



# WHITE COUNTY BOARD OF COMMISSIONERS

## CALLED MEETING

MONDAY, AUGUST 21, 2023 AT 9:00 A.M.

### AGENDA

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1. Call to order.
2. Consider the land use application filed by Keith Nordan to redistrict property located at 7525 Highway 129 North Cleveland, Georgia from A-1, Agriculture Forestry District to R-1, Single-Family Residential District. Tax map and parcel 004-011. Total acreage is 7.23.
3. Consider the land use application filed by Jerry Fortenberry to request a conditional use permit at 578 Highway 356 Helen, Georgia. Tax map and parcel 042B-044. Total acreage is 1.00. The proposed use is to place in short-term rental program.
4. Consider approval of a contract for logistic services for deployment of elections equipment through the 2024 election cycle.
5. Announcements:
  - Monday, August 28, 2023 Work Session & Regular Meeting Combined
  - Monday, September 4, 2023 County Offices closed in observance of Labor Day – No Meeting
6. Consider entering into Executive Session in order to discuss matters of personnel.
7. Adjourn.



# WHITE COUNTY

## *Board of Commissioners*

### Agenda Request Form

**Item Title:** Redistricting Request from A-1 to R-1 for Keith Nordan, 7525 Hwy 129 N., Cleveland

**For Meeting Date:** 8/21/2023

**Work Session**  **Regular Meeting**  **Public Hearing**

**Category (Select One):** Land Use Application

**Submitted By:** John Sell

**Attachments:** Yes  **If yes, please list each file name below:**

1. Application #20063
2. Public Hearing minutes of 7/31/2023
3. Regular Meeting minutes of 8/7/2023

#### **Purpose:**

Consider the application of Keith Nordan to redistrict property located at 7525 Highway 129 N, Cleveland, Georgia, 30528 from A-1 Agriculture Forestry District to R-1 Single Family Residential District. Tax map and parcel 004-011. Total acreage is 7.23. Present zoning is A-1 Agriculture Forestry District.

#### **Background / Summary:**

- Applicant is requesting to redistrict property from A-1 to R-1. Mr. Nordan explained that Camp Coleman wants to purchase five acres and his daughter will keep the remaining acreage. Mr. Barton explained that, due to this not being a family transfer and zoned Agriculture, it would need to be rezoned in order to split since it is less than ten acres. Amy Smiler McFarland, Camp Director for URJ Camp Coleman at 201 Camp Coleman Drive, spoke in favor of the application and stated the camp is interested in purchasing this property to keep as a forestry buffer and to help with security of the camp. The Planning Commission recommended approval of the application and the motion passed by unanimous vote.

#### **Department Recommendation:**

Planning Commission recommended approval by unanimous vote.

#### **Options:**

- Uphold Planning Commission recommendation and approve the application

- Reverse Planning Commission recommendation and deny the application.
- Table the application for further review or to send back to Planning Commission

**Budget Information:** Applicable  Not Applicable

**Budgeted:** Yes  No

**Finance Director's Comments (if applicable):**

- 

**County Manager Comments:**

-

# WHITE COUNTY CHANGE OF LAND USE DISTRICT APPLICATION

<b>OFFICE USE ONLY</b>	Land Use Application #: <u>20063</u>
Public Hearing Date: <u>7/31/2023</u>	Commission District: <u>3</u>
Fees Assessed: <u>\$25000</u>	Paid via: <input type="checkbox"/> cash <input type="checkbox"/> credit card <input checked="" type="checkbox"/> check# <u>5180</u>

APPLICANT INFORMATION	
Status: <input type="checkbox"/> Owner <input checked="" type="checkbox"/> Authorized Agent <input type="checkbox"/> Lessee <input type="checkbox"/> Option to Purchase	
Printed Name(s): <u>KEITH A. NORDAN</u>	
Address: <u>P O BOX 1225 , CLEVELAND, GA 30528</u>	
Phone Number: <span style="background-color: black; color: black;">[REDACTED]</span>	Alternate Contact Number:
Email: <span style="background-color: black; color: black;">[REDACTED]</span>	

**Owner Information (if different from Applicant/Agent):**

Name: <u>PATRICIA P. NORDAN</u>	Phone #:
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PROPERTY INFORMATION	
Parcel ID: <u>004-011</u>	Total acreage being changed: <u>7.23</u>
Address: <u>7525 Hwy 129N CLEVELAND, GA 30528</u>	
Directions to Property: <u>129N CAMP COLEMAN RD LEFT</u>	

Current Use/Zoning of Property: <u><del>R1</del> A1</u>	Type of Road Surface: <u>GRAVEL AND PAVED</u>
Any prior redistricting requests for property: <u>NO</u> If yes, provide redistricting application #: _____	

**SURROUNDING PROPERTY LAND USE CLASSIFICATION:**

North: <u>R1</u>	South: <u>R1</u>	East: <u>R1</u>	West: <u>A1</u>
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**REQUESTED ACTION AND DETAILS OF PROPOSED USE (check all that apply)**

Redistrict from district: <u>A1</u>	Redistrict to district: <u>R1</u>
Conditional Use - specify:	
Special Use - specify:	
Land Use Variance from Code Section:	

Proposed use if not listed above:

Is this property part of a subdivision? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If so, please list number of lots:
Are there covenants? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Is there an active homeowner's association? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Subdivision Name (if applicable):	

Existing Utilities (check all that apply):  
 \_\_\_ County or City Water     Well     Septic    \_\_\_ Gas    \_\_\_ Electric    \_\_\_ Broadband

Proposed Utilities (check all that apply):  
 \_\_\_ County or City Water    \_\_\_ Well     Septic    \_\_\_ Gas    \_\_\_ Electric    \_\_\_ Broadband

**COMMERCIAL AND INDUSTRIAL REDISTRICT INFORMATION**

Building Area: \_\_\_\_\_ No. of Parking Spaces: \_\_\_\_\_

**RESIDENTIAL REDISTRICT INFORMATION**

No. of Lots: \_\_\_\_\_ Minimum Lot Size in acres: \_\_\_\_\_ No. of Units: \_\_\_\_\_

Minimum Heated Floor Area (ft<sup>2</sup>): \_\_\_\_\_ Density/Acre: \_\_\_\_\_

Is an Amenity area proposed (specify if yes)?

\_\_\_ Apartments    \_\_\_ Condominiums    \_\_\_ Townhomes    \_\_\_ Single Family

\_\_\_ Rental Cabins    \_\_\_ Recreational Vehicle Park    \_\_\_ Other- Specify: \_\_\_\_\_

**LIST OF ADJACENT PROPERTY OWNERS**

It is the responsibility of the Applicant to provide a list of adjacent property owners that has property bordering your property or who has property directly across the street from your property (additional sheet may be included, if necessary).

PARCEL	PROPERTY OWNER NAME	MAILING ADDRESS
1	0040012- PATRICIA NORDAN	7525 129 N CLEVELAND
2	004-019 UR	201 CAMP C-LEMAN DR
3	004013 UR	7579 Hwy 129 N
4	004-112 <del>PHILIP</del> -Nancy MARTIN	DEEP DR
5	004-113 GLEN W HUSTON	88 DEEP DR
6	004-114 BONNEY SYDDERTH	DEEP DR
7	004 04010 DOMPA + KEITH NORDAN	7423 Hwy 129 N

8. 004009A PHILIP DORRERY 0 129 N

**APPLICANT CERTIFICATION**

I hereby request the action contained within this application relative to the property shown on the attached plats and site plan and further request that this item be placed on both the Planning Commission and Board of Commissioners meeting agendas.

I understand that the Planning Department staff may either accept or reject my request upon review. My request will be rejected if all the necessary data is not presented.

I understand that I have the obligation to present all data necessary and required by statute to enable the Planning Commission and Board of Commissioners to make an informed determination on my request. I understand that I may seek legal advice if I am not familiar with the land use requirements and procedures.

I understand that my request will be acted upon at the Planning Commission and Board of Commissioners meetings and that I am required to be present or to be represented by someone able to present all facts and answer all questions. I understand that failure to appear at a meeting shall result in the postponement or denial of my application request. I further understand that it is my responsibility to be aware of relevant meeting dates and times regardless of notification from White County.

I hereby certify that I have read the above and that the above information, as well as the attached information, is true and correct.

Applicant Signature: *Keith G. Newberry* Date: *6-11-2023*

**2023 DEADLINES AND MEETING DATES**

Submittal Date Planning Dept. Office 5:00 p.m. Deadline	Planning Commission Public Hearing 1239 Helen Hwy 6:00 p.m.	Planning Commission Regular Session 1239 Helen Hwy 6:00 p.m.	Board of Commissioners Work Session 1235 Helen Hwy 4:30 p.m.
Wednesday, January 4, 2023	Monday, January 30, 2023	Monday, February 6, 2023	Monday, February 27, 2023
Wednesday, February 1, 2023	Monday, February 27, 2023	Monday, March 6, 2023	Monday, March 27, 2023
Wednesday, March 1, 2023	Monday, March 27, 2023	Monday, April 3, 2023	Monday, April 24, 2023
Wednesday, March 29, 2023	Monday, April 24, 2023	Monday, May 1, 2023	TBA
Wednesday, May 3, 2023	TBA	Monday, June 5, 2023	Monday, June 26, 2023
Wednesday, May 31, 2023	Monday, June 26, 2023	Monday, July 3, 2023	Monday, July 31, 2023
✓ Wednesday, June 14, 2023 *	✓ Monday, July 31, 2023	✓ Monday, August 7, 2023	✓ Monday, August 28, 2023
Wednesday, July 12, 2023	Monday, August 28, 2023	TBA	Monday, September 25, 2023
Wednesday, August 9, 2023	Monday, September 25, 2023	Monday, October 2, 2023	Monday, October 30, 2023
Wednesday, September 13, 2023	Monday, October 30, 2023	Monday, November 6, 2023	Monday, November 27, 2023
Wednesday, October 11, 2023	Monday, November 27, 2023	Monday, December 4, 2023	TBA
Wednesday, November 8, 2023	TBA	TBA	Monday, January 29, 2024
Wednesday, December 13, 2023	Monday, January 29, 2024	Monday, February 5, 2024	Monday, February 26, 2024

\*NEW DEADLINE DATES EFFECTIVE IN ORDER TO MEET ZPL UPDATES AS OF JULY 2023

**NOTICE OF AGRICULTURAL DISTRICT ADJACENCY**

Future abutting developers in non-agricultural land use districts shall be provided with this "Notice of Agricultural Adjacency" prior to administrative action on either land use district, the issuance of a building or occupancy permit or approval of a subdivision of property. Prior to administrative action, the applicant shall be required to sign this waiver which indicates that the applicant understands that a use is ongoing, adjacent to his/her use, which can produce odors, noise, dust and other effects which may not be compatible with the applicant's development. Nevertheless, understanding the effects of the adjacent Agricultural District uses, the applicant agrees by executing this form to waive any objection to those effects and understands that his/her district change and/or permits or other approvals are issued and processed in reliance on his agreement not to bring any action asserting that the adjacent uses in the Agricultural District constitute a nuisance against the local government and adjoining land owners whose property is located in an Agricultural District. This waiver shall be provided and made applicable for subsequent purchasers and owners or heirs of his/her property. This notice and acknowledgement shall be public record.

Applicant Signature: *Kiril G. Nerden* Date: *6-11-2023*

**DISCLOSURE OF CAMPAIGN CONTRIBUTIONS**  
(APPLICANTS AND REPRESENTATIVE(S) OF REQUESTED ACTION)

Pursuant to O.C.G.A. Section 36-67 A-3.A, the disclosure of any campaign contributions aggregating \$250.00 or more to a local government official who will consider an application for re-classification or for a conditional use or special use permit is mandatory when an application or any representation of application for re-classification of district or for conditional use or special use permit has been made within two (2) years immediately preceding the filing of a request for reclassification or conditional use or special use permit by the same applicant and/or representative of said applicant. It shall be the duty of the applicant and/or any representatives of the applicant to file a disclosure with the governing authority of the respective local government to show the following:

Name of local official(s) to whom campaign contribution was made: *0*  
*Kiril G. Nerden*

The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two (2) years immediately preceding the filing of this application for action for district re-classification, conditional use or special use permit.

Amount \$: *0* Date: *6-11-2023*

Enumeration and description of each gift (when the total value of all gifts is \$250.00 or more) made to the local government official during the two (2) years immediately preceding the filing of this application. **Please attach additional sheets if needed.**

Check box if no contributions made

Applicant Signature: *Kiril G. Nerden* Date: *6-11-2023*

**PROPERTY OWNER AUTHORIZATION**

To be completed by the property owner to certify ownership of subject property and to provide authorization for other person(s) to represent the owner on their behalf.

I/WE (print), Keith A. Nordan,  
hereby swear that I/we own the property for which this land use change application is being made.

<b>Property Address and/or Parcel ID:</b>
<b>PROPERTY OWNER INFORMATION</b>
Printed Name of Owner(s): <u>Keith A. Nordan</u>
Mailing Address: <u>P.O. Box 1225</u> <u>Cleveland, GA 30528</u>
Phone Number: <span style="background-color: black; color: black;">[REDACTED]</span>
Alternate Contact Number:
Email: <span style="background-color: black; color: black;">[REDACTED]</span>
I/we hereby authorize the person named below to act as the applicant or agent in the pursuit of the requested action on this property. I/we understand that any action granted and/or conditions or stipulations placed on the property will be binding upon the property regardless of ownership. The person named below is authorized to make this application. The person named below is aware that no application or re-application affecting the same land shall be acted upon within six (6) months from the date of the last action by the White County Board of Commissioners.
Printed Name of applicant or agent(s): <u>Keith A. Nordan</u>
Signature of Owner(s): <u>Keith A. Nordan</u> Date Signed: <u>6-12-2023</u>

**PROPERTY OWNER AUTHORIZATION DOCUMENT: NOTARY ACKNOWLEDGEMENT**

Sworn to (or affirmed) and subscribed before me this 12<sup>th</sup> day of June, 2023 by Keith A. Nordan (name of signer(s)). The named signer(s) is/are personally known by me or produced the identification type of \_\_\_\_\_.

{Seal}



Donna H. Nordan  
(Signature of Notary)

Donna H. Nordan  
(Name of Notary Typed, Stamped, or Printed)



**APPLICANT ACKNOWLEDGEMENT OF MEETING DATES**

I, KEITH A. NORDAN (print name) have been advised that I or someone to represent me must be in attendance when my application is before the White County Planning Commission and the White County Board of Commissioners or it will be tabled. I also acknowledge that I have been made aware of the below dates upon submission of my application.

**Senior Center, 1239 Helen Hwy, Cleveland** **6:00pm**

Public Hearing Date (Planning Commission): 7/31/2023

Regular Meeting Date (Planning Commission): 8/7/2023

**Administration Building, 1235 Helen Hwy, Cleveland** **4:30pm**

Board of Commissioners Meeting Date: 8/28/2023

*\*Meeting dates are subject to change*

Keith A. Nordan  
Signature of Applicant or Authorized Agent

6-13-2023  
Date

<b><u>OFFICE USE ONLY</u></b>
Copy given to applicant: <u>6/13/23</u> (date)
Staff Initials: <u>(initials)</u>
Flag (circle): <u>(Y)</u> N

\*\*\*\*\*

<b>WITHDRAWAL</b>
<i>Notice: This section only to be completed if application is being withdrawn.</i>
PART II - OFFICIAL CODE/APPENDIX C - LAND USE REGULATIONS/ARTICLE XVIII. AMENDMENT, APPLICATION AND PROCEDURAL REQUIREMENTS
<i>Section 1803. Withdrawal of amendment application. Any petition for an amendment to these regulations, official land use district map, conditional use approval, variance or special use permit may be withdrawn, at the discretion of the person or agency initiating such request, at any time prior to final action by the board of commissioners upon written notice to the planning director. Any required fees shall be forfeited</i>
I hereby withdraw application #:
Applicant Signature: _____ Date: _____

I'm wanting to SALE 5 AC  
TO CAMP COLEMAN AND LEAVE 2 AC  
FOR my DAUGHTER with the house.  
I'm SELLING the 23.6 AC TO CAMP COLEMAN  
THAT joins this 7 AC.

Deed Rocker



# White County Environmental Health

Zachary Taylor, M.D., M.S., Acting Health Director  
1241 Helen Highway, Unit 210 • Cleveland, GA 30528  
PH: 706-348-7698 • FAX: 706-348-1670 • [www.phdistrict2.org](http://www.phdistrict2.org)

Banks, Dawson, Forsyth, Franklin, Habersham, Hall, Hart, Lumpkin, Rabun, Stephens, Towns, Union and White Counties

- |   |   |
|---|---|
| <input type="checkbox"/> Evaluation Applied For                 | <input type="checkbox"/> Appropriate Permit Applied For                             |
| <input type="checkbox"/> Appropriate Permit Issued to Applicant | <input checked="" type="checkbox"/> Evaluation, Permit Not Applied For At This Time |

DATE: 06/12/2023

APPLICANT NAME: Keith Nordan

PROPERTY ADDRESS: 7525 Hwy 129 N  
Cleveland, GA 30528

White County Planning Department:

In reference to a request for a change of zoning/land use or a building permit, application may need to be made for an existing system evaluation to determine:

- that the permit on file is the correct permit for the property in question;
- that there is no evidence of system failure;
- that the septic system is appropriately sized for the current and proposed use;
- that there is adequate repair after the proposed addition;
- that there are no conditions that could adversely affect the functionality of the system.

Please note that this is NOT an all-inclusive list. Based upon the information submitted and/or the outcome of the evaluation, it may be determined that a septic system needs additional capacity or upgrade. If so, the appropriate permit will need to be obtained and the work completed before an approval can be given.

If, based upon information submitted, no septic systems exist on the property, this zoning/land use change and/or building permit request should not affect the property with respect to septic use.

White County Environmental Health  
District 2 Public Health

*By signing below, I certify all information submitted is accurate and true to the best of my knowledge.*

   
Applicant Signature

oss Ref:  
JVE 1313/485

530

96 JUN -3 AM 10:54

BOOK 461 PAGE 530-532  
CAROL A. LINDSAY CLERK  
WHITE COUNTY, GA.

STATE OF GEORGIA  
COUNTY OF WHITE

WHEREAS, James A. Nordan, Jr., died a resident of White County, Georgia, on the 6th day of October, 1995, leaving a will which has been probated in solemn form in said County at the February, 1996, Term of the Court of Probate thereof; and

WHEREAS, under the terms of said will the following described property was devised to Patricia P. Nordan:

Tract 1

All that tract or parcel of land, together with all improvements thereon, lying and being in Land Lot 67 of the 4th Land District of White County, Georgia and being 23.6 acres as shown on a plat prepared by Henry Grady Jarrard, Ga. Reg. Sur. No. 1182, which plat is dated January 31, 1964 and recorded in Plat Boo 2, page 12 of the White County, Georgia, Deed Records and being more fully described as follows: Beginning at an iron pin at the Land Lot corner between Land Lot Nos. 67, 68, 77 and 78 and running thence along line between Land Lot Nos. 67 and 78 north 01 degrees 26 minutes East 1077 feet to a point on Lackey Creek, which Creek is the property line; thence along said Creek in a northeasterly direction 610 feet more or less to a point on a road; thence along said road in a northeasterly direction 60 feet to a point on County Road, said County Road being the property line; thence in a southeasterly direction along said County Road 1140 feet, more or less, to an iron pin; thence North 83 degrees 45 minutes West 252 feet to an iron pin at Buzzard Creek; thence along said Buzzard Creek in a southerly direction 320 feet to a point; thence North 88 degrees 34 minutes West 1035 feet to beginning iron pin corner.

Tract 2

All that tract or parcel of land lying and being in Land Lot 67 of the 4th Land District of White County, Georgia, and being more particularly described as follows:

Begin at an iron pin on the Southwesterly right of way of U. S. Highway No. 129 at the corner of property now or formerly of Keith A. Nordan and Donna H. Nordan; thence along and with the Southwesterly right of way of said U. S. Highway No. 129 North 32 degrees 40 minutes West 349.6 feet to a point in the center of a road running between this property and property now or formerly of Larsen; thence along and with the center and meanderings of said road the following courses and distances: North 88 degrees 26 minutes West 36.15 feet to a point; North 70 degrees 30 minutes West 68.05 feet to a point; thence North 60 degrees 26 minutes West 154.57 feet to a point; thence North 71 degrees 51 minutes West 114 feet to a point; thence South 84 degrees 27 minutes West 75.06 feet to a point; thence South 64 degrees 34 minutes West 69.56 feet to a point; thence South 21 degrees 41 minutes West 105.83 feet to a point at the intersection of the center of said road running between this property and property now or formerly of Larsen and

White County, Georgia  
Real Estate Transfer Tax  
Plat 5  
Date  
Clerk of Superior Court

RETURN TO:  
DON PERDUE, ATTY  
P.O. BOX 8104  
CLEVELAND, GA 30328

the center of a road running between this property and property of Nordan; thence along and with the center and meanderings of said road running between this property and property of Nordan, the following courses and distances: South 37 degrees 17 minutes East 118.62 feet to a point; thence South 26 degrees East 159.99 feet to a point; thence South 13 degrees 06 minutes East 154.11 feet to a point; thence South 33 degrees 30 minutes East 100.21 feet to a point; thence South 42 degrees 22 minutes East 200.13 feet to a point; thence South 41 degrees 39 minutes East 110.63 feet to a point; thence leaving the center of said road South 61 degrees 50 minutes East 29.25 feet to an iron pin on the Northeasterly side of said road; thence North 68 degrees 31 minutes East 189.64 feet to an iron pin at the corner of property now or formerly of Keith A. Nordan and Donna H. Nordan; thence North 32 degrees 02 minutes West 325.29 feet to an iron pin; thence North 72 degrees 10 minutes East 250 feet to an iron on the Southwesterly right of way of U. S. Highway No. 129 and True Point Of Beginning. Said tract contains 7.23 acres, more or less, and is a portion of a 9.01 acre tract of land shown on Plat of Survey conducted by Henry Grady Jarrard, R. S., for Ruth T. Patton dated June, 1972, recorded in Plat Book 6, Page 26, White County, Georgia, Deed Records.

Subject to existing easements for public utilities and road rights of way if any.

#### Tract 3

All that tract or parcel of land lying and being in Land Lot 36 of the 2nd District of White County, Georgia, as described in a Plat of Survey dated September 20, 1985, prepared by Roy Terrell, Registered Surveyor, for Cleveland McAfee and recorded in Plat Book 16 Page 252, Clerk's Office, White County, Georgia. Said property is more particularly described as follows: BEGINNING at an iron pin located on the Northerly right of way of Allison Road at a point where the right of way of Allison Road intersect with the Easterly right of way of U. S. Highway 129; thence along and with the right of way of U. S. Highway 129 North 28 degrees 25 minutes West 164.77 feet to a concrete monument; thence North 57 degrees 56 minutes East for a distance of 210.29 feet to an iron pin; thence South 28 degrees 45 minutes East for a distance of 174.81 feet to an iron pin on the right of way of Allison Road; thence along and with the right of way of Allison Road the following courses and distances South 56 degrees 53 minutes West for a distance of 42.37 feet to a point; thence South 61 degrees 37 minutes West for a distance of 167.63 feet to an iron pin and the point of beginning. Said tract contains 0.824 acres and is designated on the aforementioned plat as lot 2.

This conveyance is made subject to all existing easements for right of way and utilities.

WHEREAS, the undersigned duly qualified as Executor of the estate of the said James A. Nordan, Jr., and is now administering the estate under the terms of said will; and it has been determined that all debts and claims against he estate have been fully paid.

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NOW, THEREFORE, the undersigned, as Executor of the will of the said James A. Nordan, Jr., hereby assents to the devise of said property under the terms of said will, so that full fee simple title thereto is vested in the said Patricia P. Nordan as provided in said will.

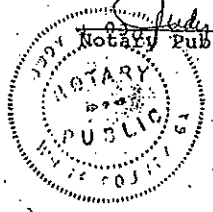
WITNESS my hand and seal this 3rd day of June, 1996.

Signed, sealed and delivered in the presence of

Ms. Patricia P. Nordan  
Patricia P. Nordan

Don Ferguson  
Witness

John D. Odum  
Notary Public  
MY COMMISSION EXPIRES MARCH 3, 1997





# OFFICIAL TAX RECEIPT

**White County Tax Commissioner**

**Cindy Cannon**

113 North Brooks Street

Cleveland GA 30528

Phone 17068652225 - Fax 17062190078

Email: wctc@whitecounty.net

**OWNER**

NORDAN PATRICIA

7525 HWY 129 NORTH

CLEVELAND, GA 30528

PAID DATE			11/14/2022
RECEIPT PRINTED			6/12/2023 3:42:06 PM
CASH AMOUNT	CHECK AMOUNT	CHARGE AMOUNT	CHECK NUMBER(S) CHARGE APPROVAL CODE
\$0.00	\$548.48	\$0.00	5132
REFUND AMOUNT			\$0.00
OVERPAY AMOUNT			\$0.00
CHANGE AMOUNT			\$0.00
REGISTER			4
CASHIER			
TOTAL PAID			\$548.48

Tax Year- Bill Number FMV Property ID	Property Description Property Address District Serial Number Decal Number	Due Date Original Due	Interest Penalty Other Fees	Previous Paid Amount	Current Amount Due	Amount Paid	Tax Bill New Balance	
2022-12680 FMV: 242110.00 004 011	30/236 PB6/26 LD4 LL67 7525 HWY 129 N DISTRICT: 001 SERIAL NUMBER: DECAL NUMBER: 0	11/15/2022  \$548.48	\$0.00 \$0.00 \$0.00	\$0.00	\$548.48	\$548.48	\$0.00	
Paid By: NORDAN PATRICIA				Overpayment Amount: 0.00				
Check Number: 5132								
Transaction(s): 36567 - 36567		Total(s):	\$548.48	\$0.00	\$0.00	\$548.48	\$548.48	\$0.00



I hereby acknowledge that the outlined acreage is excluded from the conservation use application Map 9 Parcel 11  
I understand that said acreage will not receive conservation use valuation and may be sold or used for any allowable purpose under law. The sale of any acreage other than the acreage excluded here may constitute a breach of the covenant.

Taxpayer Signature X. Kuester Date 2-1-23



# WHITE COUNTY PLANNING DEPARTMENT

## STAFF COMMENT

KEITH NORDAN

- PROPERTY IS LOCATED AT 7525 HIGHWAY 129N IN CLEVELAND. APPLICATION REQUEST TO CONSIDER REDISTRICTING FROM A-1 AGRICULTURE FORESTRY DISTRICT TO R-1 RESIDENTIAL SINGLE FAMILY DISTRICT.
- PROPERTY ADJOINS TO THE NORTH, EAST, AND SOUTH R-1 RESIDENTIAL SINGLE FAMILY DISTRICT; TO THE WEST AND SOUTH A-1 AGRICULTURE FORESTRY DISTRICT.
- THE WHITE COUNTY COMPREHENSIVE PLAN FUTURE LAND USE MAP INDICATES AGRICULTURE FORESTRY DISTRICT.
- TOTAL ACREAGE IS 7.23.
- PROPERTY SUPPLIED BY WELL AND SEPTIC.

EXISTING LAND USE



FUTURE LAND USE



WHITE COUNTY PLANNING COMMISSION MINUTES  
REGULAR SESSION

Monday, August 7<sup>th</sup>, 2023  
6:00 pm

White County Senior Center  
1239 Helen Hwy, Cleveland, Ga. 30528

Those present were Larry Freeman, R.K. Ackerman, Dona K. Burke, Charlie Thomas, Linda Dixon, Brad Ash, and John Yarbrough. Staff members present were Harry Barton, John Sell, and Mercedes Dodd.

Chairman Thomas called the meeting to order. Mr. Yarbrough gave the invocation. No changes made to the agenda. Motion to approve the minutes of June 26<sup>th</sup>, 2023 and July 3<sup>rd</sup>, 2023 made by Mr. Ackerman and seconded by Ms. Burke. Motion was unanimous.

**Application of James Allison** to request a variance from Section 802 Lot Width and Size for acreage. Property is located on Taxiway Lane, Cleveland, GA, 30528. Tax map and parcel is 063A-043. Total acreage is 0.19.

The applicant, James Allison of 175 Eagle Ridge Trail, was present. Mr. Barton gave a summary of the application. Mr. Allison explained this is for a hangar lot, not residential, and this request is for plat approval.

Motion to approve the variance made by Ms. Burke and seconded by Ms. Dixon. Motion was unanimous.

**Application of James Allison** to request a variance for Section 802 Lot Width and Size for acreage. Property is located at 202 Aviation Boulevard, Cleveland, GA, 30528. Tax map and parcel is 062-208C. Total acreage is 0.185

The applicant, James Allison of 175 Eagle Ridge Trail, was present. Mr. Barton gave a summary of the application. Mr. Allison explained this is for a hangar lot as well and this request is for plat approval.

Motion to approve the variance made by Mr. Ash and seconded by Mr. Yarbrough. Motion was unanimous. Mr. Barton advised the applicant to contact his office once the plats were ready to be stamped.

**Application of Mark King** to request a variance from Section 14-133(K) for RV Park Square Footage for a total of 635 square feet. Property is located on 66 Timberview Drive, Cleveland, GA, 30528. Lot 142 in Brookside Campground. Tax map and parcel is 004E-142.

The applicant, Mark King of 311 Country Creek Road in Macon, GA, was present. Mr. Barton gave a summary of the application. Mr. King explained the request is to cover a portion of an existing deck. He said existing covered square footage is 435 and proposed is 200.

Motion to approve the variance made by Ms. Dixon and seconded by Ms. Burke. Motion was unanimous. Mr. Barton advised the applicant to contact the Building Department for a building permit.

**Application of Chris Walls** to request a variance from Section 601 Access, Section 802 Lot Width and Size for acreage, and Section 804 Building Lines for building within a building setback. Property is located at 107 Runway Circle, Cleveland, GA, 30528. Tax map and parcel is 063A-028. Total acreage is 3.04.

A representative, James Allison of 175 Eagle Ridge Trail, was present on behalf of the applicant. Mr. Barton gave a summary of the application. Mr. Allison explained the smaller lots are for hangar lots only, the public water is available, and the request is for 5-foot setbacks on all property lines. He said the

WHITE COUNTY PLANNING COMMISSION MINUTES  
REGULAR SESSION

submitted plan is just a concept drawing, but lots 13A and 13B would be accessed by Runway Circle. When asked why a request was made for setbacks on half-acre lots, Mr. Allison explained it is a convenience factor that would allow for a larger hangar.

Motion to approve the variances made by Mr. Ackerman and seconded by Ms. Dixon. Motion was unanimous. Mr. Barton advised the representative to contact his office to discuss the development process.

**Application of Shaun York** to request a variance from Section 601 Access. Property is located on EDS Drive, Cleveland, GA, 30528. Tax map and parcel is 031-108A. Total acreage is 1.98. A representative, Kaitlyn York of 320 EDs Drive, was present on behalf of the applicant. Mr. Barton gave a summary of the application, adding that it is a mortgage variance that will revert to one tract once the mortgage is satisfied. When asked if the plan was to place a new dwelling on the back tract and remove the current dwelling once the mortgage is satisfied, Ms. York said yes.

Motion to approve the variance made by Mr. Ash and seconded by Ms. Burke. Motion was unanimous. Mr. Barton advised the applicant to contact his office.

**Application of James Gregg** to request a variance from Section 601 Access. Property is located on Fortner Lane, Cleveland, GA, 30528. Tax map and parcel is 033-046. Total acreage is 1.21. The applicant, James Gregg of 43 Lakeside Drive, was present. Mr. Barton gave a summary of the application. Mr. Gregg said this is family property.

Motion to approve the variance made by Ms. Burke and seconded by Mr. Ackerman. Motion was unanimous. Mr. Barton advised the applicant to contact Environmental Health for plat approval.

**Request for Preliminary Plat Renewal by Chad Knott** for Blue Creek Forest Subdivision on Duncan Bridge Road. Tax map and parcel is 074-053A. Total acreage is 30.24. The applicant, Chad Knott of 233 Moss Creek Point, was present. Mr. Barton gave a summary of the application. Mr. Knott explained the process has taken awhile due to costly water lines through the Water Authority that led to the need for wells and having to take additional steps through the power company in order to get the wells installed. He said the first two wells have passed.

Motion to approve the preliminary plat approval made by Mr. Ackerman and seconded by Mr. Ash. Motion was unanimous. Mr. Barton advised the applicant to contact his office about next steps.

**Application of Michael Caudell** to request a conditional use permit located at 147 Sara Lane, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 055D-094. Total acreage is 0.927. Proposed use is to place in "Short Term Rental" program. Present zoning is R-1 Residential Single Family. The applicant, Michael Caudell of 315 Runway Circle, was present. Mr. Barton gave a summary of the application. Mr. Caudell did not have anything to add.

WHITE COUNTY PLANNING COMMISSION MINUTES  
REGULAR SESSION

Motion to recommend approval to the Board of Commissioners made by Ms. Burke and seconded by Mr. Freeman. Motion carried 5-1 with Mr. Yarbrough opposed. Mr. Barton advised the applicant of the next meeting on August 28<sup>th</sup>.

**Application of Keith Nordan** to redistrict property located at 7525 Highway 129 N, Cleveland, Georgia, 30528 from A-1 Agriculture Forestry District to R-1 Single Family Residential District. Tax map and parcel 004-011. Total acreage is 7.23. Present zoning is A-1 Agriculture Forestry District. The applicant, Keith Nordon of 7525 Highway 129 N, was present. Mr. Barton gave a summary of the application. Mr. Nordon did not have anything to add.

Motion to recommend approval to the Board of Commissioners made by Mr. Freeman and seconded by Ms. Burke. Motion was unanimous. Mr. Barton advised the applicant of the next meeting on August 28<sup>th</sup>.

**Application of Jerry Fortenberry** to request a conditional use permit located at 578 Highway 356, Helen, Georgia, 30545. Tax map and parcel 042B-044. Total acreage is 1.00. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family. A representative, Michael Bogue of Cornelia, GA, was present. Mr. Barton gave a summary of the application. Mr. Bogue did not have anything to add.

Motion to recommend approval to the Board of Commissioners made by Ms. Burke and seconded by Mr. Yarbrough. Motion was unanimous. Mr. Barton advised the representative of the next meeting on August 28<sup>th</sup>.

**Application of Judy and Scott Hancock** to request a conditional use permit located at 1304 Highway 17, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 071-009. Total acreage is 16.86. Proposed use is to place in “Short Term Rental” program. Present zoning is A-1 Agriculture Forestry District. The applicant, Judy Hancock of 1302 Highway 17, was present. Mr. Barton gave a summary of the application. Ms. Hancock said wanted to address what happened last week after the meeting that they were unaware of and explained they were appalled to hear false rumors about the property being under contract and that the potential buyer wants to build cabins all over property. She said the property is at full capacity due to septic. Ms. Hancock said, after consulting with professional counsel, that toxic rumors are conjectures and run the risk of influencing commissioners’ decision.

She further clarified the historic cabin had been utilized by missionaries on furlough in exchange for gifts and utilized in exchange for help on farm. Regarding the opposition expressed in the Work Session, she said Mr. Muir had approached them twice to purchase the farm and he had expressed his opposition of the short-term rental to them after the meeting last week. She added that all present were in favor of the request during the public hearing and the issue was reopened (during the work session) after they left. Ms. Hancock stated their personal residence is on the river, but this cabin is over 1000 feet from the river, 400 feet from the closest residence on the other side of Highway 17, and 2000 feet from the closest building on Mr. Muir’s property.

When asked for clarification on whether the cabin had been rented in exchange for money, Ms. Hancock said yes it had been rented for two and a half years and she was unaware of the business license

WHITE COUNTY PLANNING COMMISSION MINUTES  
REGULAR SESSION

requirement. She verified the taxes had been paid. She also clarified that the property is for sale but is not currently under contract and the property is in the flood plain.

Motion to recommend approval of 1304 Highway 17 made by Ms. Burke and seconded by Mr. Ackerman. Motion carried 5-1 with Ms. Dixon opposed. Mr. Barton advised the applicant of the next meeting on August 28<sup>th</sup>.

Mr. Sell presented the proposed amendments to the White County Land Use Ordinance related to provisions for Historic Preservation.

Ms. Dixon recused herself due to being on the Historic Preservation Committee.

Mr. Ackerman requested clarification on the buffers and effect on adjacent property owners, to which Mr. Sell explained the changes made to address these concerns including sign off requirements and when buffers would not apply. Ms. Burke expressed concerns with placing additional restrictions on properties and explained that landowners could place restrictions or covenants on their personal property to protect it.

Chairman Thomas asked if there were any recommended changes to the document, there was no response from the board.

Motion to recommend approval as is with the changes was made by Mr. Ackerman. The motion died for lack of second.

Mr. Freeman explained there is a lot of beautiful property in the county that should be protected and there are rules and regulations already in place to help protect property from something that might not be a good fit. Mr. Freeman made a motion to recommend to the Board of Commissioners not adding this to the land use plan. Ms. Burke seconded the motion. Motion carried 4-1 with Mr. Ackerman opposed and Ms. Dixon recused.

There was no citizen comment.

Motion to adjourn made by Ms. Burke and seconded by Mr. Yarbrough. Motion was unanimous.

WHITE COUNTY PLANNING COMMISSION MINUTES  
PUBLIC HEARING: LAND USE REGULATION

Monday, July 31<sup>st</sup>, 2023  
6:00 pm

White County Senior Center  
1239 Helen Hwy, Cleveland, Ga. 30528

Board members present were Larry Freeman, R.K. Ackerman, Dona K. Burke, Charlie Thomas, Brad Ash, and John Yarbrough. Staff members present were Harry Barton, John Sell, and Mercedes Dodd.

Chairman Thomas called the meeting to order. Mr. Yarbrough gave the invocation. No changes made to the agenda.

**Application of Michael Caudell** to request a conditional use permit located at 147 Sara Lane, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 055D-094. Total acreage is 0.927. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

The applicant, Michael Caudell of 315 Runway Circle, was present. Mr. Barton gave a summary of the application. Mr. Caudell explained the proposed short-term rental would have a maximum occupancy of eight people with parking for five to ten vehicles. He said the house had been a short-term rental previously and was under the impression it was grandfathered in when he purchased it in March, but learned it was not when he went to file for a business license so he blocked out all summer rentals. When asked where the nearest full time resident lives, he said the HOA president recently took his property out of short-term rental and now resides there full time. Mr. Caudell said he received a letter of support from the HOA president, as well, and said he plans to self-manage the rental.

Chairman Thomas asked if anyone would like to speak for the application, there was no response. He asked if anyone would like to speak against the application, there was no response. Mr. Caudell did not have anything to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on August 7<sup>th</sup>.

**Application of Keith Nordan** to redistrict property located at 7525 Highway 129 N, Cleveland, Georgia, 30528 from A-1 Agriculture Forestry District to R-1 Single Family Residential District. Tax map and parcel 004-011. Total acreage is 7.23. Present zoning is A-1 Agriculture Forestry District.

The applicant, Keith Nordan of 7423 Highway 129 North, was present. Mr. Barton gave a summary of the application. Mr. Nordan explained that Camp Coleman wants to purchase five acres and his daughter will keep the remaining acreage. Mr. Barton explained that, due to this not being a family transfer and zoned Agriculture, it would need to be rezoned in order to split since it is less than ten acres.

Chairman Thomas asked if anyone would like to speak for the application.

Amy Smiler McFarland, Camp Director for URJ Camp Coleman at 201 Camp Coleman Drive, stated the camp is interested in purchasing this property to keep as a forestry buffer and to help with security of the camp.

Chairman Thomas asked if anyone would like to speak against the application, there was no response. Mr. Nordan did not have anything to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on August 7<sup>th</sup>.

WHITE COUNTY PLANNING COMMISSION MINUTES  
PUBLIC HEARING: LAND USE REGULATION

**Application of Jerry Fortenberry** to request a conditional use permit located at 578 Highway 356, Helen, Georgia, 30545. Tax map and parcel 042B-044. Total acreage is 1.00. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

The applicant, Jerry Fortenberry of 2210 Village Pool Road in Quantico, VA, was present. Mr. Barton gave a summary of the application. Mr. Fortenberry explained the proposed short-term rental would have a maximum occupancy of four people in the two bedroom/one bathroom home with parking for four to five vehicles, but he plans to limit parking to two or three vehicles on the private driveway. He explained that he purchased the home in 2021 and recently found out about the tax licensing requirements. He said he is military and the short-term rental would provide his family with a place to stay while renting it to offset costs. Mr. Fortenberry said he plans to self-manage through AirBnB with his brother-in-law as the local contact 15 minutes away, that he has rented it since owning without issues, and outlined his rental policies. When asked if there are any neighbors, he said there is one across the street and they may be pursuing short-term rental as well. Mr. Ackerman asked him if he had any policies for firearms in place, to which Mr. Fortenberry said he would add to his rental policies that no firearms could be fired.

Chairman Thomas asked if anyone would like to speak for the application, there was no response. He asked if anyone would like to speak against the application, there was no response. Mr. Fortenberry did not have anything to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on August 7<sup>th</sup>.

**Application of Judy and Scott Hancock** to request a conditional use permit located at 1304 Highway 17, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 071-009. Total acreage is 16.86. Proposed use is to place in “Short Term Rental” program. Present zoning is A-1 Agriculture Forestry District. The applicant, Judy Hancock of 1304 Highway 17, was present. Mr. Barton gave a summary of the application. Ms. Hancock said the short-term rental has a maximum occupancy of two people and outlined her rental policies. She explained the rental is an 1844 cabin where couples can come to enjoy the farm experience and unplug since there are not amenities like Wi-Fi or television, adding that her farm is open to the public and they has hosted tours. She said she has owned the cabin for 16 years, has been renting it short-term for two and a half years without issues or complaints from neighbors, and self-manages the rental through AirBnB. When asked if she was notified by the county for not being in compliance, Ms. Hancock said yes and that she was unaware of the permit or business license requirement. She said they live on the property and are very aware of what goes on with the guests.

Chairman Thomas asked if anyone would like to speak for the application.

Teresa Holtzclaw of 72 Greear Lane in Helen explained the cabin was previously a rustic cabin furniture store without heat and only the log framing. She said the Hancocks completely finished out the cabin and turned it into the perfect AirBnB to “unplug” without services like Wi-Fi or television. She explained it is separated from the neighborhood, has a pristine setting, and is near the river.

Tim Tinius of 1321 Highway 17 said he was not opposed, but wanted to know if this would allow the owners to have multiple cabins on the property. Mr. Tinius said he is for them doing this short-term rental but is against a rental cabin development. Chairman Thomas explained the applicants would have to come back for approval for anything else through the county.

WHITE COUNTY PLANNING COMMISSION MINUTES  
PUBLIC HEARING: LAND USE REGULATION

Scott Hancock of 1304 Highway 17 said they have no intentions for development and are limited on space for septic. He said he built the cabin wanting to do a country clinic, but learned that would be commercial with additional requirements and gave it to others that could use it. Mr. Hancock said they want to be good neighbors, which is why they have policies such as no more than two cars and no guests.

Chairman Thomas asked if anyone would like to speak against the application, there was no response. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on August 7<sup>th</sup>.

Motion to adjourn made by Ms. Burke and seconded by Mr. Ackerman. Motion was unanimous.

DRAFT





# WHITE COUNTY

## *Board of Commissioners*

### Agenda Request Form

**Item Title:** Conditional Use Permit Request for STR for Jerry Fortenberry 578 Hwy 356, Helen

**For Meeting Date:** 8/21/2023

**Work Session**  **Regular Meeting**  **Public Hearing**

**Category (Select One):** Land Use Application

**Submitted By:** John Sell

**Attachments:** Yes  **If yes, please list each file name below:**

1. Application #20064
2. Public Hearing minutes of 7/31/2023
3. Regular Meeting minutes of 8/7/2023

### **Purpose:**

Consider the application of Jerry Fortenberry to request a conditional use permit located at 578 Highway 356, Helen, Georgia, 30545. Tax map and parcel 042B-044. Total acreage is 1.00. Proposed use is to place in "Short Term Rental" program. Present zoning is R-1 Residential Single Family.

### **Background / Summary:**

- Applicant is requesting a conditional use permit for short term rental. Mr. Fortenberry, who lives in Quantico, Va, explained the proposed short-term rental would have a maximum occupancy of four people in the two bedroom/one bathroom home with parking for four to five vehicles, but he plans to limit parking to two or three vehicles on the private driveway. He explained that he purchased the home in 2021 and recently found out about the tax licensing requirements. He said he is in the military (Marines) and the short-term rental would provide his family with a place to stay while renting it to offset costs. Mr. Fortenberry said he plans to self-manage through AirBnB with his brother-in-law as the local contact 15 minutes away, that he has rented it since owning without issues, and outlined his rental policies. When asked if there are any neighbors, he said there is one across the street and they may be pursuing short-term rental as well. Mr. Ackerman asked him if he had any policies for firearms in place, to which Mr. Fortenberry said he would add to his rental policies that no firearms could be fired. The Planning Commission recommended approval of the application and the motion passed by unanimous vote.

### **Department Recommendation:**

Planning Commission recommended approval by unanimous vote.

**Options:**

- Uphold Planning Commission recommendation and approve the application
- Reverse Planning Commission recommendation and deny the application.
- Table the application for further review or to send back to Planning Commission

**Budget Information:** Applicable  Not Applicable

**Budgeted:** Yes  No

**Finance Director's Comments (if applicable):**

- 

**County Manager Comments:**

-

# WHITE COUNTY CHANGE OF LAND USE DISTRICT APPLICATION

<b>OFFICE USE ONLY</b>	Land Use Application #: <u>20064</u>
Public Hearing Date: <u>7/31/2023</u>	Commission District: <u>4</u>
Fees Assessed: <u>\$250<sup>00</sup></u>	Paid via: <input type="checkbox"/> cash <input type="checkbox"/> credit card <input checked="" type="checkbox"/> check# <u>1043</u>

APPLICANT INFORMATION	
Status: <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Authorized Agent <input type="checkbox"/> Lessee <input type="checkbox"/> Option to Purchase	
Printed Name(s): <u>Jerry L. Fortenberry</u>	
Address: <u>2210 Village Pool Rd Powhatan, VA 23139</u>	
Phone Number: <span style="background-color: black; color: black;">[REDACTED]</span>	Alternate Contact Number:
Email: <span style="background-color: black; color: black;">[REDACTED]</span>	

Owner Information (if different from Applicant/Agent):	
Name:	Phone #:

PROPERTY INFORMATION	
Parcel ID: <u>042B044</u>	Total acreage being changed: <u>1.0</u>
Address: <u>578 Hwy 356 Helen, GA 30535</u>	
Directions to Property: <u>Turn on Hwy 356 coming from downtown Helen. Property is on the right about 1 mile before Unico State park.</u>	

Current Use/Zoning of Property: <u>R1</u>	Type of Road Surface: <u>Gravel</u>
Any prior redistricting requests for property: <u>No</u> If yes, provide redistricting application #: _____	

SURROUNDING PROPERTY LAND USE CLASSIFICATION:			
North: <u>R1</u>	South: <u>R1</u>	East: <u>R1</u>	West: <u>R1</u>

REQUESTED ACTION AND DETAILS OF PROPOSED USE (check all that apply)	
<input type="checkbox"/>	Redistrict from district: _____ Redistrict to district: _____
<input checked="" type="checkbox"/>	Conditional Use - specify: <u>STR</u>
<input type="checkbox"/>	Special Use - specify: _____
<input type="checkbox"/>	Land Use Variance from Code Section: _____

Proposed use if not listed above: _____	
Is this property part of a subdivision? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If so, please list number of lots: _____
Are there covenants? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Is there an active homeowner's association? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Subdivision Name (if applicable): _____	

Existing Utilities (check all that apply):  
 County or City Water     Well     Septic     Gas     Electric     Broadband

Proposed Utilities (check all that apply):  
 County or City Water     Well     Septic     Gas     Electric     Broadband

**COMMERCIAL AND INDUSTRIAL REDISTRRICT INFORMATION**

Building Area: \_\_\_\_\_ No. of Parking Spaces: \_\_\_\_\_

**RESIDENTIAL REDISTRRICT INFORMATION**

No. of Lots: \_\_\_\_\_ Minimum Lot Size in acres: \_\_\_\_\_ No. of Units: \_\_\_\_\_

Minimum Heated Floor Area (ft<sup>2</sup>): \_\_\_\_\_ Density/Acre: \_\_\_\_\_

Is an Amenity area proposed (specify if yes)?

Apartments     Condominiums     Townhomes     Single Family

Rental Cabins     Recreational Vehicle Park     Other- Specify: \_\_\_\_\_

**LIST OF ADJACENT PROPERTY OWNERS**

It is the responsibility of the Applicant to provide a list of adjacent property owners that has property bordering your property or who has property directly across the street from your property (additional sheet may be included, if necessary).

PARCEL	PROPERTY OWNER NAME	MAILING ADDRESS
1 042B040	Key GA Properties LLC	567 HWY 356 Helen, GA 333 N Sam Houston PKWYE Houston, TX 77060
2 042B045	Wildblume LLC.	0 HWY 356 Helen, GA 200 Stewart DR Atlanta, GA 30342
3 042B043	Robert Ferrill	620 HWY 356 Helen, GA 844 S Woodland TRC Cumming, GA 30028
4		
5		
6		
7		

### APPLICANT CERTIFICATION

I hereby request the action contained within this application relative to the property shown on the attached plats and site plan and further request that this item be placed on both the Planning Commission and Board of Commissioners meeting agendas.

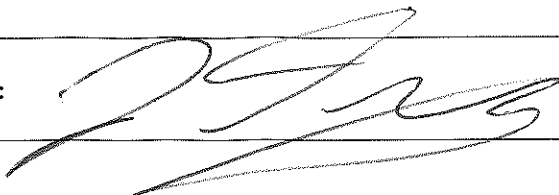
I understand that the Planning Department staff may either accept or reject my request upon review. My request will be rejected if all the necessary data is not presented.

I understand that I have the obligation to present all data necessary and required by statute to enable the Planning Commission and Board of Commissioners to make an informed determination on my request. I understand that I may seek legal advice if I am not familiar with the land use requirements and procedures.

I understand that my request will be acted upon at the Planning Commission and Board of Commissioners meetings and that I am required to be present or to be represented by someone able to present all facts and answer all questions. I understand that failure to appear at a meeting shall result in the postponement or denial of my application request. I further understand that it is my responsibility to be aware of relevant meeting dates and times regardless of notification from White County.

I hereby certify that I have read the above and that the above information, as well as the attached information, is true and correct.

**Applicant Signature:**



**Date:**

*June 11, 2023*

### 2023 DEADLINES AND MEETING DATES

Submittal Date Planning Dept. Office 5:00 p.m. Deadline	Planning Commission Public Hearing 1239 Helen Hwy 6:00 p.m.	Planning Commission Regular Session 1239 Helen Hwy 6:00 p.m.	Board of Commissioners Work Session 1235 Helen Hwy 4:30 p.m.
Wednesday, January 4, 2023	Monday, January 30, 2023	Monday, February 6, 2023	Monday, February 27, 2023
Wednesday, February 1, 2023	Monday, February 27, 2023	Monday, March 6, 2023	Monday, March 27, 2023
Wednesday, March 1, 2023	Monday, March 27, 2023	Monday, April 3, 2023	Monday, April 24, 2023
Wednesday, March 29, 2023	Monday, April 24, 2023	Monday, May 1, 2023	TBA
Wednesday, May 3, 2023	TBA	Monday, June 5, 2023	Monday, June 26, 2023
Wednesday, May 31, 2023	Monday, June 26, 2023	Monday, July 3, 2023	Monday, July 31, 2023
Wednesday, June 14, 2023 *	Monday, July 31, 2023	Monday, August 7, 2023	Monday, August 28, 2023
Wednesday, July 12, 2023	Monday, August 28, 2023	TBA	Monday, September 25, 2023
Wednesday, August 9, 2023	Monday, September 25, 2023	Monday, October 2, 2023	Monday, October 30, 2023
Wednesday, September 13, 2023	Monday, October 30, 2023	Monday, November 6, 2023	Monday, November 27, 2023
Wednesday, October 11, 2023	Monday, November 27, 2023	Monday, December 4, 2023	TBA
Wednesday, November 8, 2023	TBA	TBA	Monday, January 29, 2024
Wednesday, December 13, 2023	Monday, January 29, 2024	Monday, February 5, 2024	Monday, February 26, 2024

\*NEW DEADLINE DATES EFFECTIVE IN ORDER TO MEET ZPL UPDATES AS OF JULY 2023

**NOTICE OF AGRICULTURAL DISTRICT ADJACENCY**

Future abutting developers in non-agricultural land use districts shall be provided with this "Notice of Agricultural Adjacency" prior to administrative action on either land use district, the issuance of a building or occupancy permit or approval of a subdivision of property. Prior to administrative action, the applicant shall be required to sign this wavier which indicates that the applicant understands that a use is ongoing, adjacent to his/her use, which can produce odors, noise, dust and other effects which may not be compatible with the applicant's development. Nevertheless, understanding the effects of the adjacent Agricultural District uses, the applicant agrees by executing this form to waive any objection to those effects and understands that his/her district change and/or permits or other approvals are issued and processed in reliance on his agreement not to bring any action asserting that the adjacent uses in the Agricultural District constitute a nuisance against the local government and adjoining land owners whose property is located in an Agricultural District. This wavier shall be provided and made applicable for subsequent purchasers and owners or heirs of his/her property. This notice and acknowledgement shall be public record.

**Applicant Signature:**

**Date:**

**DISCLOSURE OF CAMPAIGN CONTRIBUTIONS  
(APPLICANTS AND REPRESENTATIVE(S) OF REQUESTED ACTION)**

Pursuant to O.C.G.A. Section 36-67 A-3.A, the disclosure of any campaign contributions aggregating \$250.00 or more to a local government official who will consider an application for re-classification or for a conditional use or special use permit is mandatory when an application or any representation of application for re-classification of district or for conditional use or special use permit has been made within two (2) years immediately preceding the filing of a request for reclassification or conditional use or special use permit by the same applicant and/or representative of said applicant. It shall be the duty of the applicant and/or any representatives of the applicant to file a disclosure with the governing authority of the respective local government to show the following:

Name of local official(s) to whom campaign contribution was made:

The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two (2) years immediately preceding the filing of this application for action for district re-classification, conditional use or special use permit.

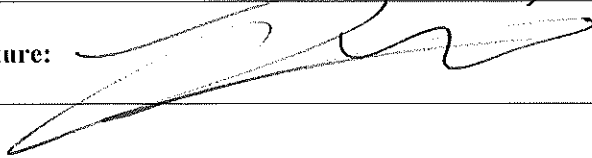
Amount \$:

Date:

Enumeration and description of each gift (when the total value of all gifts is \$250.00 or more) made to the local government official during the two (2) years immediately preceding the filing of this application. **Please attach additional sheets if needed.**

*Check box if no contributions made*

**Applicant Signature:**



**Date:**

June 11, 2023

**PROPERTY OWNER AUTHORIZATION**

To be completed by the property owner to certify ownership of subject property and to provide authorization for other person(s) to represent the owner on their behalf.

I/WE (print), Jerry L. Fortenberry and Michael Bogue, hereby swear that I/we own the property for which this land use change application is being made.

Property Address and/or Parcel ID:

**PROPERTY OWNER INFORMATION**

Printed Name of Owner(s):

Jerry L. Fortenberry / Michael Bogue

Mailing Address:

PO BOX 549 Cornelia, GA 30531

Phone Number:

[Redacted]

Alternate Contact Number:

[Redacted]

Email:

[Redacted]

I/we hereby authorize the person named below to act as the applicant or agent in the pursuit of the requested action on this property. I/we understand that any action granted and/or conditions or stipulations placed on the property will be binding upon the property regardless of ownership. The person named below is authorized to make this application. The person named below is aware that no application or re-application affecting the same land shall be acted upon within six (6) months from the date of the last action by the White County Board of Commissioners.

Printed Name of applicant or agent(s):

Signature of Owner(s):

Date Signed:

[Signature]

June 9, 2023

[Signature]

June 9, 2023

**PROPERTY OWNER AUTHORIZATION DOCUMENT: NOTARY ACKNOWLEDGEMENT**

Sworn to (or affirmed) and subscribed before me this 9<sup>th</sup> day of June, 2023 by \_\_\_\_\_ (name of signer(s)). The named signer(s) is/are personally known by me or produced the identification type of \_\_\_\_\_.

[Signature]

(Signature of Notary)

{Seal}



Deborah L. Hood

(Name of Notary Typed, Stamped, or Printed)

**SHORT TERM RENTAL CERTIFICATIONS**

To be completed and notarized for any application where the proposed use is short term rental.

I/WE (print), Jerry L Fortenberry and Michael Bogue, hereby swear that I/we own/will own the property referenced below for which this land use change application is being made.

\*Property Address and/or Parcel ID:

**PROPERTY OWNER AUTHORIZATION ACKNOWLEDGEMENT OF GUESTS**

I acknowledge to keep the total number of guests to that number which can safely stay in the premises and may be subject to the State of Georgia's fire safety code regulations.

Signature of Owner/Future Owner(s): [Signatures]

**PROPERTY OWNER AUTHORIZATION CERTIFIED BY OWNER OR THIRD PARTY INSPECTOR**

I attest by owner or third party inspector that short term rentals meet applicable International Building Code, International Fire Code regulations and NFPA 101 Life Safety codes.

Signature of Owner/Future Owner(s): [Signatures]

**PROPERTY OWNER AUTHORIZATION CERTIFIED DEED RESTRICTION**

I certify that there are no deed restriction and/or covenants on the property that prohibits the use of the property as a short-term rental.

Signature of Owner/Future Owner(s): [Signatures]

**PROPERTY OWNER AUTHORIZATION CERTIFIED SHORT-TERM RENTAL INSURANCE**

I certify that the owner/future owner has commercial or specific short-term rental insurance for the property. If insurance *has not been obtained* at time of application, I certify that owner/future owner will obtain prior to renting if application approval is granted.

Signature of Owner/Future Owner(s): [Signatures]

**OFFICIAL CODE OF WHITE COUNTY APPENDIX C/ARTICLE VII - SHORT TERM RENTALS & BUSINESS LICENSES NOTIFICATION**

I certify that I have been informed of and provided a copy of Appendix C/Article VII - Short Term Rentals. I certify that I have also been informed that I will need to contact the White County Business Tax Office (706-865-2235) to obtain the proper business licensing, host licensing, and subsequent tax information prior to operation of my short-term rental.

Signature of Owner/Future Owner(s): [Signatures]

**SHORT TERM RENTAL CERTIFICATIONS DOCUMENT: NOTARY ACKNOWLEDGEMENT**

Sworn to (or affirmed) and subscribed before me this 9<sup>th</sup> day of June, 2023 by \_\_\_\_\_ (name of signer(s)). The named signer(s) is/are personally known by me or produced the identification type of \_\_\_\_\_.

[Signature]  
(Signature of Notary)

Deborah L. Hood  
(Name of Notary Typed, Stamped, or Printed)





**APPLICANT ACKNOWLEDGEMENT OF MEETING DATES**

I, Jerry L. Fortenberry (print name) have been advised that I or someone to represent me must be in attendance when my application is before the White County Planning Commission and the White County Board of Commissioners or it will be tabled. I also acknowledge that I have been made aware of the below dates upon submission of my application.

Senior Center, 1239 Helen Hwy, Cleveland

6:00pm

Public Hearing Date (Planning Commission): 7/31/2023


Regular Meeting Date (Planning Commission): 8/7/2023

Administration Building, 1235 Helen Hwy, Cleveland

4:30pm

Board of Commissioners Meeting Date: 8/28/2023

*\*Meeting dates are subject to change*

  
Signature of Applicant or Authorized Agent

June 13, 2023  
Date

<b><u>OFFICE USE ONLY</u></b>
Copy given to applicant: <u>6/13/23</u> (date)
Staff Initials: <u>MP</u>
Flag (circle): <u>Y</u> N

\*\*\*\*\*

<b>WITHDRAWAL</b>
<i>Notice: This section only to be completed if application is being withdrawn.</i>
<p align="center">PART II - OFFICIAL CODE/APPENDIX C - LAND USE REGULATIONS/ARTICLE XVIII. AMENDMENT, APPLICATION AND PROCEDURAL REQUIREMENTS</p> <p><i>Section 1803. Withdrawal of amendment application. Any petition for an amendment to these regulations, official land use district map, conditional use approval, variance or special use permit may be withdrawn, at the discretion of the person or agency initiating such request, at any time prior to final action by the board of commissioners upon written notice to the planning director. Any required fees shall be forfeited</i></p>
I hereby withdraw application #:
Applicant Signature: _____ Date: _____

I, Jerry L Fortenberry, owner of 578 Hwy 356 in Helen GA make the following statement for consideration of re-zoning our property to allow its use as a short term rental. I am an active duty Marine with 2 years left on active duty service. We bought the property to move back to after my retirement. We would like to use the property as a short term rental to offset cost until we move back and can make it our primary residence. The home in question is a single family home, 2 bed 1 bath on a 1 acre private lot. We have had a chance to meet most of the neighbors and they have been in support of our plans. I have read and understand all the rules and regulations set forth by the county concerning short term rentals and will strictly abide by them. Being a native of White and Habersham Counties, and a returning veteran, I would appreciate your consideration on the matter of us renting our home as a short term rental.

Jerry L. Fortenberry



**Public Health**  
Prevent. Promote. Protect.

## White County Environmental Health

Zachary Taylor, M.D., M.S., Health Director

1241 Helen Highway, Unit 210 • Cleveland, GA 30528

PH: 706-348-7698 • FAX: 706-348-1670 • [www.phdistrict2.org](http://www.phdistrict2.org)

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Banks, Dawson, Forsyth, Franklin, Habersham, Hall, Hart, Lumpkin, Rabun, Stephens, Towns, Union and White Counties

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Evaluation Applied For



Appropriate Permit Applied For



Appropriate Permit Issued to Applicant



Evaluation, Permit Not Applied For At This Time

DATE: 06/09/2023

APPLICANT NAME: JERRY FORTENBERRY

PROPERTY ADDRESS: 578 HWY 356  
HELEN, GA 30545

White County Planning Department:

In reference to a request for a change of zoning/land use or a building permit, application may need to be made for an existing system evaluation to determine:

- that the permit on file is the correct permit for the property in question;
- that there is no evidence of system failure;
- that the septic system is appropriately sized for the current and proposed use;
- that there is adequate repair after the proposed addition;
- that there are no conditions that could adversely affect the functionality of the system.

Please note that this is NOT an all-inclusive list. Based upon the information submitted and/or the outcome of the evaluation, it may be determined that a septic system needs additional capacity or upgrade. If so, the appropriate permit will need to be obtained and the work completed before an approval can be given.

If, based upon information submitted, no septic systems exist on the property, this zoning/land use change and/or building permit request should not affect the property with respect to septic use.

White County Environmental Health  
District 2 Public Health

*By signing below, I certify all information submitted is accurate and true to the best of my knowledge.*



  
\_\_\_\_\_  
Applicant Signature

06/09/2023

**Receipt for White County Environmental Health Fees**

Paid By: JERRY FORTENBERRY

Service Location: JERRY FORTENBERRY  
PO BOX 549  
CORNELIA, GA 30531

Invoice ID: 961642  
Invoice Date: 06/09/2023

Fee Type	Fee	Quantity	Subtotal
WATER SAMPLE	\$50.00	1	\$50.00
SEPTIC TANK EVALUATION	\$60.00	1	\$60.00
<b>Total Fees</b>			<b>\$110.00</b>
<b>Total Charges</b>			<b>\$110.00</b>

Payment Type	Amount
Charge	\$110.00
Payment Total	\$110.00
<b>Remaining Owed by 07/09/2023</b>	<b>\$0.00</b>
Received By: Michelle Crook	Date Received: 06/09/2023

Thank you for your payment.

Local Payment Reference:

WHITE COUNTY BOARD C  
1241 HELEN HWY  
CLEVELAND, GA 30528  
706-866-2151

Ref #: 0001

**Sale**

XXXXXXXXXXXXXXXXXXXX  
 MASTERCARD Entry Method: Chip  
 Amount: \$ 110.00  
 Tax: \$ 0.00  
 Total: \$ 110.00

06/09/23 13:29:36  
 Inv #: 000001 Appr Code: 668932  
 Transaction ID: 6609MDSZF6GF  
 Apprvd: OnLine Batch#: 000119

Mastercard Debit  
 AID: A0000000041010  
 TSI: 6800  
 TVR: 8000008000

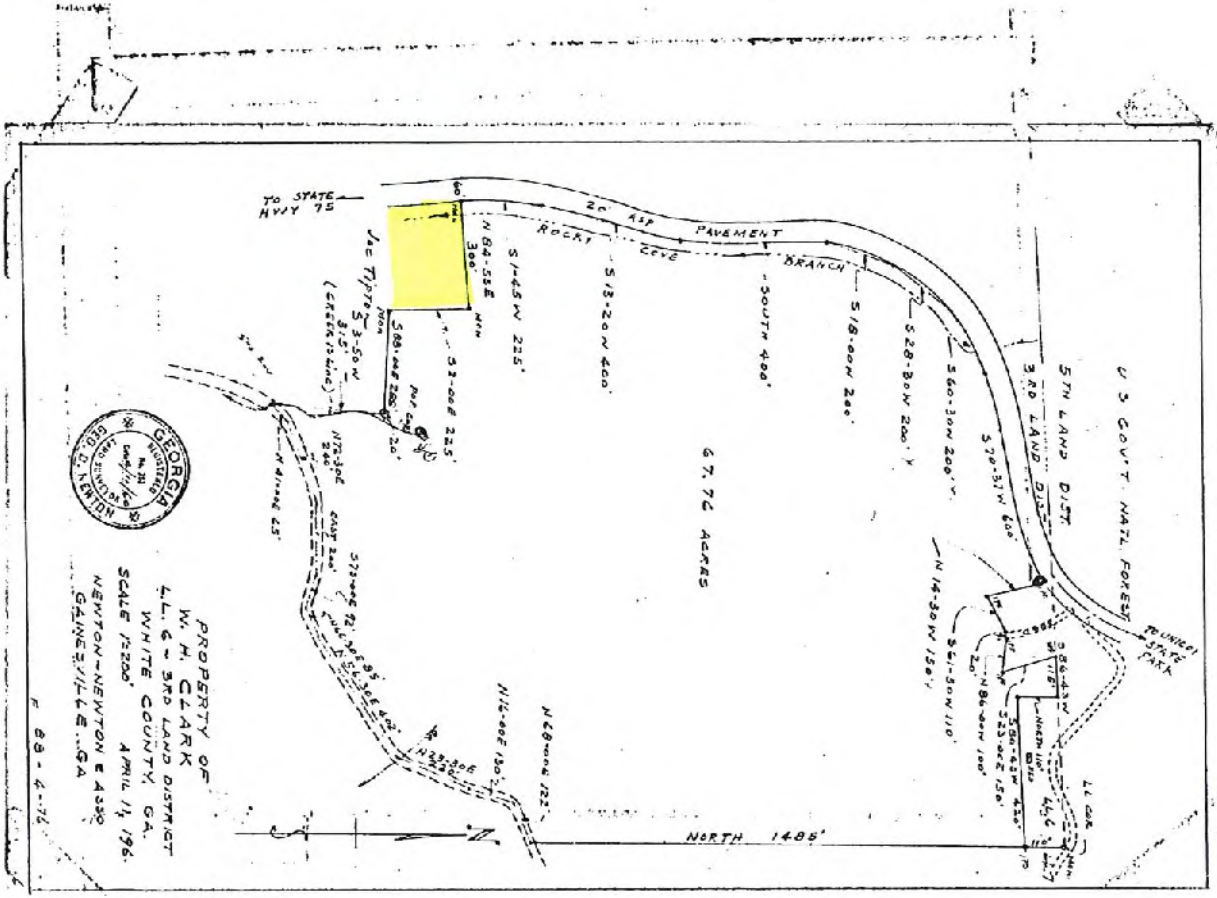
I agree to pay above total amount according to card issuer agreement (Merchant agreement if credit voucher)



RENTALS LLC/BASE CAMP

Merchant Copy

THANK YOU!



PROPERTY OF  
 W. H. CLARK  
 41.6 - 3RD LAND DISTRICT  
 WHITE COUNTY, GA.  
 SCALE 1/2" = 200' APRIL 14, 1986  
 NEWTON-NEWTON & ASSOC  
 GAINESVILLE, GA.

P 89-4-76

GEORGIA WHITE COUNTY  
 Plat 11, 1986 (720) 815  
 Book 1 Page 182  
 Date of Survey 12/15/85  
 Surveyor's Name Newton-Newton & Assoc  
 Surveyor's License No. 1200

eFiled & eRecorded  
DATE: 12/3/2021  
TIME: 4:09 PM  
DEED BOOK: 01836  
PAGE: 00005 - 00007  
RECORDING FEES: \$25.00  
TRANSFER TAX: \$170.00  
PARTICIPANT ID: 3419680506  
CLERK: Dena M. Adams  
White County, GA  
PT61: 154-2021-003496

Return Recorded Document to:  
Hotard & Hise, LLC  
855 Washington Street  
P.O. Box 2018  
Clarkesville, GA 30523

**WARRANTY DEED**

STATE OF GEORGIA  
COUNTY OF HABERSHAM

File #: 21-779T

This Indenture made this 30th day of November, 2021 between Charles Douglas Partin, as Executor of the Estate of Blanche Adams Hampton *pursuant to Letters Testamentary issued by White County Probate Court*, of the County of White, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and Jerry Lee Fortenberry, Jr. and Michael Leon Bogue, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

**WITNESSETH** that: Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

**ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT "A."**

This Deed is given subject to all easements and restrictions of record, if any.

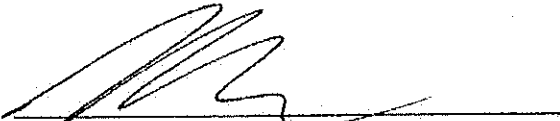
eFiled & eRecorded  
DATE: 12/3/2021  
TIME: 4:09 PM  
DEED BOOK: 01836  
PAGE: 00006


**TO HAVE AND TO HOLD** the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in **FEE SIMPLE**.

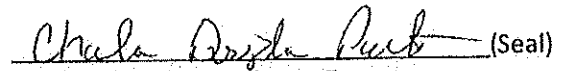
**AND THE SAID** Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

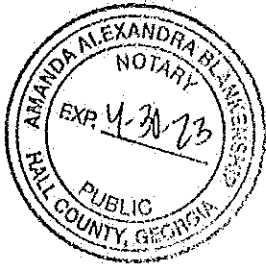
**IN WITNESS WHEREOF**, Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signed, sealed and delivered in the presence of:

  
\_\_\_\_\_  
Witness

  
\_\_\_\_\_  
Notary Public

 (Seal)  
Charles Douglas Partin, as Executor  
of the Estate of Blanche Adams pursuant to  
Letters Testamentary issued by White County  
Probate Court



eFiled & eRecorded  
DATE: 12/3/2021  
TIME: 4:09 PM  
DEED BOOK: 01836  
PAGE: 00007

EXHIBIT "A"

LEGAL DESCRIPTION

578 HIGHWAY 356, HELEN, GA 30545

ALL THAT TRACT OR PARCEL OF LAND lying and being in the 3<sup>rd</sup> Land District of White County, Georgia, same being Lot 6 in Block 1 of the W.H. Clark subdivision, and being described as follows:

BEGINNING AT a corner of Lot 5 running 100 feet North along highway right-of-way to a marble corner; thence Northeast 120 feet to marble corner; thence South to corner of Lot 5, same being 100 feet, thence along Lot 5, 120 feet to BEGINNING CORNER.

Being that same property conveyed Thomas Robinson and Ann Robinson from W. H. Clark via Warranty Deed dated May 2, 1957 and being recorded in Deed Book NH, Page 368, White County, Georgia records.

ALSO CONVEYED ALL THAT TRACT OR PARCEL OF LAND lying and being in the 3<sup>rd</sup> Land District and in Chattahoochee Militia District of White County, Georgia, and more particularly described as follows:

BEGINNING AT the point on the road leading from Robertstown, Georgia to Unicoi State Park and on the South side of said road, and at the Northeast corner of Lot 4 of the tract of land known as Clark and Blalock Subdivision; thence Southerly along and with the line of said Lot 4 a distance of 120 feet to a rock corner; thence Easterly a distance of 100 feet to a rock corner; thence Northerly a distance of 120 feet to the said road leading to Unicoi State Park; thence Westerly along and with said road a distance of 100 feet to the POINT OF BEGINNING. The lot described is known as Lot 5 of the Clark and Blalock Subdivision.

ALSO CONVEYED Lot 4 in Block 1, South of Lot 5 corner; thence 100 feet along highway; thence back 120 feet; thence North to corner of Lot 5 thence along the line of Lot 5 to highway 120 feet to corner of lot 5. Being the same property described and conveyed in a warranty deed dated August 21, 1954 from W.H. Clark to Thomas Robinson and wife and located in Clerk's Office.





# OFFICIAL TAX RECEIPT

**White County Tax Commissioner**

**Cindy Cannon**

113 North Brooks Street

Cleveland GA 30528

Phone 17068652225 - Fax 17062190078

Email: wctc@whitecounty.net

**OWNER**

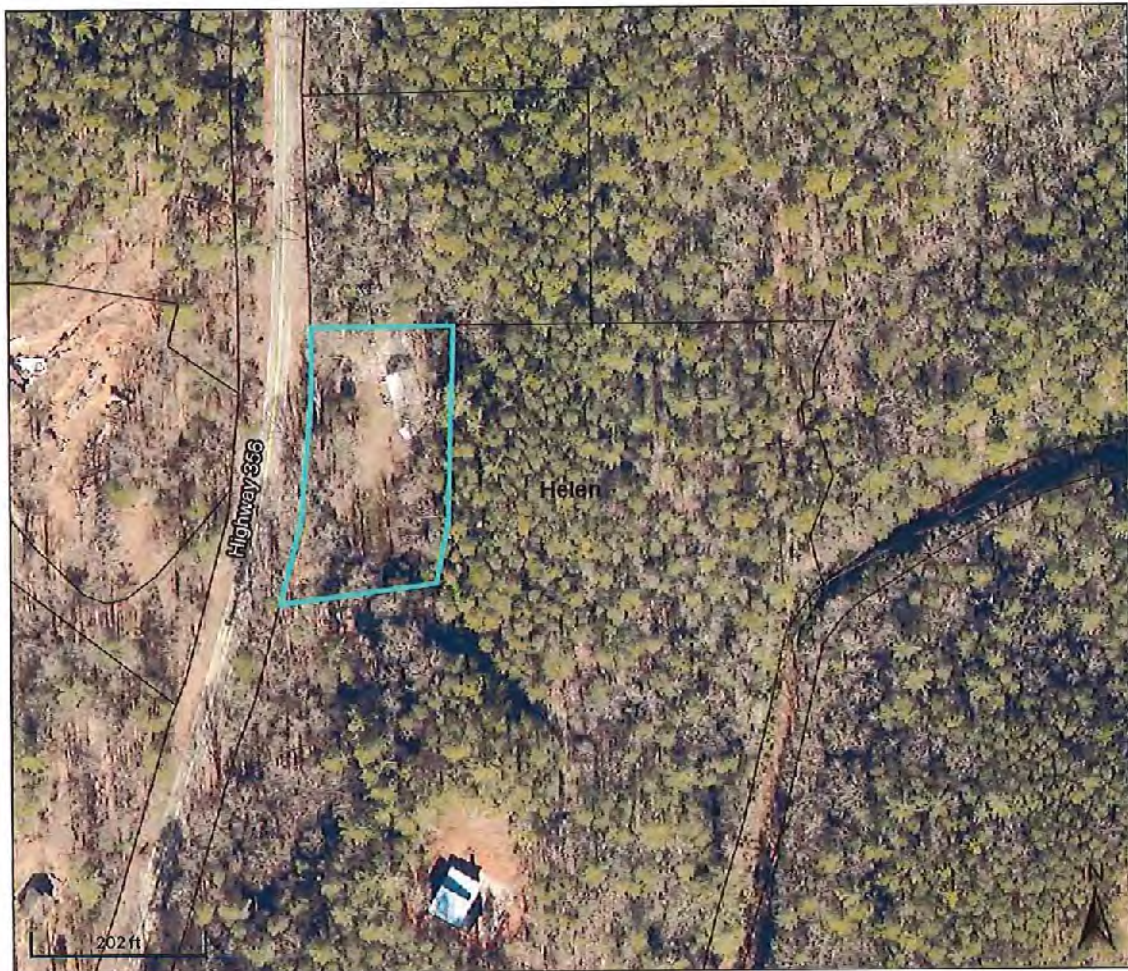
FORTENBERRY JR JERRY LEEBOGUE MICHAEL

2500 HIGHWAY 105

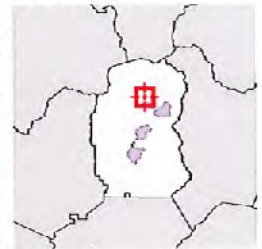
DEMOREST, GA 30535-2113

PAID DATE			10/3/2022
RECEIPT PRINTED			6/12/2023 11:24:35 AM
CASH AMOUNT	CHECK AMOUNT	CHARGE AMOUNT	CHECK NUMBER(S) CHARGE APPROVAL CODE
\$0.00	\$1,186.25	\$0.00	1129
REFUND AMOUNT			\$0.00
OVERPAY AMOUNT			\$0.00
CHANGE AMOUNT			\$0.00
REGISTER			1
CASHIER			
TOTAL PAID			\$1,186.25

Tax Year- Bill Number FMV Property ID	Property Description Property Address District Serial Number Decal Number	Due Date  Original Due	Interest Penalty  Other Fees	Previous Paid Amount	Current Amount Due	Amount Paid	Tax Bill New Balance	
2022-5860 FMV: 124990.00 042B 044	LD 3 578 HWY 356 DISTRICT: 001 SERIAL NUMBER: DECAL NUMBER: 0	11/15/2022  \$1,186.25	\$0.00 \$0.00 \$0.00	\$0.00	\$1,186.25	\$1,186.25	\$0.00	
Paid By: BASE CAMP RENTALS LLC				Overpayment Amount: 0.00				
Check Number: 1129								
Transaction(s): 191351 - 191351		Total(s):	\$1,186.25	\$0.00	\$0.00	\$1,186.25	\$1,186.25	\$0.00



Overview



Legend

- Parcels
- Roads
- Railroads
- Lakes
- Streams and Rivers
- City Labels

Parcel ID	042B 044	Alternate ID	5040014	Owner Address	FORTENBERRY JR JERRY LEE
Sec/Twp/Rng	n/a	Class	R		BOGUE MICHAEL LEON
Property Address	578 HWY 356	Acreage	1.0		2500 HIGHWAY 105
	01				DEMOREST GA 30535-2113
District	01				
Brief Tax Description	LD 3				

(Note: Not to be used on legal documents)

Date created: 6/12/2023  
 Last Data Uploaded: 6/12/2023 5:18:55 AM

Developed by Schneider  
 GEOSPATIAL

**WHITE COUNTY PLANNING DEPARTMENT  
STAFF COMMENT**

**JERRY FORTENBERRY**

- PROPERTY IS LOCATED AT 578 HIGHWAY 356 IN HELEN. IT IS IN THE R-1 SINGLE FAMILY RESIDENTIAL DISTRICT AND WILL REQUIRE A CONDITIONAL USE PERMIT FROM THE WHITE COUNTY BOARD OF COMMISSIONERS TO PLACE THE PROPERTY IN THE SHORT TERM RENTAL PROGRAM.
- PROPERTY ADJOINS TO THE NORTH, SOUTH, EAST, AND WEST R-1 RESIDENTIAL SINGLE-FAMILY DISTRICT; TO THE WEST R-3 RESIDENTIAL SEASONAL DISTRICT.
- THE WHITE COUNTY COMPREHENSIVE PLAN FUTURE LAND USE MAP INDICATES SINGLE FAMILY RESIDENTIAL.
- TOTAL ACREAGE IS 1.00.
- PROPERTY SUPPLIED BY WELL AND SEPTIC.



WHITE COUNTY PLANNING COMMISSION MINUTES  
REGULAR SESSION

Monday, August 7<sup>th</sup>, 2023  
6:00 pm

White County Senior Center  
1239 Helen Hwy, Cleveland, Ga. 30528

Those present were Larry Freeman, R.K. Ackerman, Dona K. Burke, Charlie Thomas, Linda Dixon, Brad Ash, and John Yarbrough. Staff members present were Harry Barton, John Sell, and Mercedes Dodd.

Chairman Thomas called the meeting to order. Mr. Yarbrough gave the invocation. No changes made to the agenda. Motion to approve the minutes of June 26<sup>th</sup>, 2023 and July 3<sup>rd</sup>, 2023 made by Mr. Ackerman and seconded by Ms. Burke. Motion was unanimous.

**Application of James Allison** to request a variance from Section 802 Lot Width and Size for acreage. Property is located on Taxiway Lane, Cleveland, GA, 30528. Tax map and parcel is 063A-043. Total acreage is 0.19.

The applicant, James Allison of 175 Eagle Ridge Trail, was present. Mr. Barton gave a summary of the application. Mr. Allison explained this is for a hangar lot, not residential, and this request is for plat approval.

Motion to approve the variance made by Ms. Burke and seconded by Ms. Dixon. Motion was unanimous.

**Application of James Allison** to request a variance for Section 802 Lot Width and Size for acreage. Property is located at 202 Aviation Boulevard, Cleveland, GA, 30528. Tax map and parcel is 062-208C. Total acreage is 0.185

The applicant, James Allison of 175 Eagle Ridge Trail, was present. Mr. Barton gave a summary of the application. Mr. Allison explained this is for a hangar lot as well and this request is for plat approval.

Motion to approve the variance made by Mr. Ash and seconded by Mr. Yarbrough. Motion was unanimous. Mr. Barton advised the applicant to contact his office once the plats were ready to be stamped.

**Application of Mark King** to request a variance from Section 14-133(K) for RV Park Square Footage for a total of 635 square feet. Property is located on 66 Timberview Drive, Cleveland, GA, 30528. Lot 142 in Brookside Campground. Tax map and parcel is 004E-142.

The applicant, Mark King of 311 Country Creek Road in Macon, GA, was present. Mr. Barton gave a summary of the application. Mr. King explained the request is to cover a portion of an existing deck. He said existing covered square footage is 435 and proposed is 200.

Motion to approve the variance made by Ms. Dixon and seconded by Ms. Burke. Motion was unanimous. Mr. Barton advised the applicant to contact the Building Department for a building permit.

**Application of Chris Walls** to request a variance from Section 601 Access, Section 802 Lot Width and Size for acreage, and Section 804 Building Lines for building within a building setback. Property is located at 107 Runway Circle, Cleveland, GA, 30528. Tax map and parcel is 063A-028. Total acreage is 3.04.

A representative, James Allison of 175 Eagle Ridge Trail, was present on behalf of the applicant. Mr. Barton gave a summary of the application. Mr. Allison explained the smaller lots are for hangar lots only, the public water is available, and the request is for 5-foot setbacks on all property lines. He said the

WHITE COUNTY PLANNING COMMISSION MINUTES  
REGULAR SESSION

submitted plan is just a concept drawing, but lots 13A and 13B would be accessed by Runway Circle. When asked why a request was made for setbacks on half-acre lots, Mr. Allison explained it is a convenience factor that would allow for a larger hangar.

Motion to approve the variances made by Mr. Ackerman and seconded by Ms. Dixon. Motion was unanimous. Mr. Barton advised the representative to contact his office to discuss the development process.

**Application of Shaun York** to request a variance from Section 601 Access. Property is located on EDS Drive, Cleveland, GA, 30528. Tax map and parcel is 031-108A. Total acreage is 1.98. A representative, Kaitlyn York of 320 EDs Drive, was present on behalf of the applicant. Mr. Barton gave a summary of the application, adding that it is a mortgage variance that will revert to one tract once the mortgage is satisfied. When asked if the plan was to place a new dwelling on the back tract and remove the current dwelling once the mortgage is satisfied, Ms. York said yes.

Motion to approve the variance made by Mr. Ash and seconded by Ms. Burke. Motion was unanimous. Mr. Barton advised the applicant to contact his office.

**Application of James Gregg** to request a variance from Section 601 Access. Property is located on Fortner Lane, Cleveland, GA, 30528. Tax map and parcel is 033-046. Total acreage is 1.21. The applicant, James Gregg of 43 Lakeside Drive, was present. Mr. Barton gave a summary of the application. Mr. Gregg said this is family property.

Motion to approve the variance made by Ms. Burke and seconded by Mr. Ackerman. Motion was unanimous. Mr. Barton advised the applicant to contact Environmental Health for plat approval.

**Request for Preliminary Plat Renewal by Chad Knott** for Blue Creek Forest Subdivision on Duncan Bridge Road. Tax map and parcel is 074-053A. Total acreage is 30.24. The applicant, Chad Knott of 233 Moss Creek Point, was present. Mr. Barton gave a summary of the application. Mr. Knott explained the process has taken awhile due to costly water lines through the Water Authority that led to the need for wells and having to take additional steps through the power company in order to get the wells installed. He said the first two wells have passed.

Motion to approve the preliminary plat approval made by Mr. Ackerman and seconded by Mr. Ash. Motion was unanimous. Mr. Barton advised the applicant to contact his office about next steps.

**Application of Michael Caudell** to request a conditional use permit located at 147 Sara Lane, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 055D-094. Total acreage is 0.927. Proposed use is to place in "Short Term Rental" program. Present zoning is R-1 Residential Single Family. The applicant, Michael Caudell of 315 Runway Circle, was present. Mr. Barton gave a summary of the application. Mr. Caudell did not have anything to add.

WHITE COUNTY PLANNING COMMISSION MINUTES  
REGULAR SESSION

Motion to recommend approval to the Board of Commissioners made by Ms. Burke and seconded by Mr. Freeman. Motion carried 5-1 with Mr. Yarbrough opposed. Mr. Barton advised the applicant of the next meeting on August 28<sup>th</sup>.

**Application of Keith Nordan** to redistrict property located at 7525 Highway 129 N, Cleveland, Georgia, 30528 from A-1 Agriculture Forestry District to R-1 Single Family Residential District. Tax map and parcel 004-011. Total acreage is 7.23. Present zoning is A-1 Agriculture Forestry District. The applicant, Keith Nordon of 7525 Highway 129 N, was present. Mr. Barton gave a summary of the application. Mr. Nordon did not have anything to add.

Motion to recommend approval to the Board of Commissioners made by Mr. Freeman and seconded by Ms. Burke. Motion was unanimous. Mr. Barton advised the applicant of the next meeting on August 28<sup>th</sup>.

**Application of Jerry Fortenberry** to request a conditional use permit located at 578 Highway 356, Helen, Georgia, 30545. Tax map and parcel 042B-044. Total acreage is 1.00. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family. A representative, Michael Bogue of Cornelia, GA, was present. Mr. Barton gave a summary of the application. Mr. Bogue did not have anything to add.

Motion to recommend approval to the Board of Commissioners made by Ms. Burke and seconded by Mr. Yarbrough. Motion was unanimous. Mr. Barton advised the representative of the next meeting on August 28<sup>th</sup>.

**Application of Judy and Scott Hancock** to request a conditional use permit located at 1304 Highway 17, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 071-009. Total acreage is 16.86. Proposed use is to place in “Short Term Rental” program. Present zoning is A-1 Agriculture Forestry District. The applicant, Judy Hancock of 1302 Highway 17, was present. Mr. Barton gave a summary of the application. Ms. Hancock said wanted to address what happened last week after the meeting that they were unaware of and explained they were appalled to hear false rumors about the property being under contract and that the potential buyer wants to build cabins all over property. She said the property is at full capacity due to septic. Ms. Hancock said, after consulting with professional counsel, that toxic rumors are conjectures and run the risk of influencing commissioners’ decision.

She further clarified the historic cabin had been utilized by missionaries on furlough in exchange for gifts and utilized in exchange for help on farm. Regarding the opposition expressed in the Work Session, she said Mr. Muir had approached them twice to purchase the farm and he had expressed his opposition of the short-term rental to them after the meeting last week. She added that all present were in favor of the request during the public hearing and the issue was reopened (during the work session) after they left. Ms. Hancock stated their personal residence is on the river, but this cabin is over 1000 feet from the river, 400 feet from the closest residence on the other side of Highway 17, and 2000 feet from the closest building on Mr. Muir’s property.

When asked for clarification on whether the cabin had been rented in exchange for money, Ms. Hancock said yes it had been rented for two and a half years and she was unaware of the business license

WHITE COUNTY PLANNING COMMISSION MINUTES  
REGULAR SESSION

requirement. She verified the taxes had been paid. She also clarified that the property is for sale but is not currently under contract and the property is in the flood plain.

Motion to recommend approval of 1304 Highway 17 made by Ms. Burke and seconded by Mr. Ackerman. Motion carried 5-1 with Ms. Dixon opposed. Mr. Barton advised the applicant of the next meeting on August 28<sup>th</sup>.

Mr. Sell presented the proposed amendments to the White County Land Use Ordinance related to provisions for Historic Preservation.

Ms. Dixon recused herself due to being on the Historic Preservation Committee.

Mr. Ackerman requested clarification on the buffers and effect on adjacent property owners, to which Mr. Sell explained the changes made to address these concerns including sign off requirements and when buffers would not apply. Ms. Burke expressed concerns with placing additional restrictions on properties and explained that landowners could place restrictions or covenants on their personal property to protect it.

Chairman Thomas asked if there were any recommended changes to the document, there was no response from the board.

Motion to recommend approval as is with the changes was made by Mr. Ackerman. The motion died for lack of second.

Mr. Freeman explained there is a lot of beautiful property in the county that should be protected and there are rules and regulations already in place to help protect property from something that might not be a good fit. Mr. Freeman made a motion to recommend to the Board of Commissioners not adding this to the land use plan. Ms. Burke seconded the motion. Motion carried 4-1 with Mr. Ackerman opposed and Ms. Dixon recused.

There was no citizen comment.

Motion to adjourn made by Ms. Burke and seconded by Mr. Yarbrough. Motion was unanimous.

WHITE COUNTY PLANNING COMMISSION MINUTES  
PUBLIC HEARING: LAND USE REGULATION

Monday, July 31<sup>st</sup>, 2023  
6:00 pm

White County Senior Center  
1239 Helen Hwy, Cleveland, Ga. 30528

Board members present were Larry Freeman, R.K. Ackerman, Dona K. Burke, Charlie Thomas, Brad Ash, and John Yarbrough. Staff members present were Harry Barton, John Sell, and Mercedes Dodd.

Chairman Thomas called the meeting to order. Mr. Yarbrough gave the invocation. No changes made to the agenda.

**Application of Michael Caudell** to request a conditional use permit located at 147 Sara Lane, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 055D-094. Total acreage is 0.927. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

The applicant, Michael Caudell of 315 Runway Circle, was present. Mr. Barton gave a summary of the application. Mr. Caudell explained the proposed short-term rental would have a maximum occupancy of eight people with parking for five to ten vehicles. He said the house had been a short-term rental previously and was under the impression it was grandfathered in when he purchased it in March, but learned it was not when he went to file for a business license so he blocked out all summer rentals. When asked where the nearest full time resident lives, he said the HOA president recently took his property out of short-term rental and now resides there full time. Mr. Caudell said he received a letter of support from the HOA president, as well, and said he plans to self-manage the rental.

Chairman Thomas asked if anyone would like to speak for the application, there was no response. He asked if anyone would like to speak against the application, there was no response. Mr. Caudell did not have anything to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on August 7<sup>th</sup>.

**Application of Keith Nordan** to redistrict property located at 7525 Highway 129 N, Cleveland, Georgia, 30528 from A-1 Agriculture Forestry District to R-1 Single Family Residential District. Tax map and parcel 004-011. Total acreage is 7.23. Present zoning is A-1 Agriculture Forestry District.

The applicant, Keith Nordan of 7423 Highway 129 North, was present. Mr. Barton gave a summary of the application. Mr. Nordan explained that Camp Coleman wants to purchase five acres and his daughter will keep the remaining acreage. Mr. Barton explained that, due to this not being a family transfer and zoned Agriculture, it would need to be rezoned in order to split since it is less than ten acres.

Chairman Thomas asked if anyone would like to speak for the application.

Amy Smiler McFarland, Camp Director for URJ Camp Coleman at 201 Camp Coleman Drive, stated the camp is interested in purchasing this property to keep as a forestry buffer and to help with security of the camp.

Chairman Thomas asked if anyone would like to speak against the application, there was no response. Mr. Nordan did not have anything to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on August 7<sup>th</sup>.



WHITE COUNTY PLANNING COMMISSION MINUTES  
PUBLIC HEARING: LAND USE REGULATION

**Application of Jerry Fortenberry** to request a conditional use permit located at 578 Highway 356, Helen, Georgia, 30545. Tax map and parcel 042B-044. Total acreage is 1.00. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

The applicant, Jerry Fortenberry of 2210 Village Pool Road in Quantico, VA, was present. Mr. Barton gave a summary of the application. Mr. Fortenberry explained the proposed short-term rental would have a maximum occupancy of four people in the two bedroom/one bathroom home with parking for four to five vehicles, but he plans to limit parking to two or three vehicles on the private driveway. He explained that he purchased the home in 2021 and recently found out about the tax licensing requirements. He said he is military and the short-term rental would provide his family with a place to stay while renting it to offset costs. Mr. Fortenberry said he plans to self-manage through AirBnB with his brother-in-law as the local contact 15 minutes away, that he has rented it since owning without issues, and outlined his rental policies. When asked if there are any neighbors, he said there is one across the street and they may be pursuing short-term rental as well. Mr. Ackerman asked him if he had any policies for firearms in place, to which Mr. Fortenberry said he would add to his rental policies that no firearms could be fired.

Chairman Thomas asked if anyone would like to speak for the application, there was no response. He asked if anyone would like to speak against the application, there was no response. Mr. Fortenberry did not have anything to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on August 7<sup>th</sup>.

**Application of Judy and Scott Hancock** to request a conditional use permit located at 1304 Highway 17, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 071-009. Total acreage is 16.86. Proposed use is to place in “Short Term Rental” program. Present zoning is A-1 Agriculture Forestry District. The applicant, Judy Hancock of 1304 Highway 17, was present. Mr. Barton gave a summary of the application. Ms. Hancock said the short-term rental has a maximum occupancy of two people and outlined her rental policies. She explained the rental is an 1844 cabin where couples can come to enjoy the farm experience and unplug since there are not amenities like Wi-Fi or television, adding that her farm is open to the public and they has hosted tours. She said she has owned the cabin for 16 years, has been renting it short-term for two and a half years without issues or complaints from neighbors, and self-manages the rental through AirBnB. When asked if she was notified by the county for not being in compliance, Ms. Hancock said yes and that she was unaware of the permit or business license requirement. She said they live on the property and are very aware of what goes on with the guests.

Chairman Thomas asked if anyone would like to speak for the application.

Teressa Holtzclaw of 72 Greear Lane in Helen explained the cabin was previously a rustic cabin furniture store without heat and only the log framing. She said the Hancocks completely finished out the cabin and turned it into the perfect AirBnB to “unplug” without services like Wi-Fi or television. She explained it is separated from the neighborhood, has a pristine setting, and is near the river.

Tim Tinius of 1321 Highway 17 said he was not opposed, but wanted to know if this would allow the owners to have multiple cabins on the property. Mr. Tinius said he is for them doing this short-term rental but is against a rental cabin development. Chairman Thomas explained the applicants would have to come back for approval for anything else through the county.

WHITE COUNTY PLANNING COMMISSION MINUTES  
PUBLIC HEARING: LAND USE REGULATION

Scott Hancock of 1304 Highway 17 said they have no intentions for development and are limited on space for septic. He said he built the cabin wanting to do a country clinic, but learned that would be commercial with additional requirements and gave it to others that could use it. Mr. Hancock said they want to be good neighbors, which is why they have policies such as no more than two cars and no guests.

Chairman Thomas asked if anyone would like to speak against the application, there was no response. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on August 7<sup>th</sup>.

Motion to adjourn made by Ms. Burke and seconded by Mr. Ackerman. Motion was unanimous.

DRAFT



# WHITE COUNTY

## *Board of Commissioners*

**Item Title:** Consideration to enter into contract for Services (Election Equipment Moving)

**For Meeting Date:** 8/21/2023

**Work Session**  **Regular Meeting**  **Public Hearing**

**Category (Select One):** Contract / IGA

**Submitted By:** Jody Davis

**Attachments:** Yes  **If yes, please list each file name below:**

1. Men on the Move Contract for servicest
2. \_\_\_\_\_
3. \_\_\_\_\_

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### **Purpose:**

The White County Supervisor of Elections has negotiated a contract in collaboration with and drafted by the County Attorney for moving services of election equipment during elections. The contract calls for the equipment to be delivered the Monday before an election and picked up and returned to the Election's Office on Wednesday after the elections.

### **Background / Summary:**

- The previous vendor was not considered reliable and was unwilling to enter into a commercial contract for services. This contract will continue unless cancelled through the 2024 Presidential Election Cycle.
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- **Department Recommendation:**
- Supervisor Davis recommends approval of this contract

### **Options:**

- Approve the vendor contract
- Deny the vendor

**Budget Information:** Applicable  Not Applicable

**Budgeted:** Yes  No

**Finance Director's Comments (if applicable):**

- 

**County Manager Comments:**

-

## **Contract for Commercial Moving / Transporting Services**

This Contract for Services is made effective as of the date of the signatures below, by and between Men on the Move, Inc. (hereinafter Provider) and White County, a political subdivision of the State of Georgia (hereinafter County).

### **1. DESCRIPTION OF SERVICES.**

This is a Commercial Moving/Transporting Contract and by designation is not a contract for residential moving services.

### **2. SCOPE OF SERVICES.**

- 2.1. County will inventory items to be transported and will lock and seal certain items to be transported.
- 2.2. Provider will allow County to place GPS tracking devices on Provider's vehicles during all times that County property is in Provider's vehicles.
- 2.3. Provider will not remove the GPS tracking devices. GPS tracking devices will be placed on Provider's vehicles by County officials or employees. GPS tracking devices will only be removed by County officials or employees.
- 2.4. Provider's moving vehicles will begin every transportation of County property by first reporting to 1241 Helen Hwy., Suite 210-A, Cleveland, Georgia, 30528 for inspection by County officials or employees. Provider's moving vehicles will complete every transportation of County property by reporting back to 1241 Helen Hwy., Suite 210-A, Cleveland, Georgia, 30528 for inspection by County officials or employees. Inspections will include, but in no way are limited to, roadworthiness and the safety of County property.
- 2.5. Provider agrees and consents to providing two vehicles, each with a lift ramp, and two workers/moving personnel for each vehicle in conjunction with each countywide election. Provider agrees and consents to providing one vehicle, with a lift ramp, and two workers/moving personnel for the vehicle in conjunction with each municipal election. This contract anticipates two to four elections each year; with the possibility of additional elections should Runoff Elections be necessary. County-wide elections consist of delivery to ten (10) polling locations, and municipal elections consist of delivery to two (2) polling locations.
- 2.6. County property must be delivered and signed over to a precinct host at each delivery location/polling location. County will prepare and coordinate the inventory forms and chain of custody forms to be used when County property is transported.
- 2.7. Provider warrants and guarantees that County property will not be unloaded at any place other than at the designated locations. Provider warrants and guarantees that County property will not be left unattended at any time. Provider warrants and guarantees that County property will not be unloaded at any time other than that time which is reasonable to reach the designated location given drive times in congruence with traffic and weather conditions.
- 2.8. County is responsible for loading, locking, and sealing voting equipment into transportation carts. Carts, along with larger and heavier equipment of the County will be loaded by the Provider onto Provider's moving vehicles. Provider is responsible for transporting County property to the designated locations.
- 2.9. Provider warrants and guarantees that County is listed as an additional insured on Provider's liability and property insurance in the amount of \$250,000 to cover the replacement costs of County property. Such insurance amount may be increased to conform with changing costs associated with the type of sensitive, computerized technology, which is being transported, with proper notice to Provider.
- 2.10. Provider will provide proof of all required licenses prior to the moving dates.
- 2.11. Provider agrees to an invoice payment agreement of Net 15.
- 2.12. Provider warrants and guarantees that workers compensation insurance is in full force and effect.

2.13. Provider specifically agrees to and warrants that criminal background checks have been completed on all employees that are involved with transporting County property. Employees shall be free from the following: pending felony charge(s), felony conviction(s), pending charge(s) involving moral turpitude and conviction(s) of charge(s) involving moral turpitude.

2.14. County will provide the dates of pickup and delivery no later than 25 days in advance and shall have the right to cancel a delivery and pickup, with five business days advanced notice, if the election is cancelled for any reason.

2.15. Provider is responsible for deciding the routes used for delivery and will provide County with the route information on the dates that County property is transported.

**3. PAYMENT.** Payment is to be made to Provider in the amount of \$3,000 upon completion of the services described in this Contract, for each county-wide election and \$1,000 for each municipal election.

**4. TERM.** The primary term of this Contract shall be for a period of two years. In accordance with O.C.G.A. § 36-60-13, this Contract shall terminate without further obligation of the County at the close of the calendar year in which it is executed. The Contract shall automatically renew for an additional six months should County engage Provider for the same services.

**5. INDEMNIFICATION.** Provider shall hold harmless and indemnify County to the extent allowed by Georgia law.

**6. WARRANTY.** Provider warrants and represents that it will perform the services in a prompt and timely manner, which shall not impose delays on the progress of the services. As the Term of this Contract is longer than one year, the Parties agree that this Contract, as required by O.C.G.A. § 36-60-13, shall terminate absolutely and without further obligation on the part of County on June 30 each calendar (contract) year of the Term, and further, that this Contract shall automatically renew on July 1 of each subsequent calendar (contract) year absent County's provision of written notice of non-renewal to Provider at least five (5) days prior to the end of the then current calendar (contract) year.

**7. DEFAULT.** The occurrence of any of the following shall constitute a material default under this contract: the failure to make payment in a timely manner and/or the failure to make available or deliver the services in the time and manner provided for in this Contract.

**8. MATERIAL CONDITION.** Each term of this Contract is material, and Provider's breach of any term of this contract shall be considered a material breach of the entire contract and shall be grounds for termination or exercise of any other remedies available to County at law or in equity.

**9. TERMINATION.**

9.1. For Convenience. County may terminate this Contract for convenience at any time upon providing written notice thereof at least thirty (30) calendar days in advance of the termination date.

9.2. Statutory Termination. In compliance with O.C.G.A. § 36-60-13, this Contract shall be deemed terminated as provided in this Contract. Further, this Contract shall terminate immediately and absolutely at such time as appropriated or otherwise unobligated funds are no longer available to satisfy the obligation of County.

9.3. Reservation of Rights and Remedies. The rights and remedies of County and Provider provided in this Article are in addition to any other rights and remedies provided under this Contract or at law or in equity.

**10. SOVEREIGN IMMUNITY.** Nothing contained in the Contract shall be construed to be a waiver of County's sovereign immunity or any individual's qualified, good faith or official immunities. Ratification of this Contract by a majority of the County Board of Commissioners shall authorize the Chairman to execute this Contract on behalf of the County. Any provision of the Contract requiring the County to indemnify the Provider is only valid to the extent allowed by Georgia law.

**11. FORCE MAJEURE.** Neither County nor Provider shall be liable for its respective non-negligent or non-willful failure to perform or shall be deemed in default with respect to the failure to perform (or cure a failure to perform) any of its respective duties or obligations under this Contract or for any delay in such performance due to: (i) any cause beyond its respective reasonable control; (ii) any act of God; (iii) any change in applicable governmental rules or regulations rendering the performance of any portion of this Contract legally impossible; (iv) earthquake, fire, explosion or flood; (v) strike or labor dispute, excluding strikes or labor disputes by employees and/or agents of Provider; (vi) delay or failure to act by any governmental or military County; or (vii) any war, hostility, embargo, sabotage, civil disturbance, riot, insurrection or invasion. In such event, the time for performance shall be extended by an amount of time equal to the period of delay caused by such acts, and all other obligations shall remain intact.

IN WITNESS WHEREOF, County and Provider have executed this contract effective as of this 7th day of August, 2023.

**Men on the Move, INC.**

By:   
Tiffany Cooke, Manager

**WHITE COUNTY, GEORGIA**

By: \_\_\_\_\_  
Travis Turner, Chairman

ATTEST:

By: \_\_\_\_\_  
Shanda Murphy, Clerk

[AFFIX COUNTY SEAL]