

VARIANCE APPLICATION

Applicant (Name and Mailing Address)

Nicholas & Karen DiQuollo
4199 Perry Drive
Gainesville, GA 30506
Phone 848-275-7736

Property Owner (Name and Mailing Address)

(same)
(same)
Phone (same)
Email Address (same)

Email Address wahoocreek4@gmail.com

Location of Property 4199 Perry Drive, Gainesville, GA 30506

Present Zoning VC Existing Structures Residential Home

Type of Appeal:

- Setback Variance
- Road Frontage Variance
- Sign Variance
- Hardship Mobile Home

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

- From ___ ft. to ___ ft.
- From ___ ft. to ___ ft.
- From 10 ft. to 5 ft.
- From ___ ft. to ___ ft.
- From ___ ft. to ___ ft.
- From ___ ft. to ___ ft.
- From ___ ft. to ___ ft.
- ___ 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): \$ _____

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 [Signature] Date 2/24/24

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: _____

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.

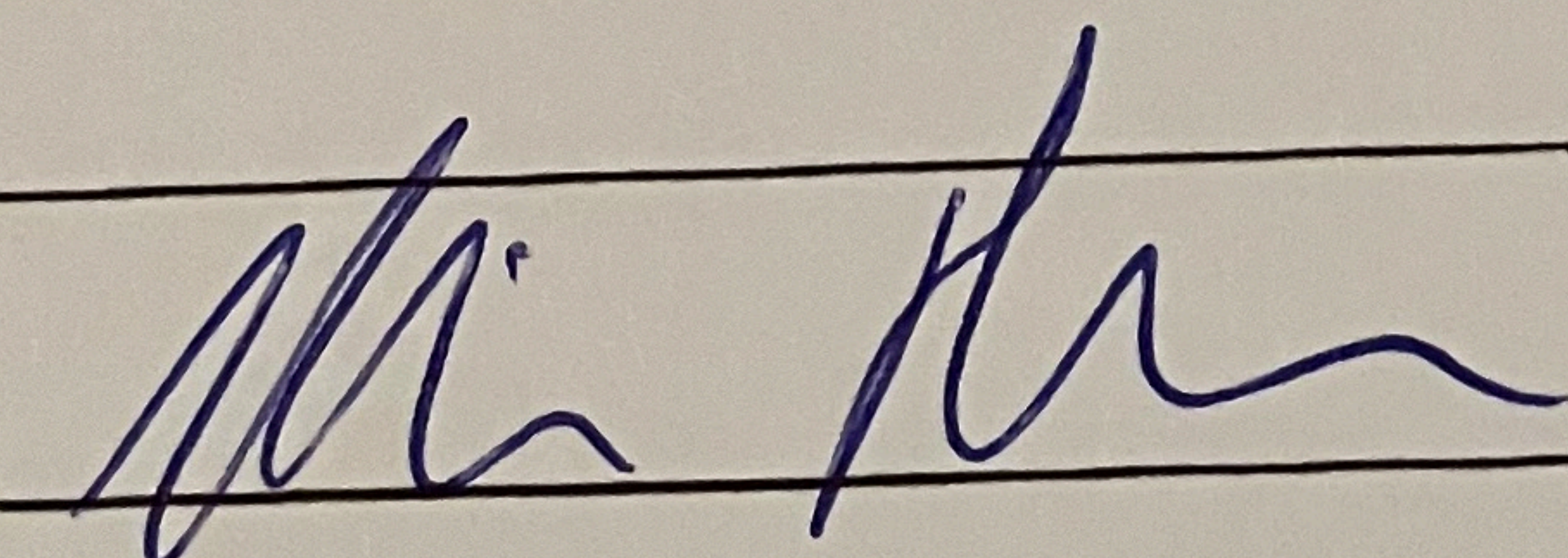
**If you have made such contributions, you must provide the data required below within ten (10) days of this application.

Name of Official(s): _____

Office: _____

Dollar Amount: _____

Date of Contribution: _____

Applicant's/Owner's Signature: 

Date: 2/24/24

Applicant's/Owner's Name (Printed): Nicholas DiQuollo

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 trapezoid shape of our lot, 75' minimal width and unusable and unaccessible back yard (due to the septic system) forces me to build on the property in front of our house

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

We would be unable to experience the benefits of having our cars (and ourselves) protected from the elements as other property owners on the street enjoy. Due to car turning radius, a garage will not fit without a variance

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.

Most lots are 75' wide and many have garages/covers for their vehicles. 4223 and 4217 have similar approved variances. I am simply requesting a left side yard variance to enjoy similar benefits that my neighbors enjoy.

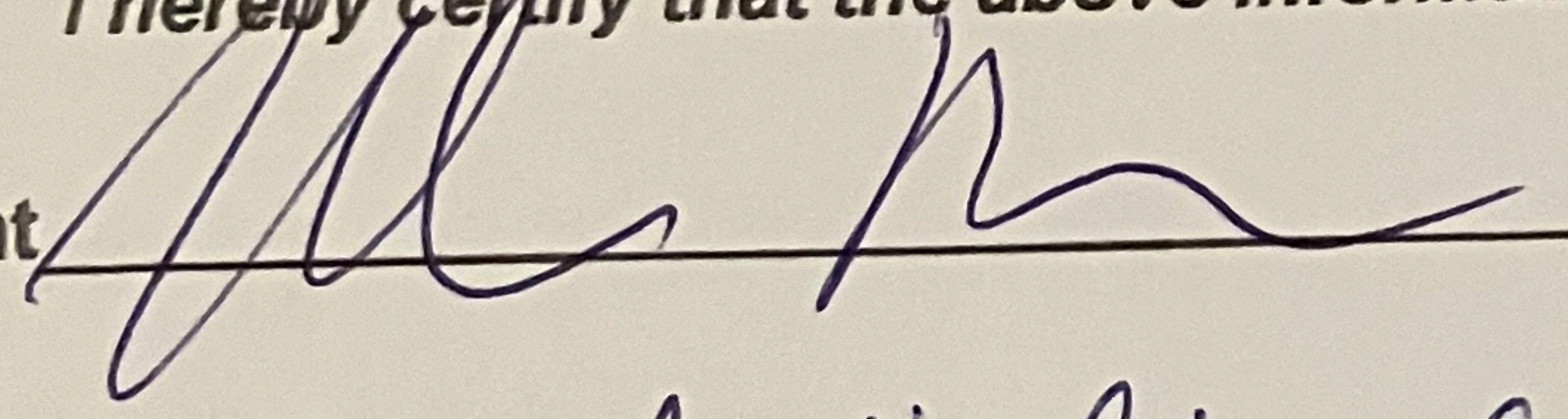
4. Such conditions are not the result of any actions of the property owner.

My request for a left side variance from 10' to 5' is optimized by minimizing the size of the garage and avoiding a front (road side) variance.

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.

We will receive no special privilege relative to similar variance approvals that have been granted to at least two of my neighbors (see above). I have shared my plan with a number of neighbors

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

Applicant 

Date 3/4/24

* Additional Hardship Summary uploaded