

**CHEROKEE COUNTY MUNICIPAL PLANNING COMMISSION**

**PUBLIC HEARING MINUTES**



**March 7, 2017**  
**Cherokee Hall 7:00 pm**

The Cherokee County Planning Commission held its regularly scheduled meeting on Tuesday, March 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, Jerald Hill and Tom Ware. In attendance for Cherokee County Staff were Jeff Watkins, Director of Community Development; Vicki Lee, Zoning Administrator and Tamala Davis, Planning Technician.

The meeting was called to order at 7:20 p.m.

**Case #17-03-006 Oak Hall Companies, LLC (BOC Dist. 2)**

Applicant is requesting to rezone 39.575 acres at Arnold Mill Road and Highway 140 from AG and R-40 to NC, RTH and RZL to build a mixed use development.

Vicki Lee presented this case. She discussed staff comments, location, surrounding zoning and uses. She stated a public participation meeting was held with 31 attendees. She stated she has received many letters of opposition and one (1) letter in support.

Parks Huff represented this case. Mr. Huff stated they have revised the site plan to a maximum 116 lots/2.9 unit per acre. He stated it will be an age restricted community and all detached units. He stated they do not have a completed traffic study because they keep changing the site plan to correspond to concerns within the community. Mr. Huff stated they are requesting this case be tabled for 30 days for the community to review the revised site plan as well as the Commission members.

Mr. Ware made a motion to table this case for 30 days pending the review of the revised site plan, provision of a traffic study and applicant is to advertise and hold another public participation meeting before next meeting.

Motion seconded by Mr. Weatherby. Motion passed 9-0.

**Case #17-03-005 Georgia-Tennessee Development Partner, LLC (BOC Dist. 2)**

Applicant is requesting to rezone 79.24 acres at 300 Collett Drive from AG to R-30 for a residential community utilizing the conservation subdivision design.

Dr. Whiteside recused himself from this case hearing.

Vicki Lee presented this case. She discussed staff comments, location, surrounding zoning and uses. She stated a public participation meeting was held with 27 attendees. She stated she has received 6 letters of opposition.

Benson Chambers represented this case. Mr. Chambers stated this conservation plan proposes 90 lots with a density of 1.135 units per acre. He stated the applicant proposes to make road improvements to Collett Drive. Mr. Chambers discussed current zoning and requirements if developed as currently zoned.

Jeff Burton spoke in opposition. Mr. Burton stated his concerns with this proposal being too dense, creates spot zoning, run-off, erosion and wetlands area. He stated this is the wrong place for this project.

Tom Cox spoke in opposition. Mr. Cox discussed his concerns with protecting the streams/lakes, water run-off issues and silt.

Benson Chambers spoke in rebuttal. He stated all these concerns mentioned are reviewed at the time of site plan review and will have to adhere to all regulations. He stated the applicant will have to enter into an agreement for improvements to the road and this has already been drafted. He noted they did file a constitutional challenge with the application.

Mr. Whitaker closed public comment.

Mr. Ware stated this would create a huge impact on surrounding area and cannot support this application.

Ms. Escondo stated she cannot support this application as presented.

Mr. Barnes stated he cannot support this application.

Mr. Barnes made a motion to recommend denial. Motion seconded by Mr. Smith. Motion passed 7-1. Mr. Ware opposed.

**Case #17-03-008 Arthur Sarkisian (BOC Dist. 3)**

Applicant is requesting to rezone 3.18 acres at 440 Victoria Road from NC to GC for a storage lot.

Vicki Lee presented this case. She discussed staff comments, location, surrounding zoning and uses. She stated a public participation meeting was held with 1 attendee. She stated she has received no letters in support or in opposition.

Arthur Sarkisian represented this case. Mr. Sarkisian stated he owns the lot next door that is currently being used for RV and boat storage. He stated this would be an expansion of the same use.

Richard Brown spoke in opposition. Mr. Brown discussed his concerns with buffers being disturbed and what the actual use will be.

Mark Ambrose spoke in opposition. Mr. Ambrose discussed his concerns with buffers being disturbed, traffic and property values.

Arthur Sarkisian spoke in rebuttal. Mr. Sarkisian stated he has made improvements to this area and citizens have stopped by to thank him for making these improvements. He stated would like this request be approved.

Mr. Whitaker closed public comment.

Ms. Carbetta stated there are three (3) storage facilities less than a mile from each other. She stated she cannot support this application and feels this would be a negative impact on the community.

Ms. Escondo asked staff about the buffers required. Ms. Lee stated it is more stringent for storage lots. Ms. Escondo asked if they are in compliance with required buffer. Ms. Lee stated she has not been out to the site however she can send someone out to verify.

Nicole Carbetta made a motion to recommend denial. Seconded by Ms. Escondo. Motion passed 9-0.

**Case #17-03-009 John L. Lineberger (BOC Dist. 1)**

Applicant is requesting to rezone 2.34 acres at 5911 Cumming Highway from R-80 to GC for retail sales with office.

Vicki Lee presented this case. She discussed staff comments, location, surrounding zoning and uses. She stated a public participation meeting was held with 3 attendees. She stated she has received no letters in support or in opposition.

Benson Chambers represented this case. Mr. Chambers stated they don't have a specific use for this property. He stated the effects of the highway and changes have made it very difficult to rent the home residentially. Mr. Chambers stated they are making improvements to the existing structure and have permission from the adjoining property to use their driveway temporarily until the new road improvements are made. He stated the 35 foot zoning buffer is already in place and will agree to add more vegetation if needed.

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

Mr. Whitaker closed public comment.

Ms. Escondo stated this is not consistent with the Future Development Map and cannot support GC zoning but can support NC zoning.

Ms. Escondo made a motion to recommend approval of NC. Seconded by Dr. Whiteside. Motion passed 7-2. Mr. Weatherby and Mr. Hill opposed.

**Case #17-03-010 Rob Schweiger (City of Waleska)**

Applicant is requesting to rezone 1.75 acres at 468 Bartow Street from R-40 to R-30 for single family residential uses.

Vicki Lee presented this case. She discussed staff comments, location, surrounding zoning and uses. She stated a public participation meeting was not required. She stated she has received no letters in support or in opposition.

Rob Schweiger represented this case. Mr. Schweiger stated he is proposing a single family residential home.

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

Mr. Whitaker closed public comment.

Ms. Escondo made a motion to recommend approval. Seconded by Mr. Smith. Motion passed 9-0.

### **Approval of Minutes**

Mr. Smith made a motion to approve the December 19, 2016 Work Session Minutes. Seconded by Mr. Ware. Motion passed 9-0.

Mr. Ware made a motion to approve the January 23, 2016 Work Session Minutes. Seconded by Mr. Smith. Motion passed 9-0.

Mr. Barnes made a motion to approve the February 7, 2017 Minutes. Seconded by Mr. Smith. Motion passed 9-0.

Dr. Whiteside made a motion to adjourn. Seconded by Mr. Weatherby. Motion passed 9-0. The meeting adjourned at 9:00 p.m.