

**Cherokee County Planning Commission  
Public Hearing  
Minutes  
Tuesday, September 6<sup>th</sup>, 2005  
7:00 p.m.**

The Cherokee County Municipal Planning Commission held its regular monthly public hearing on Tuesday, September 6<sup>th</sup>, 2005 in the Jury Assembly Room of the Cherokee County Justice Center. In attendance for the Planning Commission were Chairman Rob Cutting, Jay Wallace, Bill Jarrard, Richard Spinks, Betty Callahan, Garland Stewart, Michael Oxley, and Bob Whittaker. In attendance for Cherokee County staff were Jeff Watkins, Planning Director, Ellie Smith, Planner, and Jesse Perry, Senior Clerk. The meeting was called to order at 7:00 pm. **Ashley Holcomb did not attend.**

Case #05-09-066 **Naim Lulu** requesting to rezone 3.46 acres from R-80 to R-30. If rezoned the property would be utilized for residential uses. The property is located on East Cherokee Drive in Land Lot 697 of the 15<sup>th</sup> District and further described as Cherokee County Tax Map 15N22, Parcel 110.

Jeff Watkins presented the case to the Planning Commission.

Milet Sizhari represented the case.

Mr. Jarrard asked for clarification on whether it would be considered a major subdivision or a minor. It was explained that it would be a minor subdivision.

Mr. Jarrard made a motion to recommend approval.

The motion was seconded by Mr. Whitaker.

**Motion to recommend approval passes 8-0**

Case #05-09-067 **PCH Development, LLC** requesting to rezone 162.19 acres from AG to R-20. If rezoned the property would be utilized for a conservation subdivision. The property is located on Old Orange Mill Road and Cotton Road in Land Lot(s) 846, 847, 848, 881, 882, 883, 884, 918 and 919 of the 3<sup>rd</sup> District and further described as Cherokee County Tax Map 03N16, Parcel(s) 27, 54 and Tax Map 03N17 Parcel 038.

Jeff Watkins presented the case before the Planning Commission.

James Bally represented the case.

Chairman Cutting took a straw poll of the audience to gauge public opinion about the case being postponed until next month or heard that night. The audience were in favor of postponing the case.

Public comment was heard from both sides on the postponement question.

Mr. Stewart commented that this is the sort of thing that the Public Participation Report process is for, and that he liked that the developer was planning to use the time if they voted to postpone to speak with the surrounding property owners to try and assuage their concerns.

Mr. Jarrard made a motion to postpone the case until November.

Mr. Stewart seconded the motion.

**Motion to postpone until November passes 8-0**

Case #05-09-070 **Dayspring Church** requesting to rezone 2.74 acres from R-40 to NC. If rezoned the property would be utilized for a church, attendant ministries and ancillary uses. The property is located at the corner of Victory Drive and Kellogg Creek Road in Land Lot(s) 898, 899 of the 21<sup>st</sup> District and further described as Cherokee County Tax Map 15N05, Parcel 014.

Jeff Watkins presented the case before the Planning Commission.

Michael Keffin represented the case.

Jay Wallace asked about the hours of operation of the coffee house in Woodstock location.

Jerri Beach spoke in opposition. She spoke about how they were intimidating at the Public Participation Meeting. She also spoke about the litter and the fact that a drive thru coffee shop isn't an ancillary use for a church.

Mr. Keffin rebutted her concerns by saying that it was not up to local government to determine what an ancillary use for a church is or is not.

Discussion ensued about drive thru windows.

Mr. Spinks asked if this property were rezoned, would this open up all the property in the area for commercial rezoning.

Mr. Jarrard made a motion to approve as NC with the condition that there be no drive thru window.

Motion failed to get a second.

Mr. Wallace made a motion to approve as NC with the condition for a coffee house with a drive thru window only.

Seconded by Mr. Jarrard.

**Motion passes 7-1 (Mr. Spinks in opposition)**

Case #05-09-071 MetroGroup Development requesting to rezone 11.56 acres from R-40 to GC. If rezoned the property would be utilized for a retail shopping center. The property is located on Hickory Road and East Cherokee Drive in Land Lot(s) 325, 326 of the 15<sup>th</sup> District and further described as Cherokee County Tax Map 15N26, Parcel(s) 147A, 149, 146, 147, 149B and 148.

Jeff Watkins presented the case.

Benson Chambers represented the case. He spoke about their reasons for wanting to postpone the case.

Mr. Jarrard made a motion to postpone the case until the October hearing.

Seconded by Mr. Wallace.

**Motion to postpone until October approved 8-0**

**Other Items**

Approval of Article 18 amendments:

Beverly Hendrix spoke about the amendments. She spoke about notification of nearby property owners.

Discussion ensued about how far the notification limit should be.

Motion to move the amendments forward to the BOC by Mr. Jarrard.

Seconded by Mr. Wallace.

**Motion to move the amendments forward for approval by BOC approved 8-0**

Approval of August 2<sup>nd</sup>, 2005 Minutes.

**Mr. Stewart made a motion to accept the minutes. Seconded by Mr. Whitaker. Motion passed 8-0.**

Meeting adjourned at 9:30.