



CHEROKEE COUNTY PLANNING COMMISSION

PUBLIC HEARING MINUTES

Approved 11-5-2019

October 1, 2019 – 7:00 PM
Cherokee County Administration Building
Cherokee Hall

The Cherokee County Planning Commission held its regularly scheduled public hearing on Tuesday, October 1, 2019 in Cherokee Hall at the Cherokee County Administration Building. Planning Commission members present were Tom Ware, Ken Smith, Dr. Rick Whiteside, Lisa Tressler, Richard Weatherby, Tom Hill, Bob Whitaker, Marla Doss, and Scott Barnes. In attendance for Cherokee County Planning Staff were Jeff Watkins, Planning and Zoning Director; Michael Chapman, Zoning Manager, Tamala Davis, Planning Technician; and Thomas Trawick, Planner.

The meeting was called to order at 7:26 p.m.

Mr. Whitaker stated he would like to recognize Scott Barnes, Representative for Ball Ground who is attending his last Planning Commission meeting tonight and thanked him for his service to the Board and the citizens of the County.

Case #19-04-004S Gary R. Bagley and Christi C. Bagley (BOC Dist. 1)

Applicant is requesting a special use permit to allow internet truck sales at 11911 Cumming Highway.

Michael Chapman stated the applicant has requested this case be postponed.

William Hansard of Lipscomb, Johnson, Sleister, Dailey & Smith, LLP stated the rezone request was postponed by the Board of Commissioners at their meeting earlier tonight and he requests the Special Use Permit be postponed also until the November 5, 2019 Public Hearing.

Mr. Whitaker made a motion to postpone this case until next month. Seconded by Dr. Whiteside. Motion passed 9-0.

Case #19-10-022 C.V. Dinsmore, Jr. (BOC Dist. 2)

Applicant is requesting to rezone 1.133 acres at 8058 Hickory Flat Highway from OI to R-40 for single family residential uses.

Michael Chapman presented the case. Mr. Chapman discussed current zoning, surrounding uses, land use compliance, economic use as currently zoned, and department comments.

C.V. Dinsmore represented this case. Mr. Dinsmore stated this property was rezoned to OI in 2018 and at the time of the rezoning they had a potential buyer. He stated the buyer had to move immediately and they lost the contract. He stated everyone since that has been interested in the property would like for residential purposes and that is the reason they are requesting this property be zoned back to residential. He stated this property is not in a subdivision and has a ranch style home.

Mr. Ware asked the applicant if he has a contract on the property currently. Mr. Dinsmore stated, yes they do have a contract pending.

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

Mr. Whitaker closed public comment.

Mr. Ware made a motion to recommend approval. Seconded by Mr. Weatherby. Motion passed 9-0.

Case #19-10-008S Bill Holt Motors (BOC Dist. 4)

Applicant is requesting a special use permit in a GC zoning district located at 6569 Highway 92 to allow used vehicle sales.

Michael Chapman presented the case. Mr. Chapman discussed current zoning, surrounding uses, land use compliance, economic use as currently zoned, and department comments.

Kenny Warren represented this case. Mr. Warren stated they would like to have used vehicle sales at this location.

Dr. Whiteside asked the applicant what improvements to the property do they intend to make if any. Mr. Warren stated they do plan to paint and have signage. He stated the tanks belong to the property owner and they will remain, Bill Holt is leasing the property. Dr. Whiteside asked how many vehicles would be located on the property at one time. Mr. Warren stated 20 to 25 vehicles.

Mr. Barnes asked on the aesthetics, if they will be painting the building something other than the bright yellow. Mr. Warren stated he has not spoken with Mr. Holt on exactly what he wants to do and will depend on what the County will allow him to do as it relates to signage. He stated they would want something bright for them to stand out from the other used vehicle sale dealers in the area.

Mr. Ware asked staff is the horizontal sign on the canopy in compliance with the County. Mr. Chapman stated, no. Mr. Ware asked how this would be remedied. Mr. Whitaker stated it could be painted over. Mr. Ware asked Mr. Warren if he plans to leave the sign. Mr. Warren stated it would depend on what would be allowed. Mr. Warren stated they will do whatever they need to do to come into compliance. Mr. Whitaker stated this is something that could be added as a condition.

Ms. Doss asked staff will this special use permit be limited to only Bill Holt. Mr. Chapman stated that is up to the Board.

Mr. Whitaker stated they have added this as a condition in the past.

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

Mr. Whitaker closed public comment.

Mr. Weatherby made a recommendation to approve the application with conditions. Seconded by Mr. Smith. Mr. Whitaker read the conditions:

- 1) The Special Use Permit granted herein shall be limited to Bill Holt Motors and shall not be transferable. The Special Use Permit shall run concurrent with the Occupation Tax Certificate granted to Bill Holt Motors at 6569 Highway 92, Acworth, Georgia 30102.
- 2) All existing signage shall be brought into compliance with County Ordinance. New free standing signs shall be limited to a copy area of sixty-four (64) square feet and shall be monument style constructed of brick, stone, stucco or a combination of these materials. They shall have a maximum height of ten (10) feet.
- 3) A maximum of two (2) wall signs shall be allowed for the existing building. The allowable sign area shall be limited to one (1) square foot of copy area per (1) lineal foot of wall. Wall sign(s) shall not exceed three (3) feet in height.
- 4) No banners, wind-activated devices, streamers, tethered balloons or other inflatable signs or figures shall be permitted on the property.
- 5) No signs shall be permitted which are installed in or affixed to walls, structures or other objects in the right-of-way.
- 6) Any new structures or building additions shall use façade materials and colors similar to the modified existing building on the property.

Dr. Whiteside asked if they would consider adding a condition to remove the pumps and clean up the site. Mr. Barnes stated how would that work since he leases the property and is not the property owner.

Dr. Whiteside asked would they consider adding a condition to state a maximum of 25 vehicles for sale on site. Mr. Weatherby and Mr. Smith agreed to add this as a condition. Motion passed 9-0.

Mr. Ware made a motion to approve the September 5, 2019 Public Hearing Minutes. Seconded by Mr. Weatherby. Motion passed 9-0.

Mr. Barnes made a motion to approve the September 16, 2019 Work Session Minutes. Seconded by Dr. Whiteside. Motion passed 9-0.

Mr. Chapman reminded the Planning Commission of their next work session on October 21, 2019.

Mr. Weatherby made a motion to adjourn. Seconded by Dr. Whiteside. The meeting adjourned at 8:05 p.m.