

Cherokee County Zoning Board of Appeals
Public Hearing Minutes
Thursday, July 11, 2013
6:30 p.m.

Approved 9/5/2013

The Cherokee County Zoning Board of Appeals held its regularly scheduled meeting on Thursday, June 6, 2013 in Cherokee Hall of the Cherokee County Administration Building. In attendance for the Zoning Board of Appeals were Chairman Elizabeth Semler, Cynthia Castello, Bill Dewrell and Melissa Range. Roy Taylor was not in attendance. In attendance for Cherokee County Staff were Vicki Taylor Lee, Zoning Administrator and Paul Frickey, County Attorney.

The meeting was called to order at 6:40 p.m.

Case #13-06-013V Piedmont Capital Partners, LLC requesting a variance to Article 7, Table 7.1A Minimum District Development Standards. The applicant is requesting a variance to reduce the side building setbacks from 50 feet to 30 feet for all 13 lots in Ashley Hall Subdivision and also requesting to reduce the front building setbacks from 50 feet to 30 feet on Lots 5, 8, 10, 11 and 12. These properties are located at Rowe Road and Ashley Hall Court in Land Lot 566 of the 2nd District and further described as Cherokee County Tax Map 02N08, Parcel 210-222.

Ms. Lee presented this case. Ms. Lee discussed staff comments, location of property, gave adjacent zoning and noted she has received no letters of support or opposition. Ms. Lee stated the subdivision plat recently had a revision to combine lots 6 and 7.

Jeff Pittman with Piedmont Capital Partners, LLC; Ashley Holcomb, Engineer/Surveyor and David Chatham, Contractor represented this case.

Ashley Holcomb stated the topography for this property is not extreme but does cause a few problems with development. Mr. Holcomb stated he didn't get all of staff comments regarding the lots so feels like the best way is to discuss each lot and setbacks individually.

Ms. Lee came forward to discuss. Ms. Lee stated they are requesting a 20 foot front building setback variance for Lots 5, 8, 10, 11 and 12. She stated she supports the front building setback variance for Lots 5 and 8 due to the topography and stream bank buffers, however, not for Lots 10, 11 and 12.

Mr. Holcomb stated if they can get the reduction in the side setback for Lot 12 they should be okay to meet the front building setback. He stated one of the reasons for the reductions is the soils and not wanting to push the houses to the back of the lots so they can accommodate other features. Mr. Holcomb stated they would like to obtain the flexibility to bring the houses forward to have a nice curb appeal, protect the soil areas, the trees and to further expand the amenities.

Ms. Castello asked what is the price ranges going to be for these homes. Mr. Pittman stated they were pleasantly surprised in the response they have had so far. He stated they originally anticipated between a range of \$400,000 and \$500,000. He stated however, most of the interest

has been at that price and well above. He also stated he received a letter from the owners of the two lots that were combined, mentioned by staff earlier, in full support of the requests and their home will be between the \$750,000 and \$800,000 range and will have a pool. He stated these lots have a good bit of topography with the property falling in the front and again at the back.

Mr. Holcomb stated they would still like to reduce the front setbacks on Lots 5, 8, 10 and 11 with adhering to the 50 foot front setback on Lot 12 as long as they can get a reduction on the side building setback for this lot.

Further discussion ensued regarding the side and front building setback reductions.

Ms. Semler asked if there was anyone to speak in support or opposition. There being none, she closed the public hearing.

Chairman Semler made a motion to grant a reduction to a 30 foot side building setback on Lots 1, 2, 5, 7, 8, 9, 10 and 12 on one side only; to grant a reduction to a 30 foot side building setback on both sides of Lots 3, 4, 11 and 13 with no reduction in building setback along Rowe Road; a reduction to a 30 foot front building setback on Lots 5, 8, 10 and 11 and up to a 10 foot reduction in the front building setback for Lot 12 contingent on meeting the required minimum lot width at the front building line. Seconded by Mr. Dewrell. Unanimous approval.

Ms. Semler stated since Mr. Taylor is absent they would discuss the Rules and Procedures at a later time and asked the Board to forward any comments to Ms. Lee for review.

The last item on the agenda was the approval of June 6, 2013 Minutes. Ms. Semler made a motion to approve. Seconded by Mr. Dewrell. Unanimous approval.

Ms. Castello made a motion to adjourn. Seconded by Mr. Dewrell. Unanimous approval. The meeting adjourned at 7:22 p.m.