

CHEROKEE COUNTY MUNICIPAL PLANNING COMMISSION

PUBLIC HEARING MINUTES



December 6, 2016
Cherokee Hall 7:00 pm

The Cherokee County Planning Commission held its regularly scheduled meeting on Tuesday, December 6, 2016 in Cherokee Hall at the Cherokee County Administration Building. In attendance for the Planning Commission were Bob Whitaker, Rick Whiteside, Scott Barnes, Thais Escondo, Ken Smith, Jerald Hill, Richard Weatherby, Bill Dewrell and Tom Ware. In attendance for Cherokee County Staff were Vicki Taylor Lee, Zoning Administrator, Rhonda Hilliard, Executive Assistant and Tamala Davis, Planning Technician.

The meeting was called to order at 7:05 p.m.

Mr. Whitaker stated Case #16-12-040 Southern Farms Development Company, LLC and Case #16-12-041 Tony Perry for Rezone Properties have both been withdrawn.

Case #16-12-042 277 TCL Properties, LLC (BOC Dist. 2)

Applicant is requesting to rezone 3.5 acres at 277 Tom Charles Lane from R-80 to R-30 for four (4) single family residential homes.

Vicki Lee presented this case. She discussed staff comments, location, surrounding zoning and uses. She stated this application is not consistent with the Future Development Map.

Jeff Rusbridge represented this case. Mr. Rusbridge stated this is consistent in general with the land use and noted that there are eighteen (18) properties currently on this road that are less than one (1) acre in size. He stated there is currently one (1) home on the property that will remain and they would build three (3) additional homes.

No one was present to speak in support of or in opposition to this application.

Mr. Whitaker closed public comment.

Mr. Ware made a motion to recommend approval. Seconded by Mr. Dewrell. Unanimous approval. (9-0)

Case No. 16-12-043 Joanna Jackson and Teresa Finnegan (BOC Dist. 2)

Applicant is requesting to rezone 5.65 acres at 2797 Univeter Road from R-80 to R-40 for single family residential uses.

Vicki Lee presented this case. She discussed staff comments, location, surrounding zoning and uses. She noted this application is not consistent with the Future Development Map.

Shanna Coulter represented this case. Ms. Coulter stated they are requesting this rezone to be able to build two (2) additional homes. She stated they have the square footage for an R-80 zoning, however due to the geometry of the lot it is hard to keep all the existing structures and meet the building setbacks for an R-80 zoning district. Also, she stated there is a restriction that this property cannot be subdivided for two (2) years.

There was no one present to speak in support of this application.

Lesley Brodbeck spoke in opposition. Ms. Brodbeck stated she would like to keep the area zoned Agricultural and R-80. She stated this application if approved would set precedence for additional R-40 zoning request.

Shanna Coulter spoke in rebuttal. Ms. Coulter stated she agrees with Ms. Brodbeck regarding rezoning to an R-40 zoning however this is really for them to be able to meet setbacks for existing structures and new structures.

Vicki Lee stated there would be several variances needed and felt rezoning the property would be a better way to remedy the issues with this property.

Mr. Whitaker closed public comment.

Mr. Dewrell made a motion to recommend denial of R-40 zoning and suggested the applicant work out issues with variances instead of rezoning the property, whether this be presented to the Board of Commissioners or to the Zoning Board of Appeals.

Seconded by Mr. Barnes. Unanimous approval. (9-0)

Case No. 16-12-045 Georgia Tennessee Development Partners, LLC (BOC Dist.1)

Applicant seeks to rezone 87.946 acres located on the northwest side of East Cherokee Drive from AG to R-15 for 149 single family residential dwellings providing 44 acres in permanent greenspace and a density of 1.6942 dwelling units per acre. Applicant seeks to rezone 14.573 acres located on the southeast side of East Cherokee Drive from AG to RA for 60 single family (age restricted) quads with a density of 4.1 units per acre.

Vicki Lee presented this case. She discussed staff comments, location, surrounding zoning and uses. She stated this is not consistent with the Future Development Map.

Parks Huff represented this case. Mr. Huff stated there are several different uses in this area along with PUD zoning. He stated this is an age restricted development providing 60 percent of greenspace with buffers along the entire property.

There was no one to speak in support of this application.

David Conry spoke in opposition. Mr. Conry stated he did not receive a public participation meeting letter nor did some of his neighbors. He discussed his concerns with traffic, water flow, flooding and the density of the proposed project.

Greg Muffitt spoke in opposition. He presented photos to the Board and discussed his concerns with run-off, impact on environment and traffic on Johnson Brady Road.

Elizabeth Semler spoke in opposition. Ms. Semler stated this plan is not consistent with the future development map and discussed her concerns with traffic, run-off from additional houses and density.

Larry Edmondson spoke in opposition. He discussed his concerns with traffic and proposed density for this project.

Bill Goddard spoke in opposition. Mr. Goddard discussed his concerns with density, traffic, lot sizes and noted that the signs posted were not noticeable. He stated this project is not consistent with the land use plan.

Another citizen in opposition stated his concerns with density, impact on roads and traffic.

Parks Huff spoke in rebuttal. Mr. Huff stated there are two (2) lakes on the property which will be need to be redone and at that time will take care of the storm water. He stated they can look at another access point and the intent of this project are family with no kids.

Dr. Whiteside stated the existing site resource map is inadequate. He stated this is not consistent with land use plan and does not meet Article 23 of the Conservation Ordinance.

Mr. Whitaker closed public comment.

Dr. Whiteside made a motion to recommend denial. Seconded by Mr. Weatherby. Unanimous approval. (9-0)

Case #16-12-046 Church of God Prophecy (BOC Dist. 1)

Applicant is requesting to rezone 1.0 +/- acres at 127 Dry Pond Lane from R-80 to AG to combine property with adjacent AG property.

Vicki Lee presented this case. She discussed staff comments, location, surrounding zoning and uses.

Todd Welchel represented this case. Mr. Welchel stated they are requesting to rezone to AG (Agricultural) to consolidate property.

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

Mr. Whitaker closed public comment.

Mr. Weatherby made a recommendation to approve. Seconded by Mr. Smith. Unanimous approval (9-0)

Approval of Minutes

Mr. Ware made a motion to approve the October 17, 2016 Work Session Minutes. Seconded by Mr. Barnes. Motion passed 9-0.

Mr. Barnes made a motion to approve November 1, 2016 Minutes. Seconded by Mr. Smith. Motion passed 9-0.

Mr. Dewrell made a motion to adjourn. Seconded by Dr. Whiteside. Unanimous approval. The meeting adjourned at 8:43 p.m.