



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).

A substantial portion of the property lies within a floodplane. This limits the number + location of viable building sites.

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

Applying the 90' requirement would create a significant hardship because ~~the~~ a significant portion of the property is in a flood plane and further limits buildable area

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 creek flowing through middle of the property causes a substantial portion of property to be in the Floodplane

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

The Flat Creek is a natural occurrence

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 request for this variance only affects potential building sites for family

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

Applicant Ruth C. Hill

Date Jan. 16, 2021

To Whom It May Concern:

The property owners respectfully request a road frontage variance based on practical difficulties and unique conditions affecting the property. The owners are advanced in age and are no longer able to independently maintain and operate the family farm without assistance. Continued use and preservation of the farm depend on the ability of their adult children and grandchildren to live on or near the property to provide daily support, labor, and care. Without this assistance, the long-term viability of the family farm would be significantly compromised.

In addition, a substantial portion of the property lies within the designated floodplain, which greatly limits the number and location of viable building sites. Due to these environmental constraints, suitable areas for residential construction are minimal and must be carefully configured to avoid flood-prone land.

The existing road frontage of 90 feet creates an additional hardship. Requiring each parcel to maintain 90 feet of frontage throughout its entire depth would significantly reduce the usable acreage available for building, making it impractical or impossible to establish functional homesites outside of the floodplain. This restriction would further limit the ability to place residences in safe, buildable locations and would undermine the purpose of supporting multi-generational use of the property.

For these reasons, the owners are requesting a reduction in required road frontage to 50 feet. Granting this variance would allow for reasonable use of the land, preserve the family farm, accommodate necessary family support, and enable development to occur in the safest and most suitable areas of the property without adversely impacting neighboring properties or public interests.

James Wayne and Ruth C Hill