

**Cherokee County Zoning Board of Appeals
Public Hearing Minutes
Thursday, December 7, 2017
6:30 p.m.**

The Cherokee County Zoning Board of Appeals held its regular public hearing on Thursday, December 7, 2017 in Cherokee Hall of the Cherokee County Administration Building. In attendance for the Zoning Board of Appeals were Chairman Elizabeth Semler, Melissa Range, Marla Doss, Lisa Tressler and Cindy Castello. In attendance for Cherokee County Staff were Jeff Watkins, Community Development Director; Michael Chapman, Planner; Tamala Davis, Planning Technician and Paul Frickey, County Attorney.

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

Case #17-12-047V Skylar Long at 2243 Cumming Highway requesting a variance to Article 11, Table 11.1 of the Cherokee County Zoning Ordinance. The applicant is requesting a variance of 47.33 square feet to allow 197.33 square feet of copy area for a wall sign. The property is located in Land Lot 239 of the 14th District and further described as Cherokee County Tax Map 14N23A, Parcel 022.

Michael Chapman presented the case. Mr. Chapman discussed location of property, surrounding zoning and staff comments. He stated he has received no letters in support of or in opposition to this variance request. Mr. Chapman stated the wall sign will be for a Dollar Tree in phase two of the Canton Exchange development and staff has no objection to the approval of this application since the wall signage will be approximately 700 feet from the right of way of SR 20.

Skylar Long represented this case. Mr. Long stated due to the distance this building is located from the road and the mass of the building they are requesting to increase the size of the wall sign.

There was no one present to speak in support of or in opposition to this application. Ms. Semler closed public comment.

Ms. Semler made a motion to approve the application as submitted. Seconded by Ms. Castello. Motion passed 4-1. Ms. Tressler opposed.

Case #17-12-048V Guido Bedit at 110 Trickum Hills Drive requesting a variance to Article 5, Section 5.6A of the Cherokee County Zoning Ordinance. The applicant is requesting a variance of three (3) feet to allow the detached garage to sit seven (7) feet from the North and East property lines. The property is located in Land Lot 1245 of the 15th District and further described as Cherokee County Tax Map 15N18E, Parcel 125.

Michael Chapman presented the case. Mr. Chapman discussed location of property, surrounding zoning and staff comments. He stated he has received no letters in support of or in opposition to this variance request. Mr. Chapman stated staff has no objection to the approval of this variance request, however, it is recommended that all existing screening be retained along the north and east property line. Furthermore, where screening is sparse, it is recommended that supplemental screening material be installed by the property owner.

Guido Bedit represented this case. Mr. Bedit stated he made a mistake in measuring which caused the encroachment.

Ms. Semler asked what type of screening is in place. Mr. Benedit stated a privacy fence and a 6' chain link fence. Ms. Semler asked Mr. Benedit if he can provide vegetative screening also. Mr. Benedit stated yes.

There was no one present to speak in support of or in opposition to this application. Ms. Semler closed public comment.

Ms. Semler made a motion to approve with the condition that the applicant meet with and provide additional screening along the North and East property lines as recommended by the County Arborist. Seconded by Ms. Castello. Motion passed 5-0.

Case #17-12-049V Theresa China at 251 Westwind Drive requesting a variance to Article 7, Table 7.1A of the Cherokee County Zoning Ordinance. The applicant is requesting a variance of five (5) feet to allow a ten (10) foot side building setback for a room addition. The property is located in Land Lot 551 of the 3rd District and further described as Cherokee County Tax Map 03N21A, Parcel 65.

Michael Chapman presented the case. Mr. Chapman discussed location of property, surrounding zoning and staff comments. Mr. Chapman stated an administrative variance was granted, however that did not provide enough footage. He stated he has received one letter in opposition to this variance request from a neighbor in the Westwind Subdivision. Mr. Chapman stated staff has no objection to the approval of this petition.

The applicant was not present to represent this case. Ms. Semler made a motion to table this application to the January meeting. Seconded by Ms. Castello. Motion passed 5-0.

Case #17-12-050V Robert L. Morrow Jr. and Linda B. Morrow at 310 Charles Road requesting a variance to Article 5, Section 5.6A of the Cherokee County Zoning Ordinance. The applicant is requesting a variance to allow a 30' x 35' metal building in the front yard area. The property is located in Land Lot 243 of the 15th District and further described as Cherokee County Tax Map 15N20, Parcel 541.

Michael Chapman presented the case. Mr. Chapman discussed location of property, surrounding zoning and staff comments. He stated he has received no letters in support of or in opposition to this variance request. He stated staff has no objection to this variance request, however requests wherever existing vegetation is removed during construction, a dense vegetative material be re-planted in order to provide a year round visual screen.

Linda Morrow represented this case. Ms. Morrow stated this will be located to the far side of the home and will intrude past the front porch. She stated they cannot locate this structure anywhere else on this property due to septic lines and the layout of the land. She noted this structure cannot be seen from the road.

There was no one present to speak in support of or in opposition to this application. Ms. Semler closed public comment.

Ms. Tressler made a motion to approve with the condition that any existing vegetation removed during construction be re-planted to provide a year round visual screen. Seconded by Ms. Semler. Motion passed 5-0.

Case #17-12-051V Scott D. Reece at 500 Old Jones Road requesting a variance to Article 5, Section 5.6A of the Cherokee County Zoning Ordinance. The applicant is requesting a variance to allow an accessory structure in the front yard area. The property is located in Land Lot 83 of the 2nd District and further described as Cherokee County Tax Map 02N06, Parcel 125G.

Michael Chapman presented the case. Mr. Chapman discussed location of property, surrounding zoning and staff comments. He stated he has received no letters in support of or in opposition to this variance request. He stated he has received one letter in support from an adjacent neighbor. He noted the detached garage is currently under construction and no permit was obtained. Mr. Chapman stated staff has no objection to this variance provided during construction, every effort be made to protect and maintain the 32" red oak shown on the survey dated October 17, 2017.

Scott Reece with Brumbalow Reece and Associates represented this case. Mr. Reece stated the builder made a mistake and did not obtain a permit and misinterpreted the setback requirements as it relates to front yard area and the layout of the home. He stated the building is almost complete and this was brought to their attention at the time the survey was done. He stated family owns all adjoining property. He stated the septic lines are located on the west and they would like to preserve the red oak that is located on site.

There was no one present to speak in support of or in opposition to this application. Ms. Semler closed public comment.

Ms. Semler made a motion to approve with the condition that the 32" red oak shown on the survey dated October 17, 2017 and submitted with the application be protected. Seconded by Ms. Range. Motion passed 5-0.

Case #17-12-052V Altair Sign & Light at 2243 Cumming Highway requesting a variance to Article 11, Table 11.1 of the Cherokee County Zoning Ordinance. The applicant is requesting a variance of 99.03 square feet to allow 179.03 square feet of copy area for a wall sign. The property is located in Land Lot 239 of the 14th District and further described as Cherokee County Tax Map 14N23A, Parcel 022.

Michael Chapman presented the case. Mr. Chapman discussed location of property, surrounding zoning and staff comments. He stated he has received no letters in support of or in opposition to this variance request. Mr. Chapman stated this would be a wall sign for Party City and staff has no objection to this application.

The applicant was not present to represent this case. Ms. Semler made a motion to table this application until the January meeting. Seconded by Ms. Castello. Motion passed 5-0.

Approval of Minutes

Ms. Semler made a motion to approve the November 2, 2017 Minutes. Seconded by Ms. Castello. Motion passed 5-0.

Ms. Semler made a motion to adjourn. Seconded by Ms. Castello. Motion passed 5-0. The meeting adjourned at 7:06 p.m.