

**Cherokee County Zoning Board of Appeals
Public Hearing Minutes
Thursday, February 2, 2017
6:30 p.m.**

The Cherokee County Zoning Board of Appeals held its regular public hearing on Thursday, February 2, 2017 in Cherokee Hall of the Cherokee County Administration Building. In attendance for the Zoning Board of Appeals were Chairman Melissa Range, Elizabeth Semler, Cindy Castello, Marla Doss and Lisa Tressler. 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 6:35 p.m.

Case #17-02-006V Talmon E. Harber, Jr. at 5390 Drew Road is requesting a variance to the Cherokee County Zoning Ordinance, Article 7, Table 7.1A; (Legal Non-Conforming Lot of Record) to allow an addition to existing house to encroach ten (10) feet into the 30 foot back building setback line. The property is located in Land Lot 1259 of the 3rd District and further described as Cherokee County Tax Map 03N30, Parcel 111.

Vicki Lee presented the case. Ms. Lee discussed location of property, surrounding zoning, location of home and staff comments. She stated while the subject parcel is AG, it is only 1.23 acres and is a legal lot of record. Ms. Lee stated because the parcel is non-conforming as to the size, R-40 setbacks were assigned in place of the AG setbacks of 50 feet all around. Nevertheless, due to location of the existing home, the addition will protrude 10 feet into the rear building setback of 30 feet. She stated staff recommends this variance be granted due to the size and shape of the subject parcel.

Talmon Harber, Jr. represented this case. Mr. Harber stated this home was built in 1911 and sits on an odd shaped property. He stated this parcel was originally part of a larger tract and that he is the 3rd owner of the home. He stated he would like to maintain the historical character of the home and add a couple of bedrooms, a bathroom and a laundry room. Mr. Harber stated he would like to leave the magnolia tree and this limits them on the direction to go with the additions and septic. He stated the corner of the addition will be encroaching into the required setback and the septic will go on the side.

There was no one to speak in support of or in opposition to this application.

Ms. Semler closed public comment.

Ms. Castello made a motion to approve. Seconded by Ms. Range. Unanimous approval.

Case #17-02-007V David Schultz at 413 Butterworth Road is requesting a variance to the Cherokee County Zoning Ordinance, Article 7, Table 7.1A; to reduce 65 foot minimum setback requirement to 45 feet to coincide with other buildings on property. The property is located in Land Lots 15, 16, 57 & 58 of the 15th District and further described as Cherokee County Tax Map 15N13A, Parcel 033.

Vicki Lee presented the case. Ms. Lee discussed location of property, surrounding zoning, location of proposed buildings and staff comments. She stated the subject parcel has an existing storage building set in the middle of the buildable area of the lot and at least a third of the lot has slopes preventing the area use for a storage building. However, there is an area for one additional building just behind the existing one. She stated she does not believe the fact that one existing building already being too close to the road is a good reason to allow still another. In addition, the current screening provided is wholly insufficient. Therefore, staff cannot recommend the petition be granted.

No one was present to represent this case.

Ms. Castello made a motion to deny. Seconded by Ms. Range. Unanimous approval.

Ms. Semler made a motion to approve the January 5, 2017 Minutes. Seconded by Ms. Range. Unanimous approval.

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

The meeting adjourned at 6:50 p.m.