

APPROVED
September 05, 2002

**MINUTES FOR CHEROKEE COUNTY
ZONING BOARD OF APPEALS
Thursday, August 01, 2002**

The Cherokee County Zoning Board of Appeals held its regularly scheduled meeting on Thursday, August 01, 2002 in the Jury Assembly Room of the Cherokee County Justice Center. In attendance for the Zoning Board of Appeals were Karen Mahurin, Evert Hekman and Cindy Castello. Bob Reilly and Steve Harris were absent. In attendance for Cherokee County staff were Mark Mahler, Louis Zunguze, Jim Cain and Barbara Henderson. The meeting was called to order by Vice Chairman Karen Mahurin at 6:30 P.M.

As in the last meeting when there were only three members present, Ms. Mahurin gave applicants the option of deferring their cases for thirty days, if they so desired.

Case #02-07-019A, Carol Chastain, had been deferred last month. Ms. Chastain was not present at this meeting, so it was assumed that Ms. Chastain wanted to defer the case again. Karen Mahurin made a motion to table for thirty days. Evert Hekman seconded the motion and the vote was 3-0 to table.

Case #02-07-022A, Cimmaron Field Services, Inc. submitted a faxed letter also requesting to defer this case for thirty days. Several people complained that they had traveled a long distance to attend this hearing and had not received any notice that the case would be tabled. Ms. Mahurin told the audience that they could call the Planning and Zoning Office prior to the September 05, 2002 Meeting and find out if, indeed, it is on that agenda. Mark Mahler said he had intentions of calling the adjacent property owners, but in checking the file, there were no contact telephone numbers listed. He suggested that concerned citizens leave their telephone numbers with the Board so that they could be contacted.

Case #02-08-027A, Homes by Brumby submitted a faxed letter requesting to defer the case for thirty days.

Case #02-08-028A, Eric Wiesner requested a variance to Article 7, Table 7.1A; District Development Standards. The applicant requested a variance of 7.9 feet to encroach into the required 50 foot side yard setback. The property is located at 150 Moss Rose Trail in Land Lot 24 of the 22nd District and is further described as Cherokee County Tax Map 22N06, Parcel 138E.

Eric Wiesner presented his case to the Board. He explained why it was necessary to apply for a variance. Karen Mahurin asked if anyone one else wanted to speak in favor. She then asked if anyone wanted to speak in opposition. No one spoke.

Before Jim Cain gave the staff report, Ms. Mahurin requested that Mr. Cain dispense with reading the entire report and simply state the case and the staff recommendation. She received approval from all for this decision. Mr. Cain proceeded to give the staff recommendation. Based on the hardship circumstances in that the home has already been constructed and is being

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occupied and the fact that the owner is trying to correct the surveyor's mistake, Staff recommended approval of the variance.

Cindy Castello asked the applicant if any of his neighbors had encountered the same problem. Mr. Wiesner was unaware of any other problems. Ms. Castello then asked if Mike Cagle had built all of the houses in this subdivision. Mr. Wiesner said that Mr. Cagle had built his house and his neighbors' houses.

Evert Hekman made a motion to approve the variance. Cindy Castello seconded the motion and the vote was 3-0 for approval.

Case #02-08-029A, FreeHome Village LLC requested a variance to Article 10, Table 10.1; Buffers. The applicant requested a variance to encroach 35 feet into the required 35 foot buffer. The property is located at the intersection of Highway 20 and Highway 372 in Land Lot 980 of the 3rd District and is further described as Cherokee County Tax Map 03N23, Part of Parcel 186.

Frank Bishop presented his case to the Board, explaining why he needed a variance. A discussion ensued. Chris Chandler also spoke in favor. He pointed out all the good things that Mr. Bishop is doing on the property, such as saving trees and pushing buildings back. Mr. Chandler said that Mr. Bishop worked really well with the Freehome/Lathemtown EDC and that he is building a quality development. There was no opposition to this case.

Jim Cain gave the staff recommendation. Based on the information received, the strong support of the Freehome/Lathemtown EDC and the development of the tree save area, Staff recommended approval of the variance.

Evert Hekman said that he would like to apply any conditions from last month's variance on this property to this case at hand. A discussion ensued as to whether there had been conditions applied to the last variance.

Cindy Castello made a motion to approve the variance. Evert Hekman seconded the motion. The vote was 3-0 for approval.

Karen Mahurin made a motion to approve the June 06, 2002 Minutes. Evert Hekman seconded the motion and the vote was 3-0 for approval.

Evert Hekman made a motion to adjourn. Cindy Castello seconded the motion. The vote was unanimous and the meeting adjourned at 6:55 P.M.