

**Cherokee County Zoning Board of Appeals**  
**Special Called Public Meeting Minutes**  
**Thursday, July 20, 2017**  
**6:30 p.m.**

The Cherokee County Zoning Board of Appeals held a special called meeting on Thursday, July 20, 2017 in Cherokee Hall of the Cherokee County Administration Building. In attendance for the Zoning Board of Appeals were Melissa Range, Cindy Castello, Marla Doss, Lisa Tressler and Chairman Elizabeth Semler. In attendance for Cherokee County Staff were Vicki Taylor Lee, Zoning Administrator, Tamala Davis, Planning Technician and Angie Davis, County Attorney.

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

**Case #17-07-034V** Allan Miller, as representative of Anchor Christian Academy, requesting a variance to the Cherokee County Zoning Ordinance, Article 7, Section 7.7-15c (2) to permit a private school with the main entrance on a local road at 947 Bailey Road, Woodstock, GA 30188. The property is further described as Cherokee County Tax Map 02N03, Parcel 143.

Vicki Lee presented the case. Ms. Lee discussed location of property, ownership of the property, acreage, surrounding zoning and staff comments. She stated the variance is necessary because Bailey Road is classified as a local road. She stated private schools are not allowed off of local road. She stated she has received fourteen (14) letters in opposition to this request and twenty-six (26) letters in support.

Allen Miller represented this case. Mr. Miller stated this is a private faith based school that was formed in 2014 with their first academic year being in 2015. Mr. Miller stated they are not affiliated with the church located on this site. He stated they have around 70 students and their initial facility was on Hickory Flat Highway. He stated now they are needed a larger area with more space to grow. Mr. Miller stated they started this process with the County in January and the issue came up in June regarding the road classification. He stated they applied for the variance on June 8, 2017. He stated they are running out of time and would like the Board to approve with conditions to allow this school for a one (1) or two (2) years in order to give them time to find another location.

Nate Cochran stated this is a school with ten (10) teachers and staff; seventy (70) students which calculates to 30-35 cars coming in and out of this property. He stated they did start this process in January and working with the County this issue just came up in June. He stated their time is running out and they need some extension of time. He stated he would like the Board to propose approving this application with conditions to allow this school for one (1) or two (2) years in order to give them time to find another location.

Ms. Semler made a motion to extend the time for two (2) minutes. Seconded by Ms. Castello. Motion passed 5-0.

Pastor Pete Smith spoke in support from Journey Church. Pastor Smith stated this school will make an impact on this community and will be an asset to the church.

Mark Shirey spoke in opposition. Mr. Shirey stated he owns 26 acres next door. He presented photos to the Board. He stated his concerns with the current road conditions, traffic and safety. Mr. Shirey stated the road is not capable of handling this amount of traffic and is concerned with the expansion of

this facility. He stated if this is approved, he would like conditions added to the approval as it relates to upgrading Bailey Road, providing traffic lights, providing a turn lane and decel lane, allow only right turns out of property, limit sound, provide a 100 foot buffer, provide fencing, limit lighting, convert to sewer and limit the number to 85 staff and students.

Jodie Davis spoke in opposition. Ms. Davis stated her concerns with current conditions of road, safety and this not being an appropriate area for a school.

Kaj Savenius spoke in opposition. Mr. Savenius stated his concerns with safety and traffic.

Ms. Semler closed public comment.

Ms. Tressler asked staff if they started the process in January when did they contact the County. Ms. Lee stated at first they had discussed different locations. She stated in February they discussed this location further and they came in for preliminary review. Ms. Lee further stated our general practice is for staff to give the customer the criteria for development. She stated she doesn't know that staff informed them of this being on a local road and not meeting requirements. She stated as soon it was brought to her attention, she gave them the variance application to complete. Ms. Lee stated there was miscommunication between our department that led to the variance not being processed for the regularly scheduled meeting in July.

Ms. Doss stated the applicant went from January to June thinking this location was okay for a school. Ms. Lee stated yes because everything else met.

Ms. Lee stated Engineering Department doesn't see this as a major addition however they would like to limit the number of students. She stated she spoke with the Fire Marshal and they stated this was not ideal however they would still be meeting the occupancy and they had no objection to the granting of a variance.

Ms. Semler asked Mr. Miller if they are already located at this facility. Mr. Miller stated no, however they have signed a lease with Journey Church.

Ms. Semler asked Mr. Miller how many students are currently enrolled for the upcoming school year. Mr. Allen stated around 60. Ms. Semler asked Mr. Miller would he be willing to abide by conditions that may be placed on the property. Mr. Miller stated it would depend on the conditions.

Ms. Semler asked what are your plans if this does not work out. Mr. Miller stated to go back to their previous location.

Ms. Tressler asked if this application would need to meet the criteria for a hardship to receive this variance. Ms. Davis stated the criteria is the same for any variance that is stated in Article 15-14 which is your standard criteria. Ms. Davis stated the applicant states in their letter of intent that their hardship is they would not enjoy the same rights as other schools.

Ms. Semler stated she is concerned with the road being too small and is concerned with safety.

Ms. Doss stated she has a problem with them being told this in June after that thought everything was okay. She stated she feels this creates the hardship.

Discussion ensued among the members.

Ms. Semler made a motion to deny this application. Seconded by Ms. Tressler. Motion passed 3-2. Ms. Doss and Ms. Castello opposed.

Ms. Semler stated she has not reviewed the minutes yet and would like to wait to approve the July 6, 2017 Minutes until next month.

Ms. Semler made a motion to adjourn. Seconded by Ms. Tressler. Motion passed 5-0. The meeting adjourned at 7:35 p.m.