

**HALL COUNTY BOARD OF COMMISSIONERS  
STAFF REPORT**

**Applicant** ..... Leslie Moore

**Request** ..... **Variance** | to Section 4.3 | to reduce the minimum yards

**Proposed Use** ..... Accessory building

**Size** ..... 0.28± acres

**Zoning** ..... Residential 1 (R-1)

**Location** ..... **3568 Lakeview Drive** | Tax Parcel 09103A002073

**Commission District** ..... Three

**Commission Date** ..... December 11, 2025

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

**Record Number** ..... HVAR25-0048

**Staff recommends DENIAL of the applicant's request.**

---

**Summary Analysis**

The applicant is requesting to reduce the rear yard setback from 20 feet to 11 feet for an accessory building on a 0.28± acre tract zoned Residential 1 (R-1). The property is currently developed with a single-family residence.

Per the Statement of Hardship, the applicant states that the topography of the property and the location of the existing on-site septic system restricts the available space for siting the accessory structure, thereby making it difficult to meet the required setback requirements.

One (1) **variance**, related to the rear yard setback requirements will be required if the site plan is approved as presented.

**Section 4.3** - Rear yard setback requirement of 20 feet from the property line for Residential 1 (R-1) zoning district.

- A rear yard setback of 11 feet from the property line is proposed for the accessory building.

### **Zoning Analysis**

The 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 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 property is currently developed with a single-family residence.**
3. Such conditions are peculiar to the particular piece of property involved and are not common to other properties in the neighborhood; **The topography and development of the subject parcel is similar to parcels in the surrounding area.**
4. Such conditions are not the result of any actions of the property owner; **The size, shape, and configuration of the lot are not the result of any actions of the property owner; however, the proposed location and size of the accessory building are a 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 19, 2025, Emily McGahee stated “Proposed accessory structure (16’ x 16” Storage Building) was found to meet setbacks to existing septic system on August 7, 2025.”

#### **Georgia Department of Transportation**

In an email dated September 23, 2025, Christopher M. Hash, D1 Traffic Operations Supervisor, stated “off-system no impacts expected.”

**Hall County Public Works and Utilities**

In a memorandum from Public Works and Utilities dated September 19, 2025, Assistant Director Jason Skarda stated the following:

**Engineering:**

No comment.

**Traffic:**

No comment.

**Utilities:**

No comment.

**Hall County Fire Marshal**

In an email dated September 12, 2025, John Hornick, NPQ Fire Service Plans Examiner 1, stated, "The Hall County Fire Marshal's Office has no comments as proposed."