

PLANNING AND ZONING DEPARTMENT  
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### 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).

Lots are old and very small, I believe we design the structures the most proper way to fit in the lot

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

The size of these lots creates a hardship in that their narrowness makes it difficult to build a house of standard dimensions and meet setbacks

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.

There are other lots of record in the area of similar size

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

Property had been subdivided this way a long time ago

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.

The property is zoned for residential use/setback variances have been given for others lots of similar size which were created before the zoning ordinance

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

Applicant Marcel Magallon

Date 10/31/2024