



# SMITH GILLIAM WILLIAMS & MILES

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April 20, 2023

**Via Email to**

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Honorable Richard Higgins, Chairman  
Hall County, Georgia Board of Commissioners

RE: Property Owner: Steven and Holly Crumley  
Applicant: Steven and Holly Crumley  
Address: 8730 Forrester Rd., Lula, GA 30554  
Hardship Variance Request: Road Frontage from 50' to 0'

Dear Chairman Higgins and Commissioners Cooper, Powell, Stowe and Poole:

Steven and Holly Crumley have submitted a hardship variance request to the Hall County Planning Board as referenced above which was approved by the Planning Commission. An appeal has been filed by a neighbor and the appeal has been scheduled to be heard by you on April 23, 2023. This law firm represents the Crumley's.

The Crumley's file these Constitutional Objections should the Chairman and Commissioners vote to grant the appeal therefore denying their Hardship Variance Request as follows:

1. The denial of the Crumleys' Hardship Variance Request will deny them, due process of law as provided in Article 1, Section 1, Paragraph 1 of the Georgia Constitution.
2. The denial of the Crumleys' Hardship Variance Request will deny them, equal protection under the law as provided in Article 1, Section 2, Paragraph 1 of the Georgia Constitution, which guarantees that property owners' protection be impartial and complete.
3. The denial of the Crumleys' Hardship Variance Request will deny them, due process of law as provided in Article 1, Section 3, Paragraph 1(a) of the Georgia Constitution, and would constitute a taking of their property without just and adequate compensation.

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4. The denial of the Crumleys' Hardship Variance Request will deny them substantive due process of law as guaranteed by the Fifth and Fourteenth Amendments to the United States Constitution.
5. The denial of the Crumleys' Hardship Variance Request will deny them due process and equal protection under the law as guaranteed by the Fifth and Fourteenth Amendments to the United States Constitution, and would constitute a taking of their property without just and adequate compensation.
6. The denial of the Crumleys' Hardship Variance Request will constitute an inverse condemnation in violation of O.C.G.A § 22-1-5 and will result in a taking of their property without just and adequate compensation.
7. The denial of the Crumleys' Hardship Variance Request will result in a violation of 42 U.S.C. § 1983 by denying its due process, equal protection and just and adequate compensation, and will result in discrimination against them as compared to other landowners located in the vicinity of the property.
8. The denial of the Crumleys' Hardship Variance Request will result in a significant detriment to it and is not substantially related to the public health, safety, morality or welfare of the county or the community which surrounds the property in question.

Thank you for your consideration of these matters.

Steven and Holly Crumley and I look forward to addressing these matters with the Hall County Board of Commissioners on April 20, 2023.

Respectfully Submitted:



Steven P. Gilliam

SPG/ak

C: Hall County Planning Department, Randi Doveton