



SUBJECT:
Request for Appeal - Case #24-10-051V Melissa Daywalt for Dr. Amy Crowder (ALC Veterinary Properties) (BOC Dist. 4).

MEETING DATE:
January 7, 2025

SUBMITTED BY:
Dana Spayde

SUGGESTED ACTION:

Consider request to appeal a December 12, 2024 decision by the Zoning Board of Appeals to deny a variance request to Article 10, Table 10.1: Minimum Buffer Width Between Abutting Districts to reduce the required 50' undisturbed zoning buffer to 10' when adjacent to residentially zoned properties; to Article 16, Section 16.1.5, C, to remove the requirement of an overstory tree every 40 feet on center within the landscape strip along Highway 92; and to Article 16, Section 16.1.5, B, to not require a fence along the entire Highway 92 frontage.

COMMISSION DISTRICT:

4

LOCATION:

7946 HWY 92

TAX MAP AND PARCEL #:

15N06 295

FACTS AND ISSUES:

The property is located at 7946 Highway 92 also known as Cherokee County Tax Map 15N06, Parcel 295. On December 12, 2024, the Zoning Board of Appeals heard a request by Melissa Daywalt for Dr. Amy Crowder for a variance to Article 10, Table 10.1: Minimum Buffer Width Between Abutting Districts to reduce the required 50' undisturbed zoning buffer to 10' when adjacent to residentially zoned properties; to Article 16, Section 16.1.5, C, to remove the requirement of an overstory tree every 40 feet on center within the landscape strip along Highway 92; and to Article 16, Section 16.1.5, B, to not require a fence along the entire HWY 92 frontage. The Zoning Board of Appeals voted to deny the requests (4-1), (5-0) and (5-0) respectively. On December 20, 2024, the applicant requested to appeal the decision for denial by the Zoning Board of Appeals.

Per Article 15, Section 15.16 of the Cherokee County Zoning Ordinance, "An appeal of a decision by the Zoning Board of Appeals shall be to the Cherokee County Board of Commissioners, effected by submission of a letter of appeal to the Board of Commissioners, no later than ten (10) calendar days after the Zoning Board of Appeals' decision has been rendered and provided to the applicant. The letter of appeal shall be placed on an agenda at the Board of Commissioners' next regularly scheduled

meeting, and the Board of Commissioners shall determine at such meeting whether it will consider the appeal. If the Board of Commissioners decides that it will consider the appeal, the appeal shall then be placed on a future agenda of the Board of Commissioners. A denial of a review by the Board of Commissioners shall be an affirmation of the decision of the Zoning Board of Appeals and shall constitute the final decision of the Board of Commissioners of Cherokee County".

ATTACHMENTS:

[Appeal Package 24-10-051V.pdf](#)
[24-10-051V Staff Report.pdf](#)
[Complete Application 051V.pdf](#)
[Support Letter 1.pdf](#)
[Support Letter 2.pdf](#)
[50' Buffer Hardship 10.10.2024.pdf](#)
[Letter of Opposition - Albert F..pdf](#)
[FINAL RENDERING SECOND DRAFT.pdf](#)
[Constitutional Challenge Cherokee County ZBA variance.pdf](#)
[Dana Spayde Stipulation Letter 12-5-24.pdf](#)
[Opposition Letter 12.10.2024.pdf](#)
[Support Letter 3.pdf](#)
[Support Letter 4_REDACTED.pdf](#)
[Support Letters 12.12.2024_Redacted.pdf](#)
[BOC Presentation_Daywalt_01.07.2024.pdf](#)