

**Cherokee County Zoning Board of Appeals
Public Hearing Minutes
Thursday, February 1, 2018
6:30 p.m.**

The Cherokee County Zoning Board of Appeals held its regular public hearing on Thursday, February 1, 2018 in Cherokee Hall of the Cherokee County Administration Building. In attendance for the Zoning Board of Appeals were Chairman Lisa Tressler, Elizabeth Semler, Melissa Range, Marla Doss and Cindy Castello. In attendance for Cherokee County Staff were Michael Chapman, Planner; Rhonda Hilliard, Executive Assistant and Paul Frickey, County Attorney.

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

Old Cases

Case #18-01-003V Thomas and Diane Coleman at 708 Founders Court East requesting a variance to Article 23 of the Cherokee County Zoning Ordinance. The applicant is requesting a variance to allow a 20 foot encroachment into the 35 foot front building setback. The property is located in Land Lot 118 of the 2nd District and further described as Cherokee County Tax Map 02N12, Parcel 216.

Michael Chapman presented the case. Mr. Chapman discussed location of property, surrounding zoning, location of room addition and staff comments. He discussed the restrictions on the lot and stated staff has no objection to this variance request. Mr. Chapman stated we have received no letters in opposition to this application and two (2) letters in support.

Ryan Coleman represented the case. Mr. Coleman stated he had no further information to add.

There was no one present to speak in favor of or in opposition to the application.

Ms. Tressler closed public comment.

Ms. Semler stated she feels there is a hardship with this lot having two (2) road frontages.

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

New Cases

Case #18-02-004V Anchor Sign at 2243 Cumming Highway requesting a variance to Article 11, Table 11.1 District Requirements for Permanent Signs to allow an additional 65.36 square feet of copy area for a total of 189.36 square feet of copy area for the wall sign. The property is located in Land Lot 0239 of the 14th District and further described as Cherokee County Tax Map 14N23A, Parcel 022.

Michael Chapman presented the case. Mr. Chapman discussed location of property, surrounding zoning and staff comments. He stated we have received no letters in support of or in opposition to this application. Mr. Chapman stated staff has no objection to this request.

Matthew Briggs represented this case. Mr. Briggs stated the variance request is due to the topography and location of the building.

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

Ms. Castello made a motion to approve this application as requested. Seconded by Ms. Doss. Motion passed 5-0.

Case #18-02-005V Illuminated Sign Images, Inc. at 6770 Hickory Flat Highway requesting a variance to Article 11, Section 11.4 Definitions (Monument Style) to eliminate the copy area from being framed on a free standing sign. The applicant also requests a variance to Article 11, Section 11.6 Permitted Signs by Type and Zoning District to allow one additional wall sign for a total of four (4) signs. The property is located in Land Lot 0360 of the 2nd District and further described as Cherokee County Tax Map 02N02, Parcel 041C.

Michael Chapman presented the case. Mr. Chapman discussed location of property, surrounding zoning and staff comments. He said the application stated they are requesting an additional wall sign and a variance to the required material of monument surrounding the sign. Mr. Chapman stated the applicant has informed him he no longer wants to pursue the variance request for the monument sign. He stated staff has no objection to the additional wall sign.

John Reynolds represented this case. Mr. Reynolds stated they are requesting the additional sign to help direct customers where to go for type of service. Mr. Reynolds stated he is dropping the request regarding the monument sign and will meet the current sign regulations.

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

Ms. Tressler closed public comment.

Ms. Tressler made a motion to approve one (1) additional wall sign with no increase in square footage for wall sign. Seconded by Ms. Semler. Motion passed 5-0.

Case #18-02-006V b+c Studio at 4967 Fincher Road requesting a variance to Article 11, Section 11.6-3 Development Entrances to allow a tower style sign instead of a monument style sign and to allow the sign to be twenty (20) feet in height instead of the maximum height of ten (10) feet. The property is located in Land Lots 0162 and 0163 of the 22nd District and further described as Cherokee County Tax Map 14N03, Parcel 003.

Michael Chapman presented the case. Mr. Chapman discussed location of property, surrounding zoning and staff comments. Mr. Chapman stated we have received one (1) letter in support and one (1) letter in opposition. He stated staff has no objection to this variance request. He stated currently Lake Arrowhead has a monument sign on each side of the entrance and would like to extend the height of one (1) of these signs to a tower style sign with a maximum height of twenty (20) feet.

Paul Frickey stated the sign appears to be double-sided and is not clear if a variance request would be required for this to be two-sided. Mr. Chapman stated the height was all that was advertised and he would need to check regulations further as it relates to allowance of double-sided sign.

Joel Bowman represented this case. Mr. Bowman stated they have over 1300 residents in Lake Arrowhead with plans for enlargement. He stated as a community gets older there needs to be upgrades and stated the current entrance is very outdated. Mr. Bowman stated they will put in new landscaping as shown on the plans and would like to propose a tower style feature to draw attention to people passing through.

There was no one present to speak in favor of this application.

Jon Lewis spoke in opposition. Mr. Lewis stated he is speaking on behalf of several elderly people who could not attend consisting of 15 property owners. Mr. Lewis stated he is the manager for Fincher Road Properties which is the adjacent property and lease the area for Lake Arrowhead. He stated they

have no objection to updating the sign however they do have an objection to the height. He stated this goes against the zoning regulations. He stated he has letters from three (3) of the four (4) acting deacons of the church that are in opposition, as well as 14 letters from the members of the church in opposition. He stated they have concerns with not being able to see the church with the height of the proposed sign and feels this will impact the church. Mr. Lewis stated he can provide the lease agreement and can also provide a letter from 2000 where they are voiding their lease by not doing all the upgrades they were supposed to do.

Joel Bowman spoke in rebuttal. Mr. Bowman stated from either direction you would be able to see this sign and know there is an entrance.

Ms. Tressler closed public comment.

Ms. Semler stated she is confused and asked if the Pastor has the authority to give permission.

Mr. Frickey stated it depends on the church and without further documentation from the church, he would not know.

Mr. Lewis stated they do have to have a quorum, however the meeting should have been tabled due to the real estate issue.

Steve Roe, General Manager for Lake Arrowhead stated the letter he provided from the Pastor states the plans were shown and discussed at length with the deacons and per our constitution by-laws taken before the congregation at their monthly conference business meeting held in December 2017. He stated it was approved unanimously.

Ms. Doss asked Mr. Roe what is the hardship as to why to grant this variance. Mr. Rowe stated economics, hard to see current sign and a lot of traffic not familiar with the area.

Mr. Frickey stated he would feel more comfortable if we could get documentation from the church suggesting their consent in that there was an appropriate decision made to pursue this. He stated this would include the constitution and the by-laws along with the minutes that show approval in going forward with this application.

Ms. Range made a motion to table this case until March 1, 2018. Seconded by Ms. Tressler. Motion passed 5-0.

Approval of Minutes

Ms. Tressler made a motion to approve the January 4, 2018 Minutes with one (1) correction that Vice Chairman nominated was Ms. Semler not Ms. Range. Seconded by Ms. Doss. Motion passed 5-0.

Other Items

Ms. Tressler made a motion to approve the 2018 ZBA Public Hearing Calendar with the July meeting being moved from July 5th to July 12th and all deadlines be adjusted by one (1) week. Seconded by Range. Motion passed 5-0.

Ms. Tressler made a motion to adjourn. Seconded by Ms. Castello. Motion passed 5-0. The meeting adjourned at 7:19 p.m.