

**Cherokee County Planning Commission  
Public Hearing Minutes  
Tuesday, October 6, 2009  
7:00 PM**

The Cherokee County Municipal Planning Commission held its regular scheduled public hearing on Tuesday, October 6, 2009 in Cherokee Hall at the Cherokee County Administrative Building. In attendance for the Planning Commission were, Vice- Chairman Michael Oxley, Betty Callahan, Tom Hill, Garland Stewart, Scott Barnes, Debra Haynes, and Thais Escondo. Chairman Bob Whitaker and Charles Kirby did not attend. In attendance for Cherokee County Staff were Vicki Taylor Lee, Zoning Administrator and Vikki Simmons, Planning Assistant. The meeting was called to order at 7:30 pm.

**CASE #09-10-018 – COMA PROPERTIES** requesting to rezone 55.73 acres within the **CITY OF BALLGROUND** from AG to R-20 for a small residential subdivision, said subdivision not to exceed 59 homes. This property is located on Highway 372 just West of Conns Creek Road in Land Lots 86, 87, 130, 131 and 159 in the 3<sup>rd</sup> District, 2<sup>nd</sup> Section and is more particularly described as Cherokee County Tax Map 03N07, Parcel 064.

Vicki Taylor Lee presented the case.

Benson Chambers represented the case.

No one spoke in favor of the case.

No one spoke in opposition of the case.

Mr. Oxley closed public comment.

Mr. Barnes made motion to recommend approval of R-40 zoning.

Mr. Stewart seconded the motion.

Motion passed 4-3.

Opposed

Mr. Oxley

Mrs. Escondo

Mrs. Haynes

**CASE #09-09-015 – CRIM DEVELOPMENT, INC.** requesting to rezone 4.54 acres for retail development. This property is located on the North side of Highway 20, on the East side of Brooke Park Drive in Land Lots 266 and 267, of the 14<sup>th</sup> District, 2<sup>nd</sup> Section and is more particularly described as Cherokee County Tax Map 14N23A, Parcel 15 and 16.

Vicki Taylor Lee presented the case.

Archie Wanamaker represented the case.

No one spoke in favor of the case.

Mark Dady spoke in opposition of the case.

Diane Minick spoke in opposition of the case.

Stan Hathcock spoke in opposition of the case.

Mr. Wanamaker spoke in rebuttal.

Mr. Oxley closed public comment.

Mr. Barnes made motion to recommend NC zoning with conditions.

1. Development of the property shall include a 30" curb and gutter to current Georgia Department of Transportation standard along the Ga. Hwy 20 frontage.
2. Development of the property shall include a minimum 4-foot wide grass-strip along the length of the Ga. Hwy 20 frontage, immediately adjacent to the curb described in Condition #1, above.
3. Development of the property shall include a minimum 6-foot wide concrete sidewalk with 20 foot on center expansion joints along the length of the Ga. Hwy 20 frontage immediately adjacent to the grass-strip described in Condition #2, above.
4. Development of the property shall include a minimum 10-foot wide landscape strip along the length of the Ga. Hwy 20 frontage, immediately adjacent to the sidewalk described in Condition #3, above. The landscape strip described in this condition shall contain at least the following:
  - a. Sugar Maple trees (either "Legacy" or "Green Mountain" variety) with a minimum caliper of 3" at a point 6" above ground level and minimum height of 14 feet, planted not less than every 65' along the length of the Ga. Hwy 20 frontage.
  - b. Not less than 2 understory trees from the list attached as Exhibit "A" for each tree required in (a.), above.
  - c. Not less than 30% ground coverage utilizing shrubs from the list attached hereto as Exhibit "A."
5. In addition to the county's existing sign regulations, signage on the property shall comply with the following (where there is a conflict between this condition and the county's zoning regulations, the more restrictive provision shall apply):
  - a. Any freestanding sign shall be monument style with an 18"-24" brick base (or a reasonably similar alternative material approved by the zoning administrator)
  - b. The total height of any freestanding sign (including the base) shall not exceed 5 feet, if the sign is less than 10 feet from the right-of-way of Hwy. 20.
  - c. The total height of any freestanding sign (including the base) shall not exceed 8 feet, if the sign is at least 10 feet from the right-of-way of Hwy. 20.
  - d. The maximum sign area of any freestanding sign shall be 32 square feet per face
  - e. No freestanding sign shall have more than two faces
  - f. All signs on the property shall be interior illuminated.
  - g. No changeable copy boards shall be allowed.

**Mr. Stewart seconded the motion.**

**Motion passed 7-0**

**CASE #09-09-016 – CRIM DEVELOPMENT, INC.** requesting to rezone 9.01 acres for retail and office development. This property is located on the North side of Highway 20 on the West side of Brooke Park Drive in Land Lot 266 of the

14<sup>th</sup> District, 2<sup>nd</sup> Section and is more particularly described as Cherokee County Tax Map 14N23A, Parcel 17.

Vicki Taylor Lee presented the case.

Archie Wanamaker represented the case.

No one spoke in favor of the case.

Glenn Duggan spoke in opposition of the case.

Mr. Wanamaker spoke in rebuttal.

Mr. Oxley closed public comment.

**Mrs. Haynes made motion to recommend NC zoning with conditions.**

1. Development of the property shall include a 30" curb and gutter to current Georgia Department of Transportation standard along the Ga. Hwy 20 frontage.
2. Development of the property shall include a minimum 4-foot wide grass-strip along the length of the Ga. Hwy 20 frontage, immediately adjacent to the curb described in Condition #1, above.
3. Development of the property shall include a minimum 6-foot wide concrete sidewalk with 20 foot on center expansion joints along the length of the Ga. Hwy 20 frontage immediately adjacent to the grass-strip described in Condition #2, above.
4. Development of the property shall include a minimum 10-foot wide landscape strip along the length of the Ga. Hwy 20 frontage, immediately adjacent to the sidewalk described in Condition #3, above. The landscape strip described in this condition shall contain at least the following:
  - a. Sugar Maple trees (either "Legacy" or "Green Mountain" variety) with a minimum caliper of 3" at a point 6" above ground level and minimum height of 14 feet, planted not less than every 65' along the length of the Ga. Hwy 20 frontage.
  - b. Not less than 2 understory trees from the list attached as Exhibit "A" for each tree required in (a.), above.
  - c. Not less than 30% ground coverage utilizing shrubs from the list attached hereto as Exhibit "A."
5. In addition to the county's existing sign regulations, signage on the property shall comply with the following (where there is a conflict between this condition and the county's zoning regulations, the more restrictive provision shall apply):
  - a. Any freestanding sign shall be monument style with an 18"-24" brick base (or a reasonably similar alternative material approved by the zoning administrator)
  - b. The total height of any freestanding sign (including the base) shall not exceed 5 feet, if the sign is less than 10 feet from the right-of-way of Hwy. 20.
  - c. The total height of any freestanding sign (including the base) shall not exceed 8 feet, if the sign is at least 10 feet from the right-of-way of Hwy. 20.
  - d. The maximum sign area of any freestanding sign shall be 32 square feet per face
  - e. No freestanding sign shall have more than two faces
  - f. All signs on the property shall be interior illuminated.
  - g. No changeable copy boards shall be allowed.

Mr. Barnes seconded the motion.

Motion passed 7-0.

OTHER ITEMS:

Approval of August minutes.  
Adjourned 9:00 P.M.