

**CHEROKEE COUNTY MUNICIPAL PLANNING COMMISSION**

**PUBLIC HEARING MINUTES**



**April 4, 2017**  
**Cherokee Hall 7:00 PM**

The Cherokee County Planning Commission held its regularly scheduled meeting on Tuesday, April 4, 2017 in Cherokee Hall at the Cherokee County Administration Building. In attendance for the Planning Commission were: Bob Whitaker, Rick Whiteside, Thais Escondo, Ken Smith, Richard Weatherby, Nicole Carbetta, Jerald Hill and Tom Ware. Scott Barnes was not in attendance. In attendance for Cherokee County Staff were Vicki Lee, Zoning Administrator and Tamala Davis, Planning Technician; Margaret Stallings, Principal Planner.

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

**Case #16-12-045 Collett Family LLC (BOC Dist.1)**

Applicant is requesting to rezone 102.519 acres at East Cherokee Drive from AG to R-30 and R-20 for a single family residential development.

This case was postponed due to no legal advertisement.

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

Applicant is requesting to rezone 39.575 acres on the west side of State Route 140 at Arnold Mill Road from AG and R-40 to NC and RZL to be a mixed-use development.

Ms. Escondo made a motion to table this case for an additional 30 days. Seconded by Dr. Whiteside. Motion passed 8-0.

**Case #17-04-011 Phoebe Maze (City of Waleska)**

Applicant is requesting to rezone 3.15 acres at 423 Bartow Street from R-30 to GC-LU (General Commercial, Limited Use) for a bed and breakfast with a special event facility.

Margaret Stallings gave surrounding zoning and uses. She stated we have received no letters in support of or in opposition to this case. She provided a document to the Board on permitted uses that would not be suitable for this site. She stated this application will have a 2<sup>nd</sup> Public Hearing on Monday night with the City Council.

Phoebe Maze represented this case. Ms. Maze stated she feels commercial is adequate for this location and would be in compliance with the Future Development Map. She stated this would be a good location for

an events center, student housing or a bed & breakfast, which is all neighborhood friendly. She stated this is a historic house and landmark. Ms. Maze stated she would be okay with the property being restricted to certain uses.

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

Sharon Romano spoke in opposition. She provided a petition to the Board with 27 signatures. Ms. Romano stated this property is zoned residential and feels it needs to stay residential. She discussed her concerns with commercial zoning, noises, traffic and privacy.

Charles Keeling spoke in opposition. Mr. Keeling stated this area has historic residential homes and if zoned commercial would increase traffic. He stated at some of the meeting they had stated the commercial properties would be restricted to Highway 140 and Highway 108.

Dr. Cindi Iraci spoke in opposition. Dr. Iraci stated this is a residential area and she is opposed to any commercial.

Margaret Stallings read aloud the list of permitted uses that would still be allowed if approved.

Phoebe Maze stated she has no objection to limiting the uses for this property.

Mr. Whitaker closed public comment.

Ken Smith stated he represents Waleska and cannot support this application as submitted. He stated this is a residential area and would create traffic congestion.

Ms. Escondo stated she feels there really needs to be a modification to the City Zoning Ordinance to allow some of the uses such as a Bed and Breakfast in a residential area and not zoning to commercial.

Mr. Smith made a motion to recommend denial of this application. Seconded by Ms. Carbetta. Motion passed 7-1.

#### **Case #17-04-012 Judith E. Becker (BOC Dist. 2)**

Applicant is requesting to rezone 0.69 +/- acres at 1800 Liberty Grove Road from AG to R-30 to maintain the small existing cemetery.

Vicki Lee presented this case. Ms. Lee discussed location, proposed use, surrounding zoning and department comments.

Sue Becker represented this case. Ms. Becker stated they wish to sell the property but would like to keep ownership of the cemetery that consists of 0.69 acres. She stated it would never be used for a home or any other structures. She stated there are 15 gravesites there now and would like to leave a little room for more, however, does not want to keep two (2) acres.

Someone came forward to speak in support. He showed the exact location of the existing cemetery and stated they would separate off the 0.69 acres from the rest of the land and it would be maintained by one of the family members.

There was no one to speak in opposition.

Mr. Whitaker closed public comment.

Mr. Ware asked staff if they wanted to deed this property to a family member, would they still need to go through the rezone process. Ms. Lee stated you are not supposed to cut out property by deed, it is to be cut out by a plat and we could not approve the plat with it being less than two (2) acres.

Mr. Whitaker asked staff could it not be done as a legacy lot. Ms. Lee stated you could, but she doesn't believe that was the intent of the legacy lot. She stated the intent was for housing and doesn't think you could use that for a cemetery.

Mr. Weatherby made a motion to recommend approval with the condition for this property to only be used as a cemetery. Seconded by Mr. Hill. Motion passed 8-0.

### **Case #17-04-013 R. Venture, LLC (BOC Dist. 1)**

Applicant is requesting to rezone 54.61 +/- acres at Jessie Lane, Owens Store Road and Old Orange Mill Road from AG to R-20 for a single family residential subdivision.

Richard Weatherby recused himself from this case.

Vicki Lee presented this case. Ms. Lee discussed location, proposed use, surrounding zoning and department comments. Ms. Lee stated this is a conservation design community. She stated a public participation meeting was held with 32 attendees. She stated she has received three (3) letters in support and twenty four (24) letters in opposition.

Mike Bray represented this case. Mr. Bray stated this application is for a proposed R-30 conservation subdivision. He stated they have revised the site plan from 87 lots to 68 lots which comes to 1.25 dwelling units per acre. He stated the plan shows 22 acres of open space and sewer is available to the site. He noted this is adjacent to R-30, R-20 and PUD zoning. Mr. Bray stated the homes will range in size from 2,800 sq. ft. to 3,200 sq. ft. and prices will range between the \$400's and \$500's.

Mr. Whitaker stated since the site plan was revised after the work session the case will need to be tabled for 30 days to give adequate time for the Board and community to look at the revisions.

Mr. Whitaker made a motion to table this application for thirty (30) days. Seconded by Dr. Whiteside. Motion passed 7-0.

### **Approval of Minutes**

Dr. Whiteside made a motion to approve the February 20, 2017 Minutes. Seconded by Mr. Smith. Motion passed 8-0.

Dr. Whiteside made a motion to approve the March 7, 2017 Minutes. Seconded by Mr. Ware. Motion passed 8-0.

Mr. Weatherby made a motion to adjourn. Seconded by Mr. Smith. Motion passed 8-0. The meeting adjourned at 8:06 p.m.