

**Cherokee County Planning Commission
Public Hearing
Minutes
Tuesday, November 1st, 2005
7:00 p.m.**

The Cherokee County Municipal Planning Commission held its regular monthly public hearing on Tuesday, November 1st, 2005 in the Jury Assembly Room of the Cherokee County Justice Center. In attendance for the Planning Commission were Vice Chairman Jay Wallace, Bill Jarrard, Richard Spinks, Betty Callahan, Garland Stewart, Michael Oxley, Ashley Holcomb and Bob Whittaker. In attendance for Cherokee County staff were Mark Mahler, County Attorney, Jeff Watkins, Planning Director, Vicki Taylor, Zoning Administrator, and Jesse Perry, Senior Clerk. Vice Chairman Wallace said that he would only vote on a case if there was a need to break a tie vote. The meeting was called to order at 7:00 pm. **Chairman Rob Cutting did not attend.**

Case #05-11-081 **Eastbrooke Properties, LLC** requesting to rezone 154.18 acres from AG to R-30. If rezoned the property would be utilized for a conservation subdivision. The property is located at the corner of Jack Page Lane and Cumming Hwy. in Land Lot(s) 802, 803, 854, 855, 874 of the 3rd District and further described as Cherokee County Tax Map 03N10, Parcel 019.

Vicki Taylor presented the case to the Planning Commission.

Kevin Moore represented the case. He said what made this project unique was that over 200 of the homes in the development would be age restricted to 55 and older adults only. He also said that 61 acres of the total 154.18 acres would be comprised of open space.

Sam Bonno spoke in opposition. He spoke about over crowded schools, busy roads, and buffer encroachments.

Carrie McKinney spoke in opposition. She spoke about infrastructure issues and deviations from the future land use map.

Jerry Kinzy spoke in opposition. He spoke in opposition. He spoke about lots in the proposed development being smaller than the minimum standards would allow. He said these lots were 7,400 to 8,400 sq. ft. vs. 15,000 sq. ft.

Elizabeth Semler spoke in opposition. She spoke about the 40% green space being partially the surrounding buffer. Once roads go in, it won't have the minimum 40% necessary.

Mr. Moore rebutted their concerns about overcrowded schools.

Mr. Jarrard asked Mr. Moore about deed restricting the smaller lots to the "senior living" people. Mr. Moore said they would.

Vice Chairman Wallace asked about the green space and the possibility that it could be rezoned later for prime commercial property on Hwy. 20. Mr. Moore and Mr. Mahler said that once the zoning went through, it would take action by the Board of Commissioners to change that.

Discussion ensued about the density calculation and lot size deviations. It was discovered that there was no way that the subdivision could have as many lots as they were asking for. There just wasn't enough property.

Mr. Holcomb asked what they thought about that. Mr. Moor said he may need to revise their plan.

Mr. Jarrard spoke about his concerns and said that he would vote to deny this case.

Mr. Holcomb made a motion to table the case until next month. Seconded by Mrs. Callahan.

Motion to table passes 7-1 (Mr. Oxley in opposition)

Case #05-11-082 **The Orchards Group** requesting to rezone 41.59 acres from R-80 to RA, RZL, and GC. If rezoned the property would be utilized for a detached and attached active adult subdivision with commercial component. The property is located at the corner of Hickory Road and Vaughn Road in Land Lot(s) 361, 325, 396, 397 of the 2nd and 15th District and further described as Cherokee County Ta Map 15N26, Parcel(s) 139, 139E, 139F, and 143.

Vicki Taylor presented the case before the Planning Commission.

Parks Huff represented the case. He said the location was prime for an active adult community. He went over a list of stipulations the developers were going to implement. He also spoke about traffic issues, and how this development wouldn't cause any.

Joe Williams spoke in opposition.

John DeRussy spoke in opposition.

Mr. Jarrard asked again about deed restrictions.

Mr. Oxley spoke about active adult community centers.

Mr. Holcomb made a motion to approve with the condition that the number of lots be limited to 136, with a maximum DUA of 3.5, and to include the list of stipulations mentioned by Mr. Huff as conditions as well. Seconded by Mr. Stewart.

Chairman Cutting asked Mr. Wilson why they weren't trying to annex to the City of Canton as the City recommended in their comments. Mr. Wilson said that the timing was bad for them to do that now.

Motion to recommend approval with conditions passes 5-2 (Mr. Jarrard and Mr. Oxley in opposition).

Case #05-11-083 **BG Land, LLC** requesting to rezone 50.84 acres from R-80 to HI. If rezone the property would be utilized for a wood recycling yard. The property is located on Ball ground Hwy. in Land Lot(s) 219, 220, 284, 285, 286 of the 3rd District and further described as Cherokee County Tax Map 03N02, Parcel 021A.

Vicki Taylor presented the case before the Planning Commission.

Discussion ensued about the lack of a site plan and traffic study.

Jimmy Bobo represented the case.

Chris Wilson spoke in favor of the case.

Mr. Spinks asked Mr. Wilson if he had seen the site of Mr. Bobo's business on Hwy. 92. Mr. Wilson said that he had.

Barry Bishop spoke in opposition.

Topographic issues were discussed.

Mr. Holcomb made a motion to approve. Mr. Spinks seconded the motion.

Motion passes 7-0

Case #05-11-084 **Thor Goricki** requesting to rezone .96 acres from R-40 to GC. If rezone the property would be utilized for commercial uses. The property is located on Palm Street in Land Lot 633 of the 15th District and further described as Cherokee County Tax Map 15N15A, Parcel 055.

Vicki Taylor presented the case before the Planning Commission.

Thor Goricki represented the case.

Commissioner Johnston brought up a letter from the City of Holly Springs in which they asked that the case be rezoned to OI.

Mr. Stewart made a motion to recommend approval as GC.

Motion seconded by Mr. Holcomb

Motion passes 7-0

Case #05-11-085 **James Philip and Cherry Eubanks** requesting to rezone 4.87 acres from R-80 to GC. If rezoned the property would be utilized for a retail commercial center and automotive service. The property is located at the corner of Cumming Hwy. and Jay Green Road in Land Lot 940 of the 3rd District and further described as Cherokee County Tax Map 03N05, Parcel 128C.

Vicki Taylor presented the case before the Planning Commission.

Benson Chambers represented the case. He spoke about the heavy traffic on Hwy. 20 and the Ga. Power substation that separates this lot from a large amount of commercial.

Carrie McKinney spoke in opposition

Benson spoke in rebuttal. He said that there had been no interest by buyers to use the property for anything but commercial use.

Mr. Holcomb made a motion to approve as GC. Motion was seconded by Ms. Callahan.

Motion fails 4-3.

Mr. Whitaker made a motion to approve as NC. Mr. Oxley seconded the motion.

Motion passes 4-3 (Holcomb, Spinks, and Callahan in opposition)

Other Items

Approval of October, 2005 Minutes.

Motion to approve minutes passes 8-0.

Meeting adjourned at 10:15.