

**HALL COUNTY BOARD OF COMMISSIONERS
STAFF REPORT**

Applicant Michael Reid Daniel

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

Proposed Use Accessory structure

Size 0.46± acres

Zoning Residential 1 (R-1)

Location **3113 Shelter Cove** | Tax Parcel 10072 002100

Commission District Two

Commission Date March 12, 2026

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

Record Number HVAR25-0074

Staff recommends DENIAL of the applicant’s request.

Summary Analysis

The applicant is requesting a Variance to reduce the left side yard setback from 10 feet to 2 feet for the construction of a carport on a tract measuring 0.46± acres zoned Residential 1 (R-1).

The property is currently developed with a single-family residence constructed in 2019. Surrounding properties are zoned Residential 1 (R-1) and are developed with single-family residences with some vacant lots.



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

- Left side yard setback requirement of 10 feet from the property line as found in Table 4.3.1 for the Residential 1 (R-1) zoning district.
 - A left side yard setback from 10 feet to 2 feet from the property line is proposed for the new storage 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 particular 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 is developed with a single-family residence. The subject parcel size, shape and topography are similar to other properties in the area. No unusual physical conditions, such as slope or irregular configuration, would prevent the proposed accessory structure from meeting the required side yard setback.**
2. The application of the requirements of this UDC to this particular piece of property would create an unusual hardship; **No unusual hardship would be created if the requirements of this UDC are applied to this particular piece of property. The subject lot is currently developed with a single family residence, and there are no unusual physical conditions.**

3. Such conditions are peculiar to the particular piece of property involved and are not common to other properties in the neighborhood; **Other lots within the development are similar in development, 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 location and size of the proposed accessory structure 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 this UDC; 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 Permit which has been denied by the Planning Commission; **Relief, if granted, would not cause substantial detriment to the public good; however, it would impair the purposes and intent of this UDC.**

Development Support and Constraints

Hall County Environmental Health

In an email dated January 21, 2026, Emily McGahee stated "All proposed structures must meet all residential permitting requirements and/or required setbacks to existing septic system."

Georgia Department of Transportation

In an email dated January 16, 2026, Christopher Hash, P.E. D1 Traffic Operations Supervisor, stated "Off system, no impacts to state route expected."

Hall County Public Works and Utilities

In a memorandum dated February 2, 2026, Jason Skarda, Assistant Director of Public Works and Utilities, provided the following comments:

Engineering:

No comment.

Traffic:

No issues with a variance request as it does not cause traffic concerns.

Utilities:

No infrastructure in the vicinity.

Hall County Fire Marshal

In an email dated January 23, 2026, John Hornick, NPQ Fire Service Plans Examiner 1, stated, "The Hall County Fire Marshal's Office has no comments as proposed."