



CHEROKEE COUNTY MUNICIPAL PLANNING COMMISSION

PUBLIC HEARING MINUTES

Approved 6-7-16

May 3, 2016
Cherokee Hall 7:00 pm

The Cherokee County Planning Commission held its regularly scheduled meeting on Tuesday, May 3, 2016 in Cherokee Hall at the Cherokee County Administration Building. In attendance for the Planning Commission were Bill Dewrell, Bob Whitaker, Rick Whiteside, Scott Barnes, Thais Escondo, Ken Smith, Jerald Hill, Richard Weatherby and Tom Ware. In attendance for Cherokee County Staff were Vicki Taylor Lee, Zoning Administrator and Tamala Davis, Planning Technician.

The meeting was called to order at 7:00 p.m.

Case No. 16-04-014 Faith Community Church (BOC Dist. 4)

Applicant is requesting to rezone 0.67 acres at 287 Rope Mill Road from NC to R-40 for a church.

Vicki Lee presented this case with a power point presentation. She discussed staff comments, location, surrounding zoning and uses. She stated this application is in compliance with the Future Development Map and Comprehensive Plan.

Randy Cook with Faith Community Church represented this case. Mr. Cook stated they would like to combine the parcels into one and they will need to have the same zoning classification in order to do this.

There was no one to speak in favor or in opposition to this application.

Mr. Whitaker closed public comment.

Ms. Escondo made a motion to approve. Seconded by Dr. Whiteside. Unanimous approval.

Case No. 16-04-015 Little River Farms, LLC (BOC Dist. 1)

Applicant is requesting to rezone 46 +/- acres at the corner of State Route 372 and Birmingham Hwy from AG to R-40 for a single family residential subdivision.

Vicki Lee presented this case with a power point presentation. She discussed staff comments, location, surrounding zoning and uses. She stated this application is not in compliance with the Future Development Map.

Ben Key represented this case. Mr. Key stated they are proposing to have 37 lots on 46 acres and stated the concerns from the citizens who came to the public participation meeting in regards to the type of housing proposed and fencing. Mr. Key discussed further his proposal to rezone to higher density.

Mr. Whitaker asked if there was anyone to support this application.

Keith Marshall spoke in support. Mr. Marshall stated he would like to have fencing along his property and the development.

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

Mr. Ware stated this is a nice area and could support an R-60 zoning district.

Ms. Escondo stated this property is surrounded by Agricultural and should remain as Agricultural.

Mr. Whitaker and Mr. Weatherby both stated they could not support this proposed R-40 zoning.

Mr. Dewrell made a motion to approve this application. Seconded by Mr. Hill. Two (2) in favor, Seven (7) opposed. Motion fails.

Ms. Escondo made a motion to deny. Seconded by Mr. Weatherby. Six (6) in favor, three (3) opposed. Mr. Dewrell, Mr. Hill and Mr. Barnes opposed this motion.

Case No. 16-05-016 Peter Pauline (BOC Dist. 1)

Applicant is requesting to rezone 0.4 acres at 11582 Cumming Highway from GC to NC for neighborhood commercial uses.

Vicki Lee presented this case with a power point presentation. She discussed staff comments, location, surrounding zoning and uses. She stated this application is in compliance with the Future Development Map and Comprehensive Plan.

Peter Pauline represented this case. Mr. Pauline stated he would like to rezone back to NC to have more options for tenants. He stated he did not understand he was limited on one use.

There was no one to speak in favor or in opposition. Mr. Whitaker closed public comment.

Dr. Whiteside made a motion to approve. Seconded by Mr. Barnes. Unanimous approval.

Case No. 16-05-017 Richard and Stephen Deal (BOC Dist. 4)

Applicant is requesting to rezone 0.51 acres at 5455 Bells Ferry Road from NC to GC for a retail carpet and flooring contractor.

Vicki Lee presented this case with a power point presentation. She discussed staff comments, location, surrounding zoning and uses. She stated this application is in compliance with the Future Development Map and Comprehensive Plan.

Stephen Deal represented this case. Mr. Deal stated he has been at this location for 35 years and was informed this property should be zoned general commercial for their use.

Ms. Escondo stated she would like to prohibit auto sales and service.

There was no one to speak in support of or in opposition to this application. Mr. Whitaker closed public comment.

Mr. Ware made a motion to approve with a condition to have no auto sales and service. Seconded by Ms. Escondo. Unanimous approval.

Case No. 16-05-018 Leonard Jacklett (BOC Dist. 1)

Applicant is requesting to rezone 7.72 acres at 9211 Freehome Highway from AG to LI for a general contractor's shop and heavy equipment repair.

Vicki Lee presented this case with a power point presentation. She discussed staff comments, location, surrounding zoning and uses. She stated this application is not in compliance with the Future Development Map and Comprehensive Plan.

Leonard Jacklett represented this case. Mr. Jacklett stated he needs Light Industrial property to be properly zoned for his business and storage of his equipment, two (2) dump trucks and tractor.

Mr. Whitaker asked if there was anyone to speak in support.

Ed Cochran spoke in support.

Mr. Whitaker asked if there was anyone to speak in opposition.

Rebecca Abernathy spoke in opposition. Ms. Abernathy discussed her concerns with heavy repair/service equipment, traffic, screening and this application not being in compliance with current area or Future Development Map.

Mr. Jacklett spoke in rebuttal. He stated the shop would cover most of the property and the equipment would be located at the rear of the property.

Commission has questions for Mr. Jacklett relating to the service/repair of heavy equipment, containment systems, parking and water run-off.

Mr. Barnes stated he cannot support Light Industrial at this location.

Mr. Barnes made a motion to deny. Seconded by Mr. Ware. Unanimous approval.

Approval of Minutes

Mr. Weatherby made a motion to approve April 5, 2016 Minutes. Seconded by Mr. Whitaker. Unanimous approval.

Mr. Dewrell made a motion to adjourn. Seconded by Dr. Whiteside. The meeting adjourned at 8:22 p.m.