

**HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT**

Applicant Tyler Young

Request **Variance to section 4.1** | to reduce the minimum yards

Proposed Use Single-family residence

Size 0.23± acres

Zoning Vacation Cottage (V-C)

Location **6382 Lakeview Drive** | Tax Parcel 07360A000014

Commission District Two

Planning Commission Date October 6, 2025

Staff Recommendation **Denial**, as no hardship exists pursuant to the criteria of 11.1.1.D.11

Record Number HVAR25-0041

Planning Commission Recommendation.....**Approval, with conditions**

Vote: 4-0 (Davidson absent)

Planning Commission Conditions:

1. A variance is granted from 10 feet to 4 feet from the right side yard property line and from 10 feet to 6 feet from the left side yard property line.
2. The four corners of the proposed home shall be staked by a license surveyor or engineer prior to the commencement of construction.
3. The proposed home is prohibited from being a short-term rental.

Excerpts from the minutes of the October 6, 2025 meeting. These minutes have not yet been approved by the Planning Commission.

Applicant's Presentation:

Katie Greenway, Planning and Zoning Administrator, presented a summary of the request.

Tyler Young, 6297 Lakeview Drive, Buford, presented the request with photos. The applicant is requesting to reduce the minimum right side yard setback from 10 feet to 2 feet, and the left side yard setback from 10 feet to 8 feet for the construction of a single-family residence on a tract measuring 0.23± acres which is zoned Vacation Cottage (V-C). Surrounding properties are zoned Vacation Cottage (V-C) and are developed with single-family residences. In 2009, a variance was approved for the subject property to reduce the right-side yard setback from 10 feet to 5 feet, and a left side yard setback from 10 feet to 8 feet; however, the property remains undeveloped, and the variance approval expired.

Public Forum:

Harold Trip, 6404 Lakeview Drive, Buford, spoke in favor. Mr. Trip does not believe this variance would lead to a decrease in surrounding property values and wanted to note that houses are close to each other all along their street. He highlighted the applicant assured him he does not intend to let this home become a short-term rental.

Ed Coglianese, 6408 Lakeview Drive, Buford, spoke in favor. Mr. Coglianese stated the home next to the subject properties' is further back in their property and would not be affected by the variance nor impact the property value.

Mr. Braswell stated several comments were receive electronically in favor of the application.

Richard Wingate, 6384 Lakeview Drive, Buford, spoke in opposition. Concerns raised were that the applicant is not the current homeowner, surrounding properties will have a decrease in value and there is no property hardship but only an economic hardship. Mr. Sosbee asked Mr. Wingate to clarify if the applied for variance would be 2 feet from the adjacent home or to the property line. Mr. Wingate stated from the property line but that the distinction was not relevant to the concern.

Suzanne Wallace, 6378 Lakeview Drive, Buford, spoke in opposition. The concerns raised were that the properties would be too close to each other and does not want the property to become a short term rental.

Planning Commission Comments:

Mr. Hunt asked the applicant who the home would be for and who would hold the deed to the house. The applicant stated he would hold the deed and the home is for their 3 children and they would inherit the deed when he passes as he does not intend to sell it. Mr. Hunt asked if the applicant was opposed to a condition prohibiting a short term rental and the applicant stated they would be fine with that condition. Mr. Hunt stated that having a home 2 feet from a property line was too close and discussed with the applicant if four feet on one side of the property and 6 feet on the other would be acceptable. The applicant confirmed they would be okay with this. Mr. Braswell asked the applicant to confirm they have built several homes on the street, and they also live on the street. The applicant stated this was the case.

Motion: A motion to approve, with conditions was made by Stan Hunt and seconded by Frank Sosebee. Vote: 4-0 (Davidson absent)

Conditions:

1. A variance is granted from 10 feet to 4 feet from the right side yard property line and from 10 feet to 6 feet from the left side yard property line.
2. The four corners of the proposed home shall be staked by a license surveyor or engineer prior to the commencement of construction.
3. The proposed home is prohibited from being a short-term rental.

Summary Analysis

The applicant is requesting to reduce the minimum right side yard setback from 10 feet to 2 feet, and the left side yard setback from 10 feet to 8 feet for the construction of a single-family residence on a tract measuring 0.23± acres which is zoned Vacation Cottage (V-C).

Surrounding properties are zoned Vacation Cottage (V-C) and are developed with single-family residences. In 2009, a variance was approved for the subject property to reduce the right side yard setback from 10 feet to 5 feet, and a left side yard setback from 10 feet to 8 feet; however, the property remains undeveloped, and the variance approval expired.

Per the Statement of Hardship, the applicant states that due to the shape and size of the lot, the buildable area is limited.

Two (2) **variances**, one related to the right side yard setback and one related to the left side yard setback requirements will be required if the site plan, as presented, is approved.

- Right side yard setback requirement of 10 feet from the property line as found in Table 4.1.1 for the Vacation Cottage (V-C) zoning district.
 - A right side yard setback from 10 feet to 2 feet from the property line is proposed for the single-family residence.
- Left side yard setback requirement of 10 feet from the property line as found in Table 4.1.1 for the Vacation Cottage (V-C) zoning district.
 - A left side yard setback from 10 feet to 8 feet from the property line is proposed for the single-family residence.

Zoning Analysis

The Planning Commission may grant variances in individual cases of unnecessary hardship upon a finding of the board that:

1. There are extraordinary and exceptional conditions pertaining to the lot 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 subject property was established in 1956 as part of a 52-lot residential subdivision. The subject parcel size, shape and topography are similar to other properties in the area.**
2. The application of the requirements of Article 11 to this particular piece of property would create an unusual hardship; **No unusual hardship would be created if the requirements of Article 11 are applied to this particular piece of property. The subject lot is currently undeveloped.**
3. Such conditions are peculiar to the particular piece of property involved and are not common to other properties in the neighborhood; **The subject property was established in 1956 as part of a 52-lot residential subdivision. Other lots within the development are similar in size and shape to the subject parcel.**
4. Such conditions are not the result of any actions of the property owner; **The size, shape, and topography of the lot are not the result of any actions of the property owner; however, the layout of the proposed residence is the direct action of the property owner.**
5. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of Article 11; provided, however, that no variance may be granted for a use of land or building or structure that is prohibited or for a conditional use which has been denied by the county Planning Commission; **Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of Article 11.**

Development Support and Constraints

Hall County Environmental Health

In an email dated September 4, 2025, Emily McGahee stated “Must meet all residential permitting requirements.”

Georgia Department of Transportation

In an email dated September 11, 2025, Christopher Hash, P.E. D1 Traffic Operations Supervisor, stated that GDOT coordination is not required.

Hall County Public Works and Utilities

In a memorandum from Public Works and Utilities dated September 5, 2025, Assistant Director Jason Skarda stated the following:

Engineering:

No comment

Traffic:

No comment

Utilities:

Hall County sewer area. No infrastructure in area.

Hall County Fire Marshal

In an email dated September 2, 2025, John Hornick, NPQ Fire Service Plans Examiner 1, stated, "The Hall County Fire Marshal's Office has no comments as proposed."