

Cherokee County Zoning Board of Appeals
Public Hearing
Minutes
August 3, 2006
6:30 p.m.

The Cherokee County Zoning Board of Appeals held its regularly scheduled meeting on July 6, 2006 in the Jury Assembly Room of the Cherokee County Justice Center. In attendance for the Zoning Board of Appeals were Chairman Evert Hekman Vice Chairman, Roy Taylor and Greg Elder. Amy Dupree and Sean Jerguson did not attend. In attendance for Cherokee County Staff were Mark Mahler, County Attorney, Vicki Taylor Lee, Zoning Administrator and Vikki Chadwick, Senior Clerk. The meeting was called to order at 6:30 pm.

Old Cases

Case #06-07-036V Lonnie Dunn requesting a variance to Article 10, Table 10.1; Buffer Requirements from the zoning ordinance and a variance to Section 5, 5.1 (1) and (2) of the Development Regulations. The applicant is requesting a waiver of the required 35 foot zoning buffer and a waiver of the county stream bank buffer requirements. This property is located in Land Lot 125 of the 14th District and further described as Cherokee County Tax Map 14N12A, Parcel 112.

Vicki Taylor Lee presented the case.

Lonnie Dunn represented the case.

No one spoke in favor or in opposition.

Mr. Hekman closed public comment.

Mr. Taylor made motion to approve with conditions.

- Limit parking spaces to 39.
- Replace the required 35 foot zoning buffer with a 25 foot building setback with a 5 foot landscape strip along the property line.
- Change the proposed concrete detention pond to landscaped detention.
- Allow encroachment into the 75' impervious buffer.
- Encourage the Civil Engineer to design increased infiltration methods.

Mr. Hekman seconded the motion.

Motion passed 3-0.

New Cases

Case #06-08-037V Dan & Rosa Smith requesting a variance to Article 23; Conservation Subdivisions. The applicant is requesting an encroachment of 15 feet into the 50 foot undisturbed conservation buffer and the 10 foot landscape buffer. The property is located in Land Lot(s) 265, 276 of the 14th District and further described as Cherokee County Tax Map 14N23D, Parcel 19.

Vicki Taylor Lee presented the case.

Dan Smith represented the case.

No one spoke in favor or in opposition.

Mr. Hekman made motion to approve with a condition of:

- Change verbiage on application to replace variance to encroachment into the buffer.

Mr. Elder seconded the motion.

Motion passed 3-0

Case #06-08-038V Bell-Eagle, LLC. requesting a variance to Article 10, Section 10.6-1, 10.6-2 and Table 10.1. The applicant is requesting a variance to allow a reduction of the 35 foot zoning buffer along south property line to a 10 foot zoning buffer. The property is located in Land Lot 972 of the 21st District and further described as Cherokee County Tax Map 15N05, Parcel 100.

Vicki Taylor Lee presented the case.

Joe Bishop represented the case.

No one spoke in favor or in opposition.

Mr. Hekman closed public comment.

Mr. Hekman made motion to approve with the condition:

- Waiver of the buffer on Bells Ferry at the southeast corner for 50 feet and planted in accordance with the County Arborist.

Mr. Elder seconded the motion.

Motion passed 3-0.

Case #06-08-039V Paul & Ashley Gagnon requesting a variance to Article 5, Section 5.6 and Article 7, Section 7.9. The applicant is requesting a variance to allow two additional accessory structures and to allow a 50 foot setback for a barn instead of the required 75 feet. The property is located in Land Lot 903 of the 15th District and further described as Cherokee County Tax Map 15N29, Parcel 79.

Vicki Taylor Lee presented the case.

Paul Gagnon represented the case.

No one spoke in favor or in opposition.

Mr. Hekman closed public comment.

Mr. Taylor made motion to approve.

Mr. Elder seconded the motion.

Motion passed 3-0.

Other Items

ZBA members voted to submit a proposal (August 8, 2006 version) to the Board of Commissioner requesting a change in the policy relative to repeated violations of the building permit requirement.

Mr. Hekman made the motion to pass.

Mr. Taylor seconded the motion.

Motion passed 3-0.

Approval of July 6, 2006 Minutes

DRAFT