

SUBJECT:

**Case #22-10-026 SFG Properties, LLC (BOC
Dist. 4)**

MEETING DATE:

November 1, 2022

SUBMITTED BY:

Tamala Davis

SUGGESTED ACTION:

Consider request for rezoning of 11.82 +/- acres from GC to LI at 5883 Little Ridge Road. Applicant also requests concurrent variances to reduce the number of required parking spaces, to reduce the setback off James Dupree Lane and to eliminate the required fencing, berms and sidewalk elements along James Dupree Lane.

Planning Commission voted to recommend approval of the applicant's request for rezoning with conditions; approval of two (2) variance requests and denial of one (1) variance request.

COMMISSION DISTRICT:

4

JURISDICTION:

Cherokee County

ZONING CHANGE:

GC to LI

LOCATION:

5883 Little Ridge Road

TAX MAP AND PARCEL #:

21N06, 305

PROPOSED DEVELOPMENT:

Office/Flex space

FACTS AND ISSUES:

Planning Commission voted to recommend approval of the applicant's request for rezoning with the following conditions:

- 1) The following uses shall not be permitted on the subject property:
 - a. Theaters
 - b. Electronic game playing centers
 - c. Adult entertainment centers
 - d. Adult novelty stores
 - e. Pawn shops
 - f. Pool halls
 - g. Tattoo parlors

- h. Massage parlors
- i. Landfills
- j. Transfer stations
- k. Trailer parks
- l. Temporary buildings except construction trailers
- m. Electronic message boards/changeable copy signs
- n. Self-service car wash facilities
- o. Fuel tank lease and sales establishments
- p. Vehicle rental establishments
- q. Vehicle sales dealerships
- r. Smoke shops and vape/e-cigarette stores
- s. Marijuana or THC dispensaries excluding licensed pharmacies
- t. Open storage as a primary use
- u. Uses that emit noxious fumes or noises

2) Motion -activated security lights, programmed to turn off no more than fifteen (15) minutes after last detecting motion, shall be installed along the rear and northwest side of the building, and maintained in good working order.

3) No garbage pick-up will occur between the hours of 10:00 p.m. and 6:00 a.m.

4) Lawns, buffers, and landscaped areas shall be continuously maintained.

5) There shall be a POA that shall be responsible for maintaining the monument sign, open space and common areas, buffer areas, fences, and stormwater detention areas. Membership in the association shall be mandatory for each building or unit owner.

6) There shall be a 100 foot buffer adjacent to the north side of the property, 50 feet undisturbed and 50 feet planted.

7) Developer shall make connection to Cherokee 75 Park across from rear entrance on James Dupree Lane.

8) Developer shall correct the vertical geometry along James Dupree Lane in the area of the proposed entrances.

Cherokee County Planning Commission also voted to recommend approval of the variance request to reduce the number of required parking spaces; approval of the variance request to reduce the setback off James Dupree Lane to 50 feet only in the designated location of the left rear corner of the southern building as indicated on the variance exhibit and denial of the variance request to eliminate the required fencing, berms and sidewalk elements along James Dupree Lane.

ATTACHMENTS:

[BOC_22-10-026_NOV122.pdf](#)

[SFG REZONE APPLICATION.pdf](#)

[Complete_StaffReport_Final_10.04.2022_026.pdf](#)

[SFG RESOLUTION.pdf](#)

[SFG EXHIBITS TO RESOLUTION.pdf](#)