

**Cherokee County Zoning Board of Appeals
Public Hearing Minutes
Thursday, July 7, 2016
6:30 p.m.**

The Cherokee County Zoning Board of Appeals held its regular public hearing on Thursday, July 7, 2016 in Cherokee Hall of the Cherokee County Administration Building. In attendance for the Zoning Board of Appeals were Chairman Melissa Range, Elizabeth Semler, Cindy Castello and Bill Dewrell. Marla Doss arrived after the first case. In attendance for Cherokee County Staff were Vicki Taylor Lee, Zoning Administrator, Tamala Davis, Planning Technician, and Paul Frickey, County Attorney.

The meeting was called to order at 6:30 p.m.

New Cases

Case #16-07-024V Thomas Ingram (Case #16-07-024V) requesting a variance to rear setbacks per Old Article 8-PUD, Section 8.5-2 - Plan. The applicant is requesting a variance to reduce rear setback building from 30' to 20' so a 9x30 screen room can be built on the rear of the home. The property is located at 223 Park Creek Drive in Land Lot 501 of the 2nd District and further described as Cherokee County Tax Map 02N03B, Parcel 012.

Vicki Lee presented this case. Ms. Lee discussed location of property, surrounding zoning and staff comments. She stated she has received no letters in support of or in opposition to this application.

Thomas Ingram represented this case. Mr. Ingram stated he would like to build a screen room on the back of the home.

There was no one to speak in support of or in opposition to this application. Ms. Range closed public comment.

Ms. Semler made a motion to approve. Seconded by Ms. Range. Motion passed 4 – 0.

Case #16-07-025V Robby Westbrook (Case #16-07-025V) requesting a variance to Article 7, Table 7.1A of the Zoning Ordinance to allow a farm outbuilding to be located 22 feet from the right-of-way, requiring a 28 foot variance to the 50 feet minimum front building setback. The property is located at 1645 Mineral Springs Road in Land Lots 3, 4, 5, 6, 67, 68, 69, 70 and 76 of the 3rd District, Land Lots 340 and 341 of the 4th District and further described as Cherokee County Tax Map 03N01, Parcel 120.

Vicki Lee presented this case. Ms. Lee discussed location of property, surrounding zoning and staff comments. She stated she has received no letters in support of or in opposition to this application.

Robby Westbrook represented this case. Mr. Westbrook stated he has made some dramatic improvements to this property. He stated this is a rural area and due to the topography is the reason for this variance request.

There was no one to speak in support of or in opposition to this application. Ms. Range closed public comment.

Ms. Semler made a motion to approve. Seconded by Ms. Castello. Motion passed 5 – 0.

Case #16-07-026V Yanmar America Corporation (Case #16-07-026V) requesting a variance to Table 11.1 to allow a 155 square foot wall sign on the training center building instead of the 30 square foot allowed, Article 16.1.5.B to increase the maximum building height on the site to not exceed 80 feet, Article 16.1.5.C.1(b) to remove the requirement for installing a 3 rail fence on property, Article 16.1.5.1.(c) to allow organic grouping of trees in right-of-way instead of 40 feet on center, Article 16.1.5.C.3 from the architecture requirements to allow buildings consistent with those shown on the master plan and renderings, Article 16.1.5.C.4 from the building materials requirements to allow buildings consistent with those shown on the master plan and renderings, and Article 16.1.5.C.5(b) to allow simple instead of detailed parapets to match the character as shown on the master plan and renderings. The property is located at 2737 Highway 92 and 5889 Highway 92 in Land Lot 1102 of the 21st District and further described as Cherokee County Tax Map 21N06, Parcels 141, 141D and 141J.

Vicki Lee presented this case. Ms. Lee discussed location of property, surrounding zoning and staff comments. She stated she has received one letter in support of this application from Cherokee County Office of Economic Development.

Anthony Iorillo, Project Manager for Croft Associates represented this case. He stated they are asking for these variances to keep Yanmar's brand, identity and corporate design.

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

Jade Mauldin spoke in opposition. Ms. Mauldin discussed her concerns with the increase in traffic, the height of building, location of driveway, and asked if they would be bringing sewer to this site.

Ms. Castello asked is there not businesses already on this road. Ms. Mauldin stated no, it is residential at this area.

Ms. Semler stated this property falls within the Highway 92 Overlay and is already allowed certain commercial uses.

Mr. Iorillo spoke in rebuttal. He stated they do not expect to have any major deliveries or traffic. He stated the building will have four (4) stories and will be bringing sewer to this site. Mr. Iorillo stated there is development and growth in this area.

Ms. Range closed public comment.

Ms. Castello made a motion to approve as submitted. Seconded by Mr. Dewrell. Motion passed 5 – 0.

Case #16-07-027V John C. Ball (Case #16-07-027V) requesting a variance to Article 5, Section 5.6 A, Location on Lot of the Zoning Ordinance to allow a covered horse arena in front of an existing house. The property is located at 400 Henson Way in Land Lots 1150, 1151, 1154 and 1155 of the 3rd District and further described as Cherokee County Tax Map 03N06, Parcel 037.

Vicki Lee presented this case. Ms. Lee discussed location of property, surrounding zoning and staff comments. She stated she has received no letters in support of or in opposition to this application.

John Ball represented this case. Mr. Ball stated they have a horse barn for training and due to the topography they did not have a better location for this covered arena.

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

Ms. Range closed public comment.

Ms. Semler made a motion to approve. Seconded by Ms. Range. Motion passed 5 – 0.

Case #16-07-028V Martha F. & Willie O. Shaw, III (Case #16-07-028V) requesting a variance to Article 10, Table 10.1 of the Zoning Ordinance to allow a reduction in the 35 foot zoning buffer along the rear property line to a 10 foot vegetated buffer. The property is located at 7035 Main Street in Land Lot 849 of the 15th District and further described as Cherokee County Tax Map 15N16, Parcel 052A.

Vicki Lee presented this case. Ms. Lee discussed location of property, surrounding zoning and staff comments. She stated she has received no letters in support of or in opposition to this application.

Martha Shaw represented this case. Ms. Shaw states they are proposing a 4,500 square foot building and stated behind them is J. J. Biello Park owned by Corps of Engineers.

There was no one to speak in support of or in opposition to this request. Ms. Range closed public comment.

Mr. Dewrell made a motion to approve with the condition to keep a 10 foot vegetated buffer to County standards. Seconded by Ms. Semler. Motion passed 5 – 0.

Other Items

Ms. Semler made a motion to approve June 2, 2016 Minutes. Seconded by Ms. Range. Motion passed 5 – 0.

Ms. Semler made a motion to adjourn. Seconded by Ms. Range. Motion passed 5 – 0. The meeting adjourned at 7:15 p.m.