



PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
t: 770-531-6809 | f: 770-531-3902

VARIANCE APPLICATION

Applicant (Name and Mailing Address)

Kristy Wilkerson - Brown Haven Homes
837 Highway 400 S, Suite 105
Dawsonville, GA 30534
Phone 678-436-8540
Email Address kwilkerson@brownhavenhomes.com

Property Owner (Name and Mailing Address)

Jose and Astrid Cruz
4356 Findley Drive
Flowery Branch, GA 30542
Phone 787-503-2208
Email Address ppecruz@gmail.com

Location of Property 6585 Johnson Circle, Flowery Branch, GA 30542

Present Zoning PRD Existing Structures N/A

Type of Appeal:

- Setback Variance
Road Frontage Variance (checked)
Sign Variance
Hardship Mobile Home

- Front Yard
Right Side Yard
Left Side Yard
Rear Yard (checked)
Road Frontage (checked)
Sign Area
Sign Height
Doctor's Letter

- From ___ ft. to ___ ft.
From ___ ft. to ___ ft.
From ___ ft. to ___ ft.
From ___ ft. to ___ ft.
From 55' ft. to 36. ft.
From ___ ft. to ___ ft.
From ___ ft. to ___ ft.
Terms Agreement

- Supporting Documents: Plat of Property (checked), Site Plan (checked), Deed of Property (checked), Floor Plans (checked), Hardship Statement (checked), Other

Hardship Mobile Home:
I understand that, if granted, the mobile home must be removed from the property when my hardship ceases to exist.
(Signature)

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

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

Sign Kristy Wilkerson Date 12/19/2023

I hereby withdraw this application.

Sign Date

Staff Use Only

Application Date: Taken by:
Tentative Planning Commission Date: If Appealed County Commission Date:
County Commission District:

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AUTHORIZATION OF PROPERTY OWNERS

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

Name of owner(s) Jose and Astrid Cruz
Address 4356 Findley Drive
Flowery Branch, GA 30542
Phone Number 787-503-2208

Name of applicant(s) Kristy Wilkerson - Brown Haven Homes
Address 837 Highway 400 S, Suite 105
Dawsonville, GA 30534
Phone Number 678-436-8540

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)

Jose Cruz 12/11/2023
438A5E8B93C9482

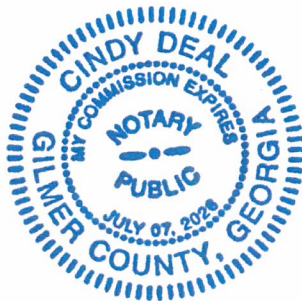
Personally appeared before me

Cindy Deal

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

Cindy Deal
Notary Public

12-11-2023
Date



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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: Kristina Wilkerson Date: 12/20/2023

Applicant's/Owner's Name (Printed): Kristy Wilkerson

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Name of Official(s): _____

Office: _____

Dollar Amount: _____

Date of Contribution: _____

Applicant's/Owner's Signature: Jose Cruz Astrid Cruz
439AE6F893C9492...5D2197C7478E463...

Date: 12/20/2023 12/20/2023

Applicant's/Owner's Name (Printed): Jose and Astrid Cruz

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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).

Due to the size of this .344 acre corner lot, the existing road frontage setbacks of 55' to the center line of the road leaves little room for the placement of a house. The house will fit if a variance is approved for one of the two road frontages.

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

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.

In keeping with the sizes of the surrounding houses, an approved variance would allow for the construction of a 2,348 square foot house.

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

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.
N/A

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

Applicant *Brotonz Wilkerson*

Date *12/19/2023*