

Cherokee County Planning Commission
Public Hearing Minutes
Tuesday, March 5, 2013
7:00 p.m.

Approved 4-2-2013

The Cherokee County Planning Commission held its regularly scheduled meeting on Tuesday, March 5, 2013 in Cherokee Hall at the Cherokee County Administration Building. In attendance for the Planning Commission were Chairman Bob Whitaker, members Thais Escondo, Joe Long, Richard Weatherby, Dr. Rick Whiteside, Garland Stewart, Betty Callahan, Scott Barnes and Tom Hill. In attendance for Cherokee County Staff were Vicki Taylor Lee, Zoning Administrator and Tamala Davis, Planning Technician.

Chairman Bob Whitaker called the meeting to order at 7:20 p.m.

Case #13-01-001 Stonetrust Investors, Inc. requesting to rezone 4.0 acres from R-80 to GC. If rezoned, the property will be utilized for office retail. The property owned by Stonetrust Investors, Inc. is located at 3171 Cumming Highway in Land Lot 275 of the 14th District, 2nd Section of Cherokee County, Georgia and indicated as Parcel 036 on Tax Map 14N29.

Ms. Lee presented the case. Ms. Lee discussed staff comments, location, surrounding zoning and uses. She stated a public participation meeting was held and she has recently received a few letters of opposition. She stated some of the concerns from the public participation meeting were traffic, commercial uses, impact on neighbors and storm water.

The Board took a brief recess from the zoning case for the swearing in of the new Board members. Mr. Weatherby and Mr. Long were sworn in by Angie Davis.

Mr. Jose Riquer represented this case. Mr. Riquer stated they would like to convert the home to an office for a real estate business. He stated at the time he purchased the property he thought this would be a good location with the property being on a main highway and located on a busy corridor.

Mr. Whitaker asked if there was anyone to speak in support of this application. Seeing none, he asked if there was anyone to speak in opposition to this application.

Mr. Anthony Basila spoke in opposition. Mr. Basila stated he resides at 115 Mountain Falls Way, which is the subdivision that adjoins this property. He stated the rezoning of this property to commercial and having this business at this location will open the door to other uses in the future. Mr. Basila stated this commercial zoning will increase traffic, create more water run off for their subdivision and creates concerns for pedestrians.

Mr. Harold Weiss spoke in opposition. Mr. Weiss stated he resides at 110 Mountain Falls Way, Mountain Falls Subdivision. He stated the comprehensive plan does not support a GC zoning for this area and this type of proposed use does not require a GC zoning. Mr. Weiss stated this zoning would not be compatible with the current surrounding zoning and ask that the Board deny this request.

Mr. Riquer spoke in rebuttal. He stated he understands that the GC zoning is not needed for this type use and is open to the NC zoning that does comply with the future development map.

Mr. Whitaker closed the public hearing.

Ms. Escondo asked staff had letters of opposition been submitted since the Work Session. Ms. Lee stated yes and discussed the concerns from the letters submitted.

Mr. Whiteside asked staff if there are any adjoining properties zoned GC and if GC zoning would be in compliance with the land use plan. Ms. Lee stated there are no adjoining properties zoned GC, the closest non-residential use is farther down to the east, and the request for GC zoning is not consistent with the land use plan.

Mr. Barnes asked staff if this use would be allowed in O-I zoning. Ms. Lee stated yes, a real estate office would be allowed.

Mr. Stewart stated this application does not meet our land use plan and would create a spot zoning. Mr. Stewart made a motion to deny this application. Seconded by Mr. Weatherby. Eight (8) in favor of denial, Mr. Long abstained.

Case #13-03-002 Jimmy Waldrop requesting to rezone 7.5 +/- acres from RA and R-15 to AG. If rezoned, the properties will be utilized for residential uses. The properties owned by Jimmy and Diane Waldrop are located at 226 Steels Bridge Road and 258 Steels Bridge Road in Land Lots 291 and 358 of the 15th District, 2nd Section of Cherokee County, Georgia and indicated as Parcels 067 and 068 on Tax Map 15N02.

Vicki Lee presented the case. Ms. Lee discussed staff comments, location, surrounding zoning and uses. She stated she has received no letters of support or opposition and no public participation meeting was required. She discussed previous rezoning and conditions.

Mr. Whitaker asked if there was anyone present to represent this case. No one came forward.

Mr. Whitaker made a motion for staff to look into why the applicant did not show and should there be a justifiable reason then the case will be heard next month, if not then the case will be considered abandoned. Seconded by Mr. Whiteside. Unanimous approval.

The last item on the agenda is the approval of the January 8, 2013 Minutes. Mr. Barnes made a motion to approve. Seconded by Mr. Whiteside. Unanimous approval.

Mr. Hill made a motion to adjourn. Seconded by Ms. Callahan. Unanimous approval.

The meeting adjourned at 7:50 p.m.