



# Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE  
PLANNING AND DEVELOPMENT

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**To:** Richard Higgins, Chairman  
Kathy Cooper, District 1 Commissioner  
Billy Powell, District 2 Commissioner  
Gregg Poole, District 3 Commissioner  
Jeff Stowe, District 4 Commissioner

**From:** Beth Garmon, Assistant Director of Planning & Development

**Date:** March 11, 2024

**Subject:** **6585 Johnson Circle | Appeal a Planning Commission Decision for a variance | 17.240.010.** to reduce the front yard setback from 55 feet to 36 feet from centerline of road | on a 0.34± acre tract | **Proposed Use: Construction of a single-family residence | Kristy Wilkerson – Brown Haven Homes, applicant; Gail Hunter, appellant.**

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The request before you is the **appeal of Gail Hunter** of the February 19, 2024 Hall County Planning Commission decision to vary the front setback from 55 feet to 36 feet from centerline of road to allow the construction of a single-family residence. This item is located within Commission District 2.

At their February 19, 2024 meeting, the Hall County Planning Commission voted to recommend approval with four (4) conditions **(5-0)**.

Staff recommendation: **Approval, with conditions**, as hardship exists pursuant to the criteria of 2.60.030.

There were **no comments submitted** in advance of the Planning Commission meeting and **five (5) people spoke in opposition during the public hearing**.

Had the Planning Commission **not been appealed**, their decision would have been the **final action**.

- **Approving** the appeal **overturns** the Planning Commission decision and **denies** the variance requests.
- **Denying** the appeal **upholds** the Planning Commission decision and **approves** the variance requests.

**Planning Commission Approval Conditions are listed below:**

1. The property shall be developed in accordance with the site plan dated January 5, 2024, with the front yard setback being reduced from 55 feet to 36 feet from centerline of Johnson Circle.
2. Foundation to be staked by surveyor prior to issuance of building permit.
3. All conditions of zoning shall be made part of any plats created for the property.
4. Pursuant to 2.60.060, all applications approved by the board, whether a request for variance from the terms of Title 17, a request for conditional use, a request for the enlargement, change or continuance of a nonconforming use or a request to appeal a decision by an administrative official in the enforcement of Title 17, shall be effective for a period of six months. If no action is taken by the applicant to implement the purpose of the application by obtaining the proper permit and/or license and proceeding with the building, occupancy, or establishment of business within six months from the date of approval by the board, said approval shall become null and void.