



Hall County Government Planning Department

Application for Appeal

Per §17.370.010, the public shall have the right to appeal a decision made by the Planning Commission before the Board of Commissioners.

In order to file an appeal, the appellant must submit a written notice of appeal within thirty working days of the Planning Commission decision to the Planning Department. The appellant must submit justification and reasons for the appeal along with a \$200 appeal fee (cash or check).

Please fill out the following information:

Name	George E. Lee
Address	4183 Perry Drive, Gainesville, GA 30506
Phone Number	(404) 502-1613
Email	glee@leelawusa.com

Name of original application and date of meeting for which appeal is requested.

4199 Perry Drive/ Variance Nicholas Diquollo, Applicant Date May 6, 2024

Type of application for which appeal is requested:

Variance Sign Variance Use Subject to Planning Commission
 Use Subject to County Commission Rezoning

Justification and reason(s) for filing this appeal (attach additional sheets if necessary):

See Attached.

Signature Date 5/5/2024

For staff use only:

Action _____ Date _____ Tax Parcel Number _____

Conditions: _____

Appeal by George E. Lee

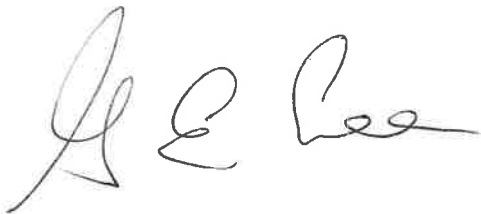
The Hall County Code of Ordinances states that a variance shall be granted where the applicant shows that a denial of the variance request 'would result in unnecessary and undue hardship to the applicant'. Black's Law Dictionary defines 'unnecessary and undue hardship in the zoning context as follows:

'zoning regulation that is unreasonable and deprives an owner of his basic property rights and interferes with the economic use of the property.'

At no point in his application did the applicant allege that he would be deprived of his basic property rights. He merely states that he is seeking a better 'turning radius' out of his garage. Nowhere does he allege that a garage could not be built on his property without this variance. The Planning Commission made not finding of 'unnecessary and undue hardship in this matter.

In opposition to this application I submitted statements from three real estate experts stating that the granting of this variance would have a significant and detrimental effect on my property values. The applicant has submitted nine identical letters from residents on Perry Drive stating they would not oppose the variance request. None of these neighbors can even see the property in question.

For these reasons I respectfully request that this variance application be denied.

A handwritten signature in cursive script, appearing to read "G E Lee".