

**Cherokee County Planning Commission  
Public Hearing Minutes  
Tuesday, October 1, 2013  
7:00 p.m.**

*Revised  
Approved 11-5-2013*

The Cherokee County Planning Commission held its regularly scheduled meeting on Tuesday, October 1, 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, Rick Whiteside, Garland Stewart, Betty Callahan, Tom Hill and Scott Barnes. In attendance for Cherokee County Staff was Vicki Taylor Lee, Zoning Administrator and Tamala Davis, Planning Technician.

Chairman Bob Whitaker called the meeting to order at 7:00 p.m.

Mr. Whitaker stated the applicant for **Case #13-10-011 Lennar Georgia, Inc.** has requested this case be postponed until next month.

Dr. Whiteside stated he would like to excuse himself from any decision on this case and stepped down.

Mr. Parks Huff, representative for Lennar Georgia came forward and stated there were some issues brought forward during work session and they are requesting to table this case for 30 days to evaluate these items.

Ms. Callahan made a motion to table this case for 30 days. Seconded by Mr. Barnes. Unanimous approval.

Dr. Whiteside returned to the dais.

The next case, **Case # 13-08-010 EAH Investments, LLC** requesting to rezone 53.44 acres from R-20 to R-15 with variances. If rezoned, the property will be utilized for a single family residential subdivision. The property owned by Kimberly Williams, Rebecca Williams, Julie Chiselbrook Dyer, Carey Neil Chiselbrook and Gerald Parks is located at 295 Hames Road and 2235 Jamerson Road in Land Lots 1276 and 1277 of the 15<sup>th</sup> District, 2<sup>nd</sup> Section of Cherokee County, Georgia and indicated as parcels 130 and 157 on Tax Map 15N18.

Mr. Whitaker stated this case was tabled last month and the public hearing was closed. Mr. Whitaker asked staff about the revised site plan. Ms. Lee stated the revised site plan is specific particularly to the calculations of the green space and feels it is best the applicant come forward to explain. She stated we also received the storm water engineer report and she forwarded all information to the Board members.

Mr. Kevin Moore, representative for EAH Investments, LLC came forward. Mr. Moore stated the prior plan's open space calculations included the storm water management areas and was included due to the way they were going to be designed and installed. He stated since that time they wanted to define exactly what a storm water pond area was and isolate this area so you would have an open space calculation that does not include any of the impervious area that is associated with the active amenity and the actual storm water pond areas. Mr. Moore showed a revised plan to the Board members with the total open space area of 17.15 acres or 32.1 percent and discussed the advantages of this plan.

Mr. Whitaker suggested they focus on two things, one being if R-15 zoning is appropriate for this location and two being if a variance is appropriate.

Ms. Escondo stated this plan is not consistent with the area and would consider R-20 zoning with removal of the previous condition to true R-20 lots. She stated an R-20 conservation subdivision without any variances may be what they need for this property.

Mr. Whitaker stated this is consistent with the land use plan and feels they are stumbling over the variance. He stated he feels they have done a good job on putting this plan together but recognizes that a conservation subdivision is a by-right deal. He stated the other factor is bio-retention, and it seems clear that this will require more engineering than a traditional storm water system. He stated he agrees with staff that they need to try to encourage this idea and use it to the degree that it is useful in Cherokee County. Mr. Whitaker stated he thinks it is a reasonable request for zoning however we don't have enough information to determine whether this bio-retention system will work at this point.

Mr. Whitaker made a motion to approve the request to rezone this property to R-15 but not to grant the variance request at this time. Seconded by Mr. Whiteside.

Mr. Stewart stated this would be an R-15 zoning in the middle of R-20 zoning. He stated this would approve more intense zoning within this R-20 mode.

Ms. Escondo stated this is a 1 ½ miles away from Highway 92 and these are two lane county roads, with R-20 you keep consistency in this area.

Seven (7) in favor of the motion to approve R-15 zoning with no variances. Two (2) opposed. Ms. Escondo and Mr. Stewart opposed.

The last item on the agenda was approval of September 3, 2013 Minutes. Ms. Callahan made a motion to approve. Seconded by Mr. Weatherby. Unanimous approval.

Dr. Whiteside made a motion to adjourn. Seconded by Ms. Callahan. Unanimous approval. The meeting adjourned at 7:20 p.m.