



June 5, 2018

Cherokee Hall 7:00 PM

The Cherokee County Planning Commission held its regularly scheduled public hearing on Tuesday, June 5, 2018 in Cherokee Hall at the Cherokee County Administration Building. Planning Commission members present were Tom Ware, Richard Weatherby, Nicole Carbetta, Rick Whiteside, Thais Escondo, Bob Whitaker, Marla Doss and Scott Barnes. Ken Smith was not in attendance. In attendance for Cherokee County Planning Staff were Michael Chapman, Zoning Manager; Tamala Davis, Planning Technician and Jeff Watkins, Planning and Zoning Director.

The meeting was called to order at 7:27 p.m.

Zoning Cases

Case #18-03-0009 Jeanel Midkiff (BOC Dist. 2)

Applicant is requesting to rezone 13.37 acres at 8058 Hickory Flat Highway from GC and R-80 to GC, NC, OI and R-40 for retail, office and residential.

Michael Chapman presented the case. Mr. Chapman discussed current zoning, surrounding uses, land use compliance, economic use as currently zoned and department comments.

Marla Doss recused herself.

Benson Chambers represented this case. Mr. Chambers stated significant changes have been made to site plan and divided into four (4) categories. He discussed the locations of each of the zoning districts on the site plan and what is there currently and surrounding the property. He stated with this plan there will be no variance needed. He stated this is in compliance with the transitional corridor on the future development map.

Bob Tipps spoke in opposition. Mr. Tipps stated he abuts this property and is disappointed in this proposal in that it does not fit within this area. He stated he opposes commercial and institutional and noted his concerns with traffic.

Mardi Gustin spoke in opposition. Mr. Gustin stated his concerns with the 10 foot buffer, traffic and the proposed commercial.

John McLaughlin spoke in opposition. Mr. McLaughlin stated his concerns with the informational meeting held by the applicant and does not understand how this application has moved forward to a public hearing when he feels they did not adhere to the zoning procedures.

John Long spoke in opposition. Mr. Long stated he had several issues with this application relating to current economic use, transitional corridor and proposed zoning districts.

Mr. Chambers spoke in rebuttal. He stated if this property was developed as R-80 there would be no buffer required. He stated the uses proposed in this area is in compliance with the transitional corridor. He stated they feel this is appropriate for the area.

Mr. Whitaker closed public comment.

Ms. Escondo asked questions to staff as it relates to transitional corridor and country estates. Mr. Watkins stated the underlying character area is country estates and the transitional corridor is more towards the front.

Dr. Whiteside stated this plan is not consistent with Country Estates.

Ms. Escondo stated this plan would impact Jep Wheeler residence.

Dr. Whiteside stated this plat is hard to support with four (4) different zoning designations.

Mr. Ware stated he cannot support four (4) different zoning designations. He suggested having two (2) zoning designations, R-40 and NC. He stated this would be changing the proposed OI portion to NC as well as the existing GC to NC and the back portion of the OI going to R-40 zoning.

Mr. Ware made a motion to recommend approval of changing existing GC and OI to NC and reduce OI portion and the portion at the back be rezoned to R-40 with the condition to increase buffer width along South to 20 feet. Seconded by Mr. Weatherby. Motion failed 3-5.

Mr. Weatherby made a motion to recommend approval of R-40 zoning. Seconded by Mr. Barnes. Motion passed 5-2. Dr. Whiteside and Mr. Ware opposed.

Case #18-06-016 Jason and Lisa Hill (BOC Dist. 3)

Applicant is requesting to rezone 5.09 acres at 432 Holly Street from R-40 to AG to sell produce grown on the property.

Michael Chapman presented the case. Mr. Chapman discussed current zoning, surrounding uses, land use compliance, economic use as currently zoned and department comments.

Jason Hill represented this case. Mr. Hill stated he went to get a permit to sell produce and was informed the property had to be zoned AG (Agricultural). He stated this would be done on weekends in a portable structure.

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

Mr. Whitaker closed public comment.

Mr. Barnes made a motion to recommend approval of AG zoning with the condition there be no livestock. Seconded by Mr. Ware. Motion passed 8-0.

Case #18-06-017 Marina Blixt (BOC Dist. 1)

Applicant is requesting to rezone 6.08 acres at 150 Garrison Trail from R-80 to R-30 for a minor subdivision consisting of five (5) lots.

Michael Chapman presented the case. Mr. Chapman discussed current zoning, surrounding uses, land use compliance, economic use as currently zoned and department comments.

Jeff Hall represented this case. Mr. Hall stated the widening of State Route 20 that buffers the north side of their property and will be 40 foot or less on the most recent design of the road widening. He stated they were anticipating 2 smaller lots closest to State Route 20 and 3 larger lots bordering the current R-80 lots. He stated they would rather have residential then propose to rezone commercial.

Angela Blevins spoke in opposition. Ms. Blevins stated her concerns with run off, density, spot zoning and traffic.

Joel Garrison spoke in opposition. Mr. Garrison stated his concerns with density, location of drive and this not being compatible with zoning in area.

Jim Edwards spoke in opposition. Mr. Edwards stated his concerns with spot zoning, not being suitable for existing country setting and feels it should remain as currently zoned.

Cheryl Steffen spoke in opposition. Ms. Steffen stated her concerns with this not being consistent with area, traffic, location of drive and density.

Mr. Hall spoke in rebuttal. Mr. Hall stated originally they had purchased this property to build their home and built a berm to control the noise however once they saw the plans for the expansion of State Route 20 they bought a home elsewhere.

Mr. Ware asked when they purchased the property. Mr. Hall stated over a year ago. Mr. Ware asked Mr. Hall was he not aware of the expansions before they purchased. Mr. Hall stated no.

Mr. Whitaker closed the public hearing.

Ms. Escondo stated this is not consistent however given what we know is coming to this area, she sees this as a buffer.

Dr. Whiteside stated he could support an R-40 zoning.

Mr. Barnes stated he doesn't understand why it is okay for 5 homes but not okay for 1 home.

Dr. Whiteside made a motion to recommend approval of R-40. Seconded by Mr. Ware. Motion passed 7-1. Mr. Weatherby opposed.

Case #16-06-018 Macedonia Memorial Properties, LLC (BOC Dist. 1)

Applicant is requesting to rezone 0.33 acres at 10685 East Cherokee Drive from AG to NC for expansion of Macedonia Memorial Properties.

Michael Chapman presented the case. Mr. Chapman discussed current zoning, surrounding uses, land use compliance, economic use as currently zoned and department comments.

Bart Williams represented this case. Mr. Williams stated this property is owned by the cemetery and will be moved over to funeral home. He stated they are requesting it be zoned the same.

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

Mr. Whitaker closed public comment.

Mr. Weatherby made a motion to recommend approval. Seconded by Dr. Whiteside. Motion passed 8-0.

Mr. Barnes made a motion to approve May 1 2018 Public Hearing Minutes. Seconded by Dr. Whiteside. Motion passed 7-0. Mr. Whitaker abstained since he was not in attendance.

Mr. Ware made a motion to approve the May 21, 2018 Work Session Minutes. Seconded by Mr. Barnes. Motion passed 7-0. Ms. Escondo abstained since she was not in attendance.

Dr. Whiteside made a motion to adjourn. Seconded by Mr. Weatherby. Motion passed 8-0. The meeting adjourned at 9:10 p.m.