



CHEROKEE COUNTY PLANNING COMMISSION

PUBLIC HEARING MINUTES

Approved 1-7-2020

December 3, 2019 – 7:00 PM

**Cherokee County Administration Building
Cherokee Hall**

The Cherokee County Planning Commission held its regularly scheduled public hearing on Tuesday, December 3, 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; Thomas Trawick, Planner and Tamala Davis, Planning Technician.

The meeting was called to order at 7:14 p.m.

Case #19-12-009S Dimension Auto/Yan Su (BOC Dist. 4)

Applicant is requesting a special use permit for a used car dealership at 6545 Highway 92 along with concurrent variances from the Bells Ferry Overlay Standards to allow parking in the front and to allow a galvanized metal fence to screen the parking.

Michael Chapman presented the case. Mr. Chapman discussed current zoning, surrounding uses, land use compliance, economic use as currently zoned, and department comments. Mr. Chapman also described the purpose and intent of the Bells Ferry Community Design District.

Yan Su represented this case. Mr. Su stated he has a dealership in Marietta and would like to move closer. He stated this business would be a legacy to his kids and that he does plan to improve the property with pavement and gravel. He stated he would like to have vehicles in the front yard in the paved area. Mr. Su stated this would be mid to high end cars for sale with a repair shop in the back. He stated he has added three (3) garage doors.

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

Mr. Whitaker closed public comment.

Mr. Hill stated he has concerns with the variances within the overlay district. He stated he did not see any plans to enhance the property or meet the intent of the Bells Ferry Overlay.

Mr. Ware stated Article 16 prohibits used vehicle sales and general automotive repair, therefore, he cannot support this application.

Mr. Whitaker stated when he visited the site he noticed a sign that was advertising one of the other special use permits that was heard and denied a few months ago. Mr. Whitaker asked staff was this a pre-existing location. Mr. Chapman stated, yes.

Mr. Hill made a motion to recommend denial of this application. Seconded by Ms. Tressler. Motion passed 6-2. Ms. Doss and Mr. Whitaker opposed.

Case #19-12-026 Milton O. Blankinship (BOC Dist. 1)

Applicant is requesting to rezone .74 +/- acres at 1984 Ball Ground Highway from R-40 (Single Family Residential) to RZL (Residential Zero Lot Line) for an addition to the existing RZL development.

Michael Chapman presented the case. Mr. Chapman discussed current zoning, surrounding uses, land use compliance, economic use as currently zoned, and department comments. Mr. Chapman stated the conditions from Case #16-070-020 shall apply to this parcel as well since they are to be developed together. The conditions from the previous zoning are to limit the number of lots to 200; the lot width not to be less than 50 feet wide, and to adhere to Engineering's assessment from the Traffic Study in providing left and right turn lanes at both entrances.

Mike Bray represented this case. Mr. Bray provided a presentation to the Board including the location of the acreage he is requesting to be rezoned. He stated there would be no increase in the number of lots or traffic. He stated this would be part of an existing development and is consistent with the area.

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

Mr. Whitaker closed public comment.

Mr. Ware asked if the lot count would remain at 200. Mr. Bray stated, yes.

Ms. Tressler asked if the existing home would remain with the property on Ball Ground Hwy to not create a non-conforming lot. Mr. Bray stated, yes.

Ms. Tressler made a motion to recommend approval with the same conditions placed on Case #16-07-020. Seconded by Ms. Doss. Motion passed 8-0.

Case #19-12-027 Kevin Seifert/Pacific Group, Inc. (BOC Dist. 4)

Applicant is requesting to rezone 35.01 acres at 3166 Elwin Ragsdale way and 3100 Elwin Ragsdale Way from R-40 (Single Family Residential) to RD-3 (Single Family Residential) for a 69 single family home development.

Michael Chapman presented the case. Mr. Chapman discussed current zoning, surrounding uses, land use compliance, economic use as currently zoned, and department comments. Mr. Chapman also described the Southwest Cherokee Area Plan.

Kevin Seifert represented this case. Mr. Seifert stated they submitted this application after working with adjacent property owners. He stated this is an appropriate zoning for this property and the Future Development Map indicates this as a suburban growth character area. He stated they would provide open space, provide sidewalks and have submitted a letter with proposed conditions. Mr. Seifert stated they are agreeable to work with the Engineering Department regarding the improvements to Elwin Ragsdale Way. He stated he has discussed the existing water lines with Water and Sewer Authority and are aware they will need to upgrade the water lines.

Mr. Whitaker asked staff when was the small plan completed for South Cherokee. Mr. Chapman stated in Spring 2019.

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

Mr. Whitaker closed public comment.

Mr. Whitaker stated the letter of intent was done in August and the plan was completed before this. Mr. Seifert stated the date of the letter of intent was the final draft submitted. Mr. Seifert stated they began this process in January.

Mr. Chapman stated the Southwest Cherokee Area Plan was adopted by the Board of Commissioners on June 18, 2019.

Ms. Tressler stated the public participation meeting was April 15, 2019.

Dr. Whiteside stated he feels the application presents more questions than answers at this point. He stated the site plan indicates two of the lots are meeting the current zoning of R-40. He stated to him this implies there is an economic viability of R-40 to be developed. He stated the plan show two (2) cul-de-sacs and the RD3 zoning strongly discourages this. This application is not in compliance with the future development map. He stated what is positive about this plan is the potential for most of this site be open space. He stated he is concerned with approving an RD3 zoning will encourage additional high density zoning in this area. Dr. Whiteside stated he would like to see them come back with a conservation design.

Mr. Ware stated he feels this is a giant step going from an R-40 zoning to an RD3. He stated he is not in favor to deny altogether, but would like to see something less intrusive.

Mr. Whitaker stated they could table the application in hopes some of the comments made may be incorporated into this project or prepare a motion as is.

Mr. Weatherby made a motion to table this application for 30 days for the applicant to come back with a different plan. Seconded by Dr. Whiteside.

Ms. Tressler stated it appears the developer has taken into consideration a lot of the input from the adjacent neighbors and there is no one present to speak in opposition to the project should be considered.

Motion to table for 30 days passed 6-2. Ms. Tressler and Ms. Doss opposed.

Mr. Chapman presented the 2020 Planning Commission calendar for consideration. Mr. Ware made a motion to adopt the 2020 Planning Commission calendar. Seconded by Mr. Whitaker. Motion passed 8-0.

Mr. Hill made a motion to approve the November 5, 2019 Public Hearing Minutes. Seconded by Dr. Whiteside. Motion passed 8-0.

Mr. Ware made a motion to approve the November 18, 2019 Work Session Minutes. Seconded by Mr. Weatherby. Motion passed 8-0.

Ms. Tressler made a motion to adjourn. Seconded by Mr. Smith. Motion passed 8-0. The meeting adjourned at 8:21 p.m.