

**HALL COUNTY BOARD OF COMMISSIONERS
STAFF REPORT**

Applicant Emily Clark

Request **Variance to Section 4.1** | to reduce the minimum yards

Proposed Use New single family residence

Size 0.145± acres

Zoning Vacation Cottage (V-C)

Location **6693 Bass Circle** | Tax Parcel 07354 001015

Commission District Two

Commission Date March 26, 2026

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

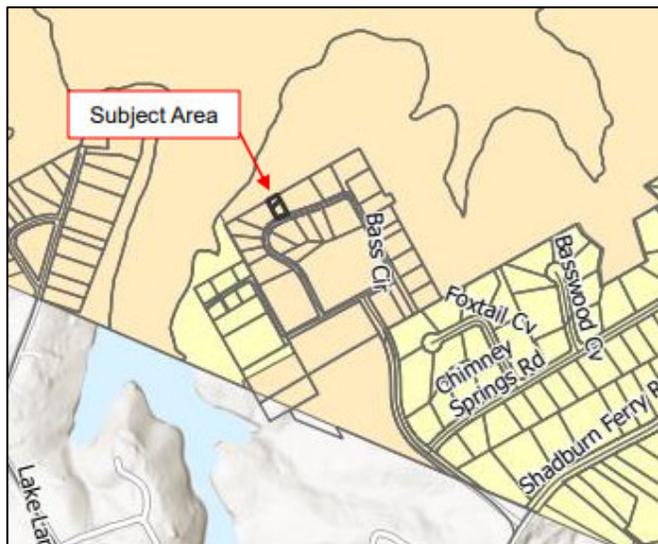
Record Number HVAR26-0004

Staff recommends DENIAL of the applicant’s request.

Summary Analysis

The applicant is requesting to reduce the right side yard setback from 10 feet to 1.5 feet in order to rebuild a single-family residence on a ±0.16-acre tract zoned Vacation Cottage (V-C).

The property is currently developed with a 1,335 square foot single-family residence constructed in 1960. The applicant proposes to demolish the existing home and construct a new 1,346 square foot single-family residence. Surrounding properties are zoned Vacation Cottage (V-C) and are developed with single-family residences. The property abuts U.S.



Army Corps of Engineers property to the north. There is no minimum setback from Army Corps property.

The existing home has a left side yard setback of 3.1 feet, a right yard setback of zero for the deck with a site coverage of 56%. In comparison, the proposed new residence meets the 10-foot left side yard setback, and the variance request is for a right side yard setback of 1.5 feet for the deck, reducing site coverage to 48%. Although this exceeds the 35% maximum site coverage, the proposed project moves the property closer to conformity with current standards.



Per the Statement of Hardship, the property owner states buildable area is limited due to the size of the lot.

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

- Side yard setback requirement of 10 feet from the property line as found in Section 4.1 for the Vacation Cottage (V-C) zoning district.
 - A right side yard setback from 10 feet to 1.5 feet from the property line is proposed for a replacement single family residence.

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. While the lot was created prior to the adoption of zoning regulations and is significantly smaller than the 35,000 square foot minimum lot size currently required in the V-C district, this condition alone does not create a hardship. The design of the proposed new residence is a choice of the property owner.**
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 the proposed reconstruction can be designed to meet setbacks.**
3. Such conditions are particular to the 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. The property does not have special features that would justify a variance.**
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 size and configuration of the proposed new single-family residence 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 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, but granting the variance could undermine the intent of the UDC. The setback standards exist to maintain consistent development patterns with reasonable setbacks and site coverage. All surrounding properties are zoned V-C and subject to these standards.**

Development Support and Constraints

Hall County Environmental Health

In an email dated February 18, 2026, Emily McGahee stated “Must meet all residential permitting requirements. 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:

This request will not impact traffic.

Utilities:

Buford SA

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.”