



Approved 8-6-2019
CHEROKEE COUNTY PLANNING COMMISSION

PUBLIC HEARING MINUTES

July 2, 2019
Cherokee Hall 7:00 PM

The Cherokee County Planning Commission held its regularly scheduled public hearing on Tuesday, July 2, 2019 in Cherokee Hall at the Cherokee County Administration Building. Planning Commission members present were Tom Ware, Ken Smith, Dr. Rick Whiteside, Lisa Tressler, Richard Weatherby, Tom Hill, Bob Whitaker, and Scott Barnes. Marla Doss was not in attendance. In attendance for Cherokee County Planning Staff were Jeff Watkins, Planning and Zoning Director; Tamala Davis, Planning Technician; and Thomas Trawick, Planner.

The meeting was called to order at 7:55 p.m.

Case #19-04-004S Gary R. and Christi C. Bagley (BOC Dist. 1)

Applicant is requesting a special use permit to allow internet truck sales at 11911 Cumming Highway.

Bob Whitaker stated the applicant has requested postponement for sixty (60) days. Dr. Whiteside made a motion to approve the request to postpone for sixty (60) days. Seconded by Mr. Smith. Motion passed 8-0.

Case #19-07-016 Noah Sanders (BOC Dist. 3)

Applicant is requesting to rezone 1.04 acres at 1898 Marble Quarry Road from R-40 to R-20 for single family residential uses.

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

Noah Sanders represented this case. Mr. Sanders stated he has nothing further to add, that staff explained exactly what he is requesting.

Mr. Barnes asked Mr. Sanders if he has contacted anyone to see how far off until sewer will be available in this area. Mr. Sanders stated he has not been able to get a definite answer yet, but feels with development in the area that it will be within the next year or so.

Mr. Barnes asked if the second home would be for family or for an investment. Mr. Sanders stated the existing home they are selling and is not sure if he will be building a home on the other lot or if it will be for an investment.

There was no one present to speak in support.

Mr. Whitaker asked staff what the minimum lot size is for septic. Mr. Trawick stated 27,000 square feet for a three (3) bedroom home.

Mr. Whitaker asked staff if the property is subdivided, is the existing house and septic system legal or would they have to obtain a variance for that also. Mr. Trawick stated, he believes he would need a variance. Mr. Whitaker stated so the applicant would need a variance in order to sell the home. Mr. Trawick stated, potentially, yes.

Brenda Martin spoke in opposition. Ms. Martin stated she lives on Marble Quarry Road and feels there is not enough land to put another home on the property.

Mr. Whitaker asked Mr. Sanders did he have anything to add. He stated, no.

Mr. Whitaker closed public comment.

Mr. Weatherby and Mr. Barnes stated they cannot support this application.

Mr. Ware asked would it be appropriate for Mr. Sanders to withdraw his application until sewer becomes available in the future.

Mr. Whitaker stated we could offer that, however this Board needs to take action on this application. He stated Mr. Sanders would still have time to withdraw his application before the Board of Commissioners meeting.

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

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. Application was remanded by Board of Commissioners back to Planning Commission. Applicant revised their application on May 14, 2019 requesting to rezone from AG to R-60 for a residential subdivision consisting of 112 single-family detached homes. Applicant also requests concurrent variances to 1) reduce the side setback from 40 feet to 15 feet; and 2) reduce the minimum lot width from 110 to 100 feet.

Thomas Trawick presented the case. Mr. Trawick 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 changes to the plan. He stated there is existing R-40 zoning to the West and farther North. He stated this plan is in compliance with the Comprehensive Plan. He discussed the variance requests and discussed the access for the development.

Doug Patten with Centerline Surveying stated the proposal will add two (2) driveways to Mount Carmel Church Lane. He stated they would not need a variance for the lot width. He discussed the variance for the side setbacks along with the location of drainage areas and watershed basins. He stated the plan was developed with a soils analysis and level 3 design. He stated they have increased the front setback to 50 feet along Mount Carmel Church Lane and noted only three (3) lots touch the AG zoning. Mr. Patten discussed the outcome of the community input meeting in regards to a landscape buffer and access. He stated they have agreed to \$115,000 donation to school board.

There was no one present to speak in support of the application.

Mark Johnson spoke in opposition. Mr. Johnson stated his concerns with school impacts, no amenities, increase in traffic and variance requests creating smaller lots. He stated this is farm land and a rural area.

Ron Tiller spoke in opposition. Mr. Tiller stated his concerns with run-off, damage to property and damage to the road. He stated the cemetery will not allow thru-traffic and will close entrance if this development is approved.

Margaret Twaddell spoke in opposition. Ms. Twaddell stated her concerns with the cemetery closing access if development is approved, increase in traffic, school impacts and safety.

Parks Huff spoke in rebuttal. Mr. Huff stated he understands the concerns however, they are donating 15 feet of right-of-way and this plan is consistent with the Comprehensive Plan. He stated the property will be developed whether it is approved for rezone or not.

Mr. Whitaker closed public comment.

Ms. Tressler stated the R-60 zoning is not consistent with the character area.

Dr. Whiteside stated he has concerns with the stormwater being inside the lots and not owned by the HOA, concerns with the shared driveways and expansion of Mount Carmel Church Lane, increase in traffic and not having an amenity for this number of lots.

Mr. Ware stated he has the same concerns regarding the shared access and cannot support the variances. He stated he could support an R-60 zoning but without the variance requests.

Mr. Whitaker stated there are some R-40 developments in the area but has access on major roads. He stated he has concerns with traffic and safety. He stated he cannot support this application.

Ms. Tressler made a recommendation to deny this application. Seconded by Dr. Whiteside. Motion passed 7-1.

Mr. Barnes made a motion to approve the June 4, 2019 Public Hearing Minutes. Seconded by Ms. Tressler. Motion passed 8-0.

Mr. Ware made a motion to approve the June 17, 2019 Work Session Minutes. Seconded by Mr. Weatherby. Motion passed 8-0.

Mr. Ware made a motion to adjourn. Seconded by Dr. Whiteside. The meeting adjourned at 9:07 p.m.