

Cherokee County Zoning Board of Appeals
Public Hearing Minutes
Thursday, April 7, 2016
6:30 p.m.

The Cherokee County Zoning Board of Appeals held its regular public hearing on Thursday, April 7, 2016 in Cherokee Hall of the Cherokee County Administration Building. In attendance for the Zoning Board of Appeals were Chairman Melissa Range, Elizabeth Semler, Marla Doss, Bill Dewrell and Cindy Castello. 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.

New Cases

Case #06-04-008V O'Reilly Auto Parts requesting a variance to Article 11, Table 11.1 to allow a 169.42 square foot wall sign instead of the allowable sign copy area of 87 square feet. The property is located at 12122 Cumming Highway in Land Lot 964 of the 3rd District and further described as Cherokee County Tax Map 03N23, Parcel 145.

Vicki Lee presented this case. Ms. Lee discussed location of property, surrounding zoning and staff comments. Ms. Lee stated she calculated the total square footage at 119 square feet.

Nicholas Lowery, District Manager for O'Reilly Auto Parts represented this case. Mr. Lowery presented a picture of the proposed sign. He stated they are only asking to have signage to fit the 8,000 square foot building.

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

Ms. Semler stated Staff has calculated you would only need a 32.3 square feet variance. Mr. Lowery stated he is not sure, he calculated by the total height and total length to have 169.42 square feet.

Mr. Dewrell made a motion to approve to allow up to 34 additional square feet of copy area. Seconded by Ms. Doss. Unanimous approval.

Case #16-04-009V Charles D. Heiser, Jr. requesting a variance to Article 16, Section 16.1.5 (c) 1(b) of the Zoning Ordinance to allow the three rail fence along Highway 92 to be black instead of white, a variance to Article 10, Section 10.6-2(a) of the Zoning Ordinance to allow disturbance within the 35 foot zoning buffer and a variance to Article 5, Section 5.1(2) of the Stream Buffer Protection Ordinance to allow porous concrete within the 75 foot impervious surface setback. The property is located at 14914 Highway 92 in Land Lots 1256 and 1265 of the 15th District and further described as Cherokee County Tax Map 15N30, Parcels 55-61.

Vicki Lee presented this case. Ms. Lee discussed location of property, surrounding zoning and staff comments. Ms. Lee stated she has received one (1) letter in opposition to this application.

Charles Heiser, Jr and Wayne Matthews represented this case. Mr. Heiser discussed further the three (3) requests relating to fencing, zoning buffers and stream bank buffers. He presented a diagram showing the locations of the encroachments.

Ms. Range asked if there was anyone to speak in favor or in opposition to this application.

Dennis Zewiske spoke in opposition. He stated he presented a proposal to staff for them to review. He stated they are requesting a berm be built, a fence be built and evergreens be planted in the 35 foot buffer.

Ms. Range asked if there was anyone else to speak in opposition. There being none, Mr. Heiser, Jr. spoke in rebuttal.

Mr. Heiser, Jr. stated the requirement in the Overlay District is there will be a 35 foot undisturbed buffer around the perimeter of the property and they plan to meet this requirement.

Ms. Range closed public comment.

Ms. Semler made a motion to approve the variance requests to allow the three (3) rail black fence and to allow disturbance within the 35 foot zoning buffer with the condition that a design by registered landscape architect be submitted and approved prior to issuance of a land disturbance permit, but to deny the variance to allow porous concrete within the 75 foot impervious surface setback. Seconded by Ms. Range. Unanimous approval.

Case #16-04-010V Oak Hall Companies, LLC requesting a variance to Article 7, Table 7.1 to reduce the side building setback from ten (10) feet to five (5) feet while maintaining twenty (20) feet between structures. The property is located at Trickum Road and Arnold Mill Road in Land Lots 768, 816, 817 and 840 of the 15th District and further described as Cherokee County Tax Map 15N22, Parcel 135.

Ms. Range stated this case will not be heard until next month, the applicant had requested this case be postponed.

Case #16-04-011V Majestic Realty Co. c/o William Woodson Galloway requesting a variance to the requirements of the Hwy 92 Overlay District, Section 16.1.5(c)3-Architecture and 4-Building Materials, specifically to waive these sections in order to allow the development of tilt-up concrete industrial buildings on the property. The property is located at Highway 92 and Northpoint Pkwy in Land Lots 1206 and 1243 of the 21st District and further described as Cherokee County Tax Map 21N06, Part of Parcels 005 and 009.

Vicki Lee presented this case. Ms. Lee discussed location of property, surrounding zoning and staff comments. Ms. Lee stated she has received no letters in support of or in opposition to this application.

No one was present to represent this case.

Ms. Semler made a motion to table this case until next month. Seconded by Ms. Castello. Unanimous approval.

Case #16-04-012V Jed Minyard requesting a variance to Article 11, Table 11.1 to allow a wooden freestanding sign instead of the required monument signage. The property is located at 6778 Bells Ferry Road in Land Lots 542, 543, 610 and 611 of the 21st District and further described as Cherokee County Tax Map 21N09, Parcel 573.

Vicki Lee presented this case. Ms. Lee discussed location of property, surrounding zoning and staff comments. Ms. Lee stated she has received no letters in support of or in opposition to this application.

Brad Bailey represented this case. Mr. Bailey stated they are trying to allow this sign to promote a lake theme and feels this would be more consistent with this property and the area.

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

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

Case #16-04-013V Joshua Wright requesting a variance to Article 7, Table 7.1 to allow a 12 foot encroachment into the required 35 foot front building setback for property located in the R-80 zoning district. The property is located at 325 Ranchwood Trail in Land Lot 623 of the 15th District and further described as Cherokee County Tax Map 15N21, Parcel 103A.

Vicki Lee presented this case. Ms. Lee discussed location of property, surrounding zoning and staff comments. Ms. Lee stated she has received no letters in support of or in opposition to this application.

Joshua Wright represented this case. Mr. Wright stated the topography of the property restricts the location to build.

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

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

Ms. Range made a motion to approve March 3, 2016 Minutes with revisions made by Mr. Frickey. Seconded by Ms. Semler. Unanimous approval.

Meeting adjourned at 7:20 p.m.