

Cherokee County Zoning Board of Appeals
Minutes
Thursday, May 1, 2008
6:30 PM

The Cherokee County Zoning Board of Appeals held its regularly scheduled meeting on May 1, 2008 at 6:30 P. M. in the Jury Assembly Room of the Cherokee County Justice Center. In attendance for the Zoning Board of Appeals were Chairman Evert Hekman, Elizabeth Semler, Amy Dupree, Roy Taylor and Greg Elder. In attendance for Cherokee County Staff were Allie Hopkins, Planner, Vikki Chadwick, Senior Clerk and Tripp Peake representing the County Attorney.

OLD CASES

CASE #08-03-006V – CHRIS VINCENT is requesting a variance to Article 7, section 7.4-1.1B of the Cherokee County Zoning Ordinance. The request is to eliminate the setbacks on 43 basement lots due to the topography. The site is located at 1754 Kellogg Creek Road, Acworth, Georgia in Land Lots 833, 834, 895, and 896 of the 21st District, 2nd Section and further described as Cherokee County Map Number 21N10, Parcel(s) 13, 15, 15A, 21, 41A, 42, 42A, 43, 44, 46, & and is a total of 65 acres.

Allie Hopkins presented the case.

Chris Vincent represented the case.

No one spoke in favor.

Robert Montbach spoke in opposition.

Mr. Hekman closed public comment.

Mr. Taylor made motion to approve with conditions.

1. Based upon the documents received and the reduction in the number of lots included in this petition, Staff supports approval of the variance to the extent that each of the affected lots should have actual covered porches, not stoops. Additionally, Staff recommends a reduction and/or allowance to measure the setback from the porch in lieu of a full waiver of the requirements.
2. Change wording in Variance request from waiver to encroachment.

Mr. Elder seconded the motion.

Motion passed 4-1

Ms. Dupree opposed.

NEW CASES

CASE #08-05-15V – PAUL E. THORNTON/LEGACY COMMUNITIES, LLC is requesting a variance to Article 23, Conservation of the Cherokee County Zoning Ordinance. This is to reduce the required North Side 10 foot side setback to 7.8 feet. The site is located at 403 Farmwood Way in Land Lot(s) 1098 of the 3rd District and further described as Cherokee County Tax Map 03N17C, Parcel(s) 055.

Allie Hopkins presented the case.

Paul Thornton represented the case.

No one spoke in favor.

No one spoke in opposition.

Mr. Hekman closed public comment.

Ms. Dupree made motion to approve.

Mr. Hekman seconded the motion.

Motion passed 5-0.

CASE #08-05-16V – JEN & ANDREW THOMPSON requesting a variance to Article 7.7-2, Permitted Uses. This request is to reduce the required 200 foot setback to 10 feet for a Veterinary Clinic. This property is located at 7871 Union Hill Road in Land Lot 1220 of the 3rd District and is further described as Cherokee County Tax Map 03N06, Parcel 113 and consists of 1.95 acres.

Allie Hopkins presented the case.

Andrew Thompson represented the case.

No one spoke in favor.

No one spoke in opposition.

Mr. Hekman closed public comment.

Mr. Hekman made motion to approve with conditions.

1. There will be no outdoor runs.
2. The practice will cater to small animals.
3. Reside at the location.
4. A double vegetative barrier of trees has been installed between the location and the rear property.

Mrs. Semler seconded the motion.

Motion passed 5-0.

CASE #08-05-017V – SHARON R. DENNIS requesting a variance to Article 5, Section 5.6 to allow an accessory structure in the front yard area. This property is located at 614 Arnold Mill Road in Land Lot 909 of the 15th District and further described as Cherokee County Tax Map 15N23, Parcel 087 and consists of 1.50 acres.

Allie Hopkins presented the case.

Sharon Dennis represented the case.

No one spoke in favor.

No one spoke in opposition.

Mr. Hekman closed public comment.

Mr. Hekman made motion to approve.

Ms. Dupree seconded the motion.

Motion passed 5-0.

OTHER ITEMS:

Vote on variance revocation.

Case # 07-04-017V Betty Smith

Mr. Taylor made motion to revoke.

Mr. Elder seconded the motion.

Motion passed 5-0.

Denial of April minutes.