

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).

The lot is significantly smaller than the minimum lot area requirement of 21,780 sf it's zoning of V-C. The lot is 6,310 sf. (15,470 sf difference). This makes it difficult to accommodate the 35% maximum lot coverage. The size of the lot with the setback requirements limits the buildable area significantly, only allowing for a very limited sized home. The size also limits our septic system significantly. Because our driveway is partially on our neighbor's lot, we have to add our own to have at least 1 parking space on our property.

2. The application of the requirements of this resolution to this particular property would create an unusual hardship. The required setbacks and lot coverage maximum put an extreme limit on the size of home needed for a family to live on the property full time, as it is intended to do so.

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.

The lots in our neighborhood used to all be small to accommodate cabins. Now a majority of the homes in the neighborhood occupy multiple lots, allowing for much larger homes with plenty of space for septic, driveways, garages/parking, multiple bedrooms. Our lot is still the size of the original small cabin size. Because of the size, it is difficult to fit a home within the setback and lot coverage requirements.

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

There is currently an easement allowing us to use the driveway that is partially on our neighbor's property. Because we are having to add additional driveway to allow us to have 1 parking space on the property, our open space for septic is significantly limited.

The small lot size is limiting to septic layouts and needed space.

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 existing home has a larger footprint than what is being proposed, so it would help with the current lot coverage. The existing home is over all setbacks. The proposed home footprint stays within the left side setback and front setback. The rear deck of the proposed is reduced from the existing footprint and is further from the rear and right side property lines. Granting these variances would allow us to have a home more in line to what our neighboring home have / can accommodate.

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

Applicant Emily Clark

Date 01/15/2026

6693 Bass Circle, Buford, GA 30518
Hardships of the Lot

The existing property contains a home built in the sixties. To remodel the existing home, we would need to remove all the wood in the home, taking it down to just the brick and cmu retaining walls. We would also need to remove the concrete slab for new plumbing, and repair any needed areas of the cmu foundation walls that have shifted / cracked from age, tree roots and leaks. We would also need to put in a new septic system, as the current one is heavily infiltrated with roots from adjacent trees. Because of the extensive repairs and remodeling, when speaking with contractors, it was suggested to us to start from scratch.

In doing so, the size of the lot with the setback requirements and maximum lot coverage requirements, it is difficult to fit a home that can accommodate our small family. Our driveway is partially on our neighbor's property, in which we have an easement to use it. Additionally because our lot is so small, we would need to remove our existing parking pad to accommodate for our new septic system. Because of these hardships, we will need to add onto the existing driveway to allow for 1 parking space on our property. This is an important space for us to have so we can have our parents visit without having to climb up and down our downhill driveway. We are proposing to change the right side yard setback from 10' - 0" to 1' - 6". Because there is most of a driveway between our property and our neighbor's fence, we will still have a minimum of 11' - 6" from our proposed home's deck / parking pad to our neighbor's fence.

Because of the needed driveway addition, we are proposing to shift the water line to be closer to the left property line to allow for additional space for the new septic field. With the size of the lot, we are extremely limited to our septic size, hoping to accommodate for a future 2 bedroom home.

The existing home's deck extends to approximately 3' - 0" away from the rear property line and comes almost right against the right property line. With the small size of the lot, we are proposing to decrease the rear yard setback from 20' - 0" to 16' - 6", as well as decrease the side yard setback from 10' - 0" to 1' - 6". This would allow us to still have a usable size deck, but reduce it significantly from the original (with the intent to screen in the deck labeled "Grilling Deck" in the future to allow for more usability, matching the amenities of our neighbors, as well as a future upper level addition to allow our family to grow and to allow for a covered parking space since we cannot fit a garage like the neighboring homes).