's Name (Printed): Steven Crumley Holly Crumley

X 22-199-Preliminary-c...



PRELIMINARY COPY FOR REVIEW 02-16-2023

THIS IS NOT A SURVEY

