

**Cherokee County Zoning Board of Appeals**  
**Public Hearing Minutes**  
**Thursday, January 6, 2011 6:30 PM**

The Cherokee County Zoning Board of Appeals held its regularly scheduled meeting on January 6, 2011 in Cherokee Hall at the Cherokee County Administration Building. In attendance for the Zoning Board of Appeals were Chairman Roy Taylor, Elizabeth Semler, Lanette Shaw and Viviane Decker and new member, Cynthia Castello. In attendance for Cherokee County Staff were Vicki Taylor Lee, Zoning Administrator, Allison Hopkins, Planner, Kathy Dunn, Administrative Assistant and Tripp Peake, County Attorney.

Roy Taylor called the meeting to order at 6:35 pm. The first order of business was the swearing in of new member, Cynthia Castello by Attorney Tripp Peake. Afterwards case review began.

**Case # 11-01-001V – Cornerstone Bank** requesting a variance to Article 7, Table 7.1A – Building Setbacks. Applicant is Cornerstone Bank and the Subdivision name is Park at Kellogg Creek in Land Lots 896 and 905 of the 21<sup>st</sup> District and further described as Cherokee County Tax Map 21N11, Parcels 106-109. Applicant is requesting a 10 foot variance to the front building setbacks on lots 60 through 85 due to extreme topography issues. Allison Hopkins presented the case. Pete Bilson, Landscape Architect represented the case. After presentation members of the Board were allowed to ask questions. Viviane Decker asked about retaining walls in the rear and Mr. Bilson stated they were trying to keep the area as natural as possible by using berms, plantings and existing trees. No further discussion by the Board ensued. Mr. Taylor then opened the floor to public comment. There was no one there to speak in favor or in opposition. Mr. Taylor then closed public comment. Mr. Bilson was asked to return to the podium and Mr. Taylor asked him if they could use an alternate plan, such as moving the lots around. Mr. Bilson stated he did not think this was possible as the roads, street lights and utilities were already in place. Lanette Shaw asked if he thought a 5 foot variance would be possible. He stated that it probably would on some lots but they were asking for the 10 foot so they would have the flexibility of moving the houses the best way possible. Elizabeth Semler asked about the RD-3 classification. Vicki Taylor Lee addressed by explaining the issues of the classification. Roy Taylor asked Vicki and Allie if there should be conditions placed on the property and Allie said yes. Elizabeth Semler stated that she still has a problem with the number of lots on which they were asking for variances. Mr. Chris Kelly, builder with Piedmont Residential then approached the podium. Roy Taylor informed him that the public comment portion of the meeting had been closed but they did allow him to speak to give a better description. He stated that lots 68 through 76 could possibly be eliminated from the request. After a lengthy discussion the applicant withdrew his request for a variance on lots 70 through 75 and Elizabeth Semler made a motion to approve with conditions: A 10 foot variance on Lots 60 through 65, a 5 foot variance on lots 66 through 69 and a 10 foot variance on lots 76 through 85. Also, the condition that the applicant should substantially follow the approved tree plan's design and intent. Viviane Decker seconded the motion and the request was approved unanimously.

Next order of business was to elect officers for 2011. Elizabeth Semler nominated Roy Taylor as chairman. Lanette Shaw seconded and all voted for Mr. Taylor. Vice Chairman nomination was for Elizabeth Semler by Lanette Shaw. Roy Taylor seconded. All voted in favor.

Approval of December minutes was delayed until next month as some had not read them yet. Finally, discussion was held regarding Case #10-10-017V, Brian Keith Andrews. Conditions were placed on this case at the October meeting to which the applicant has not compiled. Vicki Taylor Lee will contact this individual and inform him that his Certificate of Occupancy will be held up until the conditions have been met.

Meeting was adjourned at 7:45 PM.

Kathy L. Dunn  
Administrative Assistant