

**Cherokee County Zoning Board of Appeals**  
**Public Hearing**  
**Minutes**  
**November 2, 2006**  
**6:30 p.m.**

The Cherokee County Zoning Board of Appeals held its regularly scheduled meeting on November 2, 2006 in the Jury Assembly Room of the Cherokee County Justice Center. In attendance for the Zoning Board of Appeals were Chairman Evert Hekman, Amy Dupree, and Greg Elder. Sean Jerguson and Roy Taylor In attendance for Cherokee County Staff were Vicki Taylor Lee, Zoning Administrator and Vikki Chadwick, Senior Clerk. The meeting was called to order at 6:30 pm

**Old Cases**

**Case #06-10-049V** Christopher Alvey requesting a variance to Article 7, Section 7.7-2. The applicant is requesting a variance to reduce the required 200' setback to 80' for a vet clinic & kennels. This property is located in Land Lot(s) 223 & 224 of the 15<sup>th</sup> District and further described as Cherokee County Tax Map 15N08, Parcel 114.

Vicki Taylor Lee presented the case.

Dr. Alvey was not present at the time.

Mr. Hekman made motion to approve with conditions.

- The building is similar to the existing building with the purpose of sound reduction.

Mr. Jerguson seconded the motion.

Motion passed 5-0.

**Case #06-10-050V** Tommy Elsberry requesting a variance to Section 5.1 of the Cherokee County Stream Bank Protection Ordinance. The applicant is requesting to encroach into the required 50' county stream bank buffer 25'. This property is located in Land Lot(s) 202-204, 228-231, 239-241, 264-266 of the 22<sup>nd</sup> District and further described as Cherokee County Tax Map 22N08

Vicki Taylor Lee presented the case.

Mr. Elsberry, Mr. Haskel & Mr. Vermont represented the case.

Rebecca Strobl spoke in opposition.

Rod Metcalf spoke in opposition.

Mr. Vermont spoke in rebuttal.

Mr. Hekman closed public comment.

Mr. Jerguson made motion to approve with conditions.

- Development is significantly similar to the concept plan.
- BMP's be observed daily and reported to the Cherokee County Engineering Department on a weekly basis while land is being disturbed and until the vegetation has been reestablished to the stream bank buffer crossings.

Mr. Hekman seconded the motion.

Motion passed 4-1.

Ms. Dupree opposed.

### **New Cases**

**Case #06-11-053V** Racetrac Petroleum requesting a variance to Article 7, Table 7.1A Minimum District Development Standards. The applicant is requesting a variance to reduce the required 50' front setback to 18' and reduce the required 10' side setback to 6'. This property is located in Land Lot 160 of the 15<sup>th</sup> District and further described as Cherokee County Tax Map 15N13, Parcel 011.

Vicki Taylor Lee presented the case.

Mr. Huff represented the case.

No one spoke in favor or in opposition.

Mr. Hekman closed public comment.

Mr. Hekman made motion to approve with staff recommendations.

Ms. Dupree seconded the motion.

Motion passed 5-0.

**Case #06-11-054V** Benjie Webb requesting a variance to Article 7, Table 7.1A Minimum District Development Standards. The applicant is requesting a variance to reduce the required 25' front setback to 15' 3". This property is located in Land Lot 1074 of the 15<sup>th</sup> District and further described as Cherokee County Tax Map 15N12D, Parcel 081 & 082.

Vicki Taylor Lee presented the case.

Mr. Chambers represented the case.

No one spoke in favor or in opposition.

Mr. Hekman closed public comment.

Ms. Dupree made motion to approve.

Mr. Jerguson seconded the motion.

Motion passed 5-0.

**Case #06-11-055V** Claude Bouchard requesting a variance to Article 5, Section 5.6 Accessory Uses and Structures. The applicant is requesting a variance to allow a second accessory structure. This property is located in Land Lot 965 & 980 of the 21<sup>st</sup> District and further described as Cherokee County Tax Map 21N11B, Parcel 034.

Vicki Taylor Lee presented the case.

No one spoke in favor or in opposition.

Mr. Hekman closed public comment.

Mr. Elder made motion to approve.

Mr. Jerguson seconded the motion.

Motion passed 5-0.

**Case #06-11-056V** Taco Bell / KFC requesting a variance to allow square footage to be divided into 4 signs instead of 2, due to the fact that there are 2 businesses located in the restaurant. This property is located in Land Lot 253 & 254 of the 15<sup>th</sup> District and further described as Cherokee County Tax Map 15N26, Parcel 155.

Vicki Taylor Lee presented the case.

Stephanie Schleicher represented the case.

No one spoke in favor or in opposition.

Mr. Hekman closed public comment.

Mr. Jerguson made motion to approve.

Mr. Elder seconded the motion.

Motion passed 5-0.

**Case #06-11-057V** Luis Herrera requesting a variance to Article 7, Section 7.7-55. The applicant is requesting a variance to allow parking of dump truck on nights and weekends in AG zoning. This property is located in Land Lot 100 of the 14<sup>th</sup> District and further described as Cherokee County Tax Map 14N09, Parcel 034C.

Vicki Taylor Lee presented the case.

No one spoke in favor or in opposition.

Mr. Hekman closed public comment.

Mr. Taylor made motion to approve.

Ms. Dupree seconded the motion.

Motion passed 5-0.

**Case #06-11-058A** Christopher Howell (06-11-058A) requesting an appeal to a Zoning Administrator decision. The applicant is requesting an appeal to continue commercial/office office use in AG zoning. This property is located in Land Lot 35 of the 15<sup>th</sup> District and further described as Cherokee County Tax Map 15N01, Parcel 004.

Vicki Taylor Lee presented the case.

Tamara Howell represented the case.

Ted Howell spoke in favor.

Bob Dyer spoke in favor.

Mr. Hekman closed public comment.

Mr. Hekman made motion to approve with conditions.

- Variance applies to the existing building.
- Variance applies to the 3 existing businesses
  1. JT & C Land Development, LLC
  2. Fiber Technology Construction, Inc.

### 3. Sutallee Development, Inc.

- Limited to 6 office employees.

Mr. Jerguson seconded the motion.

Motion passed 5-0.

### **Other Items**

Approval of October 5, 2006 Minutes

Meeting adjourned 8:25 P.M.