

**Cherokee County Zoning Board of Appeals
Public Hearing Agenda
Thursday, April 5, 2018
6:30 p.m.**

The Cherokee County Zoning Board of Appeals held its regular public hearing on Thursday, April 5, 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; Tamala Davis, Planning Technician; Jeff Watkins, Community Development Agency Director and Paul Frickey, County Attorney.

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

New Cases

Case #18-04-011V Justin and Virginia Wasilkowski at 1828 Kellogg Creek Road requesting a variance to Article 5, Section 5.6 – Accessory Uses and Structures to allow an accessory building (barn) within the front yard area. In addition, a variance to Article 5, Table 5.4 – Accessory Structure Standards to allow two (2) additional accessory structures for a total of three (3). RD-3 allows for one (1) accessory structure. The property is located in Land Lots 834 and 895 of the 21st District and further described as Cherokee County Tax Map 21N10, Parcel 013.

Michael Chapman presented this case. Mr. Chapman discussed location of property, surrounding zoning and staff comments. He stated we have not received any letters in opposition or support of this request.

Justin Wasilkowski represented this case. Mr. Wasilkowski stated the property was part of a larger development and horses were located on the property. He said due to the property being developed all around them the home was constructed at the rear of the property and the only good location for the barn is within the front yard.

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

Ms. Tressler closed public comment.

Ms. Castello asked Mr. Wasilkowski if this is a business. Mr. Wasilkowski stated no, his wife does horse rescue work and some training. He stated she is looking to do coaching in the future.

Ms. Castello asked if there are shelters to the left of the property. Mr. Wasilkowski stated yes, he has temporary shelters located on his property until he can get the barn built.

Ms. Castello asked Mr. Wasilkowski if he could move the location for the proposed barn to the location of the temporary shelters. Mr. Wasilkowski stated he would have needed a variance to the 75 foot setback.

Ms. Doss asked Mr. Wasilkowski if he would be boarding horses. Mr. Wasilkowski stated he is allowed four (4). Ms. Doss stated you are not allowed a commercial business in an RD3 zoning. Ms. Doss asked if he has thought of rezoning the property. He said yes, he had discussed this with the Administrator, however he was told he would still need a variance.

Mr. Chapman stated if he rezoned the property to AG (Agricultural) then the barn would be allowed in the front yard however would still need to meet the 75 feet setback requirements.

Ms. Doss stated you could board horses on the property also if zoned AG.

Ms. Semler stated she feels like the applicant does need to apply to rezone the property to either AG or R-40.

Ms. Tressler made a motion to postpone this application until next month for the applicant to pursue a rezone application if he so desires. Seconded by Ms. Range. Motion passed 5-0.

Case #18-04-013V Domingo Aguilar at 242 Univeter Court requesting a variance to Article 7, Table 7.1A – Minimum District Development Standards to encroach five (5) feet into the required fifty (50) foot front setback and twenty (20) feet into the required twenty-five (25) foot side setback for a building addition. The property is located in Land Lots 127 and 128 of the 15th District and further described as Cherokee County Tax Map 15N13, Parcel 090.

Michael Chapman presented this case. Mr. Chapman discussed location of property, surrounding zoning and staff comments. He stated we have not received any letter in opposition or support of the request.

Domingo Aguilar and Ms. Gonzalez represented this case. Ms. Gonzalez stated her dad is applying for this variance to have a place to put his items in so they are not left outside.

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

Ms. Tressler closed public comments.

Ms. Tressler asked staff to clarify if the structure with the roof that is on the property line was built sometime between 2009 and 2012 and the applicant is wanting to build in front of this. Mr. Chapman stated yes.

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

Case #18-04-014V pb2 architecture + engineering at 6435 Bells Ferry Road requesting a variance to Article 11, Table 11.1 District Requirements for Permanent Signs to allow 4 new wall signs for a total of 10 wall signs. The applicant is requesting additional variances for three of the wall signs as follows: Sign 1: The applicant is requesting a variance to allow an additional 11.01 square feet of allowable wall sign area for a total of 65.43 square feet and a total height of 4' – 5 1/2". Sign 2: The applicant is requesting a variance to allow an additional 3.72 square feet of allowable wall sign area for a total of 41.05 square feet. Sign 3: The applicant is requesting a variance to allow an additional 24.43 square feet of allowable wall sign area for a total of 58.35 square feet. The property is located in Land Lots 971 and 972 of the 21st District and further described as Cherokee County Tax Map 15N05, Parcel 003.

Michael Chapman presented this case. Mr. Chapman discussed location of property, surrounding zoning and staff comments. He stated we have not received any letters in support or in opposition to this request. Mr. Chapman presented sign drawings of the signage currently at this location and the signage they are proposing.

Jim Gallagher represented this case. Mr. Gallagher stated this is a very large site with a very large building. He stated there are two (2) groups of signage for a Walmart store and the first is the actual name and the other signs are directional to inform the public where to go for the items they need.

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

Ms. Tressler closed public comment.

Ms. Castello stated she shops at Walmart frequently and asked why the signage for Pharmacy and Grocery is together when actually they are on opposite ends.

Mr. Gallagher stated this must be a typo in the plans. He stated these should say Home and Pharmacy at one end and Grocery at the other end.

Mr. Frickey stated to the Board that they are to look at the size and the location of the sign, not the content.

Ms. Range made a motion to approve as presented. Seconded by Ms. Doss. Motion passed 5-0.

Approval of Minutes

Ms. Semler made a motion to approve the March 1, 2018 Minutes. Seconded by Ms. Castello. Motion passed 5-0.

Ms. Tressler made a motion to adjourn. Seconded by Ms. Semler. Motion passed 5-0. The meeting adjourned at 7:36 p.m.