

**Cherokee County Zoning Board of Appeals  
Public Hearing  
Minutes  
Thursday, January 5<sup>th</sup>, 2006  
6:30 p.m.**

The Cherokee County Zoning Board of Appeals held its regularly scheduled meeting on January 5<sup>th</sup>, 2006, in the Jury Assembly Room of the Cherokee County Justice Center. In attendance for the Zoning Board of Appeals were Chairman Evert Hekman, Roy Taylor, Amy Mumaugh and Greg Elder. Sean Jerguson did not attend. In attendance for Cherokee County Staff were Mark Mahler, County Attorney, Jeff Watkins, Planning Director and Jesse Perry, Senior Clerk. The meeting was called to order at 6:30 pm.

**Old Cases**

Case #05-11-065V **BG Land, LLC** requesting a variance to Article 16, Section 16.1, and Hwy. 92 Overlay Regulations. The applicant is requesting a variance to extend the boundary of the Hwy. 92 Overlay District to include parcels 273, 273A, 2736B, 273C, 273D, 273E, 273F, and 274. The property is located on Hwy 92 in Land Lot(s) 1105, 1106, of the 21<sup>st</sup> District and further described as Cherokee County Tax Map 21N05 with the above parcel numbers.

Jeff Watkins presented the case to the Zoning Board of Appeals.

Public comment had been closed at last months meeting.

Due to one member of the Board not being there (Mr. Jerguson), and one person abstaining (Mrs. Mumaugh), it was agreed to let this case wait until the end of the meeting to see if Mr. Jerguson would arrive.

**Mr. Elder made a motion to table the case until next month. Seconded by Chairman Hekman. Motion passed 3-0 (Mrs. Mumaugh abstained).**

Case #05-12-067V **Gloria Hernandez** requesting a variance to Article 5; Section 5.6, Accessory structures. The applicant is requesting a variance to allow an accessory structure to be 6' taller than the primary structures, which is only 16 feet tall. This property is located in Land Lot 969 of the 21<sup>st</sup> District and further described as Cherokee County Tax Map 21N11, Parcel(s) 117 & 118.

Jeff Watkins presented the case before the Board.

Public comment was closed for this case at the last meeting of the ZBA.

Mr. Watkins spoke about the outstanding building violations on the structure.

Mr. Taylor said he felt if they strictly looked at it from the issue of what the variance was asking for; he'd be inclined to pass it.

Discussion ensued about the line of sight and how high the building was.

**Mr. Elder made a motion to approve with the condition that there be no living quarters and that the structure is subject to all proper building codes.**

**Seconded by Chairman Hekman. Motion passed 4-0.**

### **New Cases**

Case #06-01-001V Lonnie Dunn requesting a variance to Article 5; Section 5.1. The applicant is requesting a variance to waive the buffer regulations for two spring heads. This property is located in Land Lot(s) 125 of the 14<sup>th</sup> District and further described as Cherokee County Tax Map, 14N12A, Parcel 112.

Jeff Watkins gave presented the case before the ZBA.

Lonnie Dunn represented the case.

No one spoke in favor or opposition.

Discussion ensued about the dangers of blocking up springheads on the property.

**Roy Taylor made a motion to deny the variance requested.**

**Seconded by Mr. Elder. Motion to deny passed 4-0.**

Case #06-01-002V Howard Brummel requesting a variance to Article 5; Accessory Structures. The applicant is requesting a variance to have an accessory structure larger than what is required in Land Lot(s) 863, 864 of the 2<sup>nd</sup> District and further described as Cherokee County Tax Map 02N04, Parcel 120.

Jeff Watkins presented this case before the ZBA.

Howard Brummel represented the case.

Keith Taylor spoke in favor of this variance.

Mrs. Mumaugh asked about the storage of the windows and building materials.

Mr. Brummel said it was strictly for storage, nothing else.

Chairman Hekman asked if the building would be behind the stand of trees on the property.

Mr. Brummel said that it would.

**Mr. Taylor made a motion to approve.**

**Seconded by Chairman Hekman. Motion passed 4-0.**

Case #06-01-003V Lifetime Properties, Inc. requesting a variance to Article 10, Table 10.1. The applicant is requesting a variance to reduce the required 50' perimeter buffer to a 25' planted buffer. This property is located in Land Lot 598 of the 15<sup>th</sup> District and further described as Cherokee County Tax Map 15N22, Part of Parcel 54.

Jeff Watkins presented the case before the Zoning Board of Appeals.

Mark Tagleir represented the case

David Hall spoke in favor of the case.

Mrs. Mumaugh asked when the trees were planted.

Mr. Tagleir said that it was July of 2005.

Discussion ensued about the spacing of the trees and what types were planted.

**Roy Taylor made a motion to approve the variance as requested. Amy Mumaugh seconded. Motion passed 4-0.**

Case #06-01-004V Lifetime Properties, Inc. requesting a variance to Article 10, Table 10.1. The applicant is requesting a variance to reduce the required 50' zoning buffer to a 5' zoning buffer. This property is located in Land Lot 595 of the 15<sup>th</sup> District and further described as Cherokee County Tax Map 15N22H, Parcel 001.

Jeff Watkins presented the case before the Zoning Board of Appeals.

Mark Tagleir represented the case.

No one spoke in favor or opposition.

Mr. Taylor asked about the detention pond setback. Mr. Tagleir said it was for drain fields so it was okey for a house to encroach in it.

**Mr. Elder made a motion to approve the variance as requested. Seconded by Mr. Taylor. Motion passed 4-0.**

Case #06-01-005V Douglas Haymore requesting an amendment to the Bridge Mill Master Plan. The applicant is requesting the required 10' side yard setback be reduced to a 6.7' side building setback. This property is located in Land Lot 65 of the 15<sup>th</sup> District and further described as Cherokee County tax Map 15N07H, Parcel 295.

Jeff Watkins presented the case before the Zoning Board of Appeals.

Douglas Haymore represented the case.

No one spoke in favor or opposition.

Mr. Taylor said he would change the wording of the request to an encroachment of the setback as opposed to a reduction in the setback line.

**Mr. Taylor made a motion to approve the variance as a 3.3 foot encroachment as built into the setback. Seconded by Chairman Hekman. Motion passed 4-0.**

Case #06-01-006V **The Webb Company** requesting a variance of the required 25' front building setback. The applicant is requesting a variance of 5.1' to reduce the front building setback to 19.9'. This property is located in Land Lot 1074 of the 15<sup>th</sup> District and further described as Cherokee County Tax Map 15N12D, Parcel 113.

Jeff Watkins presented the case before the Zoning Board of Appeals.

Benson Chambers represented the case.

No one spoke in favor or opposition.

**Chairman Hekman made a motion to approve the variance. Seconded by Mr. Taylor. Motion passed 4-0.**

Case #06-01-007V **W.S. Lathem** requesting a variance of the required 25' front building setback. The applicant is requesting a variance of 19' to reduce the front building setback to 6'. This property is located in Land Lot 1074 of the 15<sup>th</sup> District and further described as Cherokee County Tax Map 15N12D, Parcel 80.

Jeff Watkins presented the case before the Zoning Board of Appeals.

Benson Chambers represented the case.

No one spoke in favor or opposition.

**Mrs. Mumaugh made a motion to approve the variance. Seconded by Mr. Taylor. Motion passed 4-0.**

### **Other Items**

Meeting adjourned at 8:00 pm