

Cherokee County Zoning Board of Appeals
MINUTES
Thursday, August 7, 2008

The Cherokee County Zoning Board of Appeals held its regularly scheduled meeting on August 7, 2008 in the Jury Assembly Room of the Cherokee County Justice Center. In attendance for the Zoning Board of Appeals were Chairman Evert Hekman, Amy Dupree, Elizabeth Semler, Roy Taylor and Greg Elder. In attendance for Cherokee County Staff were Vicki Taylor Lee, Zoning Administrator and Vikki Chadwick, Senior Clerk.

New Cases

CASE #08-08-024V – Michael Mixon requesting a variance to Article 5, Section 5.6 of the Cherokee County Zoning Ordinance requiring a 10 foot building setback on the side and rear for accessory structures. Applicant is requesting a variance to encroach into the 10 foot setback by four (4) feet for a previously constructed shed. This property is located at 340 Knollwood Lane in Land Lot 1050 of the 15th District, 2nd Section and further described as Cherokee County Tax Map 15N29A, Parcel 127.

Vicki Taylor Lee presented the case.

Michael Mixon represented the case.

No one spoke in favor of the case.

Travis L. Pinson spoke in opposition.

Mr. Mixon spoke in rebuttal.

Mr. Hekman closed public comment.

Mr. Taylor made motion to approve with conditions.

- Screen length of both buildings starting with 6 foot trees along with the Cherokee County Arborists approval.
- Remove the two smaller buildings.
- Have all completed within 90 days as of August 7, 2008.

Mr. Elder seconded the motion.

Motion passed 5-0.

CASE #08-08-025V – Clearwire US, LLC requesting a variance to Article 7.7-27 regarding cell tower setbacks. Applicant is asking for relief of the 1:1 required tower setback for a 100 foot monopine style cell tower with corresponding ground equipment. This property is located at 3215 Trickum Road in Land Lot 1056 of the 15th District, 2nd Section and further described as Cherokee County Tax Map 15N23, Parcel 019F.

Vicki Taylor Lee presented the case.

Kiersten Lurer represented the case.

No one spoke in favor of the case.

No one spoke in opposition of the case.

Mr. Hekman closed public comment.

Mr. Taylor made motion to approve.

Mr. Elder seconded the motion.

Motion passed 5-0.

CASE #08-08-027V – Dugan Financing, LLC requesting a variance to Article 10, Table 10.1 requiring a 30 foot buffer between GC and LI zoning classifications. This is to allow buffer encroachment for truck court modifications. The property is located at 240 Northpoint Parkway in Land Lot 1234 of the 21st District, 2nd Section and further described as Cherokee County Tax Map 21N06, Parcel 005B.

Vicki Taylor Lee presented the case.

Chad Baker represented the case.

No one spoke in favor of the case.

No one spoke in opposition of the case.

Mr. Hekman closed public comment.

Mr. Hekman made motion to approve.

Mr. Taylor seconded the motion.

Motion passed 5-0.

CASE #08-08-028V – DIRK RUSSELL requesting a variance to Article 7, Section 7.5-3.3 e and Article 10, Table 10.1 of the Cherokee Zoning Ordinance and Chapter 4, Section 4.11 of the Development Regulations. The applicant is requesting to encroach into the 30 foot zoning buffers by 15 feet, to encroach into the 10 foot landscape strip by 5 feet and into the 150 foot deceleration lane by 18 feet. The property is located at 10587 East Cherokee Drive in Land Lot 851 of the 3rd District, 2nd Section and further described as Cherokee County Tax Map 03N10, Parcel 108.

Vicki Taylor Lee presented the case.

Dirk Russell and Brad Howard represented the case.

No one spoke in favor of the case.

No one spoke in opposition of the case.

Mr. Hekman closed public comment.

Mr. Elder made motion to approve with conditions.

- The tangent point for the entrance radii must be located a minimum of 20 feet from the property line.
- The future right-of-way that must be dedicated along this roadway is 50' from the centerline of East Cherokee Drive (Major Collector). Currently they show approximately 30' to the existing right-of-way.
- The wording they are requesting for the reduction in deceleration lane isn't worded properly and would need to be revised so that the correct dimensions are requested.

Mr. Hekman seconded the motion.

Motion passed 5-0.

****LETTER SENT TO MR. DIRK RUSSELL ATTACHED****

OTHER ITEMS

Approval of June Minutes

Approval of July Minutes

Meeting Adjourned 7:25 P.M.

September 2, 2008

Mr. Dirk Russell
217 Cedarhurst Drive
Canton, GA 30115

REVISED LETTER TO CLARIFY DETAILS OF VARIANCE

Re: Case #08-08-028V– Dirk Russell requesting a variance to Article 7, Section 7.5-3.3 e and Article 10, Table 10.1 of the Cherokee Zoning Ordinance and Chapter 4, Section 4.11 of the Development Regulations. The applicant is requesting to encroach into the 30 foot zoning buffers by 15 feet, to encroach into the 10 foot landscape strip by 5 feet and to reduce the length of the deceleration lane to 18 feet. The property is located at 10587 East Cherokee Drive in Land Lot 851 of the 3rd District, 2nd Section and further Described as Cherokee County Tax Map 03N10, Parcel 108.

Dear Applicant:

This letter will serve as a written approval of your request described above. This request was approved by the Cherokee County Zoning Board of Appeals on August 7, 2008.

If you have any questions or need additional information please contact our office at 678-493-6101.

Respectfully,

Vicki Taylor Lee, AICP
Zoning Administrator

VTL:kld

Cc: Glenda Casteel – Building Department
Geoff Morton – Engineering
File

