

**Cherokee County Planning Commission
Public Hearing
Minutes
September 7, 2004
7:00 p.m.**

The Cherokee County Municipal Planning Commission held its regularly scheduled public hearing on Tuesday, Sept. 7th, 2004, in the Jury Assembly Room of the Cherokee County Justice Center. In attendance for the Planning Commission were Chairman Rob Cutting, Jay Wallace, Donnie Henriques, Bill Jarrard, Michael Oxley, Ashley Holcomb, Marsha Lathem and Dick Hall. In attendance for Cherokee County staff were Mark Mahler, County Attorney, Jeff Watkins, Planning Director, Vicki Taylor, Zoning Administrator and Jesse Perry, Senior Clerk. Cecil Atchley did not attend. The meeting was called to order at 7:00 pm.

New Cases

Case #04-09-058 FMC Partners and Mach Cochran are requesting to rezone 47 acres from LI to RZL. If rezoned the property would be utilized for a residential subdivision. The property is located on Ball Ground Hwy. in Land Lot(s) 280, 281, 296, 297 of the 14th District and further described as Cherokee County Tax Map 14N27, Parcel 015.

Vicki Taylor presented the case for the Planning Commission.

Ken Patton represented this case. He stated that no offers to develop the property as LI had happened since rezoning in 2001. He also stated that sewer was ready and available to the site.

Discussion ensued on density. Jay Wallace stated that he thought the development was high density, but he would support medium density.

Bill Jarrard made a motion to recommend denial. Dick Hall seconded. Motion was passed 5-3. Mr. Wallace, Mr. Holcomb and Mr. Cutting voted in opposition.

Case #04-09-060 Sonny and Sue Roper requesting to rezone 3.0 +/- acres from R-80 to AG. If rezoned the property would be utilized for residential purposes. The property is located at the intersection of Scott Road and Epperson Road in Land Lot 273 of the 14th District and further described as Cherokee County Tax Map 14N30, Parcel 079.

Vicki Taylor presented the case for the County to the Planning Commission.

Benson Chambers represented this case. He said there are no easy cases, but this one wasn't about higher density, it was about lower density since they were trying to rezone the property from R-80 to AG.

Terri Glasik spoke in opposition of the rezone.

Melinda Edge also spoke in opposition of the case.

Benson rebutted their arguments

Discussion ensued about if the business should be allowed in AG. Mr. Oxley said he thought it was a commercial business. Mr. Cutting said Land Use is what they were there to evaluate. Mr. Holcomb said he wasn't opposed to AG in that area. Mr. Henriques said he was against it.

Mr. Jarrard made a motion to approve as AG but eliminate all non AG related uses. Motion was seconded. Vote was tied 4-4.

It was decided to send the case to the BOC with no recommendation.

Case #04-09-061 Habitat for Humanity requesting to rezone 1.0 +/- acre from AG to R-40. If rezoned the property would be utilized for a single family dwelling unit. The property is located on Pleasant Arbor Road inside Waleska City Limits in Land Lot 70, 14th District and further described as Cherokee County Tax Map 14N30, Parcel 079.

Vicki Taylor presented the case to the Planning Commission.

Benson Chambers represented the case.

Jim Hamilton spoke in favor of the case.

Mr. Wallace made motion to approve. Motion was seconded by Mr. Henriques. Motion passed 8-0.

Case #04-09-062 Dean Woodall Communities, Inc. requesting to rezone 50.19 +/- acres from AG to R-40. If rezoned the property would be utilized for a single family residential subdivision. The property is located on Union Hill Road in Land Lot(s) 1150, 1151, 1154, 1155 of the 3rd District and further described as Cherokee County Tax Map 03N06, Parcel 037.

Vicki Taylor presented the case to the Planning Commission.

Benson Chambers represented this case.

Pete Christofield spoke in opposition of this case.

Dan Liburdi also spoke in opposition.

Mr. Chambers rebutted their statements.

Mr. Oxley said it should stay AG. Mr. Holcomb said he could support R-80. Mr. Wallace thought they should stay consistent no matter what they decide.

Mr. Holcomb made a motion to approve R-60. Motion was seconded by Mr. Wallace. The motion failed 2-6. Mr. Wallace made motion that it be approved as R-80. This motion was seconded by Ms. Lathem. Motion passed 7-1 with Mr. Oxley in opposition.

Case #04-09-063 Black Hawk Boat and RV requesting to rezone 1.71 acres from R-40 to GC. If rezone the property would be utilized for an office, Boat and RV repair. The property is located on Woodstock Road in Land Lot 1051 of the 21st District and further described as Cherokee County Tax Map 21N11, Parcel 053.

Vicki Taylor presented the case to the Planning Commission.

Trey Nesmith represented the case.

Karen Jones spoke in favor of the case.

Richard Spinks spoke in opposition.

Mr. Nesmith rebutted his statements.

Mr. Henriques made a motion to deny GC but to allow non conforming use and to limit the number of boats allowed on property for storage or otherwise to no more than 12 at a time. Mr. Hall made a friendly amendment to the motion that the variance they would be recommending approval for have a "sunset clause" that would expire after 2 years in order for Mr. Nesmith to find somewhere more suitable for his business to go. Motion passed 8-0.

Case #04-09-064 HKH Properties, LLC requesting to rezone 0.93 acres from R-40 to GC. If rezoned the property would be utilized for an office building. The property is located at the intersection of Eagle Drive and Putnam Foard Drive in Land Lot 939 of the 15th District and further described as Cherokee County Tax Map 15N05, Parcel 199.

Vicki Taylor presented the case to the Planning Commission.

Parks Huff represented the case.

Jeff Roundtree spoke in opposition.

Motion to approve by Mr. Hall. Mr. Wallace made a friendly amendment that Mr. Huff meet with Mr. Roundtree before the BOC meeting. Motion passed 8-0

Other Items

Motion to adjourn was made. This motion was seconded. Motion passed unanimously 7-0.

Meeting adjourned.