

**HALL COUNTY BOARD OF COMMISSIONERS
STAFF REPORT**

Applicant Bobby Shoemaker

Request **Variance to Section 3.2** | to reduce the minimum yards

Proposed Use New manufactured home

Size 0.34± acres

Zoning Agricultural Residential 1 (AR-1)

Location **3428 Mooney Drive** | Tax Parcel 08024 005004C

Commission District Two

Commission Date March 26, 2026

Staff Recommendation **Approval**, as hardship exists pursuant to the criteria of 11.1.1.D.11

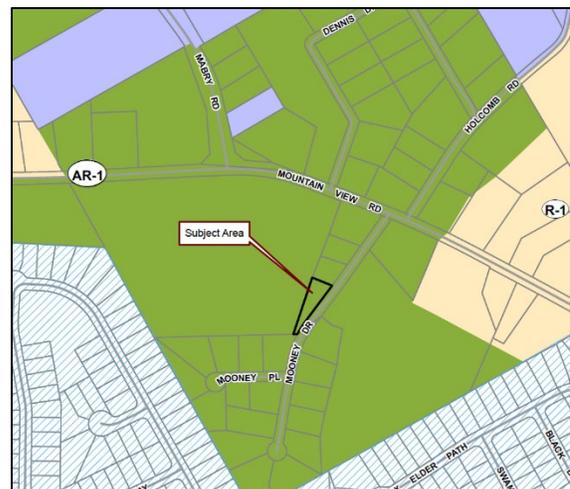
Record Number HVAR26-0002

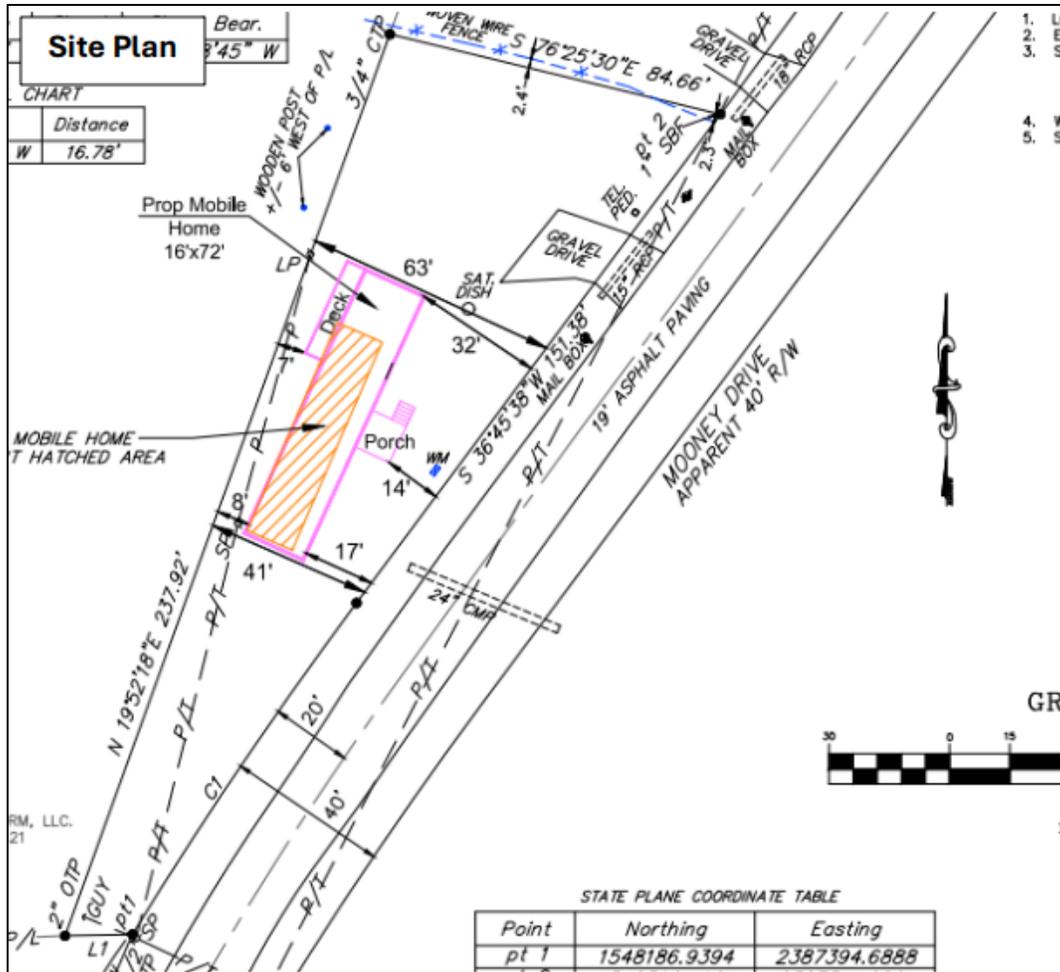
Staff recommends APPROVAL of the applicant’s request.

Summary Analysis

The applicant is requesting to reduce the front yard setback from 40 feet to 14 feet and the rear yard setback from 25 feet to 7 feet to replace a 12’ x 56’ single wide manufactured home with a 16’ x 72’ manufactured home on a tract measuring 0.34± acres zoned Agricultural Residential 1 (AR-1).

Per the Statement of Hardship, the size and shape of the property make the required setbacks overlap and does not leave room for a home to be built on site without variances.





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

- Front yard setback requirement of 40 feet from the property line as found in Section 3.2 for the Agricultural Residential 1 (AR-1) zoning district.
 - A front yard setback from 40 feet to 14 feet from the property line is proposed for the new manufactured home.
- Rear yard setback requirement of 25 feet from the property line as found in Section 3.2 for the Agricultural Residential 1 (AR-1) zoning district.
 - A front yard setback from 25 feet to 7 feet from the property line is proposed for the new manufactured home.

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 12' x 56' manufactured home that currently encroaches into the minimum setbacks. The subject parcel size and shape are unique to the property as the setbacks do not leave room for the construction of a residence.**
2. The application of the requirements of this UDC to this particular piece of property would create an unusual hardship; **Yes. An unusual hardship would be created if the requirements of this UDC are applied to this particular piece of property as a new home could not be placed on this site unless granted a variance.**
3. Such conditions are peculiar to the property involved and are not common to other properties in the neighborhood; **These conditions are unique to the property as this is a shallow triangular lot with deep setback requirements associated with larger tract sizes. The conditions present on the subject property are not common to AR-1 zoned properties overall. The lot was created in 1974, prior to the establishment of zoning regulations, resulting in a parcel that is approximately 0.34 acres—substantially smaller than the minimum lot sizes required in both the AR-1 and R-1 zoning districts. The subject property's unusually small size, combined with its original AR-1 zoning designation, creates a unique physical condition that is not common to other lots within the AR-1 zoning district.**
4. Such conditions are not the result of any actions of the property owner; **The size and shape, of the lot are 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 UDC; provided, however, that no variance may be granted for a use of land or building or structure that is prohibited by this UDC 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 or impair the purposes and intent of this UDC.**

Development Support and Constraints

Hall County Environmental Health

In an email dated February 18, 2026, Emily McGahee stated “All proposed structures must meet all residential permitting requirements and/or required setbacks to existing septic system. An existing system evaluation/site visit will be required for Environmental Health to process required paperwork for the building permit application. Please note that BOC variance approval does not imply approval from other county departments.”

Georgia Department of Transportation

In an email dated February 16, 2026, Christopher Hash, P.E. D1 Traffic Operations Supervisor, stated “Off system, no impacts expected.”

Hall County Public Works and Utilities

In a memorandum dated February 26, 2026, Jason Skarda, Assistant Director of Public Works and Utilities, provided the following comments:

Engineering:

No comment.

Traffic:

There are no impacts to traffic with this proposed use.

Utilities:

Gainesville sewer SA. No infrastructure in vicinity.

Hall County Fire Marshal

In an email dated February 12, 2026, John Hornick, NPQ Fire Service Plans Examiner 1, stated, "The Hall County Fire Marshal's Office has no comments as proposed."