

SUBJECT:**Public Hearing - Appeal - ZBA Case #24-09-050V Rachel Machamer (BOC Dist. 1).****MEETING DATE:**

November 19, 2024

SUBMITTED BY:

Dana Spayde

SUGGESTED ACTION:

Conduct a public hearing to consider a request to appeal a September 12, 2024 decision by the Zoning Board of Appeals to approve a variance request from Article 7, Section 7.7-24, B, Animal Production to reduce the setback for a proposed covered horse arena from 75' to 21'.

COMMISSION DISTRICT:

1

LOCATION:

103 Hunting Valley Trail

TAX MAP AND PARCEL #:

03N30 148H.

FACTS AND ISSUES:

The property is located at 103 Hunting Valley Trail and further described as Cherokee County Tax Map 03N30, Parcel 148H. On September 12, 2024, the Zoning Board of Appeals heard a request by Rachel Machamer for a variance from Article 7, Section 7.7-24, B, Animal Production, to reduce the setback for a proposed covered horse arena from 75' to 21'. The Zoning Board of Appeals voted to approve the request (4-1) with the conditions that an 8-foot evergreen visual screening is planted along Hunting Valley Trail prior to Certificate of Completion; No lighting, and no speakers. On September 19, 2024, the Laucellas, located at 104 Hunting Valley Trail, requested to appeal the decision of approval by the Zoning Board of Appeals. On October 1, 2024, the Board of Commissioners voted to consider the applicant's appeal.

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:

[Variance Approval Letter.pdf](#)

[Neighbor Appeal Letter.pdf](#)

[24-09-050V Staff Report.pdf](#)

[Complete Application.pdf](#)

[Applicant Rebuttal Letter.pdf](#)

[Applicant's Arena and Tree Renderings.pdf](#)

[BOC Presentation_Machamer_11.19.2024.pdf](#)

[Chris Nickum Support Letter.pdf](#)