



CHEROKEE COUNTY PLANNING COMMISSION AND CHEROKEE COUNTY BOARD OF COMMISSIONERS

JOINT PUBLIC HEARING MINUTES

Approved 3-3-2020

February 4, 2020 – 7:00 PM
Cherokee County Administration Building
Cherokee Hall
Canton, Georgia

The Cherokee County Planning Commission and Cherokee County Board of Commissioners held their regularly scheduled joint public hearing on Tuesday, February 4, 2020 in Cherokee Hall at the Cherokee County Administration Building. Planning Commission members present were Chairman Bob Whitaker, Vice chairman Dr. Rick Whiteside, Tom Ware, Ken Smith, Lisa Tressler, Richard Weatherby, Tom Hill, and Marla Doss. Lee Lusk was not in attendance. Members of the Board of Commissioners present were Chairman Harry Johnston, Commissioner Benny Carter, Commissioner Corey Ragsdale, Commissioner Ray Gunnin, and Commissioner Steve West. In attendance for Cherokee County Planning and Zoning 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 7:06 p.m.

Mr. Ware made a motion to approve the January 7, 2020 Public Hearing Minutes. Seconded by Mr. Smith. Motion passed 8-0.

Mr. Weatherby made a motion to approve the January 27, 2020 Work Session Minutes. Seconded by Ms. Tressler. 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 stated the applicant is now requesting an R-20 zoning district for a conservation subdivision development consisting of 55 single-family lots. Mr. Chapman stated Engineering Department did update their report to reflect these changes.

Mr. Whitaker asked if there was anyone present that is interested in this case or is from this area that is unfamiliar with the changes. No one came forward.

Mr. Hill stated that Engineering's updated recommendations are in conflict with Condition #2 on the proffered conditions by the applicant as it relates to sidewalks and improvements to Elwin Ragsdale Way.

Mr. Ware stated he appreciates the reduction in lots and the change of zoning to R-20. He stated he could support this revised plan.

Mr. Whitaker stated there is some wording in a couple of these conditions as it relates to the elevations of the homes being approved by the District Commissioner. He stated since we do not know the timeline for this development, he would like to change the wording to state shall be approved by a representative of the adjacent neighbors. He stated this would be for Conditions #6 and #17 from the letter dated January 24, 2020. He stated also at work session they discussed Condition #2, the last sentence to read, in the remaining 25 feet all impervious cover shall be prohibited.

Dr. Whiteside made a motion to recommend approval with the conditions stated in the letter dated January 24, 2020 with the modifications discussed. Seconded by Ms. Doss.

Mr. Whitaker asked Dr. Whiteside did he want to address Mr. Hill's comments and if he was inclined to modify condition #2 to state the Developer will coordinate with Cherokee County Engineering Department to bring the existing and future Elwin Ragsdale Way in compliance with county standards. Dr. Whiteside stated, yes. Mr. Whitaker stated the cost to fix the road will be significant and feels that if the developer would like to provide sidewalks in the development, they could however does not feel this needs to be a condition. Dr. Whiteside agrees. Ms. Doss agrees. Motion passed 8-0.

Case #20-02-003 David Menna (BOC Dist. 2)

Applicant is requesting to rezone 2.31 acres at 5762 Vaughn Road from R-80 to R-40 for single-family residential uses.

Michael Chapman presented the case. Mr. Chapman discussed current zoning, surrounding uses, infrastructure and facilities, the future development map, and department comments.

David Menna represented this case. Mr. Menna stated they are trying to reduce the lot sizes down to 40,000 square feet so they can have 2 home sites.

Dr. Whiteside asked if the existing structures will be removed. Mr. Menna stated they have already been removed.

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

Mr. Whitaker closed public comment.

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

Case #20-02-004 George Baker (BOC Dist. 2)

Applicant is requesting to rezone 1.5039 acres at 1081 Wrights Mill Road from AG to R-60 for a single-family residence.

Michael Chapman presented the case. Mr. Chapman discussed current zoning, surrounding uses, infrastructure and facilities, the future development map, and department comments

George Baker represented this case. Mr. Baker stated this was part of a larger tract and when Wrights Mill Road came through, it cut this 1.5 acres off on the western side. He stated it is an AG zoned lot that is non-conforming since it is less than 2 acres. He stated they are just trying to rezone to have a conforming lot.

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

Mr. Whitaker closed public comment.

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

Case #20-02-005 Quality Future Properties & Investments (BOC Dist. 2)

Applicant is requesting to rezone 7.59 +/- acres at 4925 Hickory Flat Highway from R-60 to LI for an office, shop, and warehouse. The applicant is also requesting a concurrent variance to Article 10, Table 10.1 Buffer Requirements to encroach into the zoning buffer.

Michael Chapman presented the case. Mr. Chapman discussed current zoning, surrounding uses, infrastructure and facilities, the future development map, and department comments

Roman Bodnar represented the case. Mr. Bodnar stated they are requesting the zoning for office use, business use and to have a shop.

Dr. Whiteside asked the applicant what kind of business is this. Mr. Bodnar stated they are a water damage restoration business that is similar to Service Master. He stated they have vans that carry their equipment and they store them so no one can get into them since the equipment is very expensive.

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

Mr. Whitaker closed public comment.

Ms. Tressler stated she is concerned with putting and LI zoning in this area.

Dr. Whiteside stated he has concerns with outside storage, no land improvements for pavement or hard surface required, location is out of place and feels there is not enough detail to move forward.

Mr. Whitaker stated the parking area will be gravel.

Mr. Whitaker asked about the building. Mr. Bodnar stated the existing building is falling apart and they will replace with a new building in the back. He stated the vans will be parking in the building. Mr. Whitaker asked if there will be any outside storage. Mr. Bodnar stated, no.

Mr. Ware asked if the proposed building will be on the North property line and if during the public participation meeting he agreed to move the location to the other side. Mr. Bodnar stated the site plan shows this building already moved.

Mr. Ware stated he is concerned with no LI zoning in the area and maybe restricting this to this specific use only.

Ms. Doss asked if this use could not be located in a GC zoning district. Mr. Chapman stated, no, contractor and remediation services need LI zoning.

Mr. Whitaker stated he agrees that an LI zoning could allow certain uses that could be a problem in this area.

Mr. Hill made a motion to recommend approval of the LI zoning along with approval of the concurrent variance with the conditions to 1) restrict the use only to the applicant's business, 2) No overnight outside storage allowed and 3) No overnight parking allowed. Seconded by Mr. Ware. Motion passed 8-0.

Case #20-02-006 Chris and Michelle Coyne (BOC Dist. 4)

Applicant is requesting to rezone 0.468 acres at 5153 Highway 92 from OI to GC for a pest control office.

Michael Chapman presented the case. Mr. Chapman discussed current zoning, surrounding uses, infrastructure and facilities, the future development map, the Southwest Cherokee Small Area Plan, and department comments.

Michelle Coyne represented this case. Ms. Coyne stated they currently operate out of their home and are growing. She stated they would like to rezone this property so they can have their pest control office.

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 motion to recommend approval with the conditions 1) no outside storage allowed and 2) no overnight parking allowed. Seconded by Ms. Tressler. Motion passed 8-0.

Mr. Chapman reminded the Board of their upcoming work session on Monday, February 17, 2020.

Dr. Whiteside asked if Cherokee County observes Presidents Day. Mr. Chapman responded that Presidents Day is not a holiday for Cherokee County employees.

Dr. Whiteside made a motion to adjourn. Seconded by Mr. Hill. Motion passed 8-0. The meeting adjourned at 8:07 p.m.