

**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 property is unique because it has double road frontage, while the other lots in the neighborhood only have one. The house was built to meet the required front setback on one of the roads, but because of the second road frontage, the other front setback requirement does not meet.
2. The application of the requirements of this resolution to this particular property would create an unusual hardship. Fixing this mistake by moving or rebuilding the house isn't realistic. It would be extremely expensive, damaging, and basically mean starting over.
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 property is unique because it has double road frontage, while the other lots in the neighborhood only have one.
4. Such conditions are not the result of any actions of the property owner. The house was accidentally built in the wrong location that resulted from a measurement error rather than anything done intentionally.
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. Granting this relief would not cause any harm to the community, as the home's location does not interfere with vision clearance and does not negatively affect the value of surrounding properties

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

Applicant Juan Ignacio Castillo C.

Date 03/10/26

## Statement of Hardship

Originally, I obtained a building permit in 2022 to build my house. Construction began and the house was mostly built, but not fully completed. When I returned in December 2025 to obtain an active building permit to finish the construction, I found out a portion of my house was constructed into the required 30-foot setback.

I am respectfully asking for a variance because our house was accidentally built in the wrong location. As a result, it now sits about 23 feet into that required setback. I did not know about this issue until it was brought to my attention, long after construction was already underway.

At this time, fixing this mistake by moving or rebuilding the house isn't realistic. It would be extremely expensive, damaging, and basically mean starting over. The current location of the house isn't causing any issues for our neighbors or the community, and the setback issue resulted from a measurement error rather than anything done intentionally.

For these reasons, we're asking for a variance so the house can remain where it is. Approving this would save us from a major financial and structural hardship while still respecting the overall purpose of the residential zoning rules.

Juan Ignacio Castillo C.

JUAN IGNACIO CASTILLO C.

03/10/26