

**Cherokee County Zoning Board of Appeals
Public Hearing Minutes
Thursday, April 2, 2015
6:30 p.m.**

The Cherokee County Zoning Board of Appeals held its regular public hearing on Thursday, April 2, 2015 in Cherokee Hall of the Cherokee County Administration Building. In attendance for the Zoning Board of Appeals were Chairman Elizabeth Semler, Cindy Castello, Bill Dewrell and Marla Doss. Melissa Range 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.

Case #15-04-009V Jeff Turner requesting a variance to Article 7, Table 7.1A of the Cherokee County Zoning Ordinance. The applicant is requesting a variance to reduce the east side building setback from 50 feet to 25 feet. The property is located at 1369 Reece Road in Land Lot 717 of the 2nd District and further described as Cherokee County Tax Map 02N04, Parcel 197.

Vicki Lee presented this case. Ms. Lee discussed staff comments, location of property, gave adjacent zoning and noted staff's recommendation. She stated we have received a couple of phone inquiries, however, no letter in opposition to or in support of this application.

Jeff and Rebecca Turner represented this case. Ms. Turner stated the reasons for this request are due to the location of the septic system, the location of the secondary system and the topography of the property.

Ms. Semler asked if there was anyone to speak in support of or in opposition to this request. There being none, she closed public comment.

Ms. Castello stated she agrees with staff in regards to the vegetation remaining along property line.

Ms. Semler stated this lot does have topography issues.

Ms. Semler made a motion to approve this request with the condition that vegetation does remain along the easterly property line. Seconded by Ms. Castello. Unanimous approval.

Case #15-04-010V Clayton Signs, Inc. requesting a variance to Article 11, Table 11.1 and Section 11.8,1. The applicant is requesting a variance to allow three (3) wall signs with 50 square feet of copy area each. The property is located at 2115 Cumming Highway in Land Lot 239 of the 14th District and further described as Cherokee County Tax Map 14N23A, Part of Parcel 024A.

Vicki Lee presented this case. Ms. Lee discussed staff comments, location of property, gave adjacent zoning and noted staff's recommendation. She stated we have received no letters in opposition to or in support of this application.

Jimmy Newmon with Clayton Signs represented this case. Mr. Newmon stated the Ordinance allows a total of three (3) signs with one (1) freestanding and two (2) wall signs. He stated they

are requesting to have three (3) wall signs plus an additional freestanding sign. He stated they are requesting this variance to minimize the sign on one side (east elevation) to match the 50 square feet of copy area on the west and front elevation to provide the maximum visibility for people traveling this corridor. He stated this is a heavily landscaped buffer along this corridor and a lot of ground signs get covered up by the vegetation along this buffer. Mr. Newmon stated there are other retailers in this area that have wall signage on all 4 walls or at least 3 walls.

Ms. Lee stated these developments fall within the City of Canton jurisdiction.

Ms. Semler asked if there was anyone to speak in favor or in opposition to this application. There being none, she closed public comment.

Mr. Dewrell asked Staff about the recent sign changes made. Ms. Lee stated they did but it does not affect this property. Ms. Lee stated there were some stipulations of the rezone request that limited the freestanding sign to 12 feet and they do have to have the landscaping along the front per the City of Canton streetscape requirements that was a stipulation of zoning as well.

Mr. Dewrell stated he is really trying to find a hardship with this application. Ms. Lee stated in the City of Canton they allow 3 wall signs. She stated Verizon is in compliance with everything else. Mr. Dewrell stated if approved will this open them up with requests from others wanting additional signage.

Ms. Semler asked for clarification of the stipulations of the rezone requests. Ms. Lee discussed these stipulations and the City of Canton Growth Boundary Agreement. Ms. Semler stated this property could eventually go into the City of Canton and request the additional signage at that time. Ms. Lee stated yes.

Mr. Dewrell asked for clarification from Mr. Frickey regarding the setting of precedents. Mr. Frickey stated the variances are a case by case application and, as such, an earlier case will generally not be precedent for a subsequent case; however, theoretically, you could have cases that are so similar in all relevant parts that the treatment of the former case might require similar treatment for the latter case.

Ms. Castello made a motion to approve the three (3) signs with a maximum of 50 square feet of copy area for each. Seconded by Mr. Dewrell. Unanimous approval.

Case #15-04-011V John Roegge/Hilton Displays requesting a variance to Article 11, Table 11.1. The applicant is requesting a variance to allow a 28.1 square foot sign on a 21.3 foot wall face. The property is located at 130 North Point Parkway in Land Lot 1243 of the 21st District and further described as Cherokee County Tax Map 21N06, Parcel 005J.

Applicant has requested this case be postponed due to revisions to the application.

Ms. Semler made a motion to approve the postponement of this application. Seconded by Mr. Dewrell. Unanimous approval.

Ms. Semler made a motion to approve March 5, 2015 Minutes. Seconded by Mr. Dewrell. Unanimous approval.

Ms. Semler made a motion to adjourn. Seconded by Ms. Castello. Unanimous approval. Meeting adjourned at 6:46 p.m.