

### **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).

This variance is to the GCOD standards related to pavement types and building materials. They are not related to the physical characteristics of the property.

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

All the requested variances are to GCOD requirements related to the aesthetics of the property by the public from the public right-of-way. The requested variances are in areas of the property that not visible.

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.

Approximately 20' of the property falls within the 300' GCOD corridor. Strict application of these requirements would create a competitive disadvantage to properties that fall outside the corridor.

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

The GCOD is a county wide requirement that and not the result of any actions of the property owner.

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.

Granting of the variances would not harm the surrounding property owners or the general public as these are aesthetic only.

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

Applicant Bradley Duncel

Date 9/17/25