

Approved 8-4-2015

**Cherokee County Planning Commission  
Public Hearing Minutes  
Tuesday, July 7, 2015  
7:00 p.m.**

The Cherokee County Planning Commission held its regularly scheduled meeting on Tuesday, July 7, 2015 in Cherokee Hall at the Cherokee County Administration Building. In attendance for the Planning Commission were Richard Weatherby, Bill Dewrell, Jerald Hill, Ken Smith, Bob Whitaker, Rick Whiteside, Scott Barnes and Tom Ware. Thais Escondo was not in attendance. In attendance for Cherokee County Staff were Vicki Taylor Lee, Zoning Administrator, Jeff Watkins, Development Director and Tamala Davis, Planning Technician.

The meeting was called to order at 7:25 p.m.

**Case #15-07-012** Sharon Oglesby, Donald Moncrief, Jr., and Jackson Andrew Norton requesting to rezone 1.96 +/- acres from GC to R-20. If rezoned, the property will be utilized for single family residential. The property owned by Sharon Oglesby, Donald Moncrief, Jr., and Jackson Andrew Norton is located on Castlewood Drive and Tanglewood Trail in Land Lots 1161 and 1216 of the 15<sup>th</sup> District, 2<sup>nd</sup> Section of Cherokee County, Georgia and indicated as Parcels 299, 347, and 348 on Tax Map 15N12B. A total of 1.96± acres is sought to be rezoned.

Ms. Vicki Lee presented this case. She discussed staff comments, location, surrounding zoning and uses. Ms. Lee stated a public participation meeting was not required and she has not received any letters in support or in opposition to this request. She stated this application is in compliance with the Future Development Map.

Sharon Oglesby represented this case. Ms. Oglesby stated the lawsuit has been dismissed and they have been de-annexed. She stated they are requesting to go back to residential.

Mr. Whitaker asked if there was anyone to speak in support of or in opposition to this application. There being none, he closed public comment.

Mr. Barnes made a motion to recommend approval of this application. Seconded by Mr. Hill. Unanimous approval.

**Case #15-07-013** David Rindt requesting to rezone 2.44 acres from NC to GC. If rezoned, the property will be utilized for a landscape business. The property owned by Brown Bivens is located at 8769 Hickory Flat Hwy in Land Lots 571 and 572 of the 2<sup>nd</sup> District, 2<sup>nd</sup> Section of Cherokee County, Georgia and indicated as Parcel 186A on Tax Map 02N03.

Ms. Vicki Lee presented this case. She discussed staff comments, location, surrounding zoning and uses. Ms. Lee stated a public participation meeting was held with no attendees. She stated this application is in compliance with the Future Development Map.

David Rindt represented this case. Mr. Rindt stated he planning on running a landscape company and seems consistent with other properties in this area.

Mr. Barnes asked the applicant does he have a landscape company currently.

Mr. Rindt stated he has a landscaping business out of Milton.

Mr. Whitaker asked if there was anyone to speak in support of or in opposition to this application. There be none, he closed public comment.

Mr. Weatherby made a motion to recommend approval. Seconded by Mr. Barnes. Unanimous approval.

**Case #15-07-014** Keeoco Development, Inc. requesting to rezone 5.06 acres from R-40 to OI. If rezoned, the property will be utilized for medical professional offices. The property owned by Jackie Edelstein and Paul Akbarzadeh is located on Hickory Flat Hwy in Land Lot 201 of the 14<sup>th</sup> District, 2<sup>nd</sup> Section of Cherokee County, Georgia and indicated as Parcels 032 and 033 on Tax Map 14N24.

Ms. Vicki Lee presented this case. She discussed staff comments, location, surrounding zoning and uses. Ms. Lee stated a public participation meeting was held with 5 attendees. She stated this application is in compliance with the Future Development Map.

Benson Chambers represented this case. Mr. Chambers stated this property is located on Highway 140 and discussed the surrounding zoning and uses. He discussed the location of the new Northside Hospital and changes coming and that this location will be suitable for medical offices.

Mr. Whitaker asked if there was anyone to speak in support of or in opposition to this application.

Karen Stoor spoke in opposition. Ms. Stoor stated her property adjoins this parcel and is concerned with the buffer, parking and lighting. She stated her house sits at the back of their lot and would start at the 30 foot buffer that is at the back of their property. She stated she is concerned with the parking, trash and noise being 60 feet from her home. She stated this could be an urgent care facility with night hours and feels this would change their property values and lifestyle.

Mr. Whitaker asked if there was anyone else to speak in opposition to this request, there being none, he closed public comment.

Mr. Chambers spoke in rebuttal. Mr. Chambers stated any areas disturbed would be provided a year round visual screen.

Mr. Ware stated he has the same concerns as the homeowner does regarding the disturbance of the buffers. He stated it will be hard to mitigate and replace what is there now. He stated he feels this will have a negative impact on the neighbors. He stated if they vote to approve, he would like to see a condition for the buffers to be left undisturbed.

Mr. Dewrell asked the applicant will this work for them to leave the buffers undisturbed. Mr. Chambers stated he has not walked this property but the property owners are providing the required 30 foot buffer.

Mr. Whitaker stated at the time the subdivision was developed it was residential abutting residential.

Mr. Whitaker stated it will be hard to use this property as residential and feels this is a good location for OI property. He stated he agrees with Mr. Ware about the buffers and does not have a problem with adding a condition for this.

Mr. Whitaker made a motion to recommend approval of the application with the conditions that the perimeter zoning buffers remain undisturbed and to include the three (3) conditions that were placed on the original parcel rezoning. Seconded by Dr. Whiteside. Unanimous approval.

Mr. Dewrell made a motion to adjourn. Seconded by Mr. Barnes. Unanimous approval.

The meeting adjourned at 7:50 p.m.