



CHEROKEE COUNTY PLANNING COMMISSION

PUBLIC HEARING MINUTES

Approved 12-3-2019

November 5, 2019 – 7:00 PM
Cherokee County Administration Building
Cherokee Hall

The Cherokee County Planning Commission held its regularly scheduled public hearing on Tuesday, November 5, 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, and Marla Doss. In attendance for Cherokee County Planning Staff were Jeff Watkins, Director of Planning and Zoning; Michael Chapman, Zoning Manager; and Tamala Davis, Planning Technician.

The meeting was called to order at 7:25 p.m.

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 Board of Commissioners denied the zoning request to GC (General Commercial) and approved NC (Neighborhood Commercial) with conditions which does not allow auto sales as a permitted use.

Mr. Weatherby made a motion to recommend denial of this Special Use Permit application. Seconded by Ms. Doss. Motion passed 8-0.

Case #19-10-023 B&B Outdoors, Inc. (BOC Dist. 1)

Applicant is requesting to rezone 0.94 acres at 2196 Reinhardt College Parkway from R-40 to GC for retail sales and indoor shooting and training center. Applicant is also requesting a concurrent variance to remove the required ten (10) foot building setback on the east side of the existing property line and also requests to remove the minimum six (6) foot wide landscape strip along the existing east side of the property line.

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

Robert and Tristan Francis represented this case. Robert Francis stated they moved their business to Cherokee County in August 2018. He stated they own the property next to this acreage and would like to have a shared parking area which is the reason for their variance requests. He stated if approved, this will add 15 additional jobs that will be available once they are at full staff.

Dr. Whiteside asked if they have considered doing a noise analysis. Mr. Francis stated he did do a noise analysis and provided the results to the Board.

Mr. Ware asked how close would he have to be to this building to hear the firing going on inside. Mr. Francis stated you could have a conversation like they are having right now on the outside of the building.

Mr. Smith asked would the sound system be similar to what Hi Caliber gun range uses. Mr. Francis stated, no similar it would be similar to Big Woods Goods range. He stated he feels it is a much better system than Hi Caliber.

Mr. Smith asked would local law enforcement use this facility. Mr. Francis stated they hope so. He stated they do discounts for law enforcement, military and fire departments.

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

Mr. Whitaker closed public comment.

Mr. Weatherby made a motion to recommend approval of General Commercial (GC) zoning and approval of the variance requests. Seconded by Mr. Smith. Motion passed 8-0.

Case #19-11-024 SK Commercial Realty (BOC Dist. 4)

Applicant is requesting to rezone 15.457 +/- acres from R-40 to LI for industrial uses. The applicant is also requesting concurrent variances from the parking standards and to allow parking in the front of the building.

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

Keith Guthrie represented this case. Mr. Guthrie stated this application is in compliance with the Bells Ferry Overlay other than the parking. He stated he feels this development will help serve this area.

Mr. Whitaker stated Old Mackey Road is a county road. Mr. Guthrie stated it is not a county road. Mr. Whitaker stated the County Engineer informed him it was a county maintained road. Mr. Guthrie stated they have not been able to find any deeds or any right of way given. He stated they are treating this as a perpetual easement and in meetings with staff he was informed it was not a county road.

Mr. Whitaker stated if it's going to be a county road then you just need to coordinate with the county and work out any issues with additional right of way.

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

Mr. Whitaker closed public comment.

Dr. Whiteside made a motion to recommend approval of Light Industrial (LI) zoning and approval of the variance requests. Seconded by Mr. Weatherby. Motion passed 8-0.

Case #19-11-025 Blanca Delgado (BOC Dist. 3)

Applicant is requesting to rezone 4.86 acres at 2671 Upper Sweetwater Trail from AG to R-40 for 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.

Blanca Delgado represented this case. Ms. Delgado stated they plan to add two (2) additional lots.

Mr. Ware asked if these lots will be for family members. Ms. Delgado stated yes and will not be sold.

Mr. Ware asked what style of homes are they planning to build. Ms. Delgado stated it will be a small home on one of the lots and they are wanting the other lot to build in the future.

Mr. Ware asked if the existing home on the property is a mobile home. Ms. Delgado stated yes and that it was a single-wide.

Mr. Whitaker stated if the property is zoned R-40, a single-wide trailer is not allowed. Ms. Delgado stated she was not aware of this regulation.

There was no one present to speak in support of this request.

Michael McGwier spoke in opposition. Mr. McGwier stated he was representing neighbors in the area and provided some documents to the Board. He stated their concerns with this application not being in compliance with the land use plan, not within character of the area and concerns with a legacy lot.

Kenny Mitchell spoke in opposition. Mr. Mitchell stated he is an adjoining neighbor and has concerns with the creek, the well, the septic system located on the property not being adequate, a building within the easement and a commercial food service business being located on property.

Ms. Delgado spoke in rebuttal. She stated none of the property is being used for commercial use and that they have no issues with removing the building and the mobile home. She stated she tried to apply for a legacy lot, but was informed they could not.

Mr. Weatherby stated he cannot support this application and it does not fit within the character area.

Dr. Whiteside stated he cannot support this application.

Mr. Whitaker stated it does not fit within the character area.

Mr. Weatherby made a motion to recommend denial. Seconded by Dr. Whiteside. Motion passed 8-0.

Mr. Ware made a motion to approve the October 1, 2019 Public Hearing Minutes. Seconded by Mr. Weatherby. Motion passed 8-0.

Mr. Hill made a motion to approve the October 21, 2019 Work Session Minutes. Seconded by Mr. Ware. Motion passed 8-0.

Mr. Chapman reminded the Planning Commission of their next work session on November 18, 2019.

Mr. Hill made a motion to adjourn. Seconded by Mr. Ware. The meeting adjourned at 8:30 p.m.