

Approved 3-7-2017

CHEROKEE COUNTY MUNICIPAL PLANNING COMMISSION

PUBLIC HEARING MINUTES



February 7, 2017
Cherokee Hall 7:00 pm

The Cherokee County Planning Commission held its regularly scheduled meeting on Tuesday, February 7, 2017 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, Richard Weatherby, Nicole Carbetta and Tom Ware. Jearald Hill was not in attendance. In attendance for Cherokee County Staff were Jeff Watkins, Director of Community Development and Tamala Davis, Planning Technician.

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

Case #17-01-001 Carson Developments, Inc. (BOC Dist. 2)

Applicant is requesting to rezone 21.67 acres at Hickory Road from GC to RA to allow development of an active adult, age restricted community. The applicant is also requesting the following variances:

1. A variance for use of dead end drives in lieu of cul-de-sacs (Development Regulations, Section 4.08);
2. A variance to grade in the zoning buffer to the north and west (Zoning Ordinance, Article 10, Section, 10.6-5)
3. A variance to construct walls in impervious stream bank buffer setback (Development Regulations, Section 5.1(2))
4. A variance to encroach 7 feet into the required 20 foot front setback for units 75 and 82 (Zoning Ordinance, Table 7.1A).
5. A variance to reduce the zoning buffer on west side of property adjacent to GC from 35 feet to 30 feet and from 35 feet to 15 feet (Zoning Ordinance, Table 10.1)
6. A variance to reduce the zoning buffer on the west side of property adjacent to R-40 from 35 feet to 15 feet (Zoning Ordinance, Table 10.1)

Jeff Watkins presented this case. He discussed staff comments, location, surrounding zoning, uses and variance requests. He stated a public hearing was already held and the public hearing was closed at the last meeting.

Mr. Whitaker stated he did speak with Brett Buchanan in Engineering and they did require the applicant to request variances to the impervious setback due to this being more than minimal grading.

Ms. Escondo stated these requirements are part of the Development Regulations and does not feel they have the authority to grant these variances, it should be going to the Zoning Board of Appeals.

Ms. Escondo made a motion to remove this case from the table. Seconded by Dr. Whiteside. Unanimous approval.

Dr. Whiteside stated this is a good location for an age restricted community and has no issue with the zoning.

Dr. Whiteside made a motion to recommend approval of the zoning request with no action taken on variance requests. Seconded by Mr. Weatherby.

Mr. Ware stated he supports the zoning but doesn't feel they should remain silent on the variance requests.

Motion passed 6-2. Mr. Ware and Mr. Whitaker opposed.

Case #17-02-003 Kathryn Reedy (BOC Dist. 2)

Applicant is requesting to rezone 2.0 +/- acres at 1518 Arbor Hill Road from AG to R-40 for residential uses.

Jeff Watkins presented this case. He discussed staff comments, location, surrounding zoning and uses. He stated this is not consistent with the Future Development Map. He stated he has received no letters in opposition or in support of this application. He stated this property has a residence and a guest home that has been being used as a rental home, he stated they would like to subdivide into two (2) lots.

Kathryn Reedy represented this case. Ms. Reedy stated this will not change the use of the property at all. She stated she originally built the guest home for her father and now he is in a nursing home. She stated it will ease her burden to be able to sell this portion off with the guest home.

Jennifer Howard spoke in support. Ms. Howard stated she is the one looking to purchase the home and stated the use of the land will not change.

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

Dr. Whiteside stated they discussed in work session for staff to look into maybe finding a different solution other than rezoning the property. He stated he is searching for another solution than rezoning this property. He stated he does not want to put R-40 zoning in the middle of Agricultural.

Mr. Barnes stated one of the items they discussed was possibly moving it forward to the Board of Commissioners with no recommendation to see if they could possibly approve as a lease.

Ms. Escondo stated this application does not meet the Comprehensive Plan and it affects more than just the one (1) parcel involved.

Mr. Ware stated there are two (2), R-40 zoned subdivisions less than a mile away and is comfortable with an R-40 zoning.

Mr. Whitaker stated these structures are existing and this rezone will not change the use, however it would set a precedent.

Ms. Escondo stated this is self-imposed and is coming in after the fact. She stated this will set a precedent and is a dangerous precedent.

Dr. Whiteside asked if there is another solution.

Mr. Watkins stated he doesn't have any other solutions other than rezoning the property.

Ms. Escondo made a motion to recommend denial of the rezone and would like for the Board of Commissioners to find another solution. Seconded by Mr. Weatherby. Motion passed 7-1. Mr. Ware opposed.

Approval of Minutes

Mr. Barnes made a motion to approve the January 3, 2017 Minutes. Seconded by Mr. Weatherby. Motion passed 8-0.

Mr. Weatherby made a motion to adjourn. Seconded by Mr. Barnes. Motion passed 8-0.
The meeting adjourned at 7:41 p.m.