

CHEROKEE COUNTY PLANNING COMMISSION

PUBLIC HEARING MINUTES



February 5, 2019
Cherokee Hall 7:00 PM

The Cherokee County Planning Commission held its regularly scheduled public hearing on Tuesday, February 5, 2019 in Cherokee Hall at the Cherokee County Administration Building. Planning Commission members present were Tom Ware, Richard Weatherby, Dr. Rick Whiteside, Bob Whitaker, Nicole Carbetta, Marla Doss and Scott Barnes. Ken Smith was not in attendance. In attendance for Cherokee County Planning Staff were Jeff Watkins, Planning Director; Michael Chapman, Zoning Manager; Tamala Davis, Planning Technician; and Thomas Trawick, Planner.

The meeting was called to order at 7:35 p.m.

Case #19-02-005 CNW Holdings, Inc. (BOC Dist. 3)

Applicant is requesting to rezone 239.88 +/- acres at 887 Mount Carmel Church Lane from AG to R-40 for a single family residential development.

Michael Chapman presented the case. Mr. Chapman discussed current zoning, surrounding uses, land use compliance, economic use as currently zoned and department comments.

Parks Huff represented this case. Mr. Huff discussed the surrounding zoning and provided a colored site plan. He stated this development is in compliance with the land use plan. He provided renderings of homes and streetscape plans.

Jason Torrence spoke in opposition. Mr. Torrence stated his concerns with the road hazards, increase in traffic that would cause a safety hazard.

Ron Tiller spoke in opposition. Mr. Tiller stated his concerns with the road, drainage into Shoal Creek and school impact. He stated this is a dangerous road that is not maintained and has blind spots. He also stated this development would need drainage ponds.

Mark McGowan spoke in opposition. Mr. McGowan stated his concerns with this being a rural road, not a major road and not built to handle additional traffic. He stated traffic already cuts through the cemetery.

Linnea Twaddell spoke in opposition. Ms. Twaddell stated her concerns with traffic and that if additional traffic keeps coming in the Veterans Cemetery will close off their entrance. She stated she feels if approved this will set a precedent for other property owners to rezone.

David Gazaway spoke in opposition. Mr. Gazaway stated his concerns with the road conditions and infrastructure.

Parks Huff spoke in rebuttal. Mr. Huff stated the septic systems would be controlled by the Department of Health. He stated he appreciates the concerns with Mount Carmel Church Road and that is why they have made revisions. He stated they are agreeable to donate 40 feet of right of way to expand the width of the road in the future.

Mr. Ware asked Mr. Huff what would be the starting price range. Mr. Huff stated starting price is \$375,000.

Mr. Whitaker closed public comment.

Dr. Whiteside stated he will not support this application. He stated the site is not suitable for septic with the number of lots shown. He stated the traffic report is not sufficient for the increase in traffic and the land use plan indicates Rural Places. He stated he does not see a hardship and the number of lots proposed could be developed as currently zoned.

Mr. Barnes stated the future land use plan indicates Rural Places and the density may be in line with this but the R-40 zoning is not suggested for Rural Places.

Mr. Ware stated he agrees with the concerns and safety of the road. He stated an upscale neighborhood with 239 acres with shared driveways and easements does not make sense to him. He stated he does not see any reason to support this application.

Mr. Hill read the Rural Places definition on the future development site and stated this property is suitable for farm and woodlands.

Dr. Whiteside made a motion to recommend denial. Seconded by Mr. Barnes. Motion passed 8-0.

Case #19-02-006 Danny Henson (BOC Dist. 1)

Applicant is requesting to rezone 0.76 acres at 2452 Ball Ground Highway from R-40 to GC for the expansion of an existing restaurant. Applicant is also requesting a variance to Article 7, Table 7.1A Minimum District Development Standards to reduce the side building setback to zero (0) feet to accommodate the existing encroachment and proposed addition.

Michael Chapman presented the case. Mr. Chapman discussed current zoning, surrounding uses, land use compliance, economic use as currently zoned, and department comments.

Danny Henson represented this case. Mr. Henson stated this is an existing café that they would like to add a walk in cooler on the side of the building and smoke barbecue in the back. He stated they have been on a sewer system for 20 years and has been a restaurant for 13 years. He stated he does not feel this would increase traffic or cause any problems.

Daniel Folwell spoke in support. Mr. Folwell stated he is the owner of the café. He stated they currently do breakfast and lunch but would like to expand to a Friday, Saturday and Sunday supper that will include barbecue. He stated they will need to hire additional people for this timeframe. He stated they are very limited in space and only have 34 seats. He stated the walk in cooler and smoker is the bare minimum required they need in order to do barbecue.

There was no one present to speak in opposition of this application.

Mr. Whitaker closed public comment.

Mr. Barnes stated this is a very successful restaurant that already encroaches into the setbacks. He stated he does not see this as an issue because this is how it currently is on the property.

Mr. Barnes made a motion to recommend approval to include the variance request. Seconded by Dr. Whiteside. Motion passed 8-0.

Mr. Ware made a motion to approved the January 8, 2019 Minutes. Seconded b Mr. Weatherby. Motion passed 8-0.

Mr. Weatherby made a motion to approve the January 28, 2019 Work Session Minutes. Seconded by Mr. Ware. Motion passed 8-0.

Dr. Whiteside made a motion to adjourn. Seconded by Mr. Hill. Motion passed 8-0. The meeting adjourned at 8:59 p.m.