

# **AGENDA**

## **Cherokee County Board of Commissioners**

August 7, 2012

REGULAR MEETING

CHEROKEE HALL 6:00 P.M.

### **INVOCATION**

### **CALL TO ORDER**

**CHAIRMAN AHRENS**

### **RATIFY CLOSURE OF EXECUTIVE SESSION**

### **PLEDGE OF ALLEGIANCE**

*"Veterans of U.S. military service may proudly salute the flag while not in uniform based on a change in the governing law on 25 July 2007"*

### **PRESENTATIONS**

### **AMENDMENTS TO AGENDA**

### **ANNOUNCEMENTS**

### **APPROVAL OF EXECUTIVE SESSION MINUTES FROM JULY 24, 2012**

As distributed by the County Manager.

### **APPROVAL OF WORK SESSION MINUTES FROM, JULY 24, 2012.**

# APPROVAL OF REGULAR MEETING MINUTES FROM JULY 24, 2012.

## PUBLIC HEARING

None scheduled.

## PUBLIC COMMENT

## ZONING CASES

CASE NUMBER	: 12-07-006
APPLICANT	: <b>RaceTrac</b>
ZONING CHANGE	: R-40 and GC to GC
LOCATION	: SR 20 east of I-575
MAP & PARCEL NUMBER	: 14N23A, 24A, 25 and part of 023
ACRES	: 7.332
PROPOSED DEVELOPMENT	: Convenience Store with fuel sales
COMMISSION DISTRICT	: 1
FUTURE DEVELOPMENT MAP	: Transitional and Suburban Growth

**PLANNING COMMISSION RECOMMENDATION** : Approval with the seven (7) conditions on the previous rezone which is Resolution #2010-R-035 (Case #09-05-010) and add a condition that County staff shall have flexibility regarding the implementation of conditions 1, 2 and 3 on this resolution. Also the addition of the five (5) stipulations stated on the email dated July 10, 2012 from Mr. Huff to Mr. Cowart. This resolution with the conditions and email are attached.

Conditions:

1. Development of the property shall include a 30" curb and gutter to current Georgia Department of Transportation standard along the Ga. Hwy 20 and Old Doss Drive frontages.
2. Development of the property shall include a minimum 4-foot wide grass-strip along the length of the Ga. Hwy 20 and Old Doss Drive frontages, immediately adjacent to the curb described in Condition #1, above.
3. Development of the property shall include a minimum 6-foot wide concrete sidewalk with 20 foot on center expansion joints along the length of the Ga. Hwy 20 and Old Doss Drive frontages immediately adjacent to the grass-strip described in Condition #2, above.
4. Development of the property shall include a minimum 10-foot wide landscape strip along the length of the Ga. Hwy 20 frontage, immediately adjacent to the sidewalk

described in Condition #3, above. The landscape strip described in this condition shall contain at least the following:

- a. Maple trees with a minimum caliper of 3" at a point 6" above ground level and minimum height of 14 feet, planted not less than every 65' along the length of the Ga. Hwy 20 frontage.
- b. Not less than 2 understory trees from the list attached as Exhibit "A" for each tree required in (a.), above.
- c. Not less than 10% ground coverage utilizing shrubs from the list attached hereto as Exhibit "A".

Notwithstanding any provision to the contrary contained in this Zoning Condition Number 4, the landscape strip described herein shall be located no closer than 12.5 feet from the proposed right of way of Georgia Highway 20 as shown in GDOT Project No. CSSTP-0009-00(164); PI No. 0009164 – SR 20 from I-575 to CR 288/Scott Road – Widening 2 to 4 lanes in effect when application is made for development permit approval.

5. The County's sign regulations shall apply, however, the total height of any freestanding sign on the property shall not exceed twelve (12) feet, measured from the crown of the adjacent portion of Georgia Highway 20.
6. The side entrance shall be located as close to the rear of the property as possible, subject to the approval of the Cherokee County Engineering Department.
7. Zoning Condition Numbers 2 and 3 above are intended to create continuity of the streetscape into the City of Canton from the east along Ga. Hwy 20. However, for so long as the owners of the property adjoining this subject parcel to the west are not compelled by the City of Canton to comply with all of the requirements set forth in Condition Numbers 2 and 3 above, then any requirement that was not applied to such adjoining property owner shall likewise not be applied to this property. If the City of Canton ever changes the design and development requirements along Ga. Hwy 20 frontage from those set forth in Condition Numbers 2 and 3 above, the owner may submit a request to the County Planning and Zoning Department for relief from Zoning Condition Numbers 2 and 3 consistent with the changes made by the City of Canton and such relief may not be unreasonably withheld. In the event that the owner develops this parcel before such adjoining parcels are developed, and the City of Canton thereafter requires such adjoining parcels to comply with the equivalent City mandated streetscape requirements, upon written notice to owner from the County, the owner shall thereafter comply with Condition Numbers 2 and 3. The County's delayed enforcement of Zoning Condition Numbers 2 and 3 pursuant to the terms of the Zoning Condition Number 7 shall not create a vested right to the continuation of the development of the property in a manner contrary to Zoning Condition Numbers 2 and 3. This Condition Number 8, expressly does not apply to Condition Numbers 1 and 4, which shall be immediately applicable.
8. County Staff shall have flexibility regarding the implementation of Condition Numbers 1, 2 and 3 on Resolution #2010-R-035/Case #09-05-010.

9. The back future driveway that will eventually connect to Old Doss Road will only be graded with no paving or curbing installed.
10. After grading, the applicant will cover with top soil and landscape with sod.
11. An L backed curb will be installed at the beginning of this graded future driveway in the north east corner of the proposed building.
12. Additionally, applicant will manage drainage from the graded future driveway to ensure that drainage does not flow onto Old Doss Road.
13. Applicant is not to disturb Old Doss Road turnaround.

---

**COMMISSION BUSINESS**

**CHAIRMAN**

**L. B. AHRENS**

**COMMISSION POST 1**

**HARRY B. JOHNSTON**

**COMMISSION POST 2**

**JIM HUBBARD**

**VICE CHAIR/COMMISSION POST 3**

**KAREN BOSCH**

**COMMISSION POST 4**

**JASON NELMS**

Consider approval of Proclamation for **Youth Sports Champions Day on August 7, 2012** in Cherokee County in recognition of the hard work and determination of players and coaches of Youth Sports Leagues throughout the County.

---

## CONSENT AGENDA

- 1.1 Consider acceptance of insurance recovery monies received and budget amendment to increase Fire Fund 270 in the amount of **\$3,336.30**.
  - 1.2 Consider approval to purchase a replacement John Deere skid-steer loader for the Roads and Bridges Department from Flint Equipment Company in the amount of **\$35,670.70**. This quote came in under the state contract price from Borders Equipment's quote for a Case Loader; the County has several existing pieces of John Deere equipment serviced by Flint Equipment Company.
- 

## COUNTY MANAGER

- 2.1 Consider approval to award annual contracts for 2012 stone/aggregate purchases to LaFarge Aggregates and Vulcan Materials on an as-needed basis by Roads and Bridges Department.
  - 2.2 Consider approval of request to submit list of eight (8) roadways in need of resurfacing to GDOT for funding under the 2013 LMIG (Local Maintenance and Improvement Grant).
  - 2.3 Consider acceptance of new state awarded no match DUI grant and budget amendment to increase FY2012 Grant Fund Revenue and Expenditures in the amount of **\$4,895.00** for the quarter (July – September 2012).
  - 2.4 Consider approval of the Community Development Block Grant (CDBG) Activities for the additional HUD funding of **\$280,574.00** that was approved by the BOC on May 1, 2012 as follows: MUST Ministries, \$150,000.00; Cherokee Senior Center, \$95,574.00; Cherokee County Administrative, \$35,000.00.)
- 

## COUNTY ATTORNEY

- 3.1 Hear the appeal of a denial by the Zoning Board of Appeals, Case Number 12.06.0015V, regarding the variance request of Michael Jorge.

3.2 Notice of annexation from the City of Holly Springs on four (4) properties along Hiram Way.

**ADJOURN**