

**Cherokee County Zoning Board of Appeals
Public Hearing Minutes
Thursday, September 6, 2012
6:30 PM**

Approved October 4, 2012

The Cherokee County Zoning Board of Appeals held its regularly scheduled meeting on Thursday, September 6, 2012 in Cherokee Hall of the Cherokee County Administration Building. In attendance for the Zoning Board of Appeals were Chairman Roy Taylor, Lanette Shaw, Elizabeth Semler and Cynthia Castello. Viviane Decker was not in attendance. In attendance for Cherokee County Staff were Vicki Taylor Lee, Zoning Administrator, Tamala Davis, Planning Technician and Paul Frickey, County Attorney.

The meeting was called to order at 6:30 p.m.

The only case was **Case #12-09-019V Brad and Dawn Smith** requesting a variance to Article 5, Section 5.6 of the Cherokee County Zoning Ordinance. Applicant is requesting an encroachment of 5 feet into the side and rear building setbacks for a pool. This property is located at 101 Nutmeg Lane in Land Lot 938 of the 15th District and further described as Cherokee County Tax Map 15N05A, Parcel 294.

Ms. Vicki Taylor Lee presented this case. Ms. Lee discussed staff comments and noted she received a letter from the adjacent neighbor with no objection to this application. She stated staff recommends this application be approved.

Brad and Dawn Smith represented the case. Ms. Smith stated they are located in Spicer's Grove Subdivision which has no swim/tennis facility. She stated they would like to have a pool for their young boys. Ms. Smith stated because they are a corner lot they can't fit the pool in the back yard and in order to put one in the side yard they would need to move a little closer to the property line to have safe decking and fence.

Mr. Taylor closed public hearing since no one else was in attendance.

Ms. Shaw made a motion to approve. Seconded by Ms. Semler. Unanimous approval.

The next item on the agenda was the approval of July 12, 2012 Minutes. Mr. Taylor made a motion to approve with the one correction on page 3. Seconded by Ms. Castello. Unanimous approval.

Mr. Taylor stated he would like to discuss Case #12-09-018V Mike and Cindy Tolley that was postponed due to failure to provide proof of posting. Mr. Taylor asked staff does she know the exact height from the centerline of the road. Ms. Lee stated that she did send Engineering out, however we are still unclear as to the exact height and will get this information to the Board.

Mr. Taylor stated they will need more information since this application packet is insufficient. Ms. Lee stated she would get more information to the Board before next month.

Mr. Taylor stated he will be out of town for the next meeting coming up on October 4, 2012 and will not be able to attend.

Ms. Lee briefly discussed Case # 12-10-020A Rebecca and William Piland which will come before the Board at the next meeting. Mr. Frickey stated he would have to check further into this case and will get back with Staff.

Mr. Taylor made a motion to adjourn. Seconded by Ms. Semler. Unanimous approval.

The meeting adjourned at 6:50 p.m.