PLANNING AND ZONING DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
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HALL COUNTY
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STATEMENT OF HARDSHIP

The Hall County Planning Commission and/or Board of Commissioners has the authority, in specific cases, to grant variances from the terms of the Zoning Regulations when such variances are not contrary to the public interest and when, due to special conditions, strict application of the Zoning Regulations would result in an unnecessary hardship. This authority is exercised to ensure that the intent of the regulations are upheld, that public safety and welfare are protected, and that substantial justice is served. Variances may only be granted when a hardship is clearly demonstrated as required by the Zoning Regulations.

For all residential variance requests, a plat or survey of the property prepared by a registered surveyor, architect, or engineer is required. For all commercial or industrial variance requests, a site plan of the property prepared by a registered surveyor, architect, or engineer is required. Variances may be granted only upon a finding by the Board that:

HARDSHIP EXPLANATION: Describe how each situation below relates to your application:

1. Unusual Physical Features of the Property: Explain how 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);

Response: The tract's only frontage on Calvary Church Road is a 100-ft-wide access strip about 650 ft long (Tract 3, 1.34 ac) leading to the 40.6-ac body of the tract. A drive through the strip requires up to about 20 ft of cut and fill and retaining walls because of the existing grades. Two 50-ft buffers on a 100-ft strip leave no width for a driveway at all.

2. Hardship Created by Applying Zoning Requirements: Explain how the application of the requirements of this UDC to this particular piece of property would create an unusual hardship.

Response: UDC Table 8.2.1 requires a 50-ft buffer along each side of the strip where it adjoins AR-1 land; 50 ft on each side equals the full 100-ft width, so a conforming buffer eliminates the tract's only access. The 30-ft drive, its shoulders, utilities and the retaining walls needed for the grade change occupy most of the strip, so it cannot be left undisturbed as Sec. 8.2.4 requires. Around the sloping truck yard, the undisturbed 50-ft buffer conflicts with the grading needed to build the yard.

3. Conditions Unique to This Property: Explain how such conditions are particular to the property involved and are not common to other properties in the neighborhood.

Response: A 100-ft flag strip carrying all access to a 42-ac tract, across ground that changes about 20 ft in elevation, is particular to this property. The adjoining parcels along Calvary Church Road have direct road frontage and do not depend on a narrow strip for access.

4. Hardship Not Caused by Property Owner: Confirm that such conditions are not the result of any actions of the property owner.

Response: The access strip and the tract boundaries are as shown on the recorded plat (Plat Book 877, Page 258). The topography of the access strip is natural.

5. Impact on the Public and Zoning Intent: 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.

Response: Both parcels adjoining the access strip (15031 000047D and 15031 000047F) are owned by the applicant, so the reduced buffer affects no other owner. A 6-ft solid wood privacy fence along the strip's property lines is the structural buffer the UDC itself accepts in place of a planted one (Sec. 8.2.4.B.4). The 50-ft buffers around the truck yard remain at full width and will be replanted where graded. A truck yard is a permitted use in the requested I-1 district; the variance concerns buffer width and disturbance only.

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

Applicant Signature: Jackie D. Allen Jackie D. Allen Date: 10-01-26

Property Address: 1646 Candler Road, Gainesville, GA 30507 - Tax Parcel 15031 000027 (access from Calvary Church Road)