

Cherokee County Planning Commission
Public Hearing
Minutes
Tuesday, February 6, 2007
7:00 p.m.

The Cherokee County Municipal Planning Commission held its regular monthly public hearing on Tuesday, January 2, 2007 in the Jury Assembly Room of the Cherokee County Justice Center. In attendance for the Planning Commission were Chairman Bob Whitaker, Vice Chairman Michael Oxley, Betty Callahan, Scott Barnes, Charles Kirby, Garland Stewart, Debra Haynes, Mary Catarineau, and Thais Escondo. In attendance for Cherokee County staff were Jeff Watkins, Planning Director, Vicki Taylor Lee, Zoning Administrator and Vikki Chadwick, Senior Clerk. Also, in attendance was Ken Jarrard, acting County Attorney. The meeting was called to order at 7:30 pm.

New appointees, Debra Haynes and Mary Catarineau were sworn in by Mr. Jarrard.

Case #07-02-001 Larry & Peggy Lewallen requesting to rezone 10.76 acres from AG to GC. If rezoned the property would be utilized for a convenience store with feed/seed and agricultural products. The property is located at the corner of Salacoa Road and Hwy 140 (Reinhardt College Pkwy) and further described as Cherokee County Tax Map 13N02, Part of Parcels 7 and 8.

Vicki Taylor Lee presented the case.

Benson Chambers represented the case.

No one spoke in favor or in opposition.

Mr. Whitaker closed public comment.

Mrs. Callahan made motion to recommend approval.

Mr. Kirby seconded the motion.

Motion to recommend approval passed 9-0.

Case #07-02-002 Gordon Harris requesting to rezone 2.22 +/- acres from R-40 to GC. If rezoned the property would be utilized for outside storage and parking. The property is located on Cumming Hwy and further described as Cherokee County Tax Map 03N23, Parcel 192.

Vicki Taylor Lee presented the case.

Benson Chambers represented the case.

Scott Brown spoke in opposition.

Mr. Chambers spoke in rebuttal.

Mr. Whitaker closed public comment.

Mr. Stewart made motion to recommend approval with conditions.

1. Storage of vehicles not to exceed boats, campers, recreation vehicles, personal vehicles and no commercial vehicles.
2. Limit the number of parking spaces to 125; and

3. Require a solid decorative fence, ten (10) feet in height along State Route 20, fifty (50) from the right-of-way, and
4. Between the fence and the State Route 20 right-of-way supplement landscaping with Leyland Cypress and other evergreen vegetation to maintain a 75% vegetative buffer; and
5. Install a fence ten (10) feet in height along the other boundaries twenty-five (25) feet from the property line, maintaining a twenty-five (25) foot undisturbed buffer between the property line and the fence, supplemented as needed; and
6. Use existing entrance on adjacent parcel; and
7. Low-level lighting only.
8. No storage on adjacent GC property.
9. No vehicles to be stored outside the fence.
10. No "junk" vehicles (per county ordinance).

Mrs. Haynes seconded the motion.

Motion to recommend approval passed 9-0.

Case #07-02-003 RD Sharma (Premium Investment Prop. LLC) requesting to rezone 76.59 acres from R-80 & LI to TND. If rezoned the property would be utilized for a mixed use community. The property is located at 7871 Ball Ground Hwy and further described as Cherokee County Tax Map 03N01, Parcel 83. **(City of Ball Ground)**

Vicki Taylor Lee presented the case.

Doug Patton represented the case.

Chris Langdon spoke in opposition.

Heidi Pryor spoke in opposition.

Mr. Patton spoke in rebuttal.

Mr. Whitaker closed public comment.

Mr. Stewart made motion to recommend approval.

Mrs. Callahan seconded the motion.

Motion to recommend approval passed 8-1.

Mr. Oxley opposed.

Case #07-02-004 Sylvia W. Robert Y Blue Mule, LLC and James Phillip Thomason requesting rezone 48.15 +/- acres from R-40 & AG to TND. If rezoned the property would be utilized for a mixed use community. The property is located at 207, 241, 309, 331 Ball Ground Road and 570 Gilmer Ferry Road and further described as Cherokee County Tax Map 03N07, Parcel(s) 43, 43A, 43B, 43C, 46 and 48. **(City of Ball Ground)**

Vicki Taylor Lee presented the case.

Andrew Kincheloe represented the case.

Donna Brown spoke in opposition.

Ben Edwards spoke in opposition.

Jackie Roland spoke in opposition.

Mr. Whitaker closed public comment.

Mr. Barnes made motion to recommend denial.

Mrs. Escondo seconded the motion.

Motion to recommend denial passed 9-0.

Case #07-02-005 Allen & Barbara Moore requesting to rezone 1.10 +/- acres from R-40 to NC. If rezoned the property would be utilized for Commercial, Business, Office & Retail. The property is located on Bells Ferry Road and further described as Cherokee County Tax Map 15N06F, Parcel 048.

Vicki Taylor Lee presented the case.

Benson Chambers represented the case.

No one spoke in favor or in opposition.

Mr. Whitaker closed public comment.

Mr. Stewart made motion to recommend approval with conditions.

1. Parking in the rear.
2. Inter-parcel connectivity for access.

Mrs. Escondo seconded the motion.

Motion to recommend approval passed 8-1.

Mr. Oxley opposed.

Case #07-02-006 Beaver Run Construction, Inc. requesting to rezone 40.168 acres from AG to R-40 & R-80. If rezoned the property would be utilized for a single family, detached residential community. The property is located on Beavers Road and further described as Cherokee County Tax Map 03N11, Parcel 046.

Vicki Taylor Lee presented the case.

Parks Huff represented the case.

Patty Mann spoke in favor.

Billy Hill spoke in favor.

Chris Jernigan spoke in opposition.

Julie Jernigan spoke in opposition.

Myra Beavers spoke in opposition.

Mr. Huff spoke in rebuttal.

Mr. Whitaker closed public comment.

Mrs. Catarineau recused herself.

Mrs. Escondo made motion to recommend R-80.

Mrs. Haynes seconded the motion.

Motion failed 6-2.

Mr. Stewart made motion to recommend approval.

Mr. Kirby seconded the motion.

Motion to recommend approval tied 4-4.

The case will proceed to the Board of Commissioners without a recommendation.

Case #07-02-007 Howard & Melissa Vallimont requesting to rezone 0.44 acres from R-40 to GC. If rezoned the property would be utilized for automotive repair and body shop. The property is located on Hwy 140 (Reinhardt College Pkwy) and further described as Cherokee County Tax Map 14N16C, Parcel(s) 37, 37A.

Vicki Taylor Lee presented the case.

Benson Chambers represented the case.

No one spoke in favor or in opposition.

Mr. Whitaker closed public comment.

Mrs. Callahan made motion to recommend approval with conditions.

1. Work with the City of Canton and there comments.
2. Work with the County Arborist to establish a year round vegetative screen in the areas of the reduced buffers.

Mr. Stewart seconded the motion.

Motion to recommend approval with conditions passed 9-0.

Pending Cases

Case #06-04-023 Terry Thorp – Applicant has withdrawn this case.

Case #06-06-032 D. L. Stanton & Main Street Investment Group – P & Z has notified applicant that this case will be considered abandoned if no response by February 6th.

***No response from applicant this case is now abandoned.**

Case #06-09-060 Crown Development – P & Z has notified applicant that this case will be considered abandoned if no response by February 6th.

***Applicant has asked to be heard in March.**

Case #06-11-070 Alan Carter – Waiting on revised site plan – P & Z will be notifying applicant that this case will be considered abandoned if no response by March 6th.

Case #06-12-085 Little Creek Road Partners, LP – Waiting on DRI

January Minutes:

Mr. Kirby made motion to approve.

Mrs. Callahan seconded the motion.

January minutes approved.