

**HALL COUNTY BOARD OF COMMISSIONERS  
STAFF REPORT**

**Applicant** ..... Laura Hulsey

**Request** ..... **Variance to Section 3.2** | to reduce the required road frontage

**Proposed Use** ..... 2-lot subdivision

**Size** ..... 4.58± acres

**Zoning** ..... Agricultural Residential 1 (AR-1)

**Location** ..... **5771 F Gilmer Road** | Tax Parcel 15004 000086

**Commission District** ..... Three

**Commission Date** ..... August 13, 2026

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

**Record Number** ..... HVAR26-0029

**Staff recommends APPROVAL of the applicant's request with the following condition:**

1. To uphold the intent of the Hall County Unified Development Code (UDC), the subject property identified as Tax Parcel 15004 000086 may be subdivide into a maximum of 3 lots given public water becomes available along F Gilmer Road.

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**Summary Analysis**

The applicant is requesting a variance to Section 3.2 to reduce the required road frontage from 50 feet to 46.9 feet for a minor subdivision, on a tract totaling 4.58± acres zoned Agricultural Residential 1 (AR-1). The proposed minor subdivision consists of Tract 1 at 1.50± acres and Tract 2 at 3.08± acres.

According to the Tax Assessor records, the property is currently developed with a 2,128 square foot manufactured home installed in 2023 (HRNEW23-0510).

The surrounding properties are zoned Agricultural Residential 1 (AR-1) and developed with single-family residences.

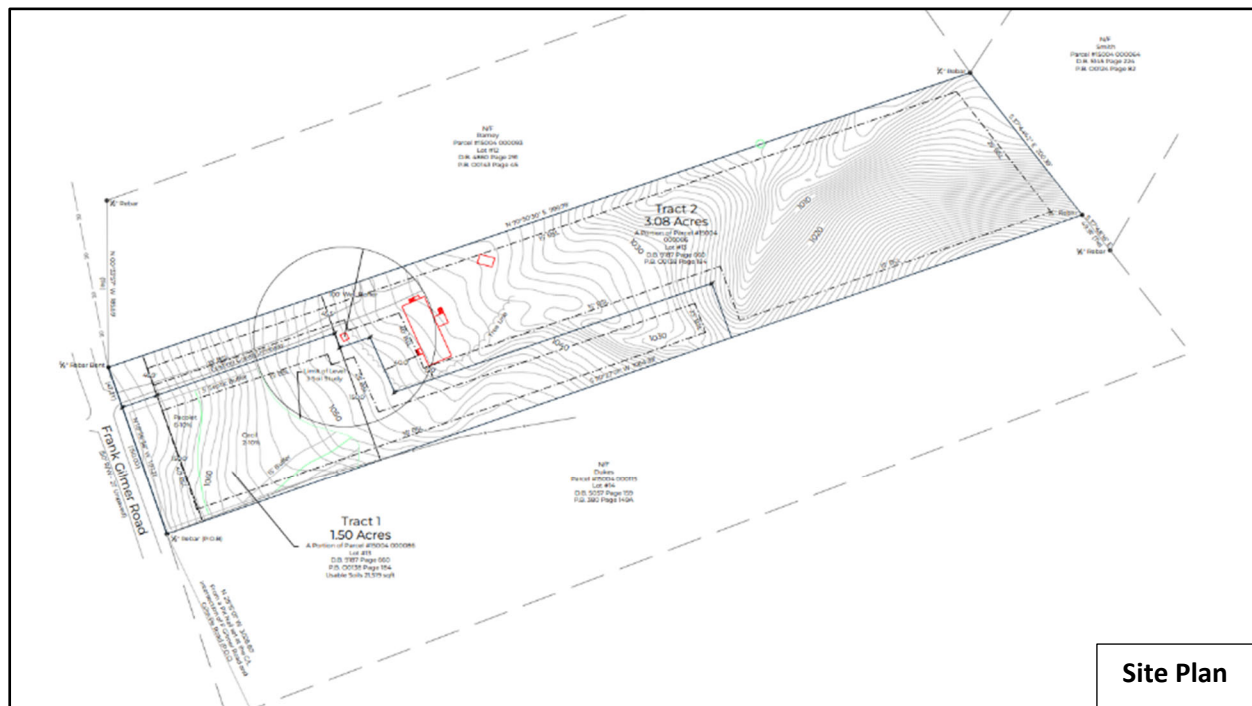


Per the Statement of Hardship, the applicant states the when the property was purchased, the plat of the property approved by the Planning Commission on October 2, 1989, showed a 200-foot road frontage. When an updated survey was prepared for the purpose of dividing the property, the front property line measured 197 feet.

UDC Section 2.1.3.E.1.b states that “when a lot is served by an individual well, the lot width at the building line must be at least 150 feet in all districts.” As both lots would be served by an individual well, to meet this requirement, proposed Tract 2 would only be able to accommodate a 47-foot frontage and then open up to 150 feet. There is no water along F Gilmer Road, so further subdivision of this parcel would not be possible until water is available.

Both tracts will be served by on-site septic systems.

Per the site plan, the residence identified as 5771 F Gilmer Road, would be located on Tract 2 and would utilize the existing access. Additionally, a single-family residence is proposed for Tract 1. There is no proposal to establish a common access driveway for Tracts 1 and 2.



One (1) **variance** related to road frontage will be required if the site plan, as presented, is approved.

- Road frontage requirement of 50 feet as found in Section 3.2.
  - A road frontage variance from 50 feet to 46.9 feet for Tract 2.

### 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 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 lot has exceptional conditions related to its physical frontage. The 1989 County approved recorded plat showed a 200-foot frontage, but a current survey measured only 197 feet because of modern survey techniques. Because of this discrepancy, one Tract of the proposed two-lot subdivision cannot meet the 50-foot minimum frontage requirement. If the original plat measurement had been accurate, the subdivision would meet all UDC standards. Therefore, the hardship is due to the lot's physical characteristics and improvement in survey techniques, supporting the requested reduction in lot frontage from 50 feet to 47 feet.**

2. The application of the requirements of this UDC to this particular piece of property would create an unusual hardship; **A hardship would be created if the requirements of the UDC were applied to this particular property. The 1989 approved plat showed a 200-foot frontage, but modern survey methods determined the actual frontage to be 197 feet. This discrepancy prevents the property from meeting current UDC standards and creates a hardship not caused by the owner but by correct measurement of the lot.**
3. Such conditions are peculiar to the particular piece of property involved and are not common to other properties in the neighborhood; **The conditions affecting this property are unique and are not common to other properties in the surrounding area. While the subject property is generally similar in size and shape to surrounding parcels, the frontage discrepancy caused by differing survey methods is unusual.**
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 taken by the property owner. The owner purchased the property based on an approved plat showing sufficient road frontage with the intent to divide the property. The frontage discrepancy arose solely from differing survey methods, not from any action by the 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 undermine the intent of the UDC. The minimum road frontage standards are intended to ensure adequate spacing between driveways, reduce turning-movement conflicts, and protect traffic flow. The small reduction in frontage would not compromise these objectives. Given the unique circumstances of this property, the variance request is appropriate.**

### **Development Support and Constraints**

#### **Hall County Environmental Health**

In a memorandum dated July 7, 2026, the Hall County Environmental Health Department provided the following comment: "All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. Please note that Zoning approval does not imply approval from other county departments. Further determination will be made during the plat review process. All proposed plats must be submitted to the Hall County Plat Review Team for review and approval prior to submittal to Clerk of Courts for recordation."

**Georgia Department of Transportation**

In an email dated July 2, 2026, Christopher Hash, D1 Traffic Operations Supervisor, stated, "Off-System. No impacts expected, no coordination with Georgia DOT required."

**Hall County Public Works and Utilities**

In a memorandum dated July 15, 2026, Jorge Gomez, Director of Public Works and Utilities provided the following comments:

**Engineering:**

Further subdivisions of these lots will result in the necessity of a stormwater management plan if the total number of lots reaches more than 6.

**Traffic:**

There are no concerns from traffic for the road frontage variance request.

**Utilities:**

No comment. This property is located in the Gillsville/Hall County sewer district, but sewer infrastructure is not located in this area.

**Hall County Fire Marshal**

In a memorandum dated July 10, 2026, the Hall County Fire Marshal's Office stated, "The Hall County Fire Marshal's Office has no comments as proposed."