



WHITE COUNTY BOARD OF COMMISSIONERS

WORK SESSION & CALLED MEETING

MONDAY, NOVEMBER 27, 2023 AT 4:30 P.M.

AGENDA

1. Call to Order.
2. Recognition of the White County Recreation Department being named Georgia Recreation & Parks Association 7th District Agency of the Year.
3. Consider the land use application filed by April James to redistrict property located at 964 Rabun Road Sautee Nacoochee, Georgia from R-1 Residential Single-Family District and C-1 Community Commercial District to C-2 Highway Business District. Tax map and parcel 071-147A. Total acreage is 22.17. Present zoning is R-1 Residential Single-Family District and C-1 Community Commercial District.
4. Consider the land use application filed by Jeff Nix, on behalf of Douglas Nix, to redistrict property located at 0 Hwy 115 East Cleveland, Georgia from R-1 Residential Single-Family District to C-2 Highway Business District. Tax map and parcel 047D-159. Total acreage is 7.42. Present zoning is R-1 Residential Single-Family District.
5. Consider the land use application filed by Robert Edmonds to request a conditional use permit at 360 Miners Mountain Road Sautee Nacoochee, Georgia. Tax map and parcel 055D-024. Total acreage is 2.98. The proposed use is to place in a short-term rental program. Present zoning is R-1 Residential Single-Family.
6. Consider the land use application filed by Diane Robertson to request a conditional use permit at 1071 Myra Branch Road Helen, Georgia. Tax map and parcel 042B-019. Total acreage is 0.70. The proposed use is to place in a short-term rental program. Present zoning is R-1 Residential Single Family.
7. Consider the land use application filed by Paula Lembo and Loretta Martin to redistrict property located at 2227 Highway 17 Sautee Nacoochee, Georgia from C-1 Community Commercial District to R-1 Residential Single-Family District and to request a conditional use permit. Tax map and parcel 071-070. Total acreage is 0.93. The proposed use is to place in a short-term rental program. Present zoning is C-1 Community Commercial District.
8. Consider the land use application filed by Paula Lembo and Loretta Martin to redistrict property located at 2229 Highway 17 Sautee Nacoochee, Georgia from C-1 Community Commercial District to R-1 Residential Single-Family District and to request a conditional use permit. Tax map and parcel 071-070. Total acreage is 0.93. The proposed use is to place in a short-term rental program. Present zoning is C-1 Community Commercial District.
9. Consider the land use application filed by Jay Westmoreland to request a conditional use permit at 183 Patrick Lane Helen, Georgia. Tax map and parcel 041-044. Total acreage is 3.01. The proposed use is to place in a short-term rental program. Present zoning is R-1 Residential Single Family.

10. Consider the land use application filed by Georgianna “Emma” Stoica to request a special use permit at 4564 Highway 255 South Cleveland, Georgia. Tax map and parcel 074-130. Total acreage is 5.29. The proposed use is for a personal care home/ group home. Present zoning is A-1 Agriculture Forestry District.
11. Consider entering into a contract with McCormick Solutions for analysis of the CAMA (Computer Assisted Mass Appraisal) data to improve the sales ratio with the Georgia Department of Audits and Accounts.
12. Consider approval of the 2024 LMIG (Local Maintenance & Improvement Grant) grant application through GDOT (Georgia Department of Transportation).
13. Consider approval of the purchase of two (2) Certificates of Deposit based on quotes received.
14. Review of the December 4, 2023 Regular Meeting Agenda.
15. Announcements:
 - **Monday, December 4, 2023 at 4:00 p.m.:** Regular Meeting + Public Hearing (Proposed Changes to County Code Chapter 16, Short-Term Rental Host License)
 - **Tuesday, December 11, 2023 at 9:00 a.m.:** Called Meeting
 - **Thursday, December 14 at 9:00 a.m.:** Called Meeting
 - **Monday, January 8, 2023 at 4:30 p.m.** Regular Meeting
16. Adjourn.



WHITE COUNTY

Board of Commissioners

Item Title: Rezone property from R-1 and C-1 to C-2 for April James, Lucille's Mountain Top Inn, 964 Rabun Road, Sautee Nacoochee

For Meeting Date: 11/27/2023

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. 20270
2. Public Hearing Minutes 10/30/2023
3. Regular Meeting Minutes 11/6/2023

Purpose:

Consider the application of April James to redistrict property located at 964 Rabun Road Sautee Nacoochee, Georgia, 30571 from R-1 Residential Single Family District and C-1 Community Commercial District to C-2 Highway Business District. Tax map and parcel 071-147A. Total acreage is 22.17. Present zoning is R-1 Residential Single Family District and C-1 Community Commercial District.

Background / Summary:

- Applicant is requesting to rezone the property from R-1 Single Family Residential and C-1 Community Commercial to C-2 Highway Business District to bring the property into conformance. Ms. James explained that she is making the request to help lower insurance costs due to limited insurance options from being classified as an inn. She would like to be classified as a boutique hotel with a spa which falls under the C-2 zoning. She has future plans to move the spa to add an additional room and also acquired the adjacent property to allow for septic options that does not include pumping. Steve Smith, contractor for Ms. James, explained C-2 is the only option because R-3 does not allow for the spa and the current zoning of R-1 and C-1 does not allow for the hotel or spa. He said the new spa would be approximately 3,000 square feet, which is larger than the current 600-sq. foot spa. Ms. James had clients and other speakers in favor of the application because of the quality of the business. There were 6 speakers in opposition, and more in line, and approximately 80 people in opposition to the application. Much of the opposition had to do with traffic on Rabun Road and Bean Creek Road, which are not wide enough. April Riley says the traffic to Lucille's impacts her driveway. She also questioned why C-2 when R-3 was an option and she and others also questioned the insurance issue. Others questioned the size of the expansion over 22 acres. Others were concerned with the C-2 zoning and what that might mean with future owners. Mr. Smith offered rebuttal about the size of expansion and also noted that part of the property is under Mountain Protection. In the regular meeting, Ms. James offered to limit the zoning request to items 33 Health Spa, item 36 Hotel, Motel and other lodging type inns and item 58 Tourist shops, retail, dining,

services, winery tasting rooms and outdoor recreation. She said those uses currently exist and she wants to keep those. The other 95% of the uses in C-2 would not apply. The Planning Commission recommended approval of the application as requested, without conditions, and the motion passed by 4-2 vote.

Department Recommendation:

Planning Commission recommended approval by 4-2 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

OFFICE USE ONLY	Land Use Application #: <u>20270</u>
Public Hearing Date: <u>10/30/23</u>	Commission District: <u>4</u>
Fees Assessed: <u>250</u>	Paid via: <input type="checkbox"/> cash <input type="checkbox"/> credit card <input checked="" type="checkbox"/> check# <u>1608</u>

APPLICANT INFORMATION

Status: Owner Authorized Agent Lessee Option to Purchase

Printed Name(s): April James

Address: 1019 Preacher Campbell Road - Clarkesville, GA 30523

Phone Number: [REDACTED] Alternate Contact Number: [REDACTED]

Email: april@Lucillesmountaintopinn.com

Owner Information (if different from Applicant/Agent):

Name: _____ Phone #: _____

PROPERTY INFORMATION

Parcel ID: 071147A Total acreage being changed: 22.17

Address: 964 Rabun Road - Sautee GA 30571

Directions to Property:
North 75 East onto 17
North on Rabun Road

Current Use/Zoning of Property: R1 EC1 Type of Road Surface: Pavement

Any prior redistricting requests for property: If yes, provide redistricting application #: _____

SURROUNDING PROPERTY LAND USE CLASSIFICATION:

North: R1 South: R1 East: R1 West: R1

REQUESTED ACTION AND DETAILS OF PROPOSED USE (check all that apply)

<input checked="" type="checkbox"/>	Redistrict from district: <u>R1 EC1</u>	Redistrict to district: <u>C2</u>
<input type="checkbox"/>	Conditional Use - specify:	
<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? Yes No If so, please list number of lots: _____

Are there covenants? Yes No Is there an active homeowner's association? Yes 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 (ft²): _____ 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
¹ 071 131A	JOHN CASEY & LEXI	624 DENTON RD. CEDARTOWN, GA 30125
² 071 141	TERESA S ROCHE	PO BOX 292 SAUTEE, GA 30571
³ 071 143	HAROLD WILBORN BURKE	6206 9 TH ST LULA, GA 30554
⁴ 071 146	VOLKER HANDEMANN	8590 SW 125 TH ST MIAMI, FL 33156
⁵ 071 146A	JONATHAN ROBINSON	PO BOX 245 SAUTEE, GA 30571
⁶ 071 149	PARCO M CANNON	110 WASHINGTON ST. APT 204 NORWALK, CT. 06854-3048
⁷ 071 148	ONETHER DENISE CANNON	110 WASHINGTON ST APT 204 NORWALK, CT. 06854-3048

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:

Aug 8, 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:

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.

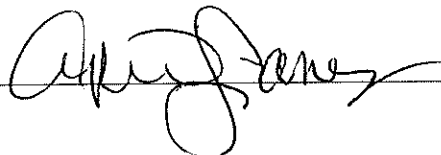
Amount \$:

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:

Aug 9, 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), April James,
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): <u>April James</u>	
Mailing Address: <u>1019 Preacher Campbell Road</u> <u>Sautee - GA 30571</u>	
Phone Number:	[REDACTED]
Alternate Contact Number:	[REDACTED]
Email:	<u>april@Lewellesmountaintopinn.com</u>
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>STEVEN DAVID SMITH</u>	
Signature of Owner(s):	Date Signed:
<u>April James</u>	

PROPERTY OWNER AUTHORIZATION DOCUMENT: NOTARY ACKNOWLEDGEMENT

Sworn to (or affirmed) and subscribed before me this 28th day of August, 20 23 by April James (name of signer(s)). The named signer(s) is/are personally known by me or produced the identification type of Drivers License

{Seal}



Donna Gunter
(Signature of Notary)

Donna Gunter
(Name of Notary Typed, Stamped, or Printed)

APPLICANT ACKNOWLEDGEMENT OF MEETING DATES

I, April James (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): Monday Oct. 30, 2023

Regular Meeting Date (Planning Commission): Monday Nov. 6, 2023

Administration Building, 1235 Helen Hwy, Cleveland

4:30pm

Board of Commissioners Meeting Date: Monday, Nov 27, 2023

**Meeting dates are subject to change*

April James
Signature of Applicant or Authorized Agent

Aug 18, 2023
Date

<u>OFFICE USE ONLY</u>
Copy given to applicant: <u>8/28/23</u> (date)
Staff Initials: <u>RWD</u>
Flag (circle): <u>(Y)</u> N

WITHDRAWAL
<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: _____

We request a zoning change for the property at 964 Rabun Road Sautee Nacoochee, GA 30571 from C1 to C2 and R1 to C2. Two adjoining tracts have been joined as one tract.

The first reason for this request to rezone the property is for the purpose of redefining the business from a B&B to a Hotel in order to obtain better Insurance rates and coverage.

Our second reason is to provide a more practical area for septic repair should it be needed.

Our third reason is that at some future time, we plan to move the spa location, which is currently between two guest suites, to a separate building. Moving the spa to a free-standing building would enable the existing spa to be converted to more lodging and provide a higher quality experience for the guests. In addition, moving the spa to a separate location would provide additional parking for spa guests and employees.

Thank you for your consideration of this request,

A handwritten signature in black ink that reads "April James". The signature is fluid and cursive, with a long horizontal stroke extending to the right from the end of the name.

April James



P.O. Box 3020
Cleveland, GA 30528-0052
Phone: 706-865-0788
Fax: 706-865-0329

August 10, 2023

VIA-E-MAIL: april@lucillesmountaintopinn.com

RE: 964 Rabun Road
Sautee GA 30571
White County, Georgia
Account # 2950-00

To Whom It May Concern,

Let this letter serve as notice that White County Water Authority provides water to the above referenced address.

Please call our office if you have any questions concerning the referenced service area. You can reach me at (706) 865-0788; Monday – Friday 8:00 a.m. – 4:30 p.m.

Thank you,

Edwin Nix
Executive Director
White County Water Authority



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

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: 08/08/2023

APPLICANT NAME: APRIL JAMES

PROPERTY ADDRESS: RABUN RD(PARCEL 071 147 & PARCEL 082 147A)
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:


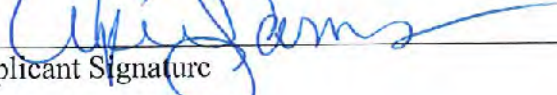
- that the permit on file is the correct permit for the property in question;
- that there is no evidence of system failure;
- that the septic system is appropriately sized for the current and proposed use;
- that there is adequate repair after the proposed addition;
- that there are no conditions that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



ENGINE: HOOD & ASSOCIATES
 2 CANTONVILLE SQUARE
 CLEVELAND, OH 44103
 PHONE: (760) 887-3070
 FAX: (760) 887-7880

JOB NO. 23-040

PROPERTY ADDRESS

964 RABUN ROAD - INN
 966 RABUN ROAD - SPA
 SAUTEE, GA 30571

APRIL JAMES
 PHONE: 860-508-0080

- BY ROAD BASE**
- 1. 100% - 100%
 - 2. 100% - 100%
 - 3. 100% - 100%
 - 4. 100% - 100%
 - 5. 100% - 100%
 - 6. 100% - 100%
 - 7. 100% - 100%
- THE LINE**
- 8. 100% - 100%

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 1000 FEET. EQUIPMENT USED - TOPCON 07S-20 TOTAL STATION

REF. MAP W071, PARCELS 147A,147

REF. PLAT BOOK 43, PAGE 140

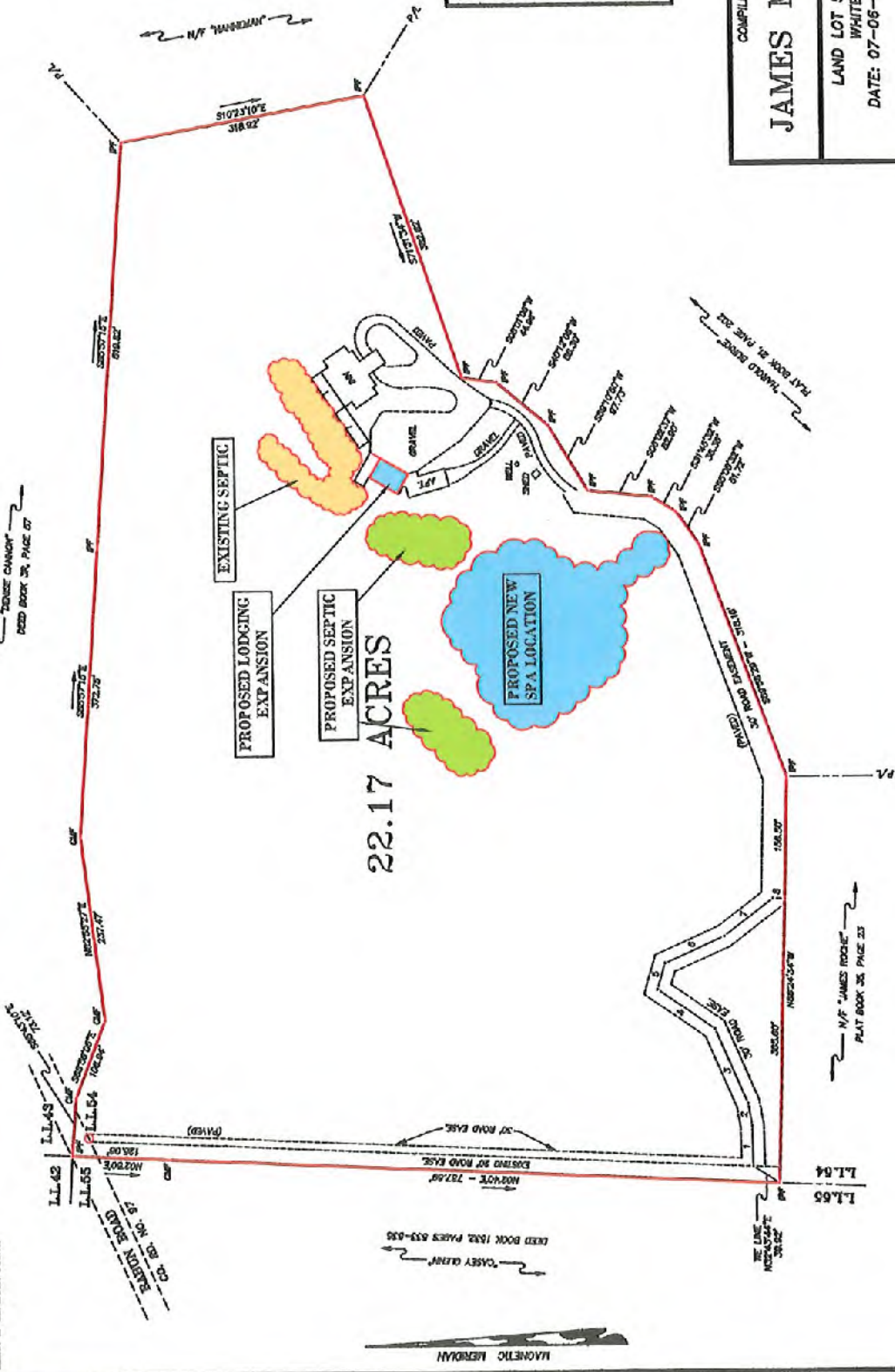
REF. PLAT MADE FOR SAUTEE HOSPITALITY, INC. ET AL DATED 08-31-2011 BY ENGINE HOOD & ASSOC.

REF. PLAT MADE FOR MOUNTAIN TOP HOSPITALITY LLC ETAL RECORDED IN PLAT BOOK 2020, PAGE 115

REF. PLAT BOOK 2019, PAGE 113

THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLASSIC PRECISION OF ONE FOOT IN 1000 FEET AND AN ANGULAR ERROR OF 1/100,000 PER ANGLE POINT. AND THE ADJUSTED CORNER IS... INGLE

THIS BLOCK RESERVED FOR THE CLERK OF SUPERIOR COURT.



NOTICE TO THE PUBLIC
 THIS PROPERTY IS NOT IN A DESIGNATED FLOOD HAZARD AREA.
 COMPILED MAP PREPARED FOR
JAMES MOUNTAIN LLC
 LAND LOT 54 - 3rd DISTRICT
 WHITE COUNTY, GEORGIA
 DATE: 07-06-2025 SCALE: 1" = 100'
 5/16/21
 GRAPHIC SCALE
 100' 50' 0 100' 200' 300'

STATE OF GEORGIA
 DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT
 DIVISION OF COMMUNITY PLANNING AND DEVELOPMENT
 100 N. W. CORNER OF MARKET AND GASTON STS., ATLANTA, GA 30334
 PHONE: (404) 527-3000 FAX: (404) 527-3001
 WWW.DCPD.GOV

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 5/16/21
 GRAPHIC SCALE
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7-6-23
 EDIE HOOD & ASSOCIATES
 1000 W. BROAD ST. SUITE 200
 CLEVELAND, GA. 30338
 PHONE: (770) 865-3976
 FAX: (770) 865-7253

JOB NO. 23-040

PROPERTY ADDRESS

964 RABUN ROAD - INN
 966 RABUN ROAD - SPA
 SAUTEER, GA 30571

APRIL JAMES
 PHONE: 860-508-0080

- 30' ROAD EASE
- 1 5085427E - 32.07'
 - 2 5085427E - 28.07'
 - 3 5085427E - 28.07'
 - 4 5085427E - 28.07'
 - 5 5085427E - 28.07'
 - 6 5085427E - 28.07'
 - 7 5085427E - 28.07'
- TE LINE
- 8 50132287W - 15.00'

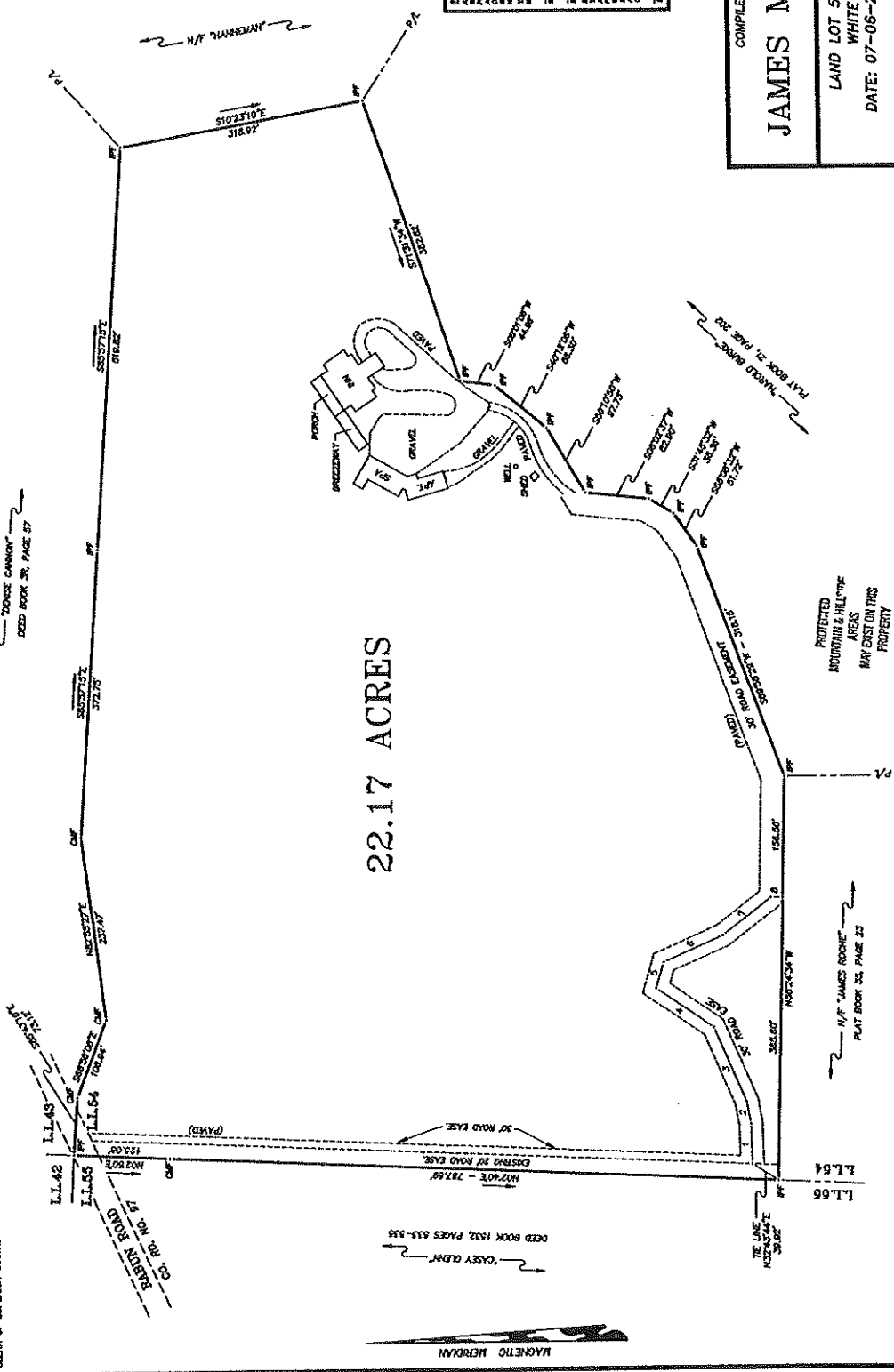
THIS MAP OF PLAT WAS KEPT CALIBRATED FOR 90 DAYS AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 1000 FEET. EQUIPMENT USED - TOPCON GTS-82 TOTAL STATION

THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSE PROXIMITY OF ONE FOOT IN 1000 FEET AND HAS BEEN ADJUSTED USING THE LEAST SQUARES METHOD.

- REF. MAP W071, PARCELS 147A, 147
 REF. PLAT BOOK 43, PAGE 189
 REF. PLAT MADE FOR SAUTEER HOSPITALITY, INC. ET AL DATED 08-31-2011 BY EDIE HOOD & ASSOC.
 REF. PLAT MADE FOR MOUNTAIN TOP HOSPITALITY LLC ETAL RECORDED IN PLAT BOOK 2020, PAGE 115
 REF. PLAT BOOK 2019, PAGE 113

eFiled & eRecorded
 DATE: 8/9/2023
 TIME: 1:37 PM
 PLAT BOOK: 02023
 PAGE: 00141
 RECORDING FEES: \$10.00
 PARTICIPANT ID: 3450663314
 CLERK: Dena M. Adams
 White County, GA

THIS BLOCK CONTAINS THE CLEAR OF SUPERSEDED PLAT.



22.17 ACRES

PLAT BOOK 21, PAGE 32
 PLAT BOOK 21, PAGE 37
 PLAT BOOK 35, PAGE 23
 PLAT BOOK 132, PAGES 335-336
 PLAT BOOK 132, PAGES 335-336
 PLAT BOOK 132, PAGES 335-336

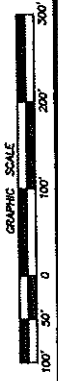
THIS PROPERTY IS NOT IN A DESIGNATED FLOOD HAZARD AREA.

COMPILED MAP PREPARED FOR

JAMES MOUNTAIN LLC

LAND LOT 54 3rd DISTRICT
 WHITE COUNTY, GEORGIA
 DATE: 07-06-2023 SCALE: 1" = 100'

8/16/23



2022 Property Tax Statement

Cindy Cannon

White County Tax Commissioner

P. O. Box 970

Cleveland, GA 30528

Phone 1 (706) 865-2225 - Fax 1 (706) 219-0078

wctc@whitecounty.net



JAMES MOUNTAIN LLC
964 RABUN RD
SAUTEE NACOOCHEE, GA 30571

BILL NO.	PRINTED	LAST PAYMENT MADE ON	PAYMENT GOOD THROUGH	DUE DATE	TOTAL DUE
2022-8836	08/08/2023	09/21/2022	08/08/2023	11/15/2022	0.00
PID		LOCATION			
071 147A		964 RABUN RD			

MAKE CHECK OR MONEY ORDER PAYABLE TO:

White County Tax Commissioner

This is your 2022 Ad Valorem Property Tax Statement. This bill must be paid in full by November 15, 2022 in order to avoid interest and penalty charges. Interest and penalties are governed by Georgia Code. If payment is made after the due date, please call the office for the current amount due. State law requires all bills be mailed to the owner of record as of January 1st of the tax year. If you have sold this property, please forward this bill to the new owner and notify our office. Please note that your Tax Commissioner is responsible for billing and collections and is not responsible for the property value on your bill or the millage rate. Thank you for the privilege of serving you as your Tax Commissioner. Cindy Cannon

RETURN THIS PORTION WITH PAYMENT (Interest will be added per month if not paid by due date)



2022

Property Tax Statement

Cindy Cannon

White County Tax Commissioner

P. O. Box 970

Cleveland, GA 30528

Phone 1 (706) 865-2225 - Fax 1 (706) 219-0078

Email: wctc@whitecounty.net

PROPERTY OWNER(S) JAMES MOUNTAIN LLC
PID 071 147A REAL
DESCRIPTION LL 54 LD 3
LOCATION 964 RABUN RD
BILL NUMBER 2022-8836
DISTRICT 001 WHITE COUNTY UNINCORPORATED
PRINTED ON 08/08/2023

BUILDING VALUE	LAND VALUE	ACRES/LOTS	TOTAL FAIR MARKET VALUE	DUE DATE	BILLING DATE	PAYMENT GOOD THROUGH	EXEMPTIONS
940,850.00	459,990.00	5.3800	1,400,840.00	11/15/2022		08/08/2023	

FIRST NOTICE

ENTITY	ADJUSTED FAIR MARKET VALUE	NET ASSESSMENT	EXEMPTIONS	TAXABLE VALUE	MILLAGE RATE	GROSS TAX	CREDIT TAX AMT	NET TAX AMT
COUNTY M&O	1,400,840.00	560,336.00		560,336.00	12.9490	7,255.79		5,325.99
SALES TAX ROLLBACK				560,336.00	-3.4440		-1,929.80	
SCHOOL M&O	1,400,840.00	560,336.00		560,336.00	14.2220	7,969.10		7,969.10
TOTALS					23.7270	15,224.89	-1,929.80	13,295.09

Each resident of White County is eligible for a Homestead Exemption on the property they own and occupy as their permanent residence on January 1st of the taxable year. Homestead Exemption applications are accepted year round by the White County Assessors office however, your application must be made before April 1st to apply to the taxable year. All tax returns are filed with the White County Assessors office between January 1st and April 1st of the taxable year. For questions about your Homestead Exemption or filing a tax return, you may reach the Assessors office at (706) 865-5328. Thanks



CURRENT DUE	13295.09
+ PENALTY	0.00
+ INTEREST	0.00
+ OTHER FEES	0.00
PREVIOUS PAYMENTS	13295.09
+ BACK TAXES	0.00
= Total Due	0.00



B

Bean Creek Rd

Bean Creek Rd

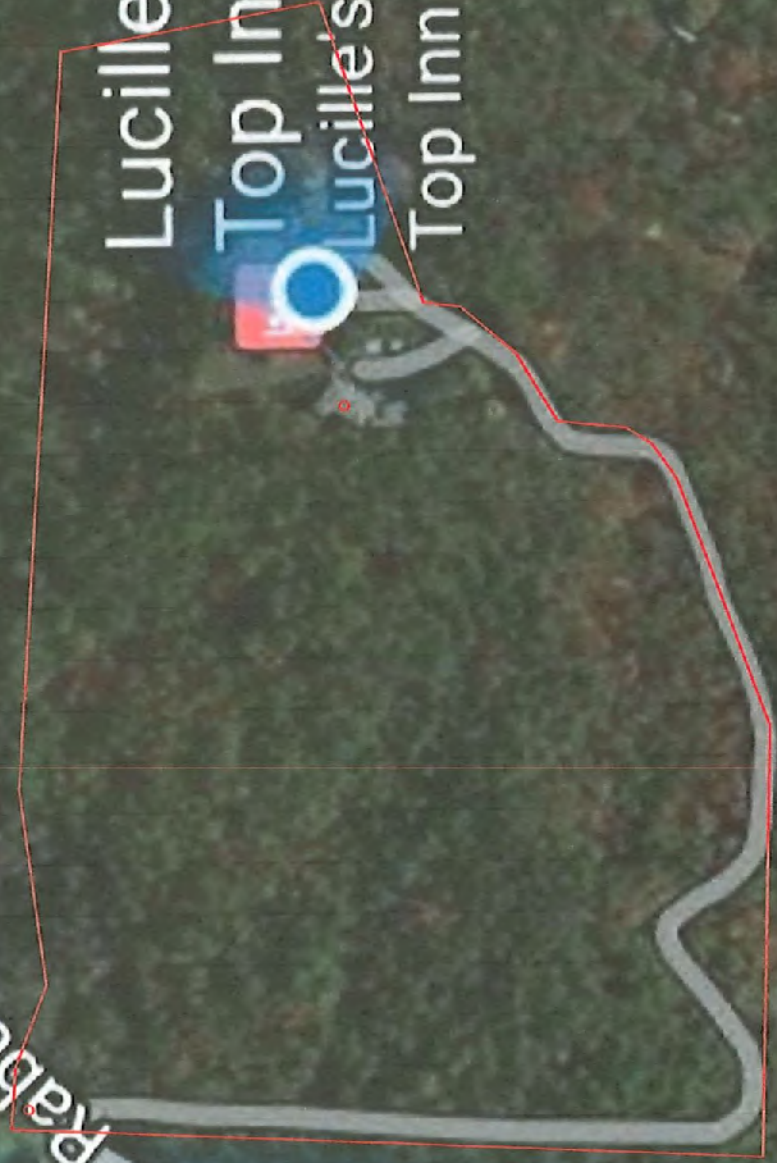
Pabum Rd

Lucille's Mountain

Top Inn and Spa

Lucille's Mountain

Top Inn | Luxury...





OFFICIAL TAX RECEIPT

White County Tax Commissioner

Cindy Cannon

P. O. Box 970

Cleveland GA 30528

Phone 17068652225 - Fax 17062190078

Email: wctc@whitecounty.net

OWNER

JAMES MOUNTAIN LLC

964 RABUN RD

SAUTEE NACOOCHEE, GA 30571

PAID DATE			9/21/2022
RECEIPT PRINTED			8/28/2023 12:33:34 PM
CASH AMOUNT	CHECK AMOUNT	CHARGE AMOUNT	CHECK NUMBER(S) CHARGE APPROVAL CODE
\$0.00	\$13,295.09	\$0.00	902
REFUND AMOUNT			\$0.00
OVERPAY AMOUNT			\$0.00
CHANGE AMOUNT			\$0.00
REGISTER			7
CASHIER			
TOTAL PAID			\$13,295.09

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
2022-8836 FMV: 1400840.00 071 147A	LL 54 LD 3 964 RABUN RD DISTRICT: 001 SERIAL NUMBER: DECAL NUMBER: 0	11/15/2022 \$13,295.09	\$0.00 \$0.00 \$0.00	\$0.00	\$13,295.09	\$13,295.09	\$0.00

Paid By: JAMES MOUNTAIN LLC

Overpayment Amount: 0.00

Check Number: 902

Transaction(s): 12739 - 12739	Total(s):	\$13,295.09	\$0.00	\$0.00	\$13,295.09	\$13,295.09	\$0.00
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**WHITE COUNTY PLANNING DEPARTMENT
STAFF COMMENT**

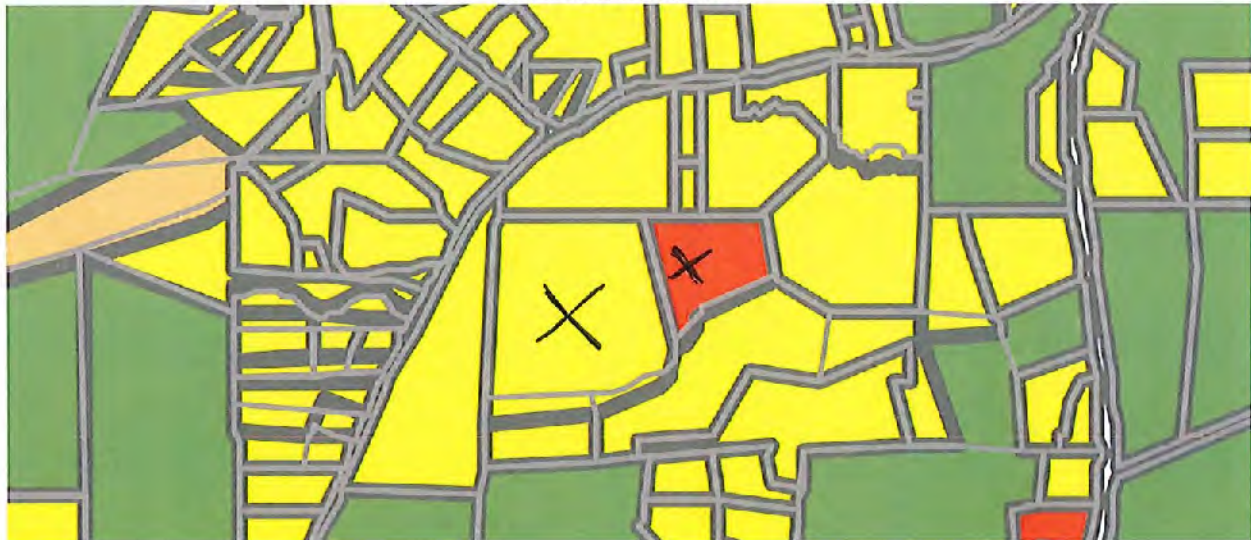
APRIL JAMES

- PROPERTY IS LOCATED AT 964 RABUN RD IN SAUTEE NACOOCHEE. IT IS IN THE R-1 RESIDENTIAL SINGLE FAMILY DISTRICT AND C-1 COMMUNITY COMMERCIAL DISTRICT.
- APPLICATION REQUEST TO CONSIDER REDISTRICTING TO C-2 HIGHWAY BUSINESS DISTRICT.
- PROPERTY ADJOINS TO THE NORTH, SOUTH, EAST, AND WEST R-1 RESIDENTIAL SINGLE FAMILY DISTRICT.
- THE WHITE COUNTY COMPREHENSIVE PLAN FUTURE LAND USE MAP INDICATES SINGLE FAMILY RESIDENTIAL AND COMMUNITY COMMERCIAL.
- TOTAL ACREAGE IS 22.17.
- PROPERTY SUPPLIED BY COUNTY WATER AND SEPTIC.

EXISTING LAND USE



FUTURE LAND USE



145 Richardson Road
Sautee Nacoochee, Georgia
30571

October23, 2023

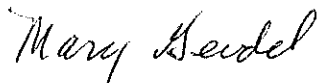
Dear Members of White County Planning Commission,

We are 20 + years residents of Nacoochee Valley. We appreciate the efforts the planning commission is making to balance the qualities that make White County a desirable place to live and work. One of those qualities is our rural landscapes. The access to property at 946 Rabun Road is on a county-maintained road that is barely wide enough for two vehicles. Alternate access is from the intersection of GA 255 and Bean Creek Road. Expansion of commercial property in the vicinity will lead to heavier traffic. Increased traffic on either road would be hazardous to residents of Rabun Road and Bean Creek Road.

Adjourning property to 946 is zoned R- 1. Granting C-2 zoning to this property would open the door to expansion, increased traffic, and threat to the character and peace of the community.

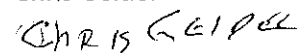
We are opposed to rezoning 946 Rabun Road to C-2.

Respectfully,



Mary Geidel

Chris Geidel



Dear Members of the White County Planning and Development Commission,

We wish to express our strong opposition to the request for rezoning the property at 964 Rabun Road, Sautee-Nacoochee from R-1 and C-1 to C-2. We reside at 151 Richardson Road, Sautee-Nacoochee which turns off Rabun Road. Rabun Road is a county maintained, narrow (not even two lane) road with a 25 mile per hour speed limit. It should also be noted that there is a "no through trucks allowed" sign at the entrance to Rabun Road from Hwy. 17. The increased traffic on Rabun Road due to a commercial expansion would be hazardous and detrimental to the neighborhood. Noise level, littering, and security could also be affected by this zoning change. This area is a quiet neighborhood that does not need the impact that further development of Lucille's Mountain Top Inn and Spa would create. The beauty and uniqueness of Sautee-Nacoochee Valley must be protected in a way that balances hospitality and preservation. In addition, granting this rezoning request would open the door for additional rezoning in the area and would set a bad precedent for commercialization of this rural area. Thank you for your careful consideration of this rezoning request and for your service to White County. We plan to attend the meeting on Monday evening and look forward to hearing your views on this request.

Respectfully submitted,

Bunny Winter

Steve Winter
Steve and Bunny Winter

Oct. 10, 2023

Re: Hotel Development & Expansion at Lucille's Mountain Top Inn and Spa

To Whom it may concern:

My wife, Debbie, and I intended to personally attend this meeting to voice our opposition to this development, however, we will be out of town. We live at 303 Richardson Road off Rabun Road. Rabun Road can not support the additional traffic, congestion, & noise that would come with this expansion. Rabun Road is barely wide enough to allow two cars to pass as it is today. The expansion they have planned does not support the historical beauty of Sautee.

Furthermore, there are plenty of guest rooms available in Helen. We don't need additional space invading a residential area.

Thank you for your time and consideration,



Jeff & Debbie Megrue

Mercedes Dodd

From: Harry Barton
Sent: Tuesday, October 31, 2023 3:17 PM
To: Mercedes Dodd
Subject: FW: Lucille's Mountain Top Inn Re-zoning Request

fyi

From: HenryandAnn Tipton [REDACTED]
Sent: Tuesday, October 31, 2023 1:58 PM
To: Harry Barton <hbarton@WhiteCounty.net>
Subject: Lucille's Mountain Top Inn Re-zoning Request

You don't often get email from [REDACTED]. [Learn why this is important](#)

[EXTERNAL SENDER - PROCEED CAUTIOUSLY]

I was standing in line to address the Planning Commission when the comments were cut off. No one who got to speak mentioned the concern I was going to raise: light pollution.

Lucille's Mountain Top Inn is in my view corridor. It has been a good neighbor with subtle indoor lighting. If the request is approved, please place restrictions on this or subsequent owners to avoid light pollution, which has been shown to affect the entire ecosystem.

When dark areas are artificially lit in the night, wildlife (mammals, birds, insects, reptiles and amphibians) foraging areas and habits, breeding cycles and migration are harmed.

Humans exposed to artificial light where the night was previously dark have reduced melatonin production which can lead to sleep deprivation, fatigue (often a cause of accidents), higher rates of hormone-related cancers (prostate and breast) and other problems.

Please consider this at your planning session today. Thank you for your attention.





**FANELLI, HARLEY, HARPER
& ASSOCIATES, LTD.**

RE: James Mountain, LLC and Mountain Hospitality, LLC DBA: Lucille's Mountain Top Inn & Spa

To Whom It May Concern,

The above business is currently insured under the Bed & Breakfast Inn NAICS Code (7211191). Under this classification, in the State of GA, there are limited (2 total) property & casualty insurance carriers that are willing to insure the type of operation.

Under the Hotels & Motels NAICS Code (721110) there are multiple more carriers that write the type of operation. Changing this business classification to the hotel status will not only lead to more carrier options but it will also lower the cost of coverage for the insured while also providing stronger and more applicable coverage forms for the business.

Best regards,

A handwritten signature in black ink that reads 'Nathan H Davis'.

Nathan H Davis

Associate Producer

Fanelli Harley Harper & Assoc Ltd

42 E Lancaster Ave Ste 101

Paoli, PA 19301

610-995-9100 ext. 118

Nate.davis@fhins.com

THIS BLOCK ASSIGNED FOR THE
CLERK OF SUPERIOR COURT.

THE FIELD DATA FROM WHICH THIS MAP OR PLAN IS DERIVED
HAD A CERTAIN PRECISION OF ONE FOOT IN HORIZONTAL MEASUREMENT
AND HAS ACCURACY ERROR OF 1/2" IN VERTICAL MEASUREMENT.

THIS MAP OR PLAN HAS BEEN CALCULATED FOR CLOSING AND
IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN HORIZONTAL MEASUREMENT
AND WITHIN 1/2" IN VERTICAL MEASUREMENT.

REF. MAP W071, PARCELS 147A, 147
REF. PLAT BOOK 42, PAGE 109
REF. PLAT MADE FOR SAUDE HOSPITALITY, INC. ET AL
DATED 09-20-2011 BY DAVID HODD & ASSOC.
REF. PLAT MADE FOR MOUNTAIN TOP HOSPITALITY LLC ET AL
RECORDED IN PLAT BOOK 2020, PAGE 710
REF. PLAT BOOK 2019, PAGE 715

- 30' ROAD EASE:
- 1. CORNERSTONE - 262.00'
 - 2. CORNERSTONE - 262.00'
 - 3. CORNERSTONE - 262.00'
 - 4. CORNERSTONE - 262.00'
 - 5. CORNERSTONE - 262.00'
 - 6. CORNERSTONE - 262.00'
 - 7. CORNERSTONE - 262.00'
 - 8. CORNERSTONE - 262.00'
- THE LINE
2. SURVEY - 15.00'

PROPERTY ADDRESS
964 RABUN ROAD - INN
966 RABUN ROAD - SPA
SAUTEE, GA 30571
APRIL JAMES
PHONE: 850-508-0080

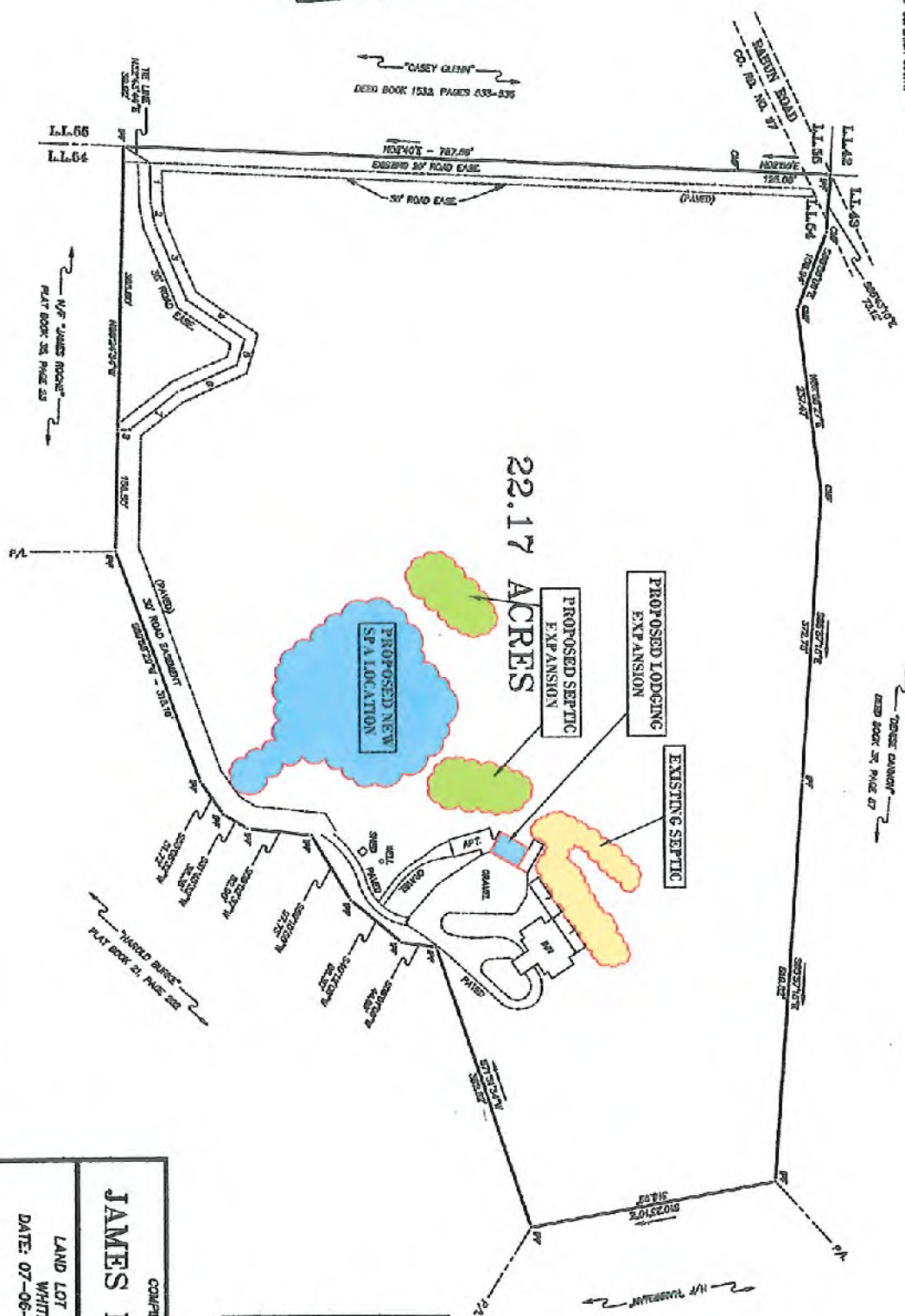
JOB NO. 23-049



DAVID HODD & ASSOCIATES
INC. ENGINEERS & ARCHITECTS
1000 RABUN ROAD
SAUTEE, GA 30571
PHONE: (706) 895-5779
FAC: (706) 895-7333

MAGNETIC MERIDIAN

"CASEY GLENN"
DEED BOOK 1532, PAGES 535-539



22.17 ACRES

GENERAL NOTES:

1. THIS MAP OR PLAN IS PREPARED FOR THE CLIENT AND IS NOT TO BE USED FOR ANY OTHER PURPOSE.
2. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
3. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE COVERAGE.
4. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY TITLE INSURANCE COVERAGE.
5. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY SURVEYING DATA.
6. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY ENGINEERING DATA.
7. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY ARCHITECTURAL DATA.
8. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY LANDSCAPE ARCHITECTURE DATA.
9. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY INTERIOR DESIGN DATA.
10. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY FURNITURE AND DECORATION DATA.

JAMES MOUNTAIN LLC

LAND LOT 54 - 3RD DISTRICT
WHITE COUNTY, GEORGIA
DATE: 07-06-2023 SCALE: 1" = 100'
8/16/21



There have been ZERO
ARRESTS and NO REPORTS
of any disturbances or criminal
activity at Lucille's Mountain
Top Inn in over 23 years.

ARTICLE XIV. - HIGHWAY BUSINESS DISTRICT, C-2

Section 1400. - Purpose and intent.

The Highway Business District (HB), is intended to provide adequate space for various types of general business uses that serve residents on a regional level rather than at a neighborhood or community level, including the retailing of major goods and services of large scale automotive and other types of more intensive commercial activities and establishments that rely on highway-oriented, passer-by traffic. This district also recognizes that many tourism businesses and venues are located along highway and major arterial routes in order to take advantage of the high traffic volume from visitors to the area.

This district also includes a number of businesses and establishments uses that require a special use permit (SUP) from the White County Commission. Uses requiring special use permits are those that would not be appropriate without restrictions and is not permitted by right or conditionally, but allowed through regulations as to the number, area, location, relation to neighborhoods, operations or other pertinent considerations and specification/criteria as specified in this Code.

(Res. No. 2019-09, 6-4-19)

Section 1401. - Permitted uses.

Section 1401. - Permitted uses.

1. Accessory uses and structures normally incidental and subordinate to one or more permitted uses.
2. Any use permitted in the Community Commercial District, but not subject to any specified square footage limitations; conditional uses shall remain conditional in this district.
3. Agricultural equipment, implement sales, service, rental and repairs.
4. Amphitheaters and stadiums.
5. Animal hospitals and veterinary clinics.
6. Assembly halls, auditoriums and meeting halls.
7. Auction facilities, provided that storage yards are located at the rear of the property, are fenced and screened.
8. Automobile, truck, motorcycle, boat, and other vehicle sales, rental, repair, service, and part sales, provided that storage yards or areas are located at the rear of the property and are fenced and screened.
9. Automobile and vehicle washes, including automated, full service or self-service that meet stormwater management requirements from the Georgia Storm water Management Manual.
10. Banks and financial institutions.
11. Billiard halls, pool rooms and

Code of Ordinances



12. Bowling alleys and skating rinks.
13. Building and home materials, supplies sales and lumber yards.
14. Bus passenger stations and terminals.
15. Business and technology parks.
16. Butcher shops.
17. Cabinet shops.
18. Call centers and data communication facilities.
19. Camper and recreational vehicle sales, service, and repair, provided that storage yards or areas are located at the rear of the property and are fenced and screened.
20. Cemeteries, churches, temples, synagogues and places of worship set back 50 feet from all property lines.
21. Clubs, lodges and fraternal institutions.
22. Colleges, universities and technical college campuses.
23. Contractor's establishments, building, electrical, plumbing and swimming pools.
24. Convalescent homes, nursing homes, personal care homes, group care homes, rehabilitation centers, and similar institutionalized residential facilities involving professional care and treatment.
25. Department stores.
26. Equipment sales, rental and service, provided that storage yards or areas are located at the rear of the property and are fenced and

27. Exterminator and pest control services.
28. Firearms, hunting and camping equipment sales and service, including gun clubs and indoor shooting ranges. This does not include the manufacturing of ammunition.
29. Funeral homes, mortuaries, mausoleums, and crematories.
30. Furniture, fixture, home furnishings, including rental, finishing, repair and sales, but not manufacturing.
31. Garden supply centers, greenhouses and landscaping services.
32. Golf courses and driving ranges, miniature golf, batting cages, go-cart and similar recreation uses.
33. Health clubs and spas.
34. Heliports and helistops.
35. Hospitals and health clinics; does not include pain management clinics.
36. Hotels, motels and other lodging type inns.
37. Household appliance sales and repair, provided that storage yards or areas are located at the rear of the property and are fenced and screened.
38. Kennel boarding care (shortterm) facilities. This does not include animal breeding

Code of Ordinances



39. Lawn mower and power equipment sales, rental, and service provided storage yards or areas are located at the rear of the property and are fenced and screened.
40. Machine shops.
41. Mini-warehouse and mini-storage facilities provided storage yards or areas are located at the rear of the property and are fenced and screened.
42. Manufactured housing and building sales, but not including residential occupancy of such housing.
43. Monument sales establishments.
44. Offices, business, medical and professional.
45. Open air businesses and flea markets provided that parking is provided at the front of the facility and market area are located at the sides and rear of the property; such uses shall be fenced and screened.
46. Parking lots and parking garages.
47. Pawn shops, provided that storage yards or areas are located at the rear of the property and are fenced and screened.
48. Pet stores and grooming establishments.
49. Printing establishments.
50. Race tracks, provided the site contains a



51. Radio and television studios, communication and broadcasting facilities.
52. Research and scientific laboratories.
53. Restaurants, indoor and outdoor dining.
54. Sign fabrication and painting shops.
55. Taxi and limousine services.
56. Taxidermist shops.
57. Theaters, indoor and outdoor.
58. Tourist shops, retail, dining, services, winery tasting rooms, and outdoor recreation.
59. Training for educational facilities that are for profit.
60. Trash collection establishments.
61. Truck terminals and stops.
62. Welding shops.
63. Wholesale establishments, provided that storage yards or areas are located at the rear of the property and are fenced and screened.

(Res. No. 2019-09, 6-4-19)

Section 1402. - Conditional uses.

1. Agri-tourism, heritage tourism facilities and attractions, as defined by this resolution, with required driveway access improvements and parking facilities and provided that all structures and activity areas are buffered and located a minimum of 50 feet from the boundary of any other land use district.

To the White County Planning Commission:

My name is Harold Burke and we are immediate neighbors to Lucille's Mountain Top Inn & Spa. This letter is to state that we have no objection to Miss James request to rezone the property of 964 Rabun Road. I feel as though only immediate neighbors should have any concern pertaining to this matter.

Sincere Regards,

The Burke Family

401 and 479 Dormitory Hill Road

Sautee Nacoochee, GA 30571

Signature: : WILBORN Harold BURKE / Wilborn Harold Burke

Date: October 30, 2023

George R. Hlavenka, AIA

A R C H I T E C T

15 U'au Place, Kula, HI 96790
1473 Helen Hwy., Cleveland, GA 30528

October 14, 2023

To: The Sautee Community
White County, GA

Re: Lucille's Mountain Top Inn
964 Rabun Road, Sautee, GA

I am the original Owner and Architect of Lucille's Mountain Top Inn. I designed the Inn and it's surrounding landscape for my late wife Lucille. The Inn was designed to fit in with it's forested surroundings so that Guests can experience the peace and tranquility of the North Georgia Mountains and feel like they are a part of that quiet, rural lifestyle that we cherish and want to preserve.

The Inn's present Owner, Ms. April James, has cared for and enhanced the Inn beautifully. I have been consulting with Ms. James over the past couple of years in regards to her vision for future improvements that include interior renovations, and a small intimate spa. I can assure everyone that as Ms. James' Architect, she has no intentions of any major development as has recently been gossiped. In fact, over the years there had been rumors of developers wanting to buy and clear the property below the Inn. It was of much relief when I learned of Ms. James' purchase to prevent development.

April's vision for the Inn and adjacent property is to preserve the peace and tranquility of the Inn and the Bean Creek Community. That is what has made, and will continue to make, the Inn successful. The reason for the rezoning classification is solely for insurance purposes. I know and trust April James, and you should too.

Submitted by,



George R. Hlavenka, AIA
Architect

October 27, 2023

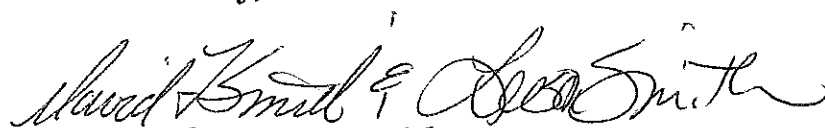
Dear Sir or Madam,

We are neighbors of Lucille's Mountaintop Inn off of Rabun Road. Let it be known that my husband and I SUPPORT the rezoning for Lucilles to hotel status. We understand the intent of April James' request and back her unequivocally.

We were married at CeNita and spent our honeymoon at Lucilles and love what this gem brings to our community. We also appreciate the efforts April makes by generating commerce with LOCAL vendors. She could easily save money by shopping Costco and the like but she believes in neighbor helping neighbor.

April James/Lucilles is an ASSET to our community. Feel free to call with any questions.

Sincerely,


David & Leesa Smith

Thank you all for coming out this evening. My name is Katherine Buffer. I am writing a letter to the township of Sautee, and I am honored to speak on behalf of April James.

April is the proud owner of a small Inn & Spa, the establishment known as Lucille's Mountain Top Inn & Spa. As a place for weary travelers and for those who are seeking solace and tranquility, guests come from far and near to experience this beautiful mountain sanctuary that offers peace and quiet from the hustle and bustle of everyday life. Some guests come to just sit on this breathtaking property. My first time coming to LMT, I stayed for 2 months. I am a writer and I find inspiration at LMT. Throughout my years of returning to this property, I always look forward to coming back every season. April James unwavering attention to her guests and property is unparalleled, and she maintains LMT with the highest integrity.

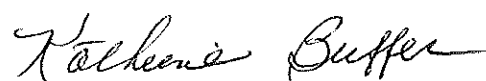
The local folks, I understand, are filled with apprehension and fear. They worry April James's new acquisition would result in some form of construction. April has no intention of that! She takes pride in her cozy, quaint inn, and she only wants to enhance the existing experience of LMT, while preserving its unique character.

April is devoted to supporting local businesses, and displays a beautiful showcase for the local community at large. Local artists hang their artwork on her walls. If you've ever visited her Inn, you will see her commitment and continued support to other local businesses by browsing the shelves that are filled with local wines, coffees, chocolates, pottery, dining suggestions for local restaurants, and so much more - She is a driving force behind the economic growth for Sautee.

I hope the locals will realize that their fears are unfounded.

April has nothing but the best interests for LMT, and her local community.

Sincere Regards,
Katherine Buffer

A handwritten signature in cursive script that reads "Katherine Buffer".

We, as full time residents and land owners in the Santee area and Bean Creek Community are very aware of traffic conditions on Rabun Rd, Bean Creek Rd and Hwy 255. Any change of zoning from residential to commercial will increase traffic, disturb wildlife habitat, traffic and safety problems. It is noted that most of the roads are not adequately wide enough to handle 2-way traffic within said community. Also noted, a majority of the length of Bean Creek Rd is a single lane graveled road unable to handle much more traffic.

We the undersigned are strongly opposed to the rezoning and we ask the Commissioners/Board to please reject.

Name	Address	Phone #
Debbie Leggett	4405 Adela Cleveland	
Imogene Palmer	460 Town Creek Rd, Cleveland	
Fis Weaver	1405 Adair Mill Rd. Cleveland, GA	
Becky Thomas	99 North Lake Dr, Santee, GA	
MARYANNA JENKINSON	156 FALLING CREEK Santee, GA	
Remben Nesbitt	593-Bean Creek Rd Santee Ga	
Rosa A. Nesbitt	593-Bean Creek Rd, Santee Ga	
Steve Hamrick	3055 Bean Creek Rd S.N. Ga	
TIARIE Hamrick	3055 Bean Creek Rd S.N. Ga	
Stephen Smith	241 Turkey Flats Ir S.N. (707) 320-510	
Mikel Walters	613 Teresa Dr Santee	
Jordan Montoya	1712 Glenns by Santee, GA	
JACIE HAYES	503 Elkwood Trl Cleveland	
Anna-Nichole Adcombe	²⁴⁷ Edmon, Cleveland	
(Sheri Rose)	2489 Panorama Rd Santee	
Kim M. In	431 Smith Rd. Clev, GA 30528	
Wayne & Sue Decker	289 Rabun Rd 30521	
Andy & Becky Eschborn	924 bean Valley Rd 30571	
Donna Gwynn	534 Pinecrest Santee 30571	
Melinda B. B...	353 Heather Way Cleveland 30520	
Tom Wilbanks	1447 Blue Ridge Dr 30571	

Bob & Mary Schulte 2037 Chimney mtw. Rd.

Joe Foley 632 River bank RD

Mary Ann Dorsey 4535 Hwy 254 Cleveland GA

Al Prof. 211 RUNNING DEER RD CLEVELAND, GA

Sandy Minnick 131 Indian Trail, Santee, GA

Robert E. Minnick 131 Indian Trail, Santee, GA 30571

Susan Church 677 Blue Ridge Dr Santee, GA

Linda Turner 200 O'Selby Rd Clarkesville Ga 30523

Claire Hiscox 147 Sugar Mill Loop Clarkesville, GA 30523

Brenda Whittings 258 Wren Hill Dr. Santee GA

Roger McFarland 147 Sugar Mill Loop, Clarkesville

Barbara Meyer 1270 Yeoman Lake Rd Clarkesville

Mary D. Neal 24 Hickock Place, Santee, GA

~~Lyndee Burt 2002 Chimney mtw. rd Clarkesville, GA~~

Mike Hilled, 630 Highland Forest Rd, Cleveland, GA 30528

WJ 1644 Echota Rd Clarkesville GA 30523

MAAHA B. Taylor PO Box 702, CLARKESVILLE GA 30523

Louise Scott PO Box 53; Demorest, GA 30533

Shirley Haslett Glenwood Ln 30535

Lisa Cahill 424 Beaver Creek Way, Cleveland, GA

John Brown 241 Majestic Way, Clarkesville 30523

James Bush 300 Eagle Talon Trail Santee 30571

Barbara Payne lot 37 Eagle Talon, Santee, GA 30571

Vicky Sattum 391 Torzhot Rd - Cleveland

Melinda Wood 56 Sunrise Ln Cleveland GA

Serry Coach 56 Sunrise Ln Cleveland

Lisa Reed 700 Deer Woods Tr. Cleveland

Linda Brummer 54 Bennetts Santee Nacoochee

Teresa Chenes 411 Mossy Oak Rd

Roberta Coars 81 Misty Creek Cove 3057

Mary Fellers 423 Angel View, S.

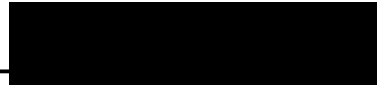
We, as full time residents and land owners in the Sautee area and Bean Creek Community are very aware of traffic conditions on Rabun Rd, Bean Creek Rd and Hwy 255. Any change of zoning from residential to commercial will increase traffic, disturb wildlife habitat, traffic and safety problems. It is noted that most of the roads are not adequately wide enough to handle 2-way traffic within said community. Also noted, a majority of the length of Bean Creek Rd is a single lane graveled road unable to handle much more traffic.

We the undersigned are strongly opposed to the rezoning and we ask the Commissioners/Board to please reject.

NAME	ADDRESS	Phone #
Janet Williams	183 Cantrell Rd. Cleveland, Ga. 30528	[REDACTED]
Gail Duncan	424 Horton Creek Rd. Helen Ga. 30545	[REDACTED]
Joy T. Jones	175 Bentwood Dr. Cleveland GA	[REDACTED]
Norma Barger	109 Robinhood Dr. Cleveland GA	[REDACTED]
Wendy Sue Reeve	140 Waterwood Dr. Cleveland, GA.	[REDACTED]
Anna Danielle Neal	115 Hannah Brook Ln Cleveland, GA	[REDACTED]
JOHN LUNSFORD	323 GRANT SE Clarksville GA	[REDACTED]
CANDACE DAVIS	1944 Hwy 255N Sautee, GA	[REDACTED]
Maggie Jones	243 Old Cherokee St. Cleveland	[REDACTED]
Cheryl Page	379 Tesnatee Gap Rd. Cleveland	[REDACTED]
Parks Davis	844 Woodbrier Sautee, GA 30571	[REDACTED]
Patty Lowe	217 Honeysuckle Lane Clarksville 30523	[REDACTED]
Courtney Johnston	104 Lynch Mtn Rd Sautee Ga. 30571	[REDACTED]
James L. Johnston	104 LYNCH MOUNTAIN RD. SAUTEE 30571	[REDACTED]
Jimnie A. Finnie	9 Wright Road, Sautee Newnoka Ga 30571	[REDACTED]
Lawrence Dorsey	671 Bean Creek Rd Sautee, Ga (30571)	[REDACTED]
Michelle Nicely		[REDACTED]
Fredy [REDACTED]	222	[REDACTED]
Jimmy M. Doney Jr.	P.O. Box 73 Sautee, GA	[REDACTED]
Frankie Westmoreland	48 Button Quail Rd. Sautee, Ga. 30571	[REDACTED]
Mary Margaret Brewton	48 Button Quail Rd. Sautee, GA. 30571	[REDACTED]

30571

Maggie Roche P.O. Box 615 Santee, Ga



A series of horizontal lines for writing, consisting of 25 evenly spaced lines extending across the width of the page.

We, as full time residents and land owners in the Sautee area and Bean Creek Community are very aware of traffic conditions on Rabun Rd, Bean Creek Rd and Hwy 255. Any change of zoning from residential to commercial will increase traffic, disturb wildlife habitat, traffic and safety problems. It is noted that most of the roads are not adequately wide enough to handle 2-way traffic within said community. Also noted, a majority of the length of Bean Creek Rd is a single lane graveled road unable to handle much more traffic.

We the undersigned are strongly opposed to the rezoning and we ask the Commissioners/Board to please reject.

- 10my Peavy 297 Bennetts Trail [redacted]
- Ann Sweet 252 Bennetts Trail [redacted]
- Judy Sweet 252 Bennetts Trail [redacted]
- Ruby Co 65 Wolfe Howl Trail [redacted]
- Gayle Hill 1231 BEAN CREEK Rd [redacted]
- Paula Hill 1230 Bean Creek Rd [redacted]
- Wanda [redacted] 2015 Pear Creek Rd. [redacted]
- Patsy Butler 2015 BEAN CRK RD [redacted]
- Barry Harrison 145 BENNETTS TRL - SAUTEE - [redacted]
- Shirley Johnson [redacted]
- Nickie Dinkyt White Co. Cleveland GA [redacted]
- Ashley Jurpin [redacted]
- Robert Bramlett 134 Buckhorn Trail, Sautee Nacoochee [redacted]
- Carole Bramlett 134 Buckhorn Trail, Sautee Nacoochee GA [redacted]
- AL Lafavor ⁷⁰⁶⁻⁹⁵¹ 8850 58 Wolfowl Trail, Sautee Nacoochee GA

The full-time residents and land owners of the Sautee Nacoochee area and the Bean Creek community have long been concerned about the traffic conditions on Rabun Road, Bean Creek Road, and Highway 255. Changing any current zones from residential to commercial will increase traffic, present safety issues, and challenge wildlife habitats. The roads in the area are not adequate to handle two-way traffic and are already being heavily traveled as a result of GPS applications routing traffic around Helen, Ga. Bean Creek Road is a single-lane gravel and dirt road with inherent safety issues. We the undersigned are strongly opposed to the rezoning of the 22.17 acre plot at 964 Rabun Road (parcel 071-147A) from R-1 and C-1, to C-2 and respectfully ask the board to reject the proposal.

Name	Address	Phone Number	
JACKIE ARGENTO	2850 BEAN CREEK RD		
SYDNEY ARGENTO	2850 BEAN CREEK RD		
DOUG ARGENTO	2850 BEAN CREEK RD		
KAREN BERZSENYI	71 MINERS MOUNTAIN RD		
PAT BERZSENYI	71 MINERS MOUNTAIN RD		
Bonnie Stevens	55 Rose O Sharon Dr.		
Mike Stevens	55 Rose O Sharon Dr.		
DAVID CAPPI	240 GOLD DUST TRL		
Sharon Reinking	750 Miners Mt. Rd.		
David Reinking	750 Miners Mt. Rd.		
Paul Reinking	610 Miners Mt Rd		
George Saunders	156 Miners Mts Rd.		
Regina Blacksky	148 Gold Dust Trail		
Gordero Blackshear	148 Gold Dust Trail		
Joseph A. Dehune	180 Gold Dust Trail		
John Boyette	751 Miners Mtn Rd		
Mignon Boyette	751 Miners Mtn Rd		
Jane Benton	618 Miners Mt Rd		
Joseph E Fisher	LOT 6 MINERS MOUNTAIN RD / 6611 GLENCOE DR Temple Terrace, FL		
TATIANA CHAVEZ	370 MINERS MOUNTAIN RD / 2519 NE 135TH ST NORTH MIAMI, FL		
Brock SAUNDERS	156 MINERS MOUNTAIN RD		

KRB
KRB
CRB

On Oct 30, 2023, at 1:55 PM, jxfish2

[REDACTED] wrote:

Hi Karen,

I authorize you to add my name to the petition.

Joseph C. Fisher

6611 Glencoe Dr.

Temple Terrace, Florida 33617

[REDACTED]

Please let me know if you need anything else from me.

Have a wonderful holiday season.

Sincerely,

Joe Fisher

On Oct 30, 2023, at 1:58 PM, Tatiana

C <[REDACTED]> wrote:

Karen,

Thank you for reaching out.

I would like to confirm that I'm asking to add my name to the petition against the change of zoning and expansion of Lucille Resort and Spa.

My name is Tatiana Chavez

Address is 2519 NE 135th street

North Miami FL 33181



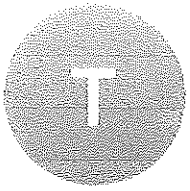
Tatiana Chavez

President, TNC Mortgage Corp

p:786-646-6335 | m:786-285-4430

e:tatiana@tncmortgage.com

NMLS 343139, now licensed in Florida and Georgia



Tataiana

2:19 PM

To: Karen Berzsenyi >

Re: Petition

Good idea.

My Georgia address is 370 Miners
Mountain rd Sautee Nacoochie

Tatiana Chavez

President, TNC Mortgage Corp

p:786-646-6335 | m:786-285-4430

e:tatiana@tncmortgage.com

NMLS 343139,

From: Brooke Saunders [REDACTED]
Subject: Petition for Lucille's Mountaintop expansion
Date: Oct 30, 2023 at 2:58:53 PM
To: [REDACTED]

I, Brooke Saunders, sign in petition against the expansion for Lucille's Mountaintop Spa and Inn.

I live on Miners Mountain, off of Bean Creek Rd and feel this will change and effect many people living in the area- not for the better.

WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

Application of Steve and Kathy Schmidt to request a variance from Section 601 Access. Property is located at 43 Thornblade Trail, Cleveland, GA, 30528. Tax map and parcel is 017-094B. Total acreage is 1.33.

The applicants, Steven and Kathy Schmidt of 5050 Highway 129 North in Cleveland, were present. Mr. Barton gave a summary of the application, adding that the short-term rental application will be in November but the current request is to move the access. The applicants did not have anything to add.

Motion to approve the variance made by Ms. Burke and seconded by Ms. Dixon. Motion was unanimous. Mr. Barton advised the applicants that he would contact them when the plat was ready for pickup.

Application of David Allen to request a variance from Section 601 Access. Property is located on Goat Neck Road, Cleveland, GA, 30528. Tax map and parcel is 073-0156 & 073-157, Tracts 2 & 4. Total acreage is 5.31.

The applicant, David and wife Mindy Allen of 1336 Goat Neck Road, was present. Mr. Allen confirmed that all tracts are for children.

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

Application of Eddie Hood to request a variance from Section 601 Access. Property is located on Surveyors Drive, Cleveland, GA, 30528. Tax map and parcel is 004-106. Total acreage is 24.09. The applicant, Eddie Hood of 153 Surveyors Drive, was present. Mr. Barton gave a summary of the application. Mr. Hood said the purpose is to give property to children and to make a will.

Motion to approve the variance made by Ms. Dixon and seconded by Mr. Yarbrough. Motion was unanimous. Mr. Barton advised the applicant that he would contact him when the plat was ready for pickup.

Application of April James to redistrict property located at 964 Rabun Road Sautee Nacoochee, Georgia, 30571 from R-1 Residential Single Family District and C-1 Community Commercial District to C-2 Highway Business District. Tax map and parcel 071-147A. Total acreage is 22.17. Present zoning is R-1 Residential Single Family District and C-1 Community Commercial District.

The applicant, April James of 1019 Preacher Campbell Road in Clarkesville, GA, and her representative, Steve Smith of 145 Youngsmith Road in Cleveland, were present. Mr. Barton gave a summary of the application. Mr. Smith said the initial zoning was not correct and they feel that in the best interest of the county and peace in the valley that they would be willing to relinquish many of the legal rights, 95.2% of the permitted uses, while retaining unfettered right to pursue only the other 4.8%.

Ms. James said permitted uses #33, #36, and #58 of Section 1402 are all already there and that she wants to keep what they are.

Motion to recommend approval as has been requested as to the Board of Commissioners made by Ms. Dixon and seconded by Mr. Freeman. Mr. Ackerman requested to add conditions. Chairman Thomas explained the board would vote on this motion to see where it goes and if it fails then the board could

WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

make another motion . Motion carried by a 4-2 majority, with Mr. Ackerman and Mr. Yarbrough in opposition. Mr. Barton advised the applicant of the next meeting on November 16th at 9am.

Application of Vincenu Visuti to redistrict property located at 16 Windy Acres Road, Cleveland, Georgia, 30528 from R-3 Residential Seasonal District to R-2 Residential Multi-Family District. Tax map and parcel 045B-057. Total acreage is 1.98. Present zoning is R-3 Residential Seasonal District. The applicant, Vincenu Visuti of 3447 Hwy 255 N in Sautee Nacoochee, was present. Mr. Barton gave a summary of the application. Mr. Visuti explained that he plans to withdraw this request to R-2 so he can reapply for the special use permit, but wants to proceed with the recommendation without losing the R-3 zoning. Mr. Barton clarified that this request is for R-3 to R-2 and would also need a conditional use permit for group homes.

Motion to recommend denial to the Board of Commissioners made by Ms. Burke based on she does not think it is a good location for what he is requesting. Mr. Yarbrough seconded the motion. Motion was unanimous. Mr. Barton advised the applicant of the next meeting on November 16th at 9am.

Application of Frank Liesen to request a conditional use permit located at 91 Small Pond Drive, Cleveland, Georgia, 30528. Tax map and parcel 060D-039. Total acreage is 5.09. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

Mr. Yarbrough abstained from the next two applications due to his connection with Truett McConnell College, which is Mr. Liesen’s employer.

The applicant, Frank Liesen of 89 Small Pond Drive, was present. Mr. Barton gave a summary of the application. When asked what his plans for the home being a permanent residence, Mr. Liesen said this is a place for retirement, but he does not know when that would be. He said his son would be there for at least two years and they anticipate being there a long time with possible missions in Germany. He said someone would be designated to oversee the rental when his son is not there and he is in Germany. Mr. Liesen said they could live in one home and manage the other that would be rented to fund missionary stays since those would be no charge. He said the purpose of the short-term rental is only to finance and pay the dues to run it for missionaries to stay there. He said he plans to have missionaries stay there the majority of the time, but it depends on financially how it will work since there is a mortgage on the home and they would need to pay housekeepers and taxes. In reference to the road, he said he will reach out to the neighbors and that he is willing to contribute financially as well as contribute labor.

Motion to recommend denial to the Board of Commissioners made by Ms. Burke based on covenants recorded and placed on the property in 1971. She explained Mr. Liesen purchased Tracts 1, 9, and 10, with Tract 1 being divided into two tracts. She presented the plat and covenants, citing verbiage from the covenants stating “no activities should be carried on said land which would contribute to unreasonable and substantial interference with the use and enjoyment of the land by the residential owners.” She stated too many people have said they do not want it and people are knocking on their doors looking for the rental that is supposed to come through the winery.

Ms. Dixon seconded the motion. The motion carried by a 4-1 majority with Mr. Ackerman opposed and Mr. Yarbrough abstained. Mr. Barton advised the applicant of the next meeting on November 16th at 9am.

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

The applicant, Susan Cabrera 3377 Town Creek Road, was present. Mr. Barton gave a summary of the application. Ms. Cabrera explained the short-term rental has a maximum occupancy of four people and plenty room for parking, though four vehicles is the most she has had. She explained the property was part of an estate that was divided into eight parcels, but she owns two lots and received letters from the neighbors on both sides of her property and one additional property owner. Ms. Cabrera stated that she has been renting the home and was not aware of regulations until she received a letter from the county, at which point she immediately paid the licensing fees but was already paying the hotel/motel taxes. She said she has not had any complaints in the time she has been renting the property short-term and plans to keep the front parcel as natural space. Ms. Cabrera said the emergency contact is the next-door neighbor who also manages the grounds.

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. Ms. Cabrera did not have anything to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on November 6th.

Application of April James to redistrict property located at 964 Rabun Road Sautee Nacoochee, Georgia, 30571 from R-1 Residential Single Family District and C-1 Community Commercial District to C-2 Highway Business District. Tax map and parcel 071-147A. Total acreage is 22.17. Present zoning is R-1 Residential Single Family District and C-1 Community Commercial District.

The applicant, April James of 1019 Preacher Campbell Road in Clarkesville, was present. Mr. Barton gave a summary of the application. Ms. James presented documentation to the board members and explained her business, Lucille's Mountain Top Inn, supports local businesses, roads, and provides employment. She said the requested zoning is to help lower insurance costs due to limited insurance options from being classified as an inn, so the change would allow her to be considered a boutique hotel. She explained that she is looking to preserve the environment by improving her septic location that would keep from needing a pump station. She said she plans one day to move the existing spa onto the new lot, as well, and that would allow her to gain one additional room since the spa is currently between two rooms. In total, she said there are 14 rooms currently. Ms. James stated that she believes the property was zoned incorrectly and is better suited for C-2 based on permitted items #33 "Health clubs and spas" and #36 "Hotels, motels and other lodging type inns" in the White County Code.

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

Steve Smith of 145 Youngsmith Road in Cleveland, and contractor for Ms. James, explained that R-3 zoning does not have spa as a permitted use. He said the inn was built in 2001 and has been operating as such since then. He said C-1 would not allow the existing businesses, to which he referenced the White County Code Articles XIII and XIV for C-2 Highway Business District. He explained that the site plan shows moving the spa to newly adjoined land, which would be free standing at approximately 3000 square feet with a disturbed area of 25000 square feet at four percent of total land area. He said there are not architectural plans drawn yet for the structure so his numbers are approximate. He explained the existing spa is a few hundred square feet and the room to be added would be about 600 square feet. In reference to increased traffic, he said it should not be impacted because outside visitors are currently allowed to access the spa.

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

Katherine Bopper of 3670 Poinciana Ave, Miami, Florida, said she has been a regular visitor of the inn for the last three years and as a writer, she gets inspiration from observing the mountain top. She said Ms. James runs a fabulous business and cares about the business, adding that Ms. James wants to keep charm and quaintness and not change anything.

Patty Apostolakos of 972 Sautee Woods Trail, Sautee Nacoochee, GA said she visits the inn when her friend stays there and the people who visit are precise, kind, not messy, no loud parties, and has everything catered to them which gives the inn a great reputation. Ms. Apostolakos said there needs to be a bigger spa because a lot of people and locals that go up there, but Ms. James does not want to cut down more trees than she has too.

Karen Thomas of 23 Autumn Lane, Cleveland, GA said she is the current president of the Georgia Mountain Lakes Realtor Association and recommends Lucille's Mountain Top to clients and has used the spa personally. She said she is appreciative of the setting and scenery, and it is an asset to the community for those looking for a place to stay or are new to the area. She said the association is in favor of the application.

Steve Smith read a letter from an immediate neighbor, Harold Burke of 401 and 479 Dormatory Hill Drive, Sautee Nacoochee, GA expressing support.

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

Michael Jones of 1591 Gold Valley Road, on behalf of Gold Valley, Summit homeowners association, said he is not questioning the zoning change but he anticipates something happening in near future that will impact the community and road bed. He said they have been experiencing a lot of traffic on Rabun Road and Bean Creek, and Rabun Road is not wide enough.

Lynn Donehoo of 1362 Gold Valley Road provided a petition to the board members. She said she moved here from South Carolina because of traffic. Ms. Donehoo said once the zoning is changed to commercial, then anyone else can use as ammunition against the community. She said the views are worth saving and once green space is gone, you cannot get it back. When asked if there has been an issue since she has moved there, she responded that there has not.

April Riley of 36 Blue Aster Place said she is directly across from business sign. She said C-1 and C-2 are not the only options because R-3 also allows for Bed and Breakfasts. She said her driveway is in constant repair because of people turning around in her driveway because of GPS issues. She said Ms. James does not need certification to be called a boutique hotel and asked why they want to add two septic areas if only adding one more small building. She said concerning insurance, there are more options that depend on if the fire department can get up there and said the driveway is very narrow and long. She expressed concerns of traffic for walking up and down the road and she understands about expansion and wanting to bring more tourists, but what about the people that live there.

Karen Berzsenyi of 71 Miners Mountain Road referenced an article in the newspaper that said the sole reason for the request was due to insurance. She said she reached out to her insurance contact who said no one looks at zoning when looking at insurance for businesses. She referenced Section 1300 of the White County Code for C-1 Community and read the purpose of the district, as well as the purpose for Section 1400 for C-2 Highway Business. She said the difference is regional versus community level and it relies

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

on highway-oriented passengers by traffic. Ms. Berzsenyi said expressed concerns of the large acreage increase and referenced numbers for bed and breakfasts. She requested a condition be placed on the application.

Stephen Hamrick of 3055 Bean Creek expressed a concern for the precedence that will be set and expansion. He said he has no issue with what they are doing now.

Stella Hatcher, maiden name Trammel, of 124 Modoc Drive in Cornelia, GA, said her family owns property on Rabun Road and she owns property along Blue Aster. She requested the board consider not changing for commercial use and that she understands trying to increase business, but as a community lover, she asks that they not approve it.

Chairman Thomas asked Ms. James if she had anything to add.

Mr. Smith said many of the concerns were due to a flyer for a 22-acre hotel development. He said there are codes and the mountain protection act, rules and regulations to prevent what people are imagining. He described the regulations for mountain protections, such as structures cannot be over 40 feet tall, slope and tree diameter restrictions. Regarding green space, he said green space is what makes Lucille's what it is. He said she purchased the additional land to protect the integrity and beauty of forest and it is his understanding that the former owner of Lucille's lobbied for the paving of Rabun Road and after a visit from Code Enforcement regarding dirt on the road. He said the zoning does not affect insurance since it is the definition. He referenced permitted uses for C-1 and said Lucille's use would keep it from being one of those.

Ms. James said their goal is to do what is right for the community and for Lucille's, and to keep it beautiful for the serenity of her guests.

Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on November 6th.

Application of Jim Patton to request a conditional use permit located at 24 Luke Road, Cleveland, Georgia, 30528. Tax map and parcel 061-146N. Total acreage is 1.50. Proposed use is to place in "Short Term Rental" program. Present zoning is R-1 Residential Single Family.

The applicant, Jim Patton of 675 Mountain Meadows Road, was present. Mr. Barton gave a summary of the application. Mr. Patton explained the proposed short-term rental is still under construction, but would have a maximum occupancy of six people and adequate parking for six people. He said they have not decided if they will self-manage, but will probably go through an agency. When asked if he had experience with short-term rentals, he said no. Mr. Patton said the closest residence is roughly 300 feet away.

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. Patton did not have anything to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on November 6th.



WHITE COUNTY

Board of Commissioners

Item Title: Rezone property from R-1 to C-2 for Jeff Nix, on behalf of Doug Nix, Hwy. 115 East, Cleveland

For Meeting Date: 11/27/2023

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. 20296
2. Public Hearing Minutes 10/31/2023
3. Regular Meeting Minutes 11/6/2023

Purpose:

Consider the application of Jeff Nix, on behalf of Douglas Nix, to redistrict property located at 0 Hwy. 115 East, Cleveland, Georgia, 30528 from R-1 Residential Single Family District to C-2 Highway Business District. Tax map and parcel 047D-159. Total acreage is 7.42. Present zoning is R-1 Residential Single Family District.

Background / Summary:

- Applicant is requesting to rezone the property from R-1 Single Family Residential to C-2 Highway Commercial to make the property more attractive to sell. He said it is next to and across the highway from commercially zoned property and that C-2 offers more options than C-1. It already has a driveway and culvert with highway frontage. No one spoke for or against the application. The Planning Commission recommended approval 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

OFFICE USE ONLY	Land Use Application #: <u>20296</u>
Public Hearing Date: <u>10/31/23</u>	Commission District: <u>1</u>
Fees Assessed: <u>\$250</u>	Paid via: <input type="checkbox"/> cash <input checked="" type="checkbox"/> credit card <input type="checkbox"/> check# _____

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>Jeff Nix</u>	
Address: <u>856 Warwick Rd</u>	
Phone Number: [REDACTED]	Alternate Contact Number: [REDACTED]
Email:	
Owner Information (if different from Applicant/Agent):	
Name: <u>Douglas Nix</u>	Phone #: [REDACTED]
PROPERTY INFORMATION	
Parcel ID: <u>047D - 159</u>	Total acreage being changed: <u>7.42</u>
Address: <u>115 East</u>	
Directions to Property: <u>Next door to Shadburn's Cabinet Shop</u>	
Current Use/Zoning of Property: <u>Residential</u> Type of Road Surface: <u>Asphalt</u>	
Any prior redistricting requests for property: <u>NO</u> If yes, provide redistricting application #: _____	
SURROUNDING PROPERTY LAND USE CLASSIFICATION:	
North: <u>C2</u>	South: <u>R1</u> East: <u>C1</u> West: <u>R1</u>
REQUESTED ACTION AND DETAILS OF PROPOSED USE (check all that apply)	
<input checked="" type="checkbox"/> Redistrict from district: <u>R1</u>	Redistrict to district: <u>C2</u>
Conditional Use - specify: <u>/</u>	
Special Use - specify:	
Land Use Variance from Code Section:	
Proposed use if not listed above: <u>For Sale</u>	
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 (ft²): _____ 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 47D-159	Trevi's Skidburn	7625C Hwy 115E 611 Henry Nix Rd
2 47D 159A	Mark Boggs	528 Hidden Meadows Rd
3 47D-182	Hoyt Autry	459 Point Willow dr
4 47D-183	Susan McDonald	PO Box 1457 Cleveland
5 47D-158	Mark Houghton	554 Hidden Meadows Rd
6 47D 162	Zach Delay	14 Dow Point lane
7		

APPLICANT CERTIFICATION

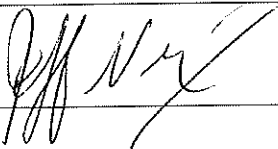
I hereby request the action contained within this application relative to the property shown on the attached plats and site plan and further request that this item be placed on both the Planning Commission and Board of Commissioners meeting agendas.

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: 8-29-23

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:

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 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.

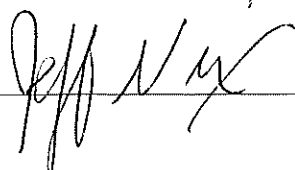
Amount \$:

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:

8-29-23

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), Douglas NIX II,
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): <u>Douglas Nix</u>	
Mailing Address: <u>10565 Old Atl Hwy</u> <u>Covington Ga 30014</u>	
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): <u>Jeff Nix</u>	
Signature of Owner(s):	Date Signed:
<u>[Signature]</u>	<u>09-05-2023</u>

PROPERTY OWNER AUTHORIZATION DOCUMENT: NOTARY ACKNOWLEDGEMENT

Sworn to (or affirmed) and subscribed before me this 5th day of September 2023 by Douglas Nix (name of signer(s)). The named signer(s) is/are personally known by me or produced the identification type of drivers license.

{Seal}



[Signature]
(Signature of Notary)
Samantha King
(Name of Notary Typed, Stamped, or Printed)

APPLICANT ACKNOWLEDGEMENT OF MEETING DATES

I, Jeff Nix (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): Oct. 30, 23

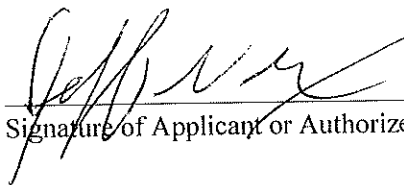
Regular Meeting Date (Planning Commission): Nov. 6, 23

Administration Building, 1235 Helen Hwy, Cleveland



4:30pm

Board of Commissioners Meeting Date: Nov. 27, 23

**Meeting dates are subject to change*


Signature of Applicant or Authorized Agent

9-11-23
Date

<u>OFFICE USE ONLY</u>	
Copy given to applicant: <u></u>	<u>9/11/23</u> (date)
Staff Initials: <u></u>	
Flag (circle): <input checked="" type="radio"/> N	

WITHDRAWAL	
<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:

To Whom it Concerns,

I Jeff Nix am Requesting the
Rezoning of my brothers property
from R1 to CZ
on 115E Next door to Shadburns

Cabinets. parcels next to us are
currently zoned C1, C2, R1, R1

(Rezoning is so property
can be put up for
sale)

Jeff Nix



Public Health
Prevent. Promote. Protect.

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

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: 08/30/2022

APPLICANT NAME: Jeff Nix

PROPERTY ADDRESS: Hwy 115 E (Parcel 047D 159)
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.

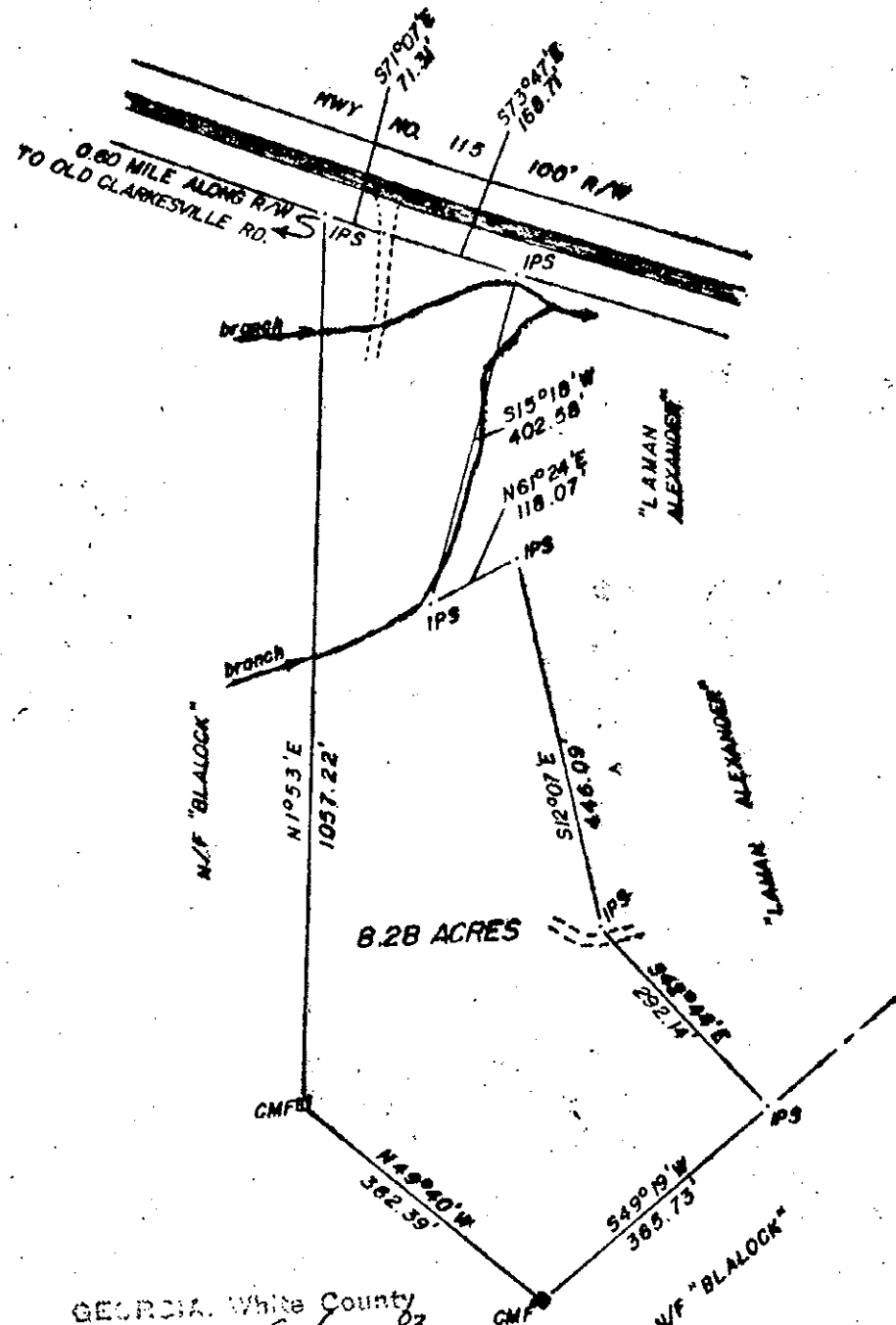
If, based upon information submitted, no septic systems exist on the property, this zoning/land use change and/or building permit request should not affect the property with respect to septic use.

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.

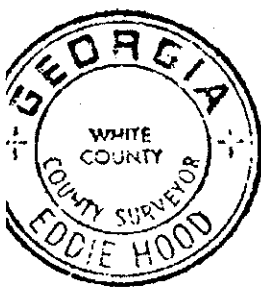
→ _____
Applicant Signature

MAGNETIC MERIDIAN



8.28 ACRES

GEORGIA, White County
 Filed 20... day of Apr... 1983
 11:00 o'clock AM
 Recorded in book 17
 Page 73 days of 20-83
 Richard W. Dawson
 Clerk



Eddie Hood

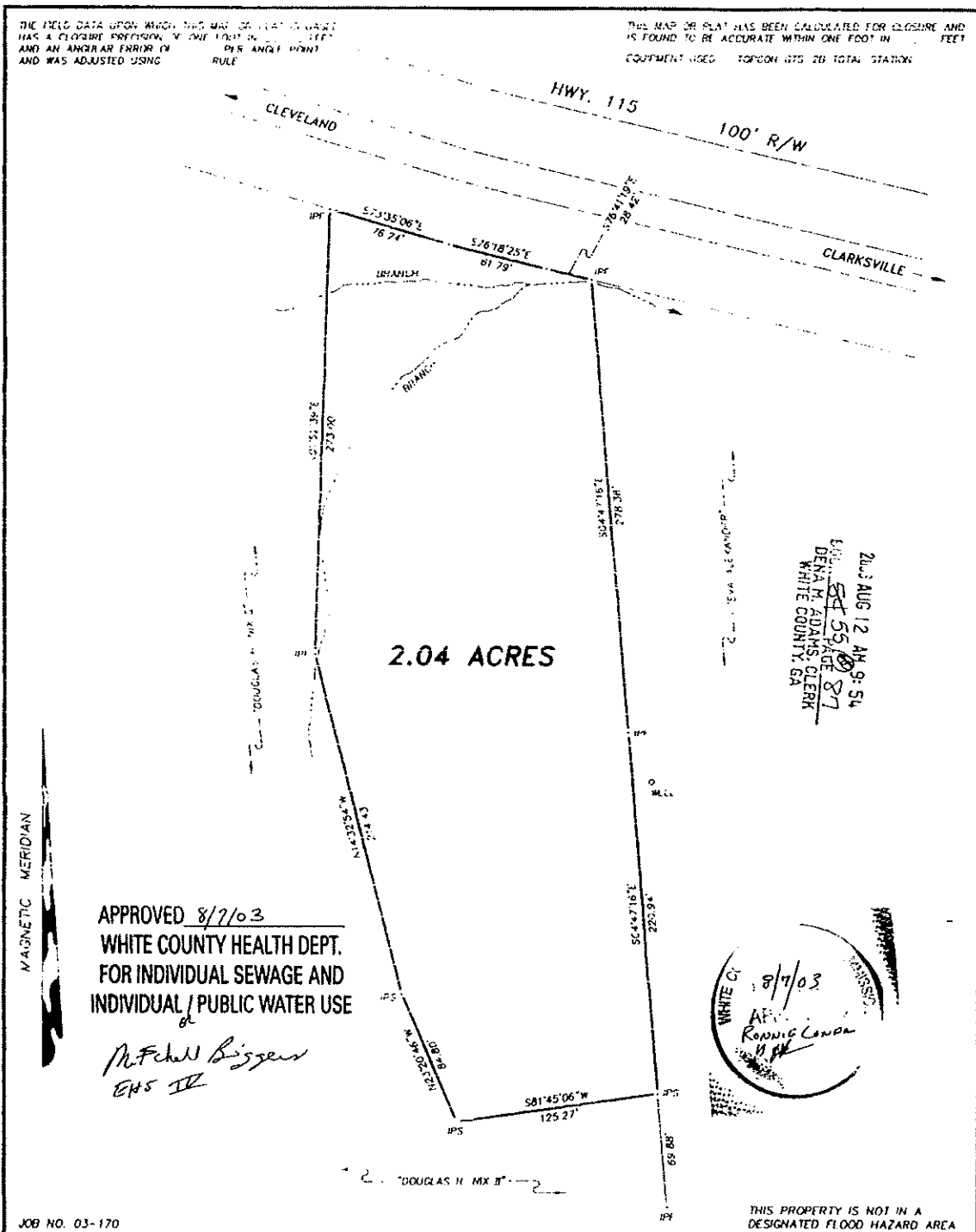
PLAT OF BOUNDARY SURVEY
 MADE FOR

- EUGENE & CAROLYN R BOGGS -
 LAND LOT 63 ——— 2nd DISTRICT
 WHITE ——— COUNTY ——— GEORGIA
 DATE - 4 - 13 - 83 ——— SCALE - 1/2" = 200'

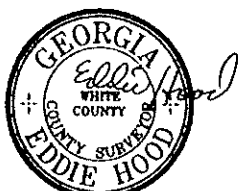
B51618

THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE ERROR OF ONE FOOT IN 1000 FEET AND AN ANGULAR ERROR OF ONE MINUTE PER ANGLE POINT AND WAS ADJUSTED USING THE RULE

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 1000 FEET EQUIPMENT USED: TOPCON GTS 20 TOTAL STATION



JOB NO. 03-170



8-5-03

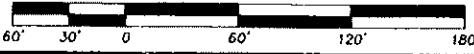
EDDIE HOOD & ASSOCIATES
 8 COURTHOUSE SQUARE
 CLEVELAND, GA. 30528
 PHONE: (706) 865-3676
 FAX: (706) 865-7303

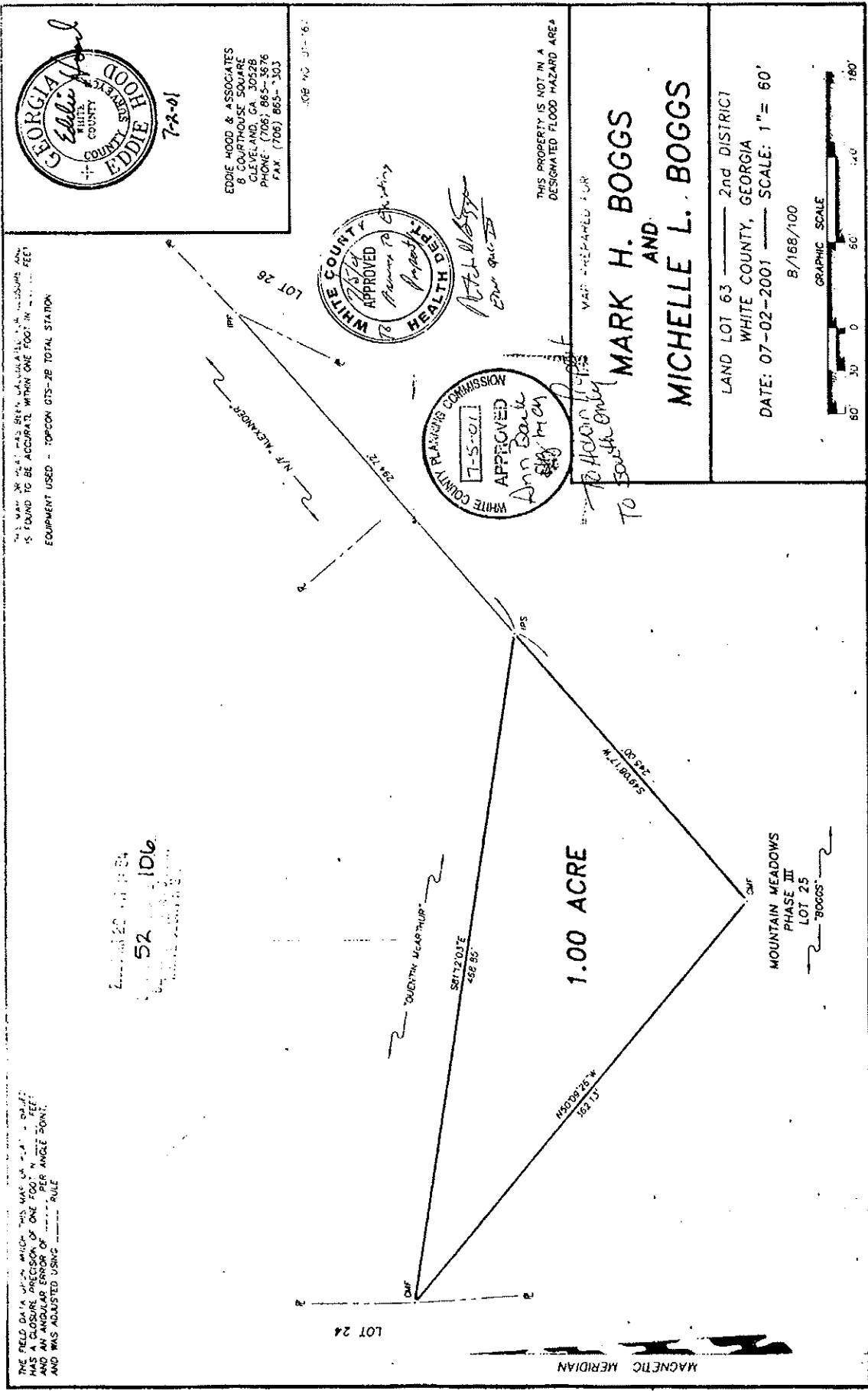
PLAT PREPARED FOR
JEFFERY SHAWN NIX
 AND
DARCY O. NIX

LAND LOT 63 — 2nd DISTRICT
 WHITE COUNTY, GEORGIA
 DATE: 08-05-2003 — SCALE: 1" = 60'

B/172/04

GRAPHIC SCALE





2023 Property Tax Statement

Cindy Cannon

White County Tax Commissioner

P. O. Box 970

Cleveland, GA 30528

Phone 1 (706) 865-2225 - Fax 1 (706) 219-0078

wctc@whitecounty.net

BILL NO.	PRINTED	LAST PAYMENT MADE ON	PAYMENT GOOD THROUGH	DUE DATE	TOTAL DUE
2023-12749	08/30/2023		11/15/2023	11/15/2023	770.12
PID		LOCATION			
047D 159		HWY 115 E			

MAKE CHECK OR MONEY ORDER PAYABLE TO:

White County Tax Commissioner

This is your 2023 Ad Valorem Property Tax Statement. This bill must be paid in full by November 15, 2023 in order to avoid interest and penalty charges. Interest and penalties are governed by Georgia Code. If payment is made after the due date, please call the office for the current amount due. State law requires all bills be mailed to the owner of record as of January 1st of the tax year. If you have sold this property, please forward this bill to the new owner and notify our office. Please note that your Tax Commissioner is responsible for billing and collections and is not responsible for the property value on your bill or the millage rate. Thank you for the privilege of serving you as your Tax Commissioner. Cindy Cannon



NIX DOUGLAS H II
10565 OLA ATLANTA HWY
COVINGTON, GA 30014

RETURN THIS PORTION WITH PAYMENT (Interest will be added per month if not paid by due date)



2023

Property Tax Statement

Cindy Cannon

White County Tax Commissioner

P. O. Box 970

Cleveland, GA 30528

Phone 1 (706) 865-2225 - Fax 1 (706) 219-0078

Email: wctc@whitecounty.net

PROPERTY OWNER(S) NIX DOUGLAS H II
PID 047D 159 REAL
DESCRIPTION LL63 LD2 LT24
LOCATION HWY 115 E
BILL NUMBER 2023-12749
DISTRICT 001 WHITE COUNTY UNINCORPORATED
PRINTED ON 08/30/2023

BUILDING VALUE	LAND VALUE	ACRES/LOTS	TOTAL FAIR MARKET VALUE	DUE DATE	BILLING DATE	PAYMENT GOOD THROUGH	EXEMPTIONS
0.00	84,890.00	7.4200	84,890.00	11/15/2023		11/15/2023	

FIRST NOTICE

ENTITY	ADJUSTED FAIR MARKET VALUE	NET ASSESSMENT	EXEMPTIONS	TAXABLE VALUE	MILLAGE RATE	GROSS TAX	CREDIT TAX AMT	NET TAX AMT
COUNTY M&O	84,890.00	33,956.00		33,956.00	12.8610	436.71		322.75
SALES TAX ROLLBACK				33,956.00	-3.3560		-113.96	
SCHOOL M&O	84,890.00	33,956.00		33,956.00	13.1750	447.37		447.37
TOTALS					22.6800	884.08	-113.96	770.12

Each resident of White County is eligible for a Homestead Exemption on the property they own and occupy as their permanent residence on January 1st of the taxable year. Homestead Exemption applications are accepted year round by the White County Assessors office however, your application must be made before April 1st to apply to the taxable year. All tax returns are filed with the White County Assessors office between January 1st and April 1st of the taxable year. For questions about your Homestead Exemption or filing a tax return, you may reach the Assessors office at (706) 865-5328. Thanks



CURRENT DUE	770.12
+ PENALTY	0.00
+ INTEREST	0.00
+ OTHER FEES	0.00
PREVIOUS PAYMENTS	0.00
+ BACK TAXES	0.00
= Total Due	770.12



OFFICIAL TAX RECEIPT

White County Tax Commissioner

Cindy Cannon

P. O. Box 970

Cleveland GA 30528

Phone 17068652225 - Fax 17062190078

Email: wctc@whitecounty.net

OWNER

NIX DOUGLAS H II

10565 OLA ATLANTA HWY

COVINGTON, GA 30014

PAID DATE			9/29/2022
RECEIPT PRINTED			8/30/2023 8:18:05 AM
CASH AMOUNT	CHECK AMOUNT	CHARGE AMOUNT	CHECK NUMBER(s) CHARGE APPROVAL CODE
\$0.00	\$704.89	\$0.00	3465
REFUND AMOUNT			\$0.00
OVERPAY AMOUNT			\$0.00
CHANGE AMOUNT			\$0.00
REGISTER			8
CASHIER			
TOTAL PAID			\$704.89

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	
2022-12596 FMV: 74270.00 047D 159	LL63 LD2 LT24 HWY 115 E DISTRICT: 001 SERIAL NUMBER: DECAL NUMBER: 0	11/15/2022 \$704.89	\$0.00 \$0.00 \$0.00	\$0.00	\$704.89	\$704.89	\$0.00	
Paid By: NIX DOUGLAS H II				Overpayment Amount: 0.00				
Check Number: 3465								
Transaction(s): 140 - 140		Total(s):	\$704.89	\$0.00	\$0.00	\$704.89	\$704.89	\$0.00



Overview



Legend

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

Parcel ID	047D 159	Alternate ID	5162004	Owner Address	NIX DOUGLASH II
Sec/Twp/Rng	n/a	Class	A		10565 OLA ATLANTA HWY
Property Address	0 HWY 115 E	Acreage	7.42		COVINGTON GA 30014-0000
	01				
District	01				
Brief Tax Description	LL63 LD2 LT24				
	(Note: Not to be used on legal documents)				

Date created: 8/30/2023
 Last Data Uploaded: 8/30/2023 5:24:12 AM

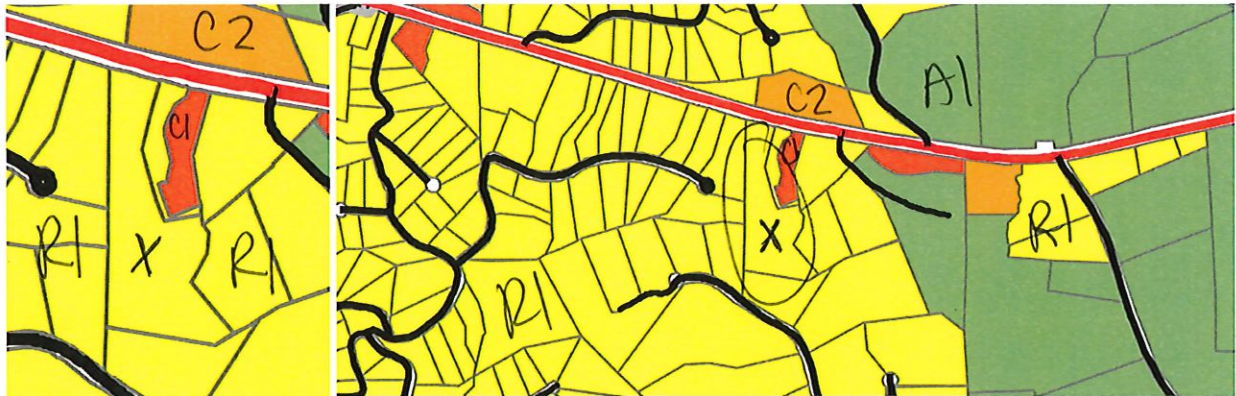
Developed by **Schneider**
 GEOSPATIAL

**WHITE COUNTY PLANNING DEPARTMENT
STAFF COMMENT**

DOUGLAS NIX – JEFF NIX

- PROPERTY IS LOCATED ON HIGHWAY 115 EAST IN CLEVELAND. IT IS IN THE R-1 RESIDENTIAL SINGLE FAMILY DISTRICT.
- APPLICATION REQUEST TO CONSIDER REDISTRICTING TO C-2 HIGHWAY BUSINESS DISTRICT.
- PROPERTY ADJOINS TO THE NORTH, SOUTH, EAST, AND WEST R-1 RESIDENTIAL SINGLE FAMILY DISTRICT; TO THE NORTH C-2 HIGHWAY BUSINESS DISTRICT.
- THE WHITE COUNTY COMPREHENSIVE PLAN FUTURE LAND USE MAP INDICATES SINGLE FAMILY RESIDENTIAL.
- TOTAL ACREAGE IS 7.42.
- PROPERTY SUPPLIED BY WELL AND SEPTIC.

EXISTING LAND USE



FUTURE LAND USE



WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

Tuesday, October 31st, 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, 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. Mr. Barton explained the public hearing procedures.

Application of Jeff Nix, on behalf of Douglas Nix, to redistrict property located at 0 Hwy. 115 East, Cleveland, Georgia, 30528 from R-1 Residential Single Family District to C-2 Highway Business District. Tax map and parcel 047D-159. Total acreage is 7.42. Present zoning is R-1 Residential Single Family District.

The applicant, Jeff Nix of 856 Warwick Road in Cleveland, was present on behalf of his brother. Mr. Barton gave a summary of the application. Mr. Nix explained the property is currently vacant. He said they have plans to clean up and mulch the property to list it for sale. However, he said they would like to be able to list it as commercial property. He said C-2 provides more options than C-1. He stated the property does have a current driveway and culvert with highway frontage, has an old well that is still good but the septic is probably not good. When asked about county water, he said he has not looked into it to see if that would be an option.

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. Nix did not have anything to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on November 6th.

Application of Dahai “Ocean” Zhang to request a conditional use permit located at 2414 Duncan Bridge Road, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 073-056. Total acreage is 1.32. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

Mr. Barton explained requested asked to postpone to December. The Chairman agreed to table the application until the December public hearing.

Application of Robert Edmonds to request a conditional use permit located at 360 Miners Mountain Road, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 055D-024. Total acreage is 2.98. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

The applicant, Robert Edmonds of 360 Miners Mountain Road, was present. Mr. Barton gave a summary of the application. Mr. Edmonds explained the proposed short-term rental would have a maximum occupancy of eight and only two vehicles would be allowed. He said he has been renting the home short-term since 2017 and missed the tax notification, but he took the listing down once notified that he was not in compliance and paid all taxes. He explained that short-term rentals are allowed in the subdivision covenants, that the subdivision has fifty total lots, thirty homes developed, and ten homes that are currently in the rental program. He outlined his rental policies including a minimum age of 25, no parties, and that he makes the renters aware of the county’s short-term rental ordinances. He said there is an RV park nearby and his two adjacent property owners live in Florida, one of which rents their property out.

WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

Motion to recommend approval to the Board of Commissioners made by Ms. Dixon and seconded by Mr. Ash. Motion was unanimous. Mr. Barton advised the applicant of the next meeting on November 16th at 9am.

Application of Jeff Nix, on behalf of Douglas Nix, to redistrict property located at 0 Hwy. 115 East, Cleveland, Georgia, 30528 from R-1 Residential Single Family District to C-2 Highway Business District. Tax map and parcel 047D-159. Total acreage is 7.42. Present zoning is R-1 Residential Single Family District.

The applicant, Jeff Nix of 856 Warwick Road in Cleveland, was present. Mr. Barton gave a summary of the application. Mr. Nix said he is present on behalf of his brother and that they plan to clean up the property and place to sell. He said they would like to rezone it commercial to help with the ability to sell.

Motion to recommend approval to the Board of Commissioners made by Ms. Burke and seconded by Ms. Dixon. Motion was unanimous. Mr. Barton advised the applicant of the next meeting on November 27th at 4:30pm.

Application of Robert Edmonds to request a conditional use permit located at 360 Miners Mountain Road, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 055D-024. Total acreage is 2.98. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

The applicant, Robert Edmonds of 88 Hummingbird Lane in Pike Road, AL, was present. Mr. Barton gave a summary of the application. Mr. Edmonds explained the property has been a vacation rental since it was built in 2000. He said he is the third owner and it has been a rental for the last five years of his ownership. He said he has spoken with neighbors and the board of directors for the nearby RV park, all of which who are fine with his request.

Motion to recommend approval to the Board of Commissioners made by Ms. Burke and seconded by Mr. Ackerman. Motion was unanimous. Mr. Barton advised the applicant of the next meeting on November 27th at 4:30pm.

Application of Diane Robertson to request a conditional use permit located at 1071 Myra Branch Road, Helen, Georgia, 30545. Tax map and parcel 042B-019. Total acreage is 0.70. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

The applicant, Diane Robertson of 3752 Alden Court Marietta, GA, was present. Mr. Barton gave a summary of the application. Ms. Robertson explained the lot is old and is 0.70, which she has owned for about 12 years and remodeled. She said she has been renting through an online platform and stated that her only neighbors are bears.

Motion to recommend approval to the Board of Commissioners made by Ms. Dixon and seconded by Ms. Burke. Motion was unanimous. Mr. Barton advised the applicant of the next meeting on November 27th at 4:30pm.

Application of Paula Lembo and Loretta Martin to redistrict property located at 2229 Highway 17, Sautee Nacoochee, Georgia, 30571 from C-1 Community Commercial District to R-1 Residential Single Family District and to request a conditional use permit. Tax map and parcel 071-070. Total acreage is



WHITE COUNTY

Board of Commissioners

Item Title: Conditional Use Permit for Short Term Rental for Robert Edmonds 360 Miners Mountain Road Sautee Nacoochee

For Meeting Date: 11/27/2023

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. 20306
2. Public Hearing Minutes 10/31/2023
3. Regular Meeting Minutes 11/6/2023

Purpose:

Consider the application of Robert Edmonds to request a conditional use permit located at 360 Miners Mountain Road, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 055D-024. Total acreage is 2.98. 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 in an R-1 district for short-term rental. The cabin is in the Miners Mountain Subdivision and the covenants allow for Short Term Rentals. Mr. Edmonds explained the rental has a maximum occupancy of 8 people and only two vehicles are allowed. He has been renting since 2017 and missed the tax notification but took the listing down when he was notified he was not in compliance. The subdivision has 50 lots, 30 are developed and 10 are currently Short Term Rentals. He has strict rental policies and self manages but has housekeepers and neighbors who can respond. No one spoke for or against the application. The Planning Commission recommended approval 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

OFFICE USE ONLY	Land Use Application #: <u>20304</u>
Public Hearing Date: <u>10/31/23</u>	Commission District: <u>4</u>
Fees Assessed: <u>\$250</u>	Paid via: <input type="checkbox"/> cash <input checked="" type="checkbox"/> credit card <input type="checkbox"/> check# _____

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>Robert J Edmonds</u>	
Address: <u>88 Hummingbird Ln Pike Road, AL 36064</u>	
Phone Number: [REDACTED]	Alternate Contact Number: <u>_____</u>
Email: [REDACTED]	
Owner Information (if different from Applicant/Agent):	
Name: _____	Phone #: _____
PROPERTY INFORMATION	
Parcel ID: <u>055D 024</u>	Total acreage being changed: <u>2.98</u>
Address: <u>360 Miners Mtn Road Santee Nacoochee 30571</u>	
Directions to Property: <u>From Cleveland 22 min (12.4 miles) North 75 to Helen, turn rt. 17 to Santee Nacoochee approx 2 miles - Left on Rabun Rd 1.5 miles to Bean Creek Rd. Left Bean Creek Rd. 2.5 miles paved to gravel turn Right on Miners Mtn Rd 3rd home on Rt.</u>	
Current Use/Zoning of Property: <u>R1</u>	Type of Road Surface: <u>Gravel</u>
Any prior redistricting requests for property: _____ If yes, provide redistricting application #: _____	
SURROUNDING PROPERTY LAND USE CLASSIFICATION:	
North: <u>XB1</u>	South: <u>XR-1</u> East: <u>XR-1</u> West: <u>XR-1</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>Short Term Rental</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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No If so, please list number of lots: <u>52</u>	
Are there covenants? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Is there an active homeowner's association? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Subdivision Name (if applicable): <u>Miners Mountain</u>	

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 REDISTRICKT INFORMATION

Building Area: _____ No. of Parking Spaces: _____

RESIDENTIAL REDISTRICKT INFORMATION

No. of Lots: _____ Minimum Lot Size in acres: _____ No. of Units: _____

Minimum Heated Floor Area (ft²): _____ 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 Ø55D Ø25	William + Elizabeth Koerner (East)	1660 Thomas St. Titusville, FL 32780.
2 Ø56B 1Ø4	John + Sharon Kubler (South)	585 Two Johns Way Santee Nacoochee GA 30571
3 Ø55 Ø15 Ø55 Ø17	Unica Springs Owner Assoc. (North) RV Rentals	P.O. Box 1105 Helen GA 30545
4 Ø55D Ø23	Maintains Getaway LLC (West) ST Rental	2519 NE 135th St. North Miami, FL 33181-3586
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:** 9/15/2023

2023 DEADLINES AND MEETING DATES

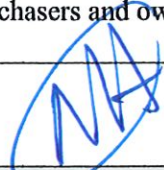
Submittal Date Planning Dept. Office 5:00 p.m. Deadline	Planning Commission Public Hearing 1239 Helen Hwy 6:00 p.m.	Planning Commission Regular Session 1239 Helen Hwy 6:00 p.m.	Board of Commissioners Work Session 1235 Helen Hwy 4:30 p.m.
Wednesday, January 4, 2023	Monday, January 30, 2023	Monday, February 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:



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.

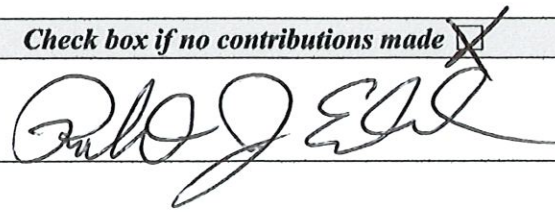
Amount \$:

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:

08/25/2022

PROPERTY OWNER AUTHORIZATION

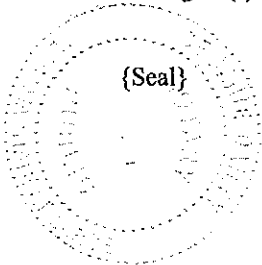
To be completed by the property owner to certify ownership of subject property and to provide authorization for other person(s) to represent the owner on their behalf.

I/WE (print), Robert J Edmonds,
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): <u>Robert J Edmonds</u>
Mailing Address: <u>88 Hummingbird Ln</u> <u>Pike Road, AL 36064</u>
Phone Number: [REDACTED]
Alternate Contact Number:
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): <u>Robert J Edmonds</u>
Signature of Owner(s): <u>[Signature]</u> Date Signed: <u>10/06/2023</u>

PROPERTY OWNER AUTHORIZATION DOCUMENT: NOTARY ACKNOWLEDGEMENT

Sworn to (or affirmed) and subscribed before me this 6 day of October, 2023 by Robert Edmonds (name of signer(s)). The named signer(s) is/are personally known by me or produced the identification type of Driver's License.



[Signature] (Signature of Notary)
Semanie Dailey
(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), Robert J Edmonds,
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: 055D 024

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): [Signature]

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): [Signature]

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): [Signature]

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): [Signature]

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

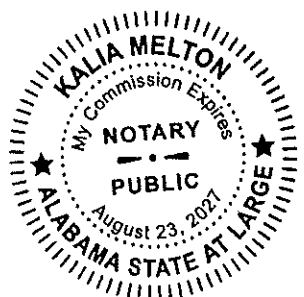
I certify that I have been informed of and provided a copy of Appendix C/Article VII - Short Term Rentals. I certify that I have also been informed that I will need to contact the White County Business Tax Office (706-865-2235) to obtain the proper business licensing, host licensing, and subsequent tax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

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

SHORT TERM RENTAL CERTIFICATIONS DOCUMENT: NOTARY ACKNOWLEDGEMENT

Sworn to (or affirmed) and subscribed before me this 12 day of September, 2023 by Robert J Edmonds (name of signer(s)). The named signer(s) is/are personally known by me or produced the identification type of Drivers License.

{Seal}



Kalia Melton
(Signature of Notary)

Kalia Melton
(Name of Notary Typed, Stamped, or Printed)

APPLICANT ACKNOWLEDGEMENT OF MEETING DATES

I, Robert J Edmonds (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

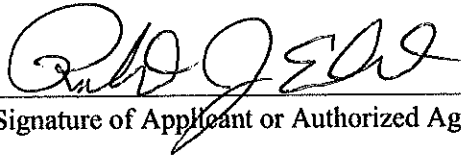
Public Hearing Date (Planning Commission): Monday 10/30/23

Regular Meeting Date (Planning Commission): Monday 11/06/23

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

Board of Commissioners Meeting Date: Monday 11/27/23

**Meeting dates are subject to change*



Signature of Applicant or Authorized Agent

9/5/2023

Date

OFFICE USE ONLY

Copy given to applicant: _____ (date)

Staff Initials: _____

Flag (circle): Y N

WITHDRAWAL

Notice: This section only to be completed if application is being withdrawn.

PART II - OFFICIAL CODE/APPENDIX C - LAND USE REGULATIONS/ARTICLE XVIII. AMENDMENT, APPLICATION AND PROCEDURAL REQUIREMENTS

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 hereby withdraw application #:

Applicant Signature:

Date:

**AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS
AND
RESTRICTIONS FOR MINERS MOUNTAIN**

GEORGIA, WHITE COUNTY

[Hereafter "Declaration"]

NAME

The name of the property is Miners Mountain, which is a residential property owners' development that hereby submits to the Georgia Property Owners' Act, O.C.G.A. Section 44-3-220, et seq. (Michie 1982), as may be amended. Owners representing at least 66 2/3% of the total number of Lots, as required by covenants recorded in Deed Book 1009, Pages 171-187, White County, Georgia Real Estate Records, elected, at a duly called meeting held on October 08, 2022, with proper notice having been given, to submit to and adopt the Act and be governed by the terms contained therein.

WITNESSETH:

WHEREAS a declaration of Protective Covenants, Conditions, and Restrictions for Miner's Mountain was executed on November 1, 1974, and recorded in the Office of the Clerk of Superior Court of White County, Georgia, in Deed Book 4F, Page 80; and

WHEREAS, said Declaration of Protective Covenants, Conditions and Restrictions was amended by an instrument dated October 25, 1975, and recorded in Office of the Clerk of Superior Court of White County in Deed Book 4K, Page 406; and

WHEREAS an Amended and Restated Declaration of Covenants, Conditions, and Restrictions for Miner's Mountain was executed on June 16, 1995, and recorded in the Office of the Clerk of Superior Court of White County, Georgia, in Deed Book 432, Page 404-413 and

WHEREAS, the Miners Mountain Home Owners Association, Inc. constitutes the successor to the Developer identified in the Amended and Restated Declaration of Covenants, Conditions, and Restrictions for Miner's Mountain executed on June 16, 1995, and

WHEREAS, the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Miner's Mountain executed on June 16, 1995, was stricken in its entirety and simultaneously substituted with the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Miners Mountain executed on February 20, 2006 and filed on February 27, 2006, in the Office of the Clerk of Superior Court of White County, Georgia in Deed Book 1009, Pages 171-187 and

WHEREAS, the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Miner's Mountain executed on February 20, 2006, was stricken in its entirety and simultaneously substituted with the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Miners Mountain executed on October 27, 2017 and filed on July 10, 2019, in the Office of the Clerk of Superior Court of White County, Georgia in Deed Book 1009, Pages 171-187 and

NOW THEREFORE, the Amended and Restated Declaration of Covenants, Conditions, and Restrictions for Miner's Mountain executed on October 27, 2017, and recorded in the Office of the Clerk of Superior Court of White County, Georgia, in Deed Book 1009, Pages 171-187 is hereby stricken in its entirety and the following is simultaneously substituted:

INTRODUCTION

The real property described in Article II of this instrument is hereby made subject to this Declaration and shall hereafter be held, transferred, sold, conveyed, used, occupied and mortgaged or otherwise encumbered subject to these covenants, restrictions, easements, assessments and liens. Every grantee of any interest in such real property now or hereafter made subject to this Declaration, by acceptance of a deed or other conveyance of interest, shall take subject to this Declaration and to the terms and conditions.

7.07 No Owner is exempt from liability for or otherwise withholding payment of assessments, fees, and fines for any reason, including, but not limited to, nonuse of the Common Areas and Roads.

7.08 When a purchaser of a Lot obtains title, he/she shall be liable for the pro rata share of the assessments, and fees imposed by the Association chargeable to such Lot which became due prior to such acquisition of title. Such purchaser shall be responsible for all charges accruing subsequent to the passage of title, including, but not limited to, all charges for the month in which title is passed.

7.09 The Association, by majority vote of those cast at a duly called meeting, may reduce or waive an individual Owner's annual assessment or fees for maintenance services performed for the Association:

ARTICLE VIII - OPERATING AND CAPITAL BUDGET

Each year, the Board shall propose an operating and capital improvement budget to the Owners at a duly called Association meeting. The budget shall include reserve funds; estimated cost of managing, operating, improving and/or maintaining Common Areas; Roads, and other Association expenses for the upcoming budget year. The budget shall be discussed, amended as deemed necessary, and approved by a majority of the votes cast at a duly called meeting with a Quorum.

ARTICLE IX- RESTRICTIVE COVENANTS

9.01 Each Lot shall not contain more than one Single-Family Residential Dwelling, except in those cases where such dwellings were built prior to these covenants. Separate Associated Structures such as garages, car ports, and well houses, are permissible. Multi-family residential housing is prohibited on the Property (i.e., apartments, condominiums, townhouses, duplexes, semi-detached, multi-flats) except when separate spaces are provided in a Single-Family Residential Dwelling for Immediate Family.

9.02 Each Lot shall be maintained in a clean and orderly manner so as not to constitute an eyesore. No abandon vehicles are permissible. Vehicles (e.g., boats, motorcycles) that are not used regularly, but stored on an Owner's lot, must not be visible from main roads or other Owner's properties.

9.03 No commercial business establishment of any nature is to be built, nor shall there be any commercial operation conducted on any Lot. No commercial signs may be erected or maintained on any Lot, including vacation cabin rental signs. A Lot may be used as a residential and/or vacation rental property as defined in the definitions of these covenants.

9.04 Each new Single-Family Residential Dwelling is required to contain a minimum of 1,400 square feet of heated/cooled living space, exclusive of basements, carports, crawl space, garages, and porches. The exterior construction of any Single-Family Residential Dwelling must be completed within six (6) months after commencing construction.

9.05. Exterior walls and roofs of all Single-Family Residential Dwellings and associated structures and facilities on a Lot shall be of the same material, respectively, and finished or painted in natural colors so as to blend with the natural environment. No exposed concrete or concrete block shall be permitted except for foundations, crawl spaces, and stem walls.

9.06. No more than one detached garage may be constructed on each Lot.

9.07 No Single-family Residential Dwelling may be built less than thirty (30) feet from a Lot's boundary with another Lot. No Associated Structure may be built less than twenty-five (25 feet) from a Lot's boundary with another Lot. The Board may waive these set-back requirements for any Owner with adjacent Lots.

9.08 There shall not be maintained upon any Lot any noxious or offensive activity, including, but not limited to, the keeping or maintaining of livestock or any animals of any kind except household pets. Dogs shall be under Owner control when not on their Owner's Lot. Owners will be responsible for preventing nuisance barking,

especially at night, and any other activities of their pets that may interfere with other Owner's enjoyment of the peaceful natural surroundings.

9.09 Trailers, mobile homes, manufactured homes, or any similar mobile or temporary units or structure shall not be placed on any Lot at any time. Travel trailers and motor homes may be parked on the Owner's Lot for living quarters for not more than ninety (90) days within any twelve-(12) month period while the principal residence is under construction.

9.10 No existing Lot shall be subdivided.

9.11 No activity shall be carried on upon any Lot, Property, Common Area, or Road that would create or contribute to an unreasonable and substantial interference with the use and enjoyment of Owners.

9.12 No part of the Property, Lots, Common Areas and Roads, shall be used or maintained as a dumping ground for rubbish or garbage. Trash, garbage and other wastes shall be kept in securely closed containers while waiting disposal and shall be screened from view. Owners must take measures to prevent wildlife from disturbing and scattering garbage and trash and are to pick up any such garbage and trash as soon as possible.

9.13 Any freshly graded and exposed land shall be planted with grass or covered with hay, straw, pine straw or saw dust as soon as possible, and in no case shall bare land be exposed for a period of more than fifteen (15) days. Any structure or activity, which will cause accelerated soil erosion, must be controlled by best management practices.

9.14 No live trees greater than 6 inches in diameter may be removed within 100 feet of a Lot's boundary (excepting a single driveway/entrance not to exceed 40 feet in width) without Board approval. A violation of this restriction shall result in a fine of not less than \$1000, appealable as specified in 9.23.

9.15 The Association hereby reserves the right to improve and maintain the Common Areas and Roads, and the easements shown on the plat referred to in Article II. All claims for damages, if any, arising out of the installation and maintenance of utility facilities and improving and maintaining the Common Areas and roads on account of temporary inconvenience caused thereby by the Association or any utility company or municipality, or any of its agents or servants are hereby waived by the Owners. The Association does further reserve the right to change the layout of a new or to discontinue any existing road on the Property not necessary for the common benefit of the Property, subject to the approval of the Owners and, if required, applicable governmental bodies. No Lot shall be used to provide access to any adjoining land, which is not a part of the Property subject to this Declaration, unless approved by the Owners for the common benefit of the Property.

9.16 Owners who rent their Single-Family Residential Dwelling must ensure that they or their vacation rental managing agency provides a detailed map for locating their rental property so that renters can easily find it. Owners who rent are also strongly encouraged to provide relevant guidelines pertaining to these Declarations.

9.17 Owners are expected to be aware of and fully conform to all governmental building codes, health regulations, zoning restrictions, ordinances and other regulations applicable to their property including, but not limited to, Health Department regulation for approval of individual water and sewage disposal systems.

9.18 All rental leases, except vacation rental leases, shall require that the occupant acknowledges receipt of a copy of this Declaration with its use restrictions, rules and regulations of the Association. Nonetheless, Owners are responsible to ensure that a tenant complies with these conditions. An Owner shall notify the Board of a rental leases, except vacation rental leases, and shall provide other such relevant information as the Board shall request.

9.19 No hunting is allowed on the Property. The shooting of firearms is prohibited on the Property (e.g., target practice), except in the case of immediate threats to life or property.

9.20 Off-road vehicles, including dirt bikes and all-terrain vehicles are not allowed. An exception is made for the designated road superintendent and residents who have a bona fide physical condition that limits their mobility.



Public Health
Prevent. Promote. Protect.

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

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

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

DATE: 09/05/2023

APPLICANT NAME: ROBERT EDMONDS

PROPERTY ADDRESS: 360 MINERS MOUNTAIN
SAUTEE NACOOCHEE, GA 30571

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:

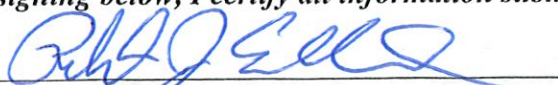
- that the permit on file is the correct permit for the property in question;
- that there is no evidence of system failure;
- that the septic system is appropriately sized for the current and proposed use;
- that there is adequate repair after the proposed addition;
- that there are no conditions that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

09.05.2023

LETTER OF INTENT

As owner and operator I am requesting approval of this R1 property for the proposed **CONDITIONAL USE as a Short-Term Rental**. Maximum Overnight Occupancy not to exceed 10 Guests. Our subdivision (Miners Mountain) currently has eight short term rentals. One is adjacent to this location on the West side. On the North parcel adjacent to us, Unicoi Springs Owners Association (aka Unicoi Springs RV Resort) currently operates RV rental and storage with 300 RV sites.

Property Address: 360 Miners Mountain Rd. Sautee Nacoochee, GA 30571

Parcel ID: 055D 024

Tax Description: Miners Mtn PB9/103 LOT 10LL9 LD3

Acreage: 2.98

4 Bedrooms (Includes Loft) / 3 Bathrooms

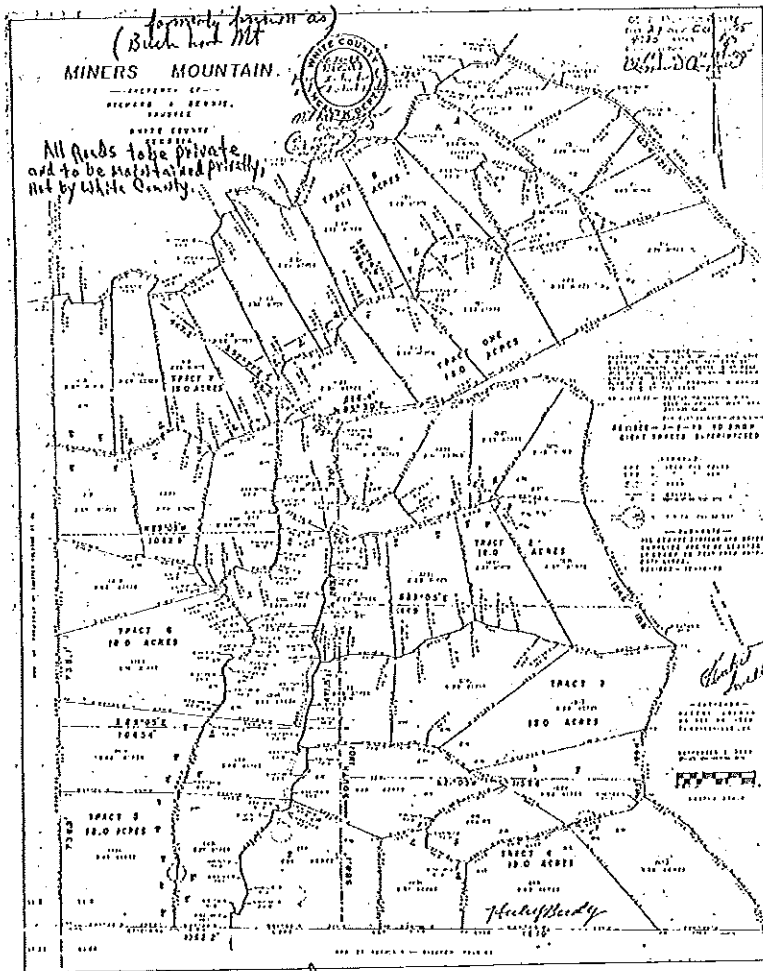
Water System: Private Well

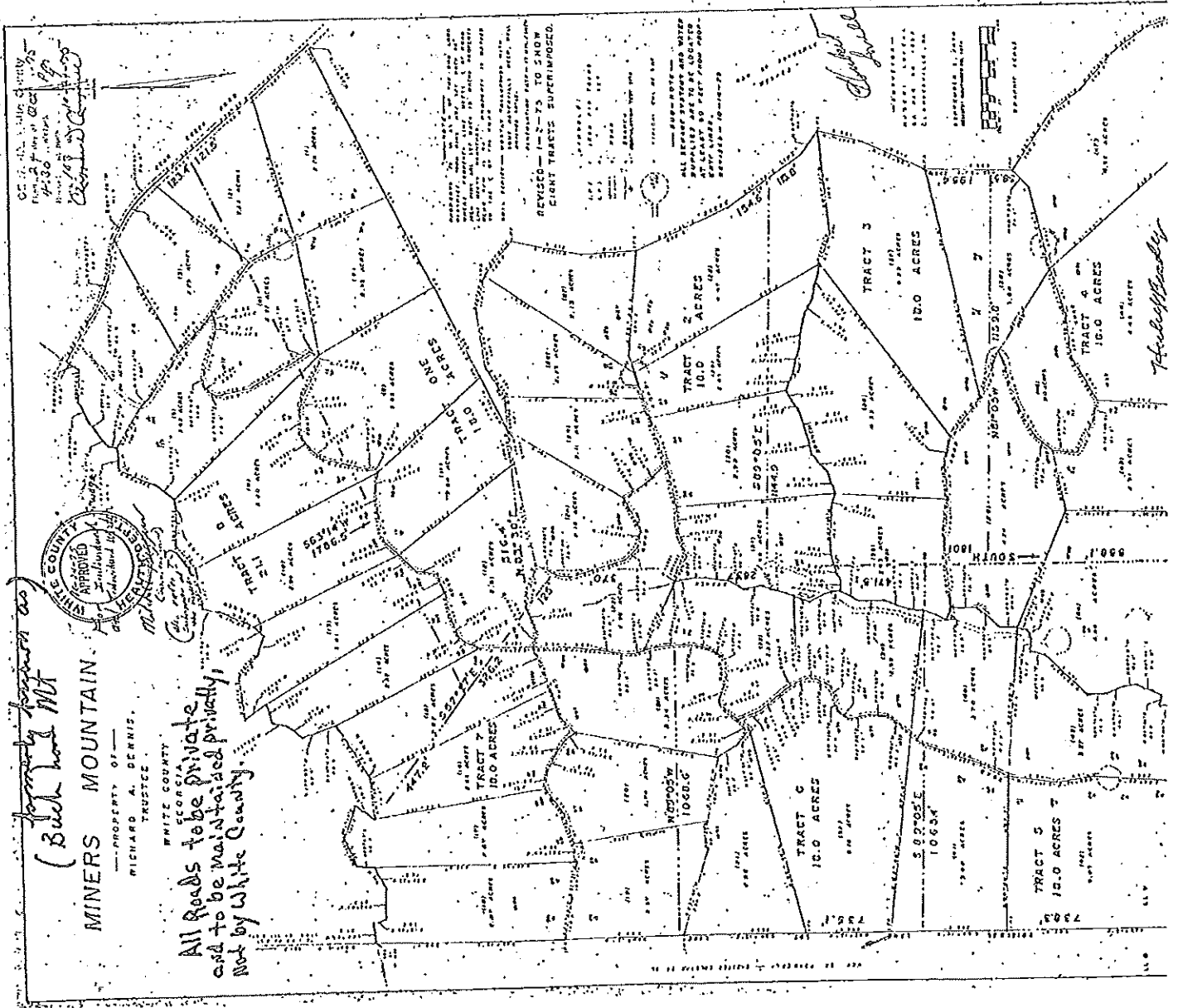
Sewage System: Private Septic

Owner/Operator:

Robert J. Edmonds

 9/05/2023





(Buckhead MT)

MINERS MOUNTAIN

PROPERTY OF
RICHARD A. DENNIS,
TRUSTEE

WHITE COUNTY
GEORGIA

All roads to be private
and to be maintained privately,
Not by White County.

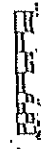
H. H. H. H.

H. H. H. H.

CELESTIAL SURVEY
FILED IN THE OFFICE OF THE
CLERK OF THE SUPERIOR COURT
OF WHITE COUNTY, GEORGIA
ON THE 15TH DAY OF OCTOBER
1936
W. H. H. H.

REVISIONS 1-2-73 TO SHOW
EIGHT TRACTS SUPERIMPOSED.

ALL SUBSEQUENT TO WATER
MARKERS ARE TO BE LOCATED
AT LEAST 90 FEET FROM ROAD
CROSSINGS.



MINERS MOUNTAIN

PROPERTY OF
RICHARD A. DENNIS,
TRUSTEE

WHITE COUNTY
GEORGIA

CALLS FOR WELL LOT

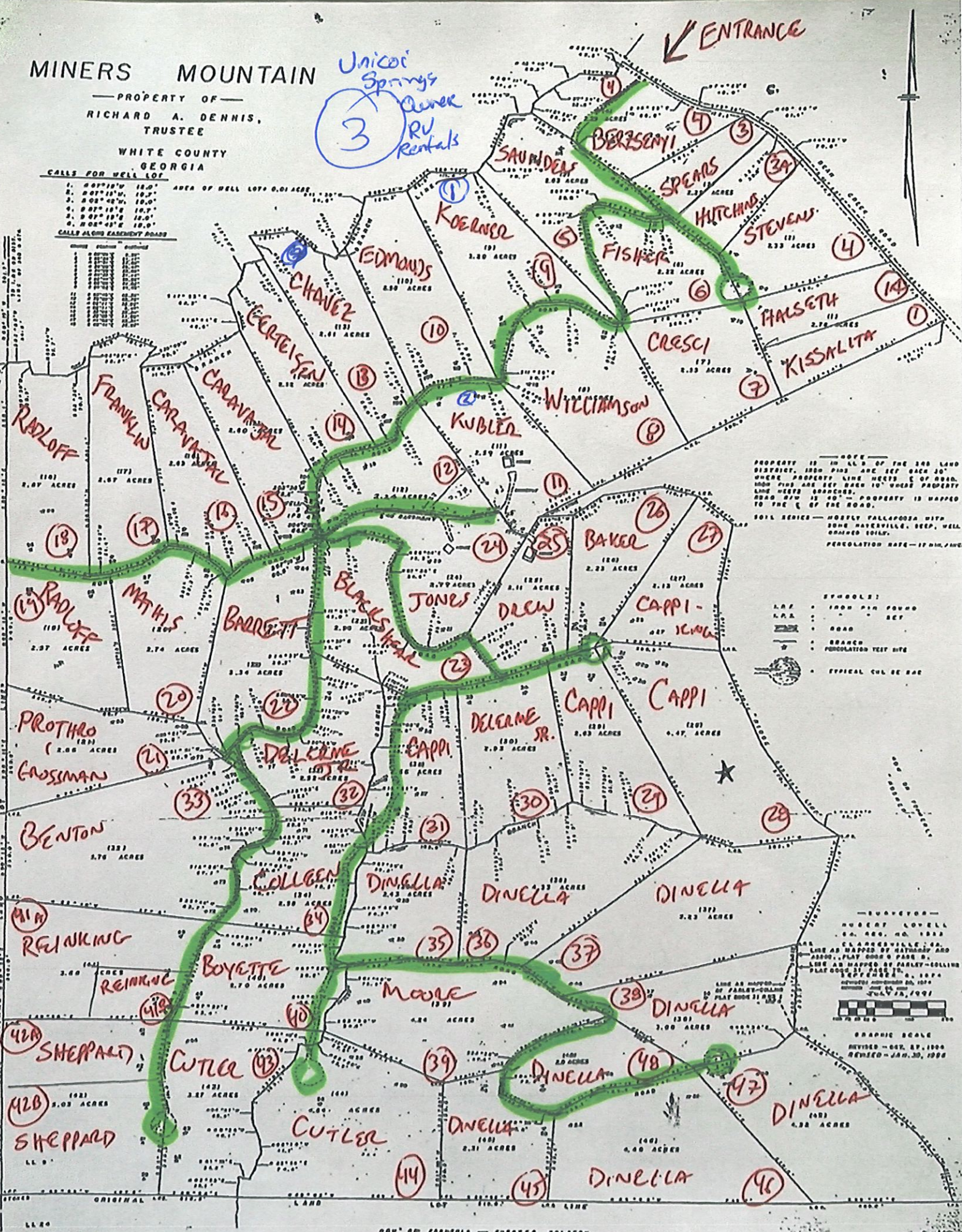
1. 80°18'W 18.0'
2. 80°18'W 10.3'
3. 80°45'W 10.0'
4. 80°18'W 16.7'
5. 80°45'W 10.0'

CALLS ALONG EASTMENT ROAD

AREA OF WELL LOT 0.01 ACRES

Unicoi Springs
Creek
RV Rentals
3

ENTRANCE



PROPERTY IS IN AL 3 OF THE 360 LAND DISTRICTS, 1500 P.M. SEC 10, T. 24 N. R. 10 E. WHERE PROPERTY LINE HEETS 1' OF ROAD. 1500 P.M. ARE SET BACK 10' WHERE PROPERTY LINE HEETS BRANCHED. PROPERTY IS MAPPED TO THE 1/4 OF THE ROAD.

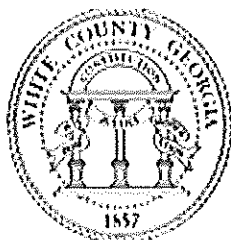
SOIL SERIES - MOSTLY TALLAPOOSA WITH SOME WATERVILLE, DEEP, WELL GRAINED SOILS.

PERCOLATION RATE - 17 MIN./INCH

- SYMBOLS:
- L.A.F. 1500 P.M. FOUND
 - L.P.A. 1500 P.M. SET
 - ROAD
 - BRANCH
 - PERCOLATED TEST SITE
 - TYPICAL CUL DE SAC

— SURVEYOR —
HUBERT LOVELL
S.A. REG. NO. 1813
C. A. GREENVILLE, S.A.
LINE AS MAPPED BY HATHORN AND
ABSON, PLAT BOOK 9, PAGE 8.
LINE AS MAPPED BY FARLEY-COLLING
PLAT BOOK 15, PAGE 15.
APPROVED FOR THE
JULY 18, 1991

GRAPHIC SCALE
REVISED - OCT. 27, 1984
REVISED - JAN. 30, 1988



Official Tax Receipt
White County, GA
113 N. Brooks St.
Cleveland, 30528
--Online Receipt--

Phone: 706-865-2225

Trans No	Map Code	Property ID & District Description	Original Due	Interest & Penalty	Amount Due	Amount Paid	Transaction Balance
2022-5172	055D 024	MINERS MTN PB9/103 LOT 1 LL9 LD3	\$2,198.92	\$0.00 Fees: \$0.00	\$0.00	\$2,198.92	\$0.00
Totals:			\$2,198.92	\$0.00	\$0.00	\$2,198.92	\$0.00

Paid Date: 11/02/2022

Charge Amount: \$2,198.92

EDMONDS ROBERT J EDMONDS KARLYN B
88 HUMMINGBIRD LANE
PIKE ROAD, AL 36064



Scan this code with your mobile phone to view this bill

2022 Property Tax Statement

Cindy Cannon

White County Tax Commissioner

P. O. Box 970

Cleveland, GA 30528

Phone 1 (706) 865-2225 - Fax 1 (706) 219-0078

wctc@whitecounty.net

BILL NO.	PRINTED	LAST PAYMENT MADE ON	PAYMENT GOOD THROUGH	DUE DATE	TOTAL DUE
2022-5172	09/01/2023	11/02/2022	09/01/2023	11/15/2022	0.00
PID		LOCATION			
055D 024		360 MINERS MOUNTAIN RD			

MAKE CHECK OR MONEY ORDER PAYABLE TO:

White County Tax Commissioner

This is your 2023 Ad Valorem Property Tax Statement. This bill must be paid in full by November 15, 2023 in order to avoid interest and penalty charges. Interest and penalties are governed by Georgia Code. If payment is made after the due date, please call the office for the current amount due. State law requires all bills be mailed to the owner of record as of January 1st of the tax year. If you have sold this property, please forward this bill to the new owner and notify our office. Please note that your Tax Commissioner is responsible for billing and collections and is not responsible for the property value on your bill or the millage rate. Thank you for the privilege of serving you as your Tax Commissioner. Cindy Cannon



EDMONDS ROBERT J EDMONDS KARLYN B
88 HUMMINGBIRD LANE
PIKE ROAD, AL 36064

RETURN THIS PORTION WITH PAYMENT (Interest will be added per month if not paid by due date)



2022

Property Tax Statement

Cindy Cannon

White County Tax Commissioner

P. O. Box 970

Cleveland, GA 30528

Phone 1 (706) 865-2225 - Fax 1 (706) 219-0078

Email: wctc@whitecounty.net

PROPERTY OWNER(S)	EDMONDS ROBERT J EDMONDS KARLYN B
PID	055D 024 REAL
DESCRIPTION	MINERS MTN PB9/103 LOT 1 LL9 LD3
LOCATION	360 MINERS MOUNTAIN RD
BILL NUMBER	2022-5172
DISTRICT	001 WHITE COUNTY UNINCORPORATED
PRINTED ON	09/01/2023

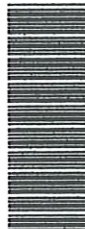
BUILDING VALUE	LAND VALUE	ACRES/LOTS	TOTAL FAIR MARKET VALUE	DUE DATE	BILLING DATE	PAYMENT GOOD THROUGH	EXEMPTIONS
190,120.00	41,570.00	2.9800	231,690.00	11/15/2022		09/01/2023	

FIRST NOTICE

ENTITY	ADJUSTED FAIR MARKET VALUE	NET ASSESSMENT	EXEMPTIONS	TAXABLE VALUE	MILLAGE RATE	GROSS TAX	CREDIT TAX AMT	NET TAX AMT
COUNTY M&O	231,690.00	92,676.00		92,676.00	12.9490	1,200.06		880.88
SALES TAX ROLLBACK				92,676.00	-3.4440		-319.18	
SCHOOL M&O	231,690.00	92,676.00		92,676.00	14.2220	1,318.04		1,318.04
TOTALS					23.7270	2,518.10	-319.18	2,198.92

If your mortgage company pays your bill, please forward a copy of this bill to them.

Each resident of White County is eligible for a Homestead Exemption on the property they own and occupy as their permanent residence on January 1st of the taxable year. Homestead Exemption applications are accepted year round by the White County Assessors office however, your application must be made before April 1st to apply to the taxable year. All tax returns are filed with the White County Assessors office between January 1st and April 1st of the taxable year. For questions about your Homestead Exemption or filing a tax return, you may reach the Assessors office at (706) 865-5328. Thanks



CURRENT DUE	2198.92
+ PENALTY	0.00
+ INTEREST	0.00
+ OTHER FEES	0.00
PREVIOUS PAYMENTS	2198.92
+ BACK TAXES	0.00
= Total Due	0.00

2023 Property Tax Statement

Cindy Cannon

White County Tax Commissioner

P. O. Box 970

Cleveland, GA 30528

Phone 1 (706) 865-2225 - Fax 1 (706) 219-0078

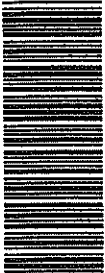
wctc@whitecounty.net

BILL NO.	PRINTED	LAST PAYMENT MADE ON	PAYMENT GOOD THROUGH	DUE DATE	TOTAL DUE
2023-5242	09/01/2023		11/15/2023	11/15/2023	2,395.46
PID		LOCATION			
055D 024		360 MINERS MOUNTAIN RD			

MAKE CHECK OR MONEY ORDER PAYABLE TO:

White County Tax Commissioner

This is your 2023 Ad Valorem Property Tax Statement. This bill must be paid in full by November 15, 2023 in order to avoid interest and penalty charges. Interest and penalties are governed by Georgia Code. If payment is made after the due date, please call the office for the current amount due. State law requires all bills be mailed to the owner of record as of January 1st of the tax year. If you have sold this property, please forward this bill to the new owner and notify our office. Please note that your Tax Commissioner is responsible for billing and collections and is not responsible for the property value on your bill or the millage rate. Thank you for the privilege of serving you as your Tax Commissioner. Cindy Cannon



EDMONDS ROBERT J EDMONDS KARLYN B
88 HUMMINGBIRD LANE
PIKE ROAD, AL 36064

RETURN THIS PORTION WITH PAYMENT (Interest will be added per month if not paid by due date)



2023

Property Tax Statement

Cindy Cannon

White County Tax Commissioner

P. O. Box 970

Cleveland, GA 30528

Phone 1 (706) 865-2225 - Fax 1 (706) 219-0078

Email: wctc@whitecounty.net

PROPERTY OWNER(S)	EDMONDS ROBERT J EDMONDS KARLYN B
PID	055D 024 REAL
DESCRIPTION	MINERS MTN PB9/103 LOT 1 LL9 LD3
LOCATION	360 MINERS MOUNTAIN RD
BILL NUMBER	2023-5242
DISTRICT	001 WHITE COUNTY UNINCORPORATED
PRINTED ON	09/01/2023

BUILDING VALUE	LAND VALUE	ACRES/LOTS	TOTAL FAIR MARKET VALUE	DUE DATE	BILLING DATE	PAYMENT GOOD THROUGH	EXEMPTIONS
219,710.00	44,340.00	2.9800	264,050.00	11/15/2023		11/15/2023	

ENTITY	ADJUSTED FAIR MARKET VALUE	NET ASSESSMENT	EXEMPTIONS	TAXABLE VALUE	MILLAGE RATE	GROSS TAX	CREDIT TAX AMT	NET TAX AMT
COUNTY M&O	264,050.00	105,620.00		105,620.00	12.8610	1,358.38		1,003.92
SALES TAX ROLLBACK				105,620.00	-3.3560		-354.46	
SCHOOL M&O	264,050.00	105,620.00		105,620.00	13.1750	1,391.54		1,391.54
TOTALS					22.6800	2,749.92	-354.46	2,395.46

FIRST NOTICE

If your mortgage company pays your bill, please forward a copy of this bill to them.

Each resident of White County is eligible for a Homestead Exemption on the property they own and occupy as their permanent residence on January 1st of the taxable year. Homestead Exemption applications are accepted year round by the White County Assessors office however, your application must be made before April 1st to apply to the taxable year. All tax returns are filed with the White County Assessors office between January 1st and April 1st of the taxable year. For questions about your Homestead Exemption or filing a tax return, you may reach the Assessors office at (706) 865-5328. Thanks



CURRENT DUE	2395.46
+ PENALTY	0.00
+ INTEREST	0.00
+ OTHER FEES	0.00
PREVIOUS PAYMENTS	0.00
+ BACK TAXES	0.00
= Total Due	2395.46

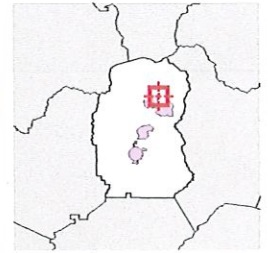
Vrbo's taxes

Vrbo is required to collect and pay the following taxes on bookings for this listing:

Taxing authority	Government level	Tax rate	Tax type	Taxable amounts	Effective Date
GEORGIA	State	\$5.00	Hotel Daily Fee	Per Night	Active
GEORGIA	State	4%	General Sales and Use Tax	Rent & Your Fees	Active
WHITE	County	3%	General Sales and Use Tax	Rent & Your Fees	Active
WHITE	County	8%	Accommodations Tax	Rent & Your Fees	Active



Overview



Legend

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

Parcel ID	055D 024	Alternate ID	5158154	Owner Address	EDMONDS ROBERT J
Sec/Twp/Rng	n/a	Class	R		EDMONDS KARLYN B
Property Address	360 MINERS MOUNTAIN RD	Acreage	2.98		88 HUMMINGBIRD LANE
	01				PIKE ROAD AL 36064
District	01				
Brief Tax Description	MINERS MTN PB9/103 LOT 10LL9 LD3				
	<i>(Note: Not to be used on legal documents)</i>				

Date created: 9/5/2023
 Last Data Uploaded: 8/31/2023 5:23:32 AM

Developed by  **Schneider**
 GEOSPATIAL

**WHITE COUNTY PLANNING DEPARTMENT
STAFF COMMENT**

ROBERT EDMONDS

- PROPERTY IS LOCATED AT 360 MINERS MOUNTAIN RD IN SAUTEE NACOOCHEE. 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 SOUTH, EAST, AND WEST R-1 RESIDENTIAL SINGLE-FAMILY DISTRICT; TO THE NORTH R-3 RESIDENTIAL SEASONAL DISTRICT.
- THE WHITE COUNTY COMPREHENSIVE PLAN FUTURE LAND USE MAP INDICATES SINGLE FAMILY RESIDENTIAL.
- TOTAL ACREAGE IS 2.98.
- PROPERTY SUPPLIED BY WELL AND SEPTIC.

EXISTING LAND USE



FUTURE LAND USE



WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

Tuesday, October 31st, 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, 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. Mr. Barton explained the public hearing procedures.

Application of Jeff Nix, on behalf of Douglas Nix, to redistrict property located at 0 Hwy. 115 East, Cleveland, Georgia, 30528 from R-1 Residential Single Family District to C-2 Highway Business District. Tax map and parcel 047D-159. Total acreage is 7.42. Present zoning is R-1 Residential Single Family District.

The applicant, Jeff Nix of 856 Warwick Road in Cleveland, was present on behalf of his brother. Mr. Barton gave a summary of the application. Mr. Nix explained the property is currently vacant. He said they have plans to clean up and mulch the property to list it for sale. However, he said they would like to be able to list it as commercial property. He said C-2 provides more options than C-1. He stated the property does have a current driveway and culvert with highway frontage, has an old well that is still good but the septic is probably not good. When asked about county water, he said he has not looked into it to see if that would be an option.

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. Nix did not have anything to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on November 6th.

Application of Dahai “Ocean” Zhang to request a conditional use permit located at 2414 Duncan Bridge Road, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 073-056. Total acreage is 1.32. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

Mr. Barton explained requested asked to postpone to December. The Chairman agreed to table the application until the December public hearing.

Application of Robert Edmonds to request a conditional use permit located at 360 Miners Mountain Road, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 055D-024. Total acreage is 2.98. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

The applicant, Robert Edmonds of 360 Miners Mountain Road, was present. Mr. Barton gave a summary of the application. Mr. Edmonds explained the proposed short-term rental would have a maximum occupancy of eight and only two vehicles would be allowed. He said he has been renting the home short-term since 2017 and missed the tax notification, but he took the listing down once notified that he was not in compliance and paid all taxes. He explained that short-term rentals are allowed in the subdivision covenants, that the subdivision has fifty total lots, thirty homes developed, and ten homes that are currently in the rental program. He outlined his rental policies including a minimum age of 25, no parties, and that he makes the renters aware of the county’s short-term rental ordinances. He said there is an RV park nearby and his two adjacent property owners live in Florida, one of which rents their property out.

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

He said he self-manages and is the main contact, but housekeepers, neighbors, and board members could be available in cases of emergencies since he is three and a half hours away.

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. Edmonds did not have anything to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on November 6th.

Application of Diane Robertson to request a conditional use permit located at 1071 Myra Branch Road, Helen, Georgia, 30545. Tax map and parcel 042B-019. Total acreage is 0.70. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

The applicant, Diane Robertson of 1071 Myra Branch Road, was present. Mr. Barton gave a summary of the application. Ms. Robertson explained the short-term rental has a maximum occupancy of six with parking for two vehicles. She said she inherited the property and has had it on AirBnB for the last two years. She said she informs renters of limited parking and has taken care of fees that were not paid since she has been renting. She stated that she lives one and a half hours away, but her housekeeper lives in Cleveland and has agreed to be the emergency contact. She said she has had no complaints from neighbors, which are just the bears, and she has security cameras that she monitors.

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. Ms. Robertson did not have anything to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on November 6th.

Application of Paula Lembo and Loretta Martin to redistrict property located at 2229 Highway 17, Sautee Nacoochee, Georgia, 30571 from C-1 Community Commercial District to R-1 Residential Single Family District and to request a conditional use permit. Tax map and parcel 071-070. Total acreage is 0.93. Proposed use is to place in “Short Term Rental” program. Present zoning is C-1 Community Commercial District.

The applicant, Paula Lembo of 1421 Yonah Lake Road in Clarkesville in Georgia, was present. Mr. Barton gave a summary of the application. Ms. Lembo said the proposed short-term rental has one bedroom and one bathroom with parking for six vehicles shared between the two dwellings. She stated that her mother-in-law currently resides in this home but they would like to preserve short-term rental in the future since she understands that there may be a limit on them in the future. Ms. Lembo said she and her sister inherited the property and stated they plan to self-manage with use of online platforms. She stated that she lives a few miles away and her sister lives in Athens. When asked about the maximum occupancy for the other dwelling, Ms. Lembo explained that it has a studio apartment in the basement that is about 320 square feet and the top two floors, which have two bedrooms total, is roughly 2200 square feet. She said their desire is to rent to only one group of people, whether they only want part of the home or all of it.

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. Ms. Lembo did not

WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

Motion to recommend approval to the Board of Commissioners made by Ms. Dixon and seconded by Mr. Ash. Motion was unanimous. Mr. Barton advised the applicant of the next meeting on November 16th at 9am.

Application of Jeff Nix, on behalf of Douglas Nix, to redistrict property located at 0 Hwy. 115 East, Cleveland, Georgia, 30528 from R-1 Residential Single Family District to C-2 Highway Business District. Tax map and parcel 047D-159. Total acreage is 7.42. Present zoning is R-1 Residential Single Family District.

The applicant, Jeff Nix of 856 Warwick Road in Cleveland, was present. Mr. Barton gave a summary of the application. Mr. Nix said he is present on behalf of his brother and that they plan to clean up the property and place to sell. He said they would like to rezone it commercial to help with the ability to sell.

Motion to recommend approval to the Board of Commissioners made by Ms. Burke and seconded by Ms. Dixon. Motion was unanimous. Mr. Barton advised the applicant of the next meeting on November 27th at 4:30pm.

Application of Robert Edmonds to request a conditional use permit located at 360 Miners Mountain Road, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 055D-024. Total acreage is 2.98. Proposed use is to place in "Short Term Rental" program. Present zoning is R-1 Residential Single Family. The applicant, Robert Edmonds of 88 Hummingbird Lane in Pike Road, AL, was present. Mr. Barton gave a summary of the application. Mr. Edmonds explained the property has been a vacation rental since it was built in 2000. He said he is the third owner and it has been a rental for the last five years of his ownership. He said he has spoken with neighbors and the board of directors for the nearby RV park, all of which who are fine with his request.

Motion to recommend approval to the Board of Commissioners made by Ms. Burke and seconded by Mr. Ackerman. Motion was unanimous. Mr. Barton advised the applicant of the next meeting on November 27th at 4:30pm.

Application of Diane Robertson to request a conditional use permit located at 1071 Myra Branch Road, Helen, Georgia, 30545. Tax map and parcel 042B-019. Total acreage is 0.70. Proposed use is to place in "Short Term Rental" program. Present zoning is R-1 Residential Single Family.

The applicant, Diane Robertson of 3752 Alden Court Marietta, GA, was present. Mr. Barton gave a summary of the application. Ms. Robertson explained the lot is old and is 0.70, which she has owned for about 12 years and remodeled. She said she has been renting through an online platform and stated that her only neighbors are bears.

Motion to recommend approval to the Board of Commissioners made by Ms. Dixon and seconded by Ms. Burke. Motion was unanimous. Mr. Barton advised the applicant of the next meeting on November 27th at 4:30pm.

Application of Paula Lembo and Loretta Martin to redistrict property located at 2229 Highway 17, Sautee Nacoochee, Georgia, 30571 from C-1 Community Commercial District to R-1 Residential Single Family District and to request a conditional use permit. Tax map and parcel 071-070. Total acreage is



WHITE COUNTY

Board of Commissioners

Item Title: Conditional Use Permit for Short Term Rental for Diane Robertson, 1071 Myra Branch Road, Helen

For Meeting Date: 11/27/2023

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. 20310
2. Public Hearing Minutes 10/31/2023
3. Regular Meeting Minutes 11/6/2023

Purpose:

Consider the application of Diane Robertson to request a conditional use permit located at 1071 Myra Branch Road, Helen, Georgia, 30545. Tax map and parcel 042B-019. Total acreage is 0.70. 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 in an R-1 district for short-term rental. The cabin is not in a subdivision. Ms. Robertson said the rental has a maximum capacity of six with parking for two vehicles. She said it has been on Air B-n-B the last two years. She lives an hour and a half away but her housekeeper lives in Cleveland and is the emergency contact. She said she has security cameras and has not had any complaints since she has been renting. No one spoke for or against the application. The Planning Commission recommended approval 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

OFFICE USE ONLY	Land Use Application #: <u>20310</u>
Public Hearing Date: <u>10/31/2023</u>	Commission District: <u>4</u>
Fees Assessed: <u>\$250</u>	Paid via: <input type="checkbox"/> cash <input checked="" type="checkbox"/> credit card <input type="checkbox"/> check# _____

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>DIANE ROBERTSON</u>	
Address: <u>3752 ALDEN CT, N.E., MARIETTA, GA 30066</u>	
Phone Number: [REDACTED]	Alternate Contact Number: [REDACTED]
Email: [REDACTED]	

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

PROPERTY INFORMATION	
Parcel ID: <u>0428 B 019</u>	Total acreage being changed:
Address: <u>1071 MYRA BRANCH ROAD, HELEN, GA 30545</u>	
Directions to Property:	
<u>FOLLOW HELEN HIGHWAY NORTH THROUGH HELEN & ROBERTS-TOWN. AT S ALT 75 TURN LEFT OVER RIVER BRIDGE. JUST PAST COOL RIVER, TURN RIGHT ON POPLAR STUMP, TAKE NEXT LEFT ON MYRA BRANCH.</u>	
<u>#1071 IS SECOND CABIN ON RIGHT.</u>	

Current Use/Zoning of Property: <u>R1</u>	Type of Road Surface: <u>UNPAVED</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>R-1</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): <u>N/A</u>	

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 REDISTRICK INFORMATION

Building Area: _____ No. of Parking Spaces: _____

RESIDENTIAL REDISTRICK INFORMATION

No. of Lots: 1 Minimum Lot Size in acres: .7 No. of Units: _____

Minimum Heated Floor Area (ft²): 1,300 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	<u>JOHN A. HAMMONDS</u>	<u>042B017 MCCONNELL CT, HELEN</u>
2	<u>Peter & MARY DEGROOT</u>	<u>042B020 383 POPLAR STUMP RD HELEN</u>
3	<u>RODNEY COLLINS</u>	<u>042B018 1127 MYRA BRANCH RD, HELEN</u>
4	<u>ROBERTSTOWN PROPERTIES, LLC</u>	<u>042B028 494 CLAYTON RD, HELEN</u>
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: *Deirdre Lebertson* **Date:** *August 30, 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: N/A

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: *Case Robertson*

Date: *Aug. 30, 2013*

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), DIANE ROBERTSON,
hereby swear that I/we own the property for which this land use change application is being made.

Property Address and/or Parcel ID: <u>1071 MYRA BRANCH RD</u> <u>0429 B 019</u>	
PROPERTY OWNER INFORMATION	
Printed Name of Owner(s): <u>DIANE ROBERTSON</u>	
Mailing Address: <u>3752 ALDEN CT.</u>	
<u>MARIETTA, GA 30066</u>	
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): <u>DIANE ROBERTSON</u>	
Signature of Owner(s):	Date Signed:
<u>Diane Robertson</u>	<u>9/6/23</u>

PROPERTY OWNER AUTHORIZATION DOCUMENT: NOTARY ACKNOWLEDGEMENT

Sworn to (or affirmed) and subscribed before me this 30th day of August, 2023 by Diane Robertson (name of signer(s)). The named signer(s) is/are personally known by me or produced the identification type of GA DL#065201346

{Seal}



L. Michelle Crook
(Signature of Notary)

L. Michelle Crook
(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), DIANE ROBERTSON,
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: 10712 MYRA BRANCH RD. 042B 019

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): Diane Robertson

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): Diane Robertson

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): Diane Robertson

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): Diane Robertson

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

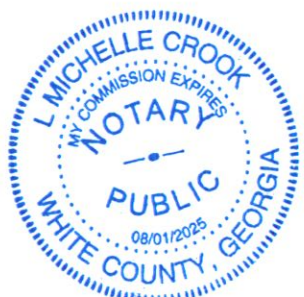
I certify that I have been informed of and provided a copy of Appendix C/Article VII - Short Term Rentals. I certify that I have also been informed that I will need to contact the White County Business Tax Office (706-865-2235) to obtain the proper business licensing, host licensing, and subsequent tax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

Signature of Owner/Future Owner(s): Diane Robertson

SHORT TERM RENTAL CERTIFICATIONS DOCUMENT: NOTARY ACKNOWLEDGEMENT

Sworn to (or affirmed) and subscribed before me this 30th day of August, 2023 by Diane Robertson (name of signer(s)). The named signer(s) is/are personally known by me or produced the identification type of GA DL.

{Seal}



L. Michelle Crook (Signature of Notary)

L. Michelle Crook (Name of Notary Typed, Stamped, or Printed)

APPLICANT ACKNOWLEDGEMENT OF MEETING DATES

I, DIANE ROBERTSON (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): MONDAY, OCT. 30, 2023
~~Wed. Oct. 11, 2023~~
 Regular Meeting Date (Planning Commission): MONDAY, NOV. 6, 2023

Administration Building, 1235 Helen Hwy, Cleveland **4:30pm**
 Board of Commissioners Meeting Date: MONDAY, NOV. 27, 2023

**Meeting dates are subject to change*


 Signature of Applicant or Authorized Agent

August 18, 2023
 Date

<u>OFFICE USE ONLY</u>
Copy given to applicant: _____ (date)
Staff Initials: _____
Flag (circle): Y N

WITHDRAWAL
<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.</i> 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 hereby withdraw application #:
Applicant Signature: _____ Date: _____

LETTER OF INTENT

1071 MYRA BRANCH ROAD, "CHARRA"

HELEN, GA. 30345

TO WHOM IT MAY CONCERN:

The cabin known as "Charra," will be used as an Airbnb.

The cabin is a split-level. It has 3 bedrooms (2 Queens, 1 King) and 2 baths.

It will never be rented to more than 6 people.

It has a kitchen, a living room with fireplace insert, and a laundry closet that has a stackable washer/dryer.

There is also a porch (it's door is in the kitchen) that partially encircles the cabin.

No grills of any type are allowed on the porch or on the property.

Guests are notified prior to making a reservation that parking is very limited to only 3 small cars or to only 2 trucks or full size sedans.



Public Health
Prevent. Promote. Protect.

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

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

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

DATE: 09/12/2023

APPLICANT NAME: DIANE ROBERTSON

PROPERTY ADDRESS: 1071 MYRA BRANCH RD
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.

→ *Diane Robertson*
Applicant Signature

FILED & RECORDED
DATE: 9/14/2015
TIME: 04:05PM
DEED BOOK: 1576
PAGE: 31-32
FILING FEES: 12.00
PT61: 1542015001673
TRANSFER TAX: 0.00
Dena Adams, C.S.C.
White County, GA



Blank page added by clerk pursuant to OCGA 15-6-61(a)(10) for 3in margin to document of QUITCLAIM DEED

After Recording Return to:

DIANE ROBERTSON
3752 Alden Court
Marietta, GA 30066

QUITCLAIM DEED

STATE OF GEORGIA
COUNTY OF COBB


MADE ON THIS 17th DAY OF AUGUST, 2015, AND IN CONSIDERATION OF Ten Dollars (\$10.00) in hand paid, and other good and valuable consideration the receipt of which is hereby acknowledged, DIANE D. ABDI (the Grantor), does hereby remise, release, and forever quitclaim an undivided interest unto DIANE ROBERTSON (the Grantee) all of the rights, title, interest, and equity, Grantors own and have, in and to, the following described property, subject to all easements and restrictions of record, to wit:

See EXHIBIT "A" attached hereto and made a part hereof by this reference.

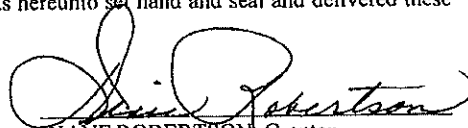
TO HAVE AND TO HOLD the said tract or parcel of land, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in any wise appertaining, to the only proper use, benefit and behoof of the said Grantees, forever,

IN FEE SIMPLE, in as full and ample a manner as the same was held, possessed and enjoyed, or might have been held, possessed and enjoyed, by the said Grantor.


IN WITNESS WHEREOF, Grantor has hereunto set hand and seal and delivered these presents this 17th DAY OF AUGUST, 2015.



Witness



DIANE ROBERTSON, Grantor



Notary Public: JBURRALL
My commission expires: Feb. 2, 2018

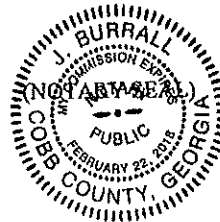


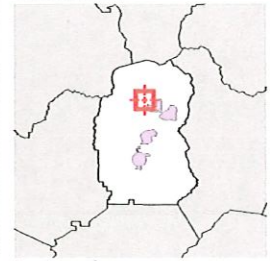
EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lots Numbers 5 and 28 of the 3rd Land District of White County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin on the East side of the Orchard Road, which iron pin is approximately 0.276 mile, more or less, in a Northwesterly direction from the center of the intersection of Georgia Route 356 and U.S. Government Forest Service Route 52; thence running North 24 degrees 10 minutes West along the East side of said Orchard Road for a distance of 203.5 feet to an iron pin; thence South 71 degrees 15 minutes East for a distance of 176.5 feet to an iron pin on the West bank of the stream of the Chattahoochee River; thence South 71 degrees 15 minutes East for a distance of 30.5 feet to a point in the center of the stream of the Chattahoochee River; thence in a Southeasterly direction 80 feet, more or less, along the center of the stream of the Chattahoochee River to a point; thence South 72 degrees 34 minutes West for a distance of 22 feet to an iron pin on the West bank of the stream of the Chattahoochee River; thence South 72 degrees 34 minutes West for a distance of 133 feet to the iron pin at the point of beginning. Said tract of land is conveyed subject to existing rights-of-way and easements.



Overview

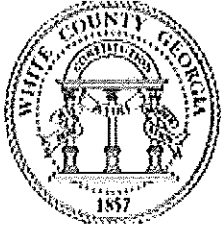


Legend

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

Parcel ID	042B 019	Alternate ID	5038940	Owner Address	ROBERTSON DIANE
Sec/Twp/Rng	n/a	Class	R		3752 ALDEN COURT
Property Address	1071 MYRA BRANCH RD	Acreege	0.7		MARIETTA GA 30066
	01				
District	01				
Brief Tax Description	LL5/28 LD3				
	(Note: Not to be used on legal documents)				

Date created: 8/16/2023
 Last Data Uploaded: 8/16/2023 5:20:15 AM



Official Tax Receipt
White County, GA
113 N. Brooks St.
Cleveland, 30528
--Online Receipt--

Phone: 706-865-2225

Trans No	Map Code	Property ID & District Description	Original Due	Interest & Penalty	Amount Due	Amount Paid	Transaction Balance
2022-14635	042B 019	LL5/28 LD3	\$1,378.92	\$0.00 Fees: \$0.00	\$0.00	\$1,378.92	\$0.00
Totals:			\$1,378.92	\$0.00	\$0.00	\$1,378.92	\$0.00

Paid Date: 11/07/2022

Charge Amount: \$1,378.92

ROBERTSON DIANE
3752 ALDEN COURT
MARIETTA, GA 30066



Scan this code with your mobile phone to view this bill

LETTER REQUEST FOR APPROVAL OF SHORT TERM RENTAL

Hello,

My name is DIANE ROBERTSON. I am requesting a conditional use permit for Short Term Rental for the following property:

Address: 1071 MYRA BRANCH Rd.

Parcel ID: 0429B019

Per White County Code of Ordinances Appendix C/Article VII/Section 702, I am required to have a signed majority of the homeowners in the subdivision for me to apply for this conditional use. Please complete the form below indicating that you approve of a conditional use for Short Term Rental at my property above.

I, _____ (printed name), approve of short term rental at the property referenced above. My information is provided below.

I own the following properties in this subdivision: N/A

Lot #	Parcel ID	Address or Street name if no address
<input checked="" type="checkbox"/>	I have attached the list of the properties that adjoin 1071 Myra Branch.	

Phone Number: _____

Email Address: _____

Signature: _____

Date Signed: _____

HELEN CABIN NEIGHBORS

JOHN A. HAMMONDS 042B017

McCONNELL CT

PETER J, MARY JT DEGROOT

383 POPLAR STUMP RD 042B020

RODNEY COLLINS

1127 MYRA BRANCH RD 042B018

ROBERTSTOWN PROPERTIES, LLC 042B028

494 CLAYTON RD

**WHITE COUNTY PLANNING DEPARTMENT
STAFF COMMENT**

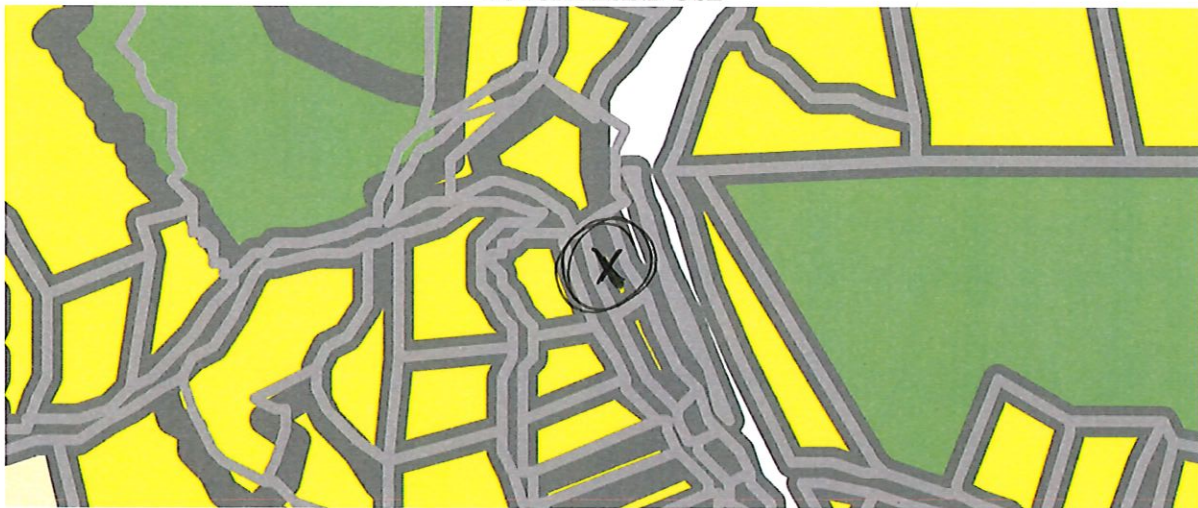
DIANE ROBERTSON

- PROPERTY IS LOCATED AT 1071 MYRA BRANCH RD 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.
- THE WHITE COUNTY COMPREHENSIVE PLAN FUTURE LAND USE MAP INDICATES SINGLE FAMILY RESIDENTIAL.
- TOTAL ACREAGE IS 0.70.
- PROPERTY SUPPLIED BY WELL AND SEPTIC.

EXISTING LAND USE



FUTURE LAND USE



WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

He said he self-manages and is the main contact, but housekeepers, neighbors, and board members could be available in cases of emergencies since he is three and a half hours away.

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. Edmonds did not have anything to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on November 6th.

Application of Diane Robertson to request a conditional use permit located at 1071 Myra Branch Road, Helen, Georgia, 30545. Tax map and parcel 042B-019. Total acreage is 0.70. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

The applicant, Diane Robertson of 1071 Myra Branch Road, was present. Mr. Barton gave a summary of the application. Ms. Robertson explained the short-term rental has a maximum occupancy of six with parking for two vehicles. She said she inherited the property and has had it on AirBnB for the last two years. She said she informs renters of limited parking and has taken care of fees that were not paid since she has been renting. She stated that she lives one and a half hours away, but her housekeeper lives in Cleveland and has agreed to be the emergency contact. She said she has had no complaints from neighbors, which are just the bears, and she has security cameras that she monitors.

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. Ms. Robertson did not have anything to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on November 6th.

Application of Paula Lembo and Loretta Martin to redistrict property located at 2229 Highway 17, Sautee Nacoochee, Georgia, 30571 from C-1 Community Commercial District to R-1 Residential Single Family District and to request a conditional use permit. Tax map and parcel 071-070. Total acreage is 0.93. Proposed use is to place in “Short Term Rental” program. Present zoning is C-1 Community Commercial District.

The applicant, Paula Lembo of 1421 Yonah Lake Road in Clarkesville in Georgia, was present. Mr. Barton gave a summary of the application. Ms. Lembo said the proposed short-term rental has one bedroom and one bathroom with parking for six vehicles shared between the two dwellings. She stated that her mother-in-law currently resides in this home but they would like to preserve short-term rental in the future since she understands that there may be a limit on them in the future. Ms. Lembo said she and her sister inherited the property and stated they plan to self-manage with use of online platforms. She stated that she lives a few miles away and her sister lives in Athens. When asked about the maximum occupancy for the other dwelling, Ms. Lembo explained that it has a studio apartment in the basement that is about 320 square feet and the top two floors, which have two bedrooms total, is roughly 2200 square feet. She said their desire is to rent to only one group of people, whether they only want part of the home or all of it.

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. Ms. Lembo did not

WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

Motion to recommend approval to the Board of Commissioners made by Ms. Dixon and seconded by Mr. Ash. Motion was unanimous. Mr. Barton advised the applicant of the next meeting on November 16th at 9am.

Application of Jeff Nix, on behalf of Douglas Nix, to redistrict property located at 0 Hwy. 115 East, Cleveland, Georgia, 30528 from R-1 Residential Single Family District to C-2 Highway Business District. Tax map and parcel 047D-159. Total acreage is 7.42. Present zoning is R-1 Residential Single Family District.

The applicant, Jeff Nix of 856 Warwick Road in Cleveland, was present. Mr. Barton gave a summary of the application. Mr. Nix said he is present on behalf of his brother and that they plan to clean up the property and place to sell. He said they would like to rezone it commercial to help with the ability to sell.

Motion to recommend approval to the Board of Commissioners made by Ms. Burke and seconded by Ms. Dixon. Motion was unanimous. Mr. Barton advised the applicant of the next meeting on November 27th at 4:30pm.

Application of Robert Edmonds to request a conditional use permit located at 360 Miners Mountain Road, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 055D-024. Total acreage is 2.98. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

The applicant, Robert Edmonds of 88 Hummingbird Lane in Pike Road, AL, was present. Mr. Barton gave a summary of the application. Mr. Edmonds explained the property has been a vacation rental since it was built in 2000. He said he is the third owner and it has been a rental for the last five years of his ownership. He said he has spoken with neighbors and the board of directors for the nearby RV park, all of which who are fine with his request.

Motion to recommend approval to the Board of Commissioners made by Ms. Burke and seconded by Mr. Ackerman. Motion was unanimous. Mr. Barton advised the applicant of the next meeting on November 27th at 4:30pm.

Application of Diane Robertson to request a conditional use permit located at 1071 Myra Branch Road, Helen, Georgia, 30545. Tax map and parcel 042B-019. Total acreage is 0.70. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

The applicant, Diane Robertson of 3752 Alden Court Marietta, GA, was present. Mr. Barton gave a summary of the application. Ms. Robertson explained the lot is old and is 0.70, which she has owned for about 12 years and remodeled. She said she has been renting through an online platform and stated that her only neighbors are bears.

Motion to recommend approval to the Board of Commissioners made by Ms. Dixon and seconded by Ms. Burke. Motion was unanimous. Mr. Barton advised the applicant of the next meeting on November 27th at 4:30pm.

Application of Paula Lembo and Loretta Martin to redistrict property located at 2229 Highway 17, Sautee Nacoochee, Georgia, 30571 from C-1 Community Commercial District to R-1 Residential Single Family District and to request a conditional use permit. Tax map and parcel 071-070. Total acreage is



WHITE COUNTY

Board of Commissioners

Item Title: Rezone from C-1 to R-1 and request a Conditional Use Permit for Short Term Rental for Paula Lembo and Loretta Martin, 2227 Hwy 17, Sautee Nacoochee

For Meeting Date: 11/27/2023

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. 20312
2. Public Hearing Minutes 10/31/2023
3. Regular Meeting Minutes 11/6/2023

Purpose:

Consider the application of Paula Lembo and Loretta Martin to redistrict property located at 2227 Highway 17, Sautee Nacoochee, Georgia, 30571 from C-1 Community Commercial District to R-1 Residential Single Family District and to request a conditional use permit. Tax map and parcel 071-070. Total acreage is 0.93. Proposed use is to place in "Short Term Rental" program. Present zoning is C-1 Community Commercial District.

Background / Summary:

- Applicant is requesting to rezone from C-1 to R-1 and a conditional use permit for short-term rental. The short-term rental is not in a subdivision and there are two structures on the property. Ms. Lembo said this is the main house and has a studio apartment in the basement and two bedrooms upstairs for a maximum of 10 people with parking for six vehicles between the two dwellings. She said they plan not to rent both structures at the same time. She and her sister will self-manage the property as she lives close by in Clarkesville. They will maintain the property as a family home and rent it when the family is not using it. No one spoke for or against the application. The Planning Commission recommended approval 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

OFFICE USE ONLY	Land Use Application #: <u>20312</u>
Public Hearing Date: <u>10/31/23</u>	Commission District: <u>4</u>
Fees Assessed: <u>250-</u>	Paid via: <input type="checkbox"/> cash <input type="checkbox"/> credit card <input checked="" type="checkbox"/> check# <u>132</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>Paula Mott Lembo</u>	<u>Loretta Martin</u>
Address: <u>PO Box 64</u> <u>Sautee Nacoochee GA 30571</u>	<u>1061 Baxter Court</u> <u>Statham GA 30666</u>
Phone Number: [REDACTED]	Alternate Contact Number: [REDACTED]
Email: [REDACTED]	
Owner Information (if different from Applicant/Agent):	
Name:	Phone #:
PROPERTY INFORMATION	
Parcel ID: <u>071-070</u>	Total acreage being changed <u>0.93</u>
Address: <u>2227 Hwy 17 Sautee Nacoochee GA 30571</u>	
Directions to Property: <u>from the County Office Complex turn left on</u> <u>Hwy 75. Turn Right on Hwy 17. Approx 2 miles -</u> <u>Driveway on left side of Hwy. After Sautee Inn -</u> <u>Across from Sweetwater Coffee. Home to the left</u> <u>of the Parking Area</u>	
Current Use/Zoning of Property: <u>2nd Residence/C-1</u> Type of Road Surface: <u>Paved</u>	
Any prior redistricting requests for property: <input type="checkbox"/> If yes, provide redistricting application #: _____	
SURROUNDING PROPERTY LAND USE CLASSIFICATION:	
North: <u>A1</u>	South: <u>C-1</u> East: <u>C1</u> West: <u>C-1</u>
REQUESTED ACTION AND DETAILS OF PROPOSED USE (check all that apply)	
<input checked="" type="checkbox"/> Redistrict from district: <u>C-1</u>	Redistrict to district: <u>R-1</u>
<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 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 (ft²): _____ Density/Acre: _____

Is an Amenity area proposed (specify if yes)? NO

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	<u>071-069</u> <u>Crestwater Properties LLC.</u>	<u>PO Box 693 Sautee Nacoochee GA 30571</u>
2	<u>071-071</u> <u>Ron Geraneo</u> <u>Rebecca T Hollis</u>	<u>2178 Hwy 17 Sautee Nacoochee GA 30571</u>
3	<u>071 028</u> <u>Charles Benjamin Dookins</u> <u>Elizabeth L Ledbetter</u>	<u>PO Box 781 Sautee Nacoochee GA 30571</u>
4	<u>071 027</u> <u>Patricia Crowell</u>	<u>PO Box 820 Helen GA 30545</u>
5	<u>071 077</u> <u>Sautee Nacoochee Community Association</u>	<u>0 Hwy 255 N Sautee Nacoochee GA 30571</u>
6	<u>071 030</u> <u>The Willows Pottery LLC</u> <u>Jon Schwartz</u>	<u>PO Box 781 Sautee Nacoochee GA 30571</u>
7	<u>071 029</u> <u>Blue Arrow Brewing LLC</u>	<u>2242 Hwy 17 Sautee Nacoochee GA 30571</u>

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: *Paula Mott Lembo* Date: *7-11-2023*
Scotta Martin

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: *Paula Mott Lembo* Date: *7-11-2023*
Hertha Martin *9-13-2023*

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:

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.**

Empty table rows for listing campaign contributions.

Check box if no contributions made

Applicant Signature: *Paula Mott Lembo* Date: *7-11-2023*
Hertha Martin *9-13-2023*

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), Paula Jeanne Mott Lembo and Loretta Louise Mott Martin, 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): <u>Paula Jeanne Mott Lembo and Loretta Louise Mott Martin</u>
Mailing Address: <u>PO Box 64</u> <u>1061 Baxter Court</u> <u>Savatee Nacoochee GA 30571</u> <u>Statham GA 30666</u>
Phone Number: [REDACTED]
Alternate Contact Number:
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): <u>Angelo Lembo</u> <u>Gregory Martin</u>
Signature of Owner(s): <u>Loretta Martin</u> <u>Paula Mott Lembo</u>
Date Signed: <u>9-13-2023</u> <u>9-13-2023</u>

PROPERTY OWNER AUTHORIZATION DOCUMENT: NOTARY ACKNOWLEDGEMENT

Sworn to (or affirmed) and subscribed before me this 13th day of Sept, 2023 by Loretta Martin + Paula Lembo (name of signer(s)). The named signer(s) is/are personally known by me or produced the identification type of Drivers Licence

Seal
My Commission Expires 07/12/2025
White County, GEORGIA
NOTARY PUBLIC
Doreen Green

Doreen Green
(Signature of Notary)
Doreen Green
(Name of Notary Typed, Stamped, or Printed)

Doreen Green
NOTARY PUBLIC
White County, GEORGIA
My Commission Expires 07/12/2025

SHORT TERM RENTAL CERTIFICATIONS

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

I/WE (print), Paula Jeanne Mott Lembo and Loretta Louise Mott Martin, 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): Loretta Martin Paula Mott Lembo

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): Loretta Martin Paula Mott Lembo

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): Loretta Martin Paula Mott Lembo

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): Loretta Martin Paula Mott Lembo

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): Loretta Martin Paula Mott Lembo

SHORT TERM RENTAL CERTIFICATIONS DOCUMENT: NOTARY ACKNOWLEDGEMENT

Sworn to (or affirmed) and subscribed before me this 13th day of Sept, 2023 by Loretta Martin + Paula Lembo (name of signer(s)). The named signer(s) is/are personally known by me or produced the identification type of Drivers license

{Seal}

Doreen Green
NOTARY PUBLIC
White County, GEORGIA
My Commission Expires 07/12/2025

Doreen Green
(Signature of Notary)

Doreen Green
(Name of Notary Typed, Stamped, or Printed)

APPLICANT ACKNOWLEDGEMENT OF MEETING DATES

I, Paula Jeanne Mott Lembo
Loretta Louise Mott Martin (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): Oct. 30, 2023

Regular Meeting Date (Planning Commission): Nov. 6, 2023

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

Board of Commissioners Meeting Date: Nov. 27, 2023

**Meeting dates are subject to change*

Acutta Martin
 Signature of Applicant or Authorized Agent

9-13-2023
 Date

<p><u>OFFICE USE ONLY</u></p> <p>Copy given to applicant: <u>9/13/23</u> (date)</p> <p>Staff Initials: <u>lrd</u></p> <p>Flag (circle): <u>(Y)</u> N</p>

<p>WITHDRAWAL</p> <p><i>Notice: This section only to be completed if application is being withdrawn.</i></p>
<p>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.</i> 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</p>
<p>I hereby withdraw application #:</p>
<p>Applicant Signature: _____ Date: _____</p>

White County Georgia
Planning Department
1241 Helen Highway, Suite 200
Cleveland, GA 30528

September 12, 2023

Re: Letter of Intent for 2227 Highway 17

To Whom it may concern,

Please rezone 2227 Highway 17 from C-1 to R-1 and allow a conditional use permit for short term rental.

We inherited this property from our parents Jack and Helen Mott. They envisioned and built this home as well as a deep connection within our community. Our desire is to build upon their legacy. Offering a short -term rental will enable us to create a place to gather, restore and inspire. Our parking area and covered carport allow for 6 vehicles.

We are flanked and enhanced by our neighboring properties and our community. An established Bed and Breakfast (The Sautee Inn), an AirB&B, specialty retail shops, restaurants and the SNCA campus are but a few.

We have no intention to over extend the number of guests. We will keep the total number to that number which can safely stay in the premises set by the State of Georgia's Fire Safety code regulations.

This property will also remain a 2nd residence for our family and friends to enjoy. We have very fond memories and will not jeopardize what has been entrusted to us.

Thank you for your consideration.

Respectfully,



Loretta Martin

and



Paula Mott Lembo



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

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



Evaluation Applied For



Appropriate Permit Applied For



Appropriate Permit Issued to Applicant



Evaluation, Permit Not Applied
For At This Time

DATE: 09/13/2023

APPLICANT NAME: Paula Mott Lembo

PROPERTY ADDRESS: 2227 & 2229 Hwy 17
Sautee Nacoochee, GA, 30571

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.

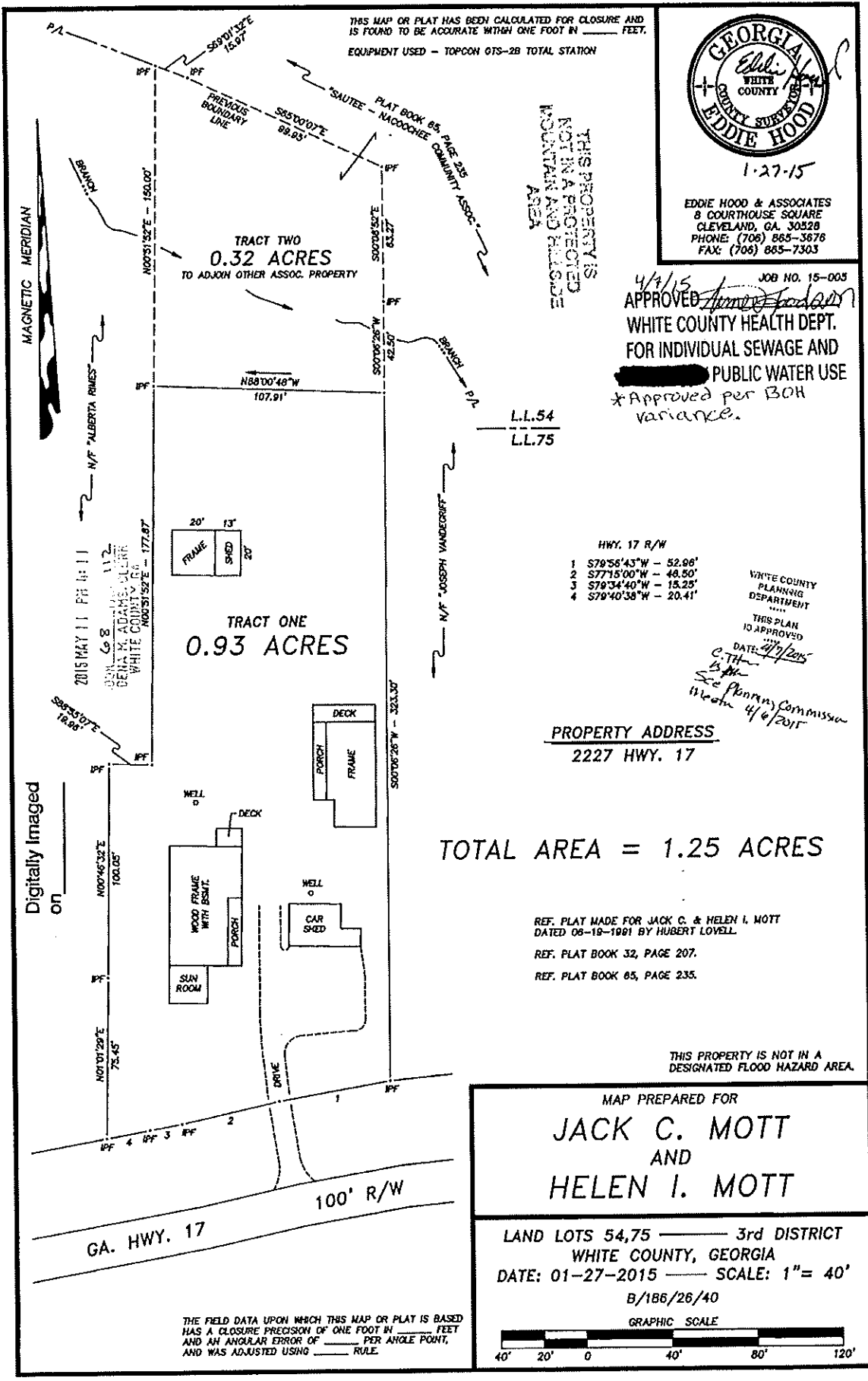
White County Environmental Health
District 2 Public Health

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



Paula Mott Lembo

Applicant Signature



THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN _____ FEET.
EQUIPMENT USED - TOPCON GTS-2B TOTAL STATION



EDDIE HOOD & ASSOCIATES
8 COURTHOUSE SQUARE
CLEVELAND, GA. 30528
PHONE: (706) 865-3678
FAX: (706) 865-7303

THIS PROPERTY IS NOT IN A PROTECTED MOUNTAIN AND HILLSIDE AREA

4/4/15 JOB NO. 15-003
APPROVED *[Signature]*
WHITE COUNTY HEALTH DEPT.
FOR INDIVIDUAL SEWAGE AND
PUBLIC WATER USE
*Approved per BOH variance.

L.L.54
L.L.75

- HWY. 17 R/W
- 1 579°56'43"W - 52.98'
 - 2 377°15'00"W - 48.50'
 - 3 379°34'40"W - 15.25'
 - 4 379°40'38"W - 20.41'

WHITE COUNTY PLANNING DEPARTMENT

THIS PLAN IS APPROVED

DATE: 4/7/2015

[Signature]
C.T.H.
See Planning Commission Meeting 4/6/2015

PROPERTY ADDRESS
2227 HWY. 17

TOTAL AREA = 1.25 ACRES

- REF. PLAT MADE FOR JACK C. & HELEN I. MOTT DATED 06-19-1991 BY HUBERT LOVELL
- REF. PLAT BOOK 32, PAGE 207.
- REF. PLAT BOOK 65, PAGE 235.

THIS PROPERTY IS NOT IN A DESIGNATED FLOOD HAZARD AREA.

MAP PREPARED FOR
JACK C. MOTT
AND
HELEN I. MOTT

LAND LOTS 54,75 — 3rd DISTRICT
WHITE COUNTY, GEORGIA
DATE: 01-27-2015 — SCALE: 1"= 40'
B/186/26/40



THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN _____ FEET AND AN ANGULAR ERROR OF _____ PER ANGLE POINT, AND WAS ADJUSTED USING _____ RULE.

Digitally Imaged on

2015 MAY 11 PM 4:11
DENNIS M. ADAMS SURVEYOR
WHITE COUNTY, GA.
112
112
N00°31'52"E - 177.87'

MAGNETIC MERIDIAN

GA. HWY. 17

100' R/W



OFFICIAL TAX RECEIPT

White County Tax Commissioner

Cindy Cannon

P. O. Box 970

Cleveland GA 30528

Phone 17068652225 - Fax 17062190078

Email: wclc@whitecounty.net

OWNER

MARTIN LORETTA LOUISE MOTTLEMBO PAULA

PO BOX 64

SAUTEE NACOOCHEE, GA 30571

PAID DATE			9/12/2023
RECEIPT PRINTED			9/12/2023 12:06:01 PM
CASH AMOUNT	CHECK AMOUNT	CHARGE AMOUNT	CHECK NUMBER(s) CHARGE APPROVAL CODE
\$0.00	\$3,017.26	\$0.00	128
REFUND AMOUNT			\$0.00
OVERPAY AMOUNT			\$0.00
CHANGE AMOUNT			\$0.00
REGISTER			7
CASHIER			
TOTAL PAID			\$3,017.26

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	
2023-11098 FMV: 332590.00 071 070	LL54875 LD3 2227 HWY 17 DISTRICT: 001 SERIAL NUMBER: DECAL NUMBER: 0	11/15/2023 \$3,017.26	\$0.00 \$0.00 \$0.00	\$0.00	\$3,017.26	\$3,017.26	\$0.00	
Paid By: MARTIN LORETTA LOUISE MOTT LEMBO PAULA JEANNE MOTT 706-892-6017					Overpayment Amount: 0.00			
Check Number: 128								
Transaction(s): 15509 - 15509		Total(s):	\$3,017.26	\$0.00	\$0.00	\$3,017.26	\$3,017.26	\$0.00



2227
Highway 17



**WHITE COUNTY PLANNING DEPARTMENT
STAFF COMMENT**

PAULA LEMBO & LORETTA MARTIN

- PROPERTY IS LOCATED AT 2227 HIGHWAY 17 IN SAUTEE NACOOCHEE. IT IS IN THE C-1 COMMUNITY COMMERCIAL DISTRICT.
- APPLICATION REQUEST TO CONSIDER REDISTRICTING TO R-1 RESIDENTIAL SINGLE FAMILY 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 A-1 AGRICULTURE FORESTRY DISTRICT; TO THE SOUTH, EAST, AND WEST C-1 COMMUNITY COMMERCIAL DISTRICT.
- THE WHITE COUNTY COMPREHENSIVE PLAN FUTURE LAND USE MAP INDICATES COMMUNITY COMMERCIAL.
- TOTAL ACREAGE IS 0.93.
- PROPERTY SUPPLIED BY WELL AND SEPTIC.



WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

have anything to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on November 6th.

Application of Paula Lembo and Loretta Martin to redistrict property located at 2227 Highway 17, Sautee Nacoochee, Georgia, 30571 from C-1 Community Commercial District to R-1 Residential Single Family District and to request a conditional use permit. Tax map and parcel 071-070. Total acreage is 0.93. Proposed use is to place in “Short Term Rental” program. Present zoning is C-1 Community Commercial District.

The applicant, Paula Lembo of 1421 Yonah Lake Road in Clarkesville, GA, was present. Mr. Barton gave a summary of the application. She explained the proposed short-term rental would have a maximum occupancy of ten with the same six parking for six vehicles. Ms. Lembo explained that her sister visits Sautee Nacoochee often so part of the desire is short-term rental but to maintain as a separate residence for her sister, as well as family gatherings. Currently, she said the home is vacant and last use was to house her sister’s children or for friends to stay when they visit. She explained that they do not plan to rent both residences at the same time.

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. Ms. Lembo did not have anything to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on November 6th.

Application of Jay Westmoreland to request a conditional use permit located at 183 Patrick Lane, Helen, Georgia, 30545. Tax map and parcel 041-044. Total acreage is 3.01. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

Ms. Burke recused from the public hearing due to being family.

A representative, Kim Westmoreland of 1151 Helen Highway in Cleveland, was present. Mr. Barton gave a summary of the application. Ms. Westmoreland explained short-term rental has a maximum occupancy of six with parking for two to three vehicles. She said she is the local contact and there are no close neighbors. She stated the property has been on VRBO the last few years and she filed proof of taxes today for the application.

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. Ms. Westmoreland did not have anything to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on November 6th.

Application of Georgianna “Emma” Stoica to request a special use permit located at 4564 Highway 255 South, Cleveland, Georgia, 30528. Tax map and parcel 074-130. Total acreage is 5.29. Proposed use is for a personal care home/ group home. Present zoning is A-1 Agriculture Forestry District.

The applicant, Emma Stoica of 4564 Highway 255 South, was present. Mr. Barton gave a summary of the application. Ms. Stoica explained the proposed use is a group home for elderly people that will link personal care with hospice. She said she is licensed by the Department of Community Health and is currently remodeling the home. Ms. Stoica detailed her experience with group homes and possibility of expanding to multiple homes eventually. Currently, she said she lives in the home with her children but

WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

0.93. Proposed use is to place in “Short Term Rental” program. Present zoning is C-1 Community Commercial District.

The applicant, Paula Lembo of 1421 Yonah Lake Road in Clarkesville, GA, was present. Mr. Barton gave a summary of the application. Ms. Lembo explained this home will not be short-term rental currently since her mother-in-law lives there, but does have the intention for it to be a rental.

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 applicant of the next meeting on November 27th at 4:30pm.

Application of Paula Lembo and Loretta Martin to redistrict property located at 2227 Highway 17, Sautee Nacoochee, Georgia, 30571 from C-1 Community Commercial District to R-1 Residential Single Family District and to request a conditional use permit. Tax map and parcel 071-070. Total acreage is 0.93. Proposed use is to place in “Short Term Rental” program. Present zoning is C-1 Community Commercial District.

The applicant, Paula Lembo of 1421 Yonah Lake Road in Clarkesville, GA, was present. Mr. Barton gave a summary of the application. Ms. Lembo explained this would be a short-term rental, but also her family’s second home so it will not be rented all of the time.

Motion to recommend approval to the Board of Commissioners made by Ms. Dixon and seconded by Mr. Ackerman. Motion was unanimous. Mr. Barton advised the applicant of the next meeting on November 27th at 4:30pm.

Application of Jay Westmoreland to request a conditional use permit located at 183 Patrick Lane, Helen, Georgia, 30545. Tax map and parcel 041-044. Total acreage is 3.01. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

A representative, Kim Westmoreland 1151 Helen Highway in Cleveland, was present. Mr. Barton gave a summary of the application. Ms. Westmoreland had nothing to add.

Ms. Burke abstained due to being family.

Motion to recommend approval to the Board of Commissioners made by Ms. Dixon and seconded by Mr. Ash. Motion was unanimous, with Ms. Burke abstained. Mr. Barton advised the applicant of the next meeting on November 27th at 4:30pm.

Application of Georgianna “Emma” Stoica to request a special use permit located at 4564 Highway 255 South, Cleveland, Georgia, 30528. Tax map and parcel 074-130. Total acreage is 5.29. Proposed use is for a personal care home/ group home. Present zoning is A-1 Agriculture Forestry District.

The applicant, Emma Stoica of 4564 Highway 255 South in Cleveland, GA, was present. Mr. Barton gave a summary of the application. Ms. Stoica said there was a question about not having a sign at the public hearing last week, but the state requires her to have something out for doctors, hospice, hospitals, etc. to see. She said it does not have to be a large sign.



WHITE COUNTY

Board of Commissioners

Item Title: Rezone from C-1 to R-1 and request a Conditional Use Permit for Short Term Rental for Paula Lembo and Loretta Martin, 2229 Hwy 17, Sautee Nacoochee

For Meeting Date: 11/27/2023

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. 20311
2. Public Hearing Minutes 10/31/2023
3. Regular Meeting Minutes 11/6/2023

Purpose:

Consider the application of Paula Lembo and Loretta Martin to redistrict property located at 2229 Highway 17, Sautee Nacoochee, Georgia, 30571 from C-1 Community Commercial District to R-1 Residential Single Family District and to request a conditional use permit. Tax map and parcel 071-070. Total acreage is 0.93. Proposed use is to place in "Short Term Rental" program. Present zoning is C-1 Community Commercial District.

Background / Summary:

- Applicant is requesting to rezone from C-1 to R-1 and a conditional use permit for short-term rental. The short-term rental is not in a subdivision and there are two structures on the property. Ms. Lembo said this property has one bedroom and one bathroom with parking for six vehicles between the two dwellings. She state that her mother-in-law stays in the cabin currently, but wanted to preserve the STR status to use in the future. She and her sister will self-manage the property. No one spoke for or against the application. The Planning Commission recommended approval 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

OFFICE USE ONLY	Land Use Application #: <u>20311</u>
Public Hearing Date: <u>10/31/2023</u>	Commission District: <u>4</u>
Fees Assessed: <u>250-</u>	Paid via: ___ cash ___ credit card ___ check# <u>131</u>

APPLICANT INFORMATION	
Status: <input checked="" type="checkbox"/> Owner ___ Authorized Agent ___ Lessee ___ Option to Purchase	
Printed Name(s): <u>Paula Mott Lembo</u>	<u>Loretta Martin</u>
Address: <u>PO Box 64</u> <u>Sautee Nacoochee GA 30571</u>	<u>1061 Baxter Court</u> <u>Statham GA 30666</u>
Phone Number: [REDACTED]	Alternate Contact Number: [REDACTED]
Email: [REDACTED]	

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

PROPERTY INFORMATION	
Parcel ID: <u>071-070</u>	Total acreage being changed: <u>-0.93</u>
Address: <u>2229 Hwy 17 Sautee Nacoochee GA 30571</u>	
Directions to Property: <u>from the County Office complex - turn left on Hwy 75. Turn right on Hwy 17. Approx 2 miles - Driveway on left side of Hwy. After Sautee Inn - Across from Sweetwater Coffee. Home below the Parking Area.</u>	
Current Use/Zoning of Property: <u>2nd Residence</u>	Type of Road Surface: <u>Paved</u>
Any prior redistricting requests for property: ___ If yes, provide redistricting application #: _____	

SURROUNDING PROPERTY LAND USE CLASSIFICATION:			
North: <u>A-1</u>	South: <u>C-1</u>	East: <u>C-1</u>	West: <u>C-1</u>

REQUESTED ACTION AND DETAILS OF PROPOSED USE (check all that apply)	
<input checked="" type="checkbox"/> Redistrict from district: <u>C-1</u>	Redistrict to district: <u>R-1</u>
<input checked="" type="checkbox"/> Conditional Use - specify: <u>STR</u>	
Special Use - specify:	
Land Use Variance from Code Section:	

Proposed use if not listed above:	
Is this property part of a subdivision? ___ Yes <input checked="" type="checkbox"/> No	If so, please list number of lots:
Are there covenants? ___ Yes <input checked="" type="checkbox"/> No	Is there an active homeowner's association? ___ 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 (ft²): _____ Density/Acre: _____

Is an Amenity area proposed (specify if yes)? **NO**

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	<u>071-069</u> <u>Crestwater Properties LLC</u>	<u>PO Box 693</u> <u>Sautee Nacoochee GA 30571</u>
2	<u>071 071</u> <u>Ron Geraneo</u> <u>Rebecca T Hollis</u>	<u>2178 Hwy 17</u> <u>Sautee Nacoochee GA 30571</u>
3	<u>071 028</u> <u>Charles Benjamin Dockins</u> <u>Elizabeth L Ledbetter</u>	<u>PO Box 781</u> <u>Sautee Nacoochee GA 30571</u>
4	<u>071 027</u> <u>Patricia Crowell</u>	<u>PO Box 820</u> <u>Helen GA 30545</u>
5	<u>071 077</u> <u>Sautee Nacoochee Community Association</u>	<u>0 Hwy 255 N</u> <u>Sautee Nacoochee GA 30571</u>
6	<u>071 030</u> <u>The Willows Pottery LLC</u> <u>Jon Schwartz</u>	<u>PO Box 781</u> <u>Sautee Nacoochee GA 30571</u>
7	<u>071 029</u> <u>Blue Arrow Brewing LLC</u>	<u>2242 Hwy 17</u> <u>Sautee Nacoochee GA 30571</u>

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: *Paula Mott Lembo* Date:

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: *Paula Mott Dembo*
houtha Martin **Date:** *9-13-2023*
9-13-2023

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:

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: *Paula Mott Dembo*
houtha Martin **Date:** *9-13-2023*
9-13-2023

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), Paula Jeanne Mott Lembo and Loretta Louise Mott Martin, 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): <u>Paula Jeanne Mott Lembo</u> and <u>Loretta Louise Mott Martin</u>	
Mailing Address: <u>PO Box 64</u> <u>1061 Baxter Court</u> <u>Sautee Nacoochee, GA 30571</u> <u>Statham GA 30666</u>	
Phone Number:	[REDACTED]
Alternate Contact Number:	
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):	<u>Angelo Lembo</u> <u>Gregory Martin</u>
Signature of Owner(s):	Date Signed:
<u>Loretta Martin</u>	<u>9-13-2023</u>
<u>Paula Mott Lembo</u>	<u>9-13-2023</u>

PROPERTY OWNER AUTHORIZATION DOCUMENT: NOTARY ACKNOWLEDGEMENT

Sworn to (or affirmed) and subscribed before me this 13th day of Sept, 20 23 by Loretta Martin + Paula Lembo (name of signer(s)). The named signer(s) is/are personally known by me or produced the identification type of Drivers License

{Seal}

Doreen Green
NOTARY PUBLIC
White County, GEORGIA
My Commission Expires 07/12/2025

Doreen Green
(Signature of Notary)

Doreen Green
(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), Paula Jeanne Mott Lembo and Loretta Louise Mott Martin, 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): Loretta Martin Paula Mott Lembo

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): Loretta Martin Paula Mott Lembo

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): Loretta Martin Paula Mott Lembo

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): Loretta Martin Paula Mott Lembo

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): Loretta Martin Paula Mott Lembo

SHORT TERM RENTAL CERTIFICATIONS DOCUMENT: NOTARY ACKNOWLEDGEMENT

Sworn to (or affirmed) and subscribed before me this 13th day of Sept, 20 23 by Loretta Martin & Paula Lembo (name of signer(s)). The named signer(s) is/are personally known by me or produced the identification type of Drivers License

{Seal}

Doreen Green

(Signature of Notary)

**Doreen Green
NOTARY PUBLIC**

Doreen Green

(Name of Notary Typed, Stamped, or Printed)

White County, GEORGIA

My Commission Expires 07/12/2025

APPLICANT ACKNOWLEDGEMENT OF MEETING DATES

I, Paula Jeanne Mott Lembo
Loretta Louise Mott Martin (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): Oct. 30, 2023

Regular Meeting Date (Planning Commission): Nov. 6, 2023

Administration Building, 1235 Helen Hwy, Cleveland

4:30pm

Board of Commissioners Meeting Date: Nov. 27, 2023

**Meeting dates are subject to change*

Acritta Martin
 Signature of Applicant or Authorized Agent

9-13-2023
 Date

<p><u>OFFICE USE ONLY</u></p> <p>Copy given to applicant: <u>9/13/23</u> (date)</p> <p>Staff Initials: <u>lzd</u></p> <p>Flag (circle): <u>(Y)</u> N</p>

<p>WITHDRAWAL</p> <p><i>Notice: This section only to be completed if application is being withdrawn.</i></p>
<p>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>
<p>I hereby withdraw application #:</p>
<p>Applicant Signature: _____ Date: _____</p>

White County Georgia
Planning Department
1241 Helen Highway, Suite 200
Cleveland, GA 30528

September 12, 2023

Re: Letter of Intent for 2229 Highway 17

To Whom it may concern,

Please rezone 2229 Highway 17 from C-1 to R-1 and allow a conditional use permit for short term rental.

We inherited this property from our parents Jack and Helen Mott. They envisioned and built this home as well as a deep connection within our community. Our desire is to build upon their legacy. Offering a short-term rental will enable us to create a place to gather, restore and inspire. Our parking area and covered carport allow for 6 vehicles.

We are flanked and enhanced by our neighboring properties and our community. An established Bed and Breakfast (The Sautee Inn), an AirB&B, specialty retail shops, restaurants and the SNCA campus are but a few.

We have no intention to over extend the number of guests. We will keep the total number to that number which can safely stay in the premises set by the State of Georgia's Fire Safety code regulations.

Currently an elderly family member is living here. We ask the rezoning and conditional use permit to accommodate future use. We understand this generally should take place within 2 years.

Thank you for your consideration.

Respectfully,



Loretta Martin

and



Paula Mott Lembo



Public Health
Prevent. Promote. Protect.

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

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

Evaluation Applied For

Appropriate Permit Applied For

Appropriate Permit Issued to Applicant

Evaluation, Permit Not Applied For At This Time

DATE: 09/13/2023

APPLICANT NAME: Paula Mott Lembo

PROPERTY ADDRESS: 2227 & 2229 Hwy 17
Sautee Nacoochee, GA, 30571

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.

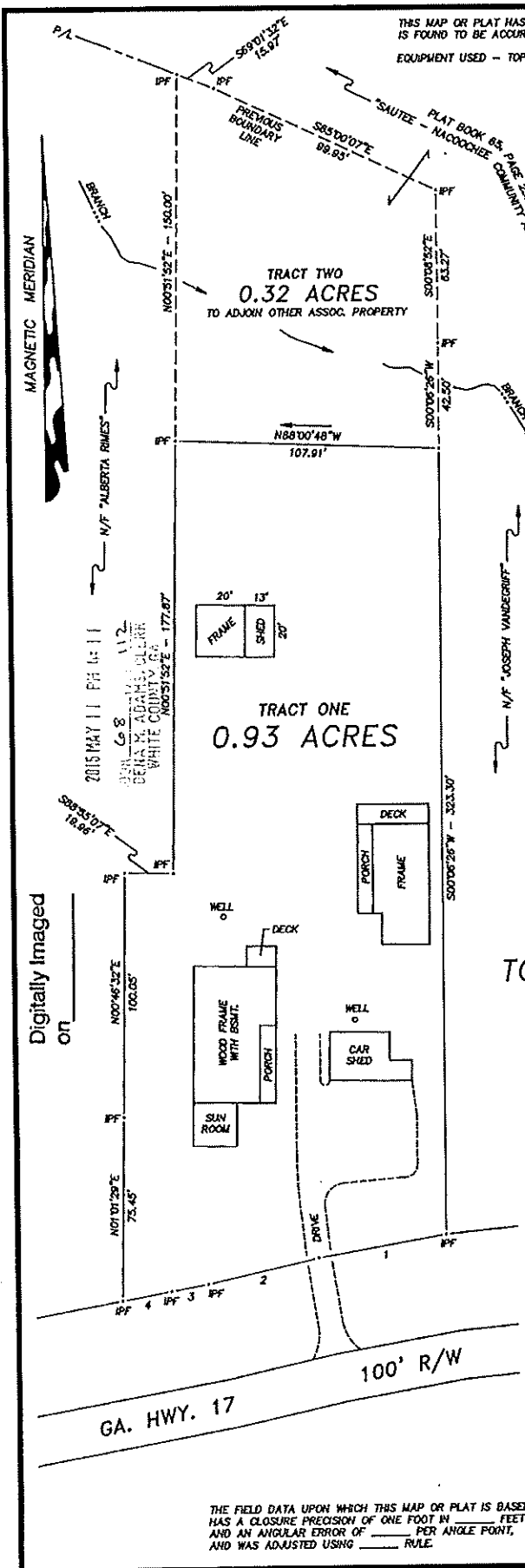
Please note that this is NOT an all-inclusive list. Based upon the information submitted and/or the outcome of the evaluation, it may be determined that a septic system needs additional capacity or upgrade. If so, the appropriate permit will need to be obtained and the work completed before an approval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

 Paula Mott Lembo
Applicant Signature



THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITH ONE FOOT IN _____ FEET.
EQUIPMENT USED - TOPCON GTS-2B TOTAL STATION



EDDIE HOOD & ASSOCIATES
8 COURTHOUSE SQUARE
CLEVELAND, GA. 30528
PHONE: (706) 865-3676
FAX: (706) 865-7303

THIS PROPERTY IS NOT IN A DESIGNATED FLOOD HAZARD AREA

4/7/15 JOB NO. 15-003
APPROVED *[Signature]*
WHITE COUNTY HEALTH DEPT.
FOR INDIVIDUAL SEWAGE AND
PUBLIC WATER USE
* Approved per BOH variance.

L.L. 54
L.L. 75

- HWY. 17 R/W
- 1 S78°58'43"W - 52.88'
 - 2 S77°15'00"W - 48.50'
 - 3 S79°34'40"W - 18.25'
 - 4 S79°40'38"W - 20.41'

WHITE COUNTY
PLANNING
DEPARTMENT

THIS PLAN IS APPROVED
DATE: 4/7/2015
[Signature]
Se Planning Commission
Meeting 4/6/2015

PROPERTY ADDRESS
2227 HWY. 17

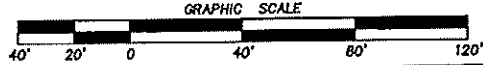
TOTAL AREA = 1.25 ACRES

- REF. PLAT MADE FOR JACK C. & HELEN I. MOTT DATED 08-19-1991 BY HUBERT LOVELL.
- REF. PLAT BOOK 32, PAGE 207.
- REF. PLAT BOOK 65, PAGE 235.

THIS PROPERTY IS NOT IN A DESIGNATED FLOOD HAZARD AREA.

MAP PREPARED FOR
**JACK C. MOTT
AND
HELEN I. MOTT**

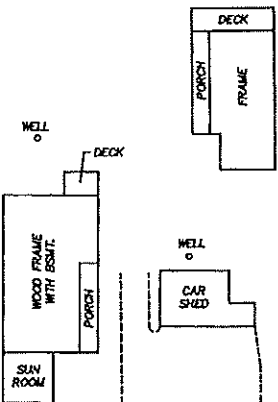
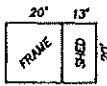
LAND LOTS 54,75 — 3rd DISTRICT
WHITE COUNTY, GEORGIA
DATE: 01-27-2015 — SCALE: 1" = 40'
B/186/26/40



THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN _____ FEET AND AN ANGULAR ERROR OF _____ PER ANGLE POINT, AND WAS ADJUSTED USING _____ RULE.

Digitally Imaged ON

2015 MAY 11 PM 6:11
112
GENA M. ADAMS, CLERK
WHITE COUNTY, GA.
N00°31'32"E - 177.87'





OFFICIAL TAX RECEIPT

White County Tax Commissioner

Cindy Cannon

P. O. Box 970

Cleveland GA 30528

Phone 17068652225 - Fax 17062190078

Email: wclc@whitecounty.net

OWNER

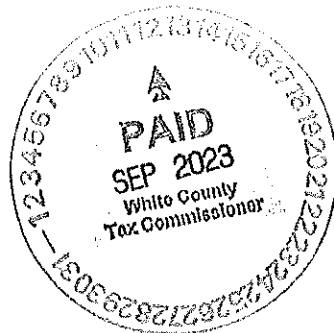
MARTIN LORETTA LOUISE MOTTLEMBO PAULA

PO BOX 64

SAUTEE NACOOCHEE. GA 30571

PAID DATE			9/12/2023
RECEIPT PRINTED			9/12/2023 12:06:01 PM
CASH AMOUNT	CHECK AMOUNT	CHARGE AMOUNT	CHECK NUMBER(s) CHARGE APPROVAL CODE
\$0.00	\$3,017.26	\$0.00	128
REFUND AMOUNT			\$0.00
OVERPAY AMOUNT			\$0.00
CHANGE AMOUNT			\$0.00
REGISTER			7
CASHIER			
TOTAL PAID			\$3,017.26

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	
2023-11098 FMV: 332590.00 071 070	LL54&75 LD3 2227 HWY 17 DISTRICT: 001 SERIAL NUMBER: DECAL NUMBER: 0	11/15/2023 \$3,017.26	\$0.00 \$0.00 \$0.00	\$0.00	\$3,017.26	\$3,017.26	\$0.00	
Paid By: MARTIN LORETTA LOUISE MOTT LEMBO PAULA JEANNE MOTT 706-892-6017				Overpayment Amount: 0.00				
Check Number: 128								
Transaction(s): 15509 - 15509		Total(s):	\$3,017.26	\$0.00	\$0.00	\$3,017.26	\$3,017.26	\$0.00



**WHITE COUNTY PLANNING DEPARTMENT
STAFF COMMENT**

PAULA LEMBO & LORETTA MARTIN

- PROPERTY IS LOCATED AT 2229 HIGHWAY 17 IN SAUTEE NACOOCHEE. IT IS IN THE C-1 COMMUNITY COMMERCIAL DISTRICT.
- APPLICATION REQUEST TO CONSIDER REDISTRICTING TO R-1 RESIDENTIAL SINGLE FAMILY 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 A-1 AGRICULTURE FORESTRY DISTRICT; TO THE SOUTH, EAST, AND WEST C-1 COMMUNITY COMMERCIAL DISTRICT.
- THE WHITE COUNTY COMPREHENSIVE PLAN FUTURE LAND USE MAP INDICATES COMMUNITY COMMERCIAL.
- TOTAL ACREAGE IS 0.93.
- PROPERTY SUPPLIED BY WELL AND SEPTIC.



WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

He said he self-manages and is the main contact, but housekeepers, neighbors, and board members could be available in cases of emergencies since he is three and a half hours away.

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. Edmonds did not have anything to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on November 6th.

Application of Diane Robertson to request a conditional use permit located at 1071 Myra Branch Road, Helen, Georgia, 30545. Tax map and parcel 042B-019. Total acreage is 0.70. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

The applicant, Diane Robertson of 1071 Myra Branch Road, was present. Mr. Barton gave a summary of the application. Ms. Robertson explained the short-term rental has a maximum occupancy of six with parking for two vehicles. She said she inherited the property and has had it on AirBnB for the last two years. She said she informs renters of limited parking and has taken care of fees that were not paid since she has been renting. She stated that she lives one and a half hours away, but her housekeeper lives in Cleveland and has agreed to be the emergency contact. She said she has had no complaints from neighbors, which are just the bears, and she has security cameras that she monitors.

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. Ms. Robertson did not have anything to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on November 6th.

Application of Paula Lembo and Loretta Martin to redistrict property located at 2229 Highway 17, Sautee Nacoochee, Georgia, 30571 from C-1 Community Commercial District to R-1 Residential Single Family District and to request a conditional use permit. Tax map and parcel 071-070. Total acreage is 0.93. Proposed use is to place in “Short Term Rental” program. Present zoning is C-1 Community Commercial District.

The applicant, Paula Lembo of 1421 Yonah Lake Road in Clarkesville in Georgia, was present. Mr. Barton gave a summary of the application. Ms. Lembo said the proposed short-term rental has one bedroom and one bathroom with parking for six vehicles shared between the two dwellings. She stated that her mother-in-law currently resides in this home but they would like to preserve short-term rental in the future since she understands that there may be a limit on them in the future. Ms. Lembo said she and her sister inherited the property and stated they plan to self-manage with use of online platforms. She stated that she lives a few miles away and her sister lives in Athens. When asked about the maximum occupancy for the other dwelling, Ms. Lembo explained that it has a studio apartment in the basement that is about 320 square feet and the top two floors, which have two bedrooms total, is roughly 2200 square feet. She said their desire is to rent to only one group of people, whether they only want part of the home or all of it.

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. Ms. Lembo did not

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

have anything to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on November 6th.

Application of Paula Lembo and Loretta Martin to redistrict property located at 2227 Highway 17, Sautee Nacoochee, Georgia, 30571 from C-1 Community Commercial District to R-1 Residential Single Family District and to request a conditional use permit. Tax map and parcel 071-070. Total acreage is 0.93. Proposed use is to place in “Short Term Rental” program. Present zoning is C-1 Community Commercial District.

The applicant, Paula Lembo of 1421 Yonah Lake Road in Clarkesville, GA, was present. Mr. Barton gave a summary of the application. She explained the proposed short-term rental would have a maximum occupancy of ten with the same six parking for six vehicles. Ms. Lembo explained that her sister visits Sautee Nacoochee often so part of the desire is short-term rental but to maintain as a separate residence for her sister, as well as family gatherings. Currently, she said the home is vacant and last use was to house her sister’s children or for friends to stay when they visit. She explained that they do not plan to rent both residences at the same time.

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. Ms. Lembo did not have anything to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on November 6th.

Application of Jay Westmoreland to request a conditional use permit located at 183 Patrick Lane, Helen, Georgia, 30545. Tax map and parcel 041-044. Total acreage is 3.01. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

Ms. Burke recused from the public hearing due to being family.

A representative, Kim Westmoreland of 1151 Helen Highway in Cleveland, was present. Mr. Barton gave a summary of the application. Ms. Westmoreland explained short-term rental has a maximum occupancy of six with parking for two to three vehicles. She said she is the local contact and there are no close neighbors. She stated the property has been on VRBO the last few years and she filed proof of taxes today for the application.

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. Ms. Westmoreland did not have anything to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on November 6th.

Application of Georgianna “Emma” Stoica to request a special use permit located at 4564 Highway 255 South, Cleveland, Georgia, 30528. Tax map and parcel 074-130. Total acreage is 5.29. Proposed use is for a personal care home/ group home. Present zoning is A-1 Agriculture Forestry District.

The applicant, Emma Stoica of 4564 Highway 255 South, was present. Mr. Barton gave a summary of the application. Ms. Stoica explained the proposed use is a group home for elderly people that will link personal care with hospice. She said she is licensed by the Department of Community Health and is currently remodeling the home. Ms. Stoica detailed her experience with group homes and possibility of expanding to multiple homes eventually. Currently, she said she lives in the home with her children but

WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

Motion to recommend approval to the Board of Commissioners made by Ms. Dixon and seconded by Mr. Ash. Motion was unanimous. Mr. Barton advised the applicant of the next meeting on November 16th at 9am.

Application of Jeff Nix, on behalf of Douglas Nix, to redistrict property located at 0 Hwy. 115 East, Cleveland, Georgia, 30528 from R-1 Residential Single Family District to C-2 Highway Business District. Tax map and parcel 047D-159. Total acreage is 7.42. Present zoning is R-1 Residential Single Family District.

The applicant, Jeff Nix of 856 Warwick Road in Cleveland, was present. Mr. Barton gave a summary of the application. Mr. Nix said he is present on behalf of his brother and that they plan to clean up the property and place to sell. He said they would like to rezone it commercial to help with the ability to sell.

Motion to recommend approval to the Board of Commissioners made by Ms. Burke and seconded by Ms. Dixon. Motion was unanimous. Mr. Barton advised the applicant of the next meeting on November 27th at 4:30pm.

Application of Robert Edmonds to request a conditional use permit located at 360 Miners Mountain Road, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 055D-024. Total acreage is 2.98. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

The applicant, Robert Edmonds of 88 Hummingbird Lane in Pike Road, AL, was present. Mr. Barton gave a summary of the application. Mr. Edmonds explained the property has been a vacation rental since it was built in 2000. He said he is the third owner and it has been a rental for the last five years of his ownership. He said he has spoken with neighbors and the board of directors for the nearby RV park, all of which who are fine with his request.

Motion to recommend approval to the Board of Commissioners made by Ms. Burke and seconded by Mr. Ackerman. Motion was unanimous. Mr. Barton advised the applicant of the next meeting on November 27th at 4:30pm.

Application of Diane Robertson to request a conditional use permit located at 1071 Myra Branch Road, Helen, Georgia, 30545. Tax map and parcel 042B-019. Total acreage is 0.70. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

The applicant, Diane Robertson of 3752 Alden Court Marietta, GA, was present. Mr. Barton gave a summary of the application. Ms. Robertson explained the lot is old and is 0.70, which she has owned for about 12 years and remodeled. She said she has been renting through an online platform and stated that her only neighbors are bears.

Motion to recommend approval to the Board of Commissioners made by Ms. Dixon and seconded by Ms. Burke. Motion was unanimous. Mr. Barton advised the applicant of the next meeting on November 27th at 4:30pm.

Application of Paula Lembo and Loretta Martin to redistrict property located at 2229 Highway 17, Sautee Nacoochee, Georgia, 30571 from C-1 Community Commercial District to R-1 Residential Single Family District and to request a conditional use permit. Tax map and parcel 071-070. Total acreage is

WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

0.93. Proposed use is to place in “Short Term Rental” program. Present zoning is C-1 Community Commercial District.

The applicant, Paula Lembo of 1421 Yonah Lake Road in Clarkesville, GA, was present. Mr. Barton gave a summary of the application. Ms. Lembo explained this home will not be short-term rental currently since her mother-in-law lives there, but does have the intention for it to be a rental.

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 applicant of the next meeting on November 27th at 4:30pm.

Application of Paula Lembo and Loretta Martin to redistrict property located at 2227 Highway 17, Sautee Nacoochee, Georgia, 30571 from C-1 Community Commercial District to R-1 Residential Single Family District and to request a conditional use permit. Tax map and parcel 071-070. Total acreage is 0.93. Proposed use is to place in “Short Term Rental” program. Present zoning is C-1 Community Commercial District.

The applicant, Paula Lembo of 1421 Yonah Lake Road in Clarkesville, GA, was present. Mr. Barton gave a summary of the application. Ms. Lembo explained this would be a short-term rental, but also her family’s second home so it will not be rented all of the time.

Motion to recommend approval to the Board of Commissioners made by Ms. Dixon and seconded by Mr. Ackerman. Motion was unanimous. Mr. Barton advised the applicant of the next meeting on November 27th at 4:30pm.

Application of Jay Westmoreland to request a conditional use permit located at 183 Patrick Lane, Helen, Georgia, 30545. Tax map and parcel 041-044. Total acreage is 3.01. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

A representative, Kim Westmoreland 1151 Helen Highway in Cleveland, was present. Mr. Barton gave a summary of the application. Ms. Westmoreland had nothing to add.

Ms. Burke abstained due to being family.

Motion to recommend approval to the Board of Commissioners made by Ms. Dixon and seconded by Mr. Ash. Motion was unanimous, with Ms. Burke abstained. Mr. Barton advised the applicant of the next meeting on November 27th at 4:30pm.

Application of Georgianna “Emma” Stoica to request a special use permit located at 4564 Highway 255 South, Cleveland, Georgia, 30528. Tax map and parcel 074-130. Total acreage is 5.29. Proposed use is for a personal care home/ group home. Present zoning is A-1 Agriculture Forestry District.

The applicant, Emma Stoica of 4564 Highway 255 South in Cleveland, GA, was present. Mr. Barton gave a summary of the application. Ms. Stoica said there was a question about not having a sign at the public hearing last week, but the state requires her to have something out for doctors, hospice, hospitals, etc. to see. She said it does not have to be a large sign.



WHITE COUNTY

Board of Commissioners

Item Title: Conditional Use Permit for Short Term Rental for Jay Westmoreland, 183 Patrick Lane, Helen

For Meeting Date: 11/27/2023

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. 20314
2. Public Hearing Minutes 10/31/2023
3. Regular Meeting Minutes 11/6/2023

Purpose:

Consider the application of Jay Westmoreland to request a conditional use permit located at 183 Patrick Lane, Helen, Georgia, 30545. Tax map and parcel 041-044. Total acreage is 3.01. 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. The short-term rental is not in a subdivision. Ms. Kim Westmoreland explained the rental has a maximum of 6 people with parking for 2 or 3 vehicles. She said she lives in Cleveland and is the local contact. There are no close neighbors. She said the property has been on VRBO the last few years and she filed proof of taxes. No one spoke for or against the application. The Planning Commission recommended approval 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

OFFICE USE ONLY	Land Use Application #: <u>20314</u>
Public Hearing Date: <u>10/31/2023</u>	Commission District: <u>4</u>
Fees Assessed: <u>\$250</u>	Paid via: <input type="checkbox"/> cash <input type="checkbox"/> credit card <input checked="" type="checkbox"/> check# <u>2101</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>Jay Westmoreland</u>	
Address: <u>PO Box 387 Cleveland ga</u>	
Phone Number: [REDACTED]	Alternate Contact Number: [REDACTED]
Email: [REDACTED]	
Owner Information (if different from Applicant/Agent):	
Name:	Phone #:
PROPERTY INFORMATION	
Parcel ID: <u>041044</u>	Total acreage being changed: <u>3.01</u>
Address: [REDACTED]	
Directions to Property: <u>183 Patrick Ln</u>	
<u>Helen</u>	
<u>Head North on GA-75N toward Hulsey Rd. Turn left onto Asbestos Rd. Turn right into GA-75 ALT S. Turn left into Poplar Stump. Left onto Myra Branch, Right onto Patrick Ln. Home 2nd on left.</u>	
Current Use/Zoning of Property: <u>R-1</u>	Type of Road Surface:
Any prior redistricting requests for property: <input type="checkbox"/> If yes, provide redistricting application #: _____	
SURROUNDING PROPERTY LAND USE CLASSIFICATION:	
North: <u>R1</u>	South: <u>R1</u> East: <u>A1</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:	
<input type="checkbox"/> Special Use - specify: <u>STR</u>	
<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 REDISTRICT INFORMATION

Building Area: _____ No. of Parking Spaces: 3

RESIDENTIAL REDISTRICT INFORMATION

No. of Lots: 1 Minimum Lot Size in acres: 3 No. of Units: _____

Minimum Heated Floor Area (ft²): 1900 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
<u>1</u> <u>042A019</u>	<u>Scott Bardenwerper</u> <u>121 Patrick Ln</u>	<u>121 Patrick Ln</u>
<u>2</u> <u>041001</u>	<u>Matthew Filbeck</u> <u>427 Bay Laurel Dr</u>	<u>427 Bay Laurel Dr</u>
<u>3</u> <u>041045</u>	<u>Jay + Kim Westmoreland</u> <u>183 Patrick Ln</u>	<u>183 Patrick Ln</u>
<u>4</u> <u>042B022</u>	<u>Mary Wiggins</u> <u>262 Patrick Ln</u>	<u>262 Patrick Ln</u>
<u>5</u>	_____	_____
<u>6</u>	_____	_____
<u>7</u>	_____	_____

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: *Jay Westmoreland*

Date: *9/8/23*

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

Revision ~~1.10.2023~~ ~~4.3.2023~~ 5.23.2023

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:

Jay Westmoreland

Date:

9/8/23

**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:

Jay Westmoreland

Date:

9/8/23

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), Jay Westmoreland, 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): <u>Jay + Kim Westmoreland</u>	
Mailing Address: <u>PO Box 387</u> <u>Cleveland Ga</u>	
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): <u>Mark Bardenwerper</u> <u>Scott Bardenwerper</u>	
Signature of Owner(s):	Date Signed:
<u>Jay Westmoreland</u>	<u>9-8-23</u>

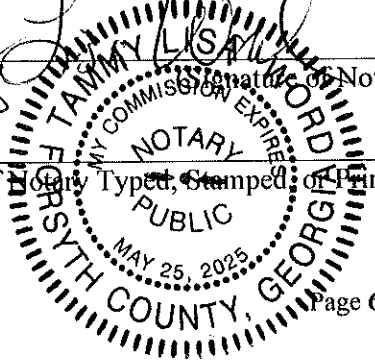
PROPERTY OWNER AUTHORIZATION DOCUMENT: NOTARY ACKNOWLEDGEMENT

Sworn to (or affirmed) and subscribed before me this 8th day of September, 20 23 by Jay and Kim Westmoreland (name of signer(s)). The named signer(s) is/are personally known by me or produced the identification type of Drivers License.

{Seal}

Jay Westmoreland (Signature of Notary)

(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), Jay Westmoreland,
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): Jay Westmoreland

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): Jay Westmoreland

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): Jay Westmoreland

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): Jay Westmoreland

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.

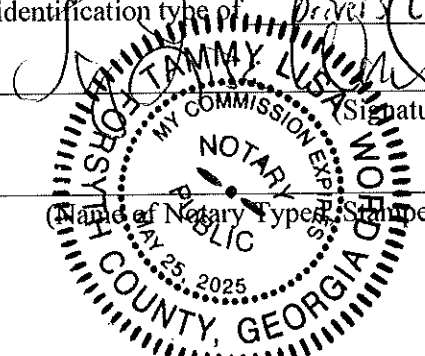
Signature of Owner/Future Owner(s): Jay Westmoreland

SHORT TERM RENTAL CERTIFICATIONS DOCUMENT: NOTARY ACKNOWLEDGEMENT

Sworn to (or affirmed) and subscribed before me this 8th day of September, 2023 by
Jay and Kim Westmoreland (name of signer(s)). The
named signer(s) is/are personally known by me or produced the identification type of Driver's License.

{Seal}

(Signature of Notary)

(Name of Notary Typed, Stamped, or Printed)


APPLICANT ACKNOWLEDGEMENT OF MEETING DATES

I, Jay + Kim Westmoreland (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): 10/30/2023

Regular Meeting Date (Planning Commission): 11/6/2023

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

Board of Commissioners Meeting Date: 11/27/2023

**Meeting dates are subject to change*

Kim Westmoreland
Signature of Applicant or Authorized Agent

9-13-23
Date

<u>OFFICE USE ONLY</u>
Copy given to applicant: <u>9/13/23</u> (date)
Staff Initials: <u>MP</u>
Flag (circle): <u>Y</u> N

WITHDRAWAL
<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:

09/13/2023

To Whom It May Concern:

This is a letter of intent for providing short-term rental via VRBO for my home @ 183 Patrick Lane, Helen GA. and to obtain a conditional use permit for short-term rental.

This home serves maximum guests of 8 per night as noted on the VRBO website.

Directions to the home:

Head north on GA-75N toward Hulsey Rd. Turn left onto Asbestos Rd. Turn right onto GA-75ALT S. Turn left onto Poplar Stump Rd. Continue onto Chattahoochee River Rd/Myra Branch Rd. Slight left onto Myra Branch Rd. Turn right onto Patrick Lane. Home is second on the left.

Sincerely, 
Jay & Kim Westmoreland



Public Health
Prevent. Promote. Protect.

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

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

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

DATE: 09/12/2023

APPLICANT NAME: KIM WESTMORELAND

PROPERTY ADDRESS: 183 PATRICK LN
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:

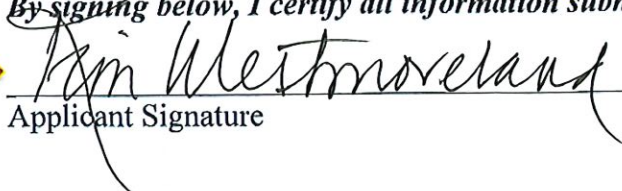
- that the permit on file is the correct permit for the property in question;
- that there is no evidence of system failure;
- that the septic system is appropriately sized for the current and proposed use;
- that there is adequate repair after the proposed addition;
- that there are no conditions that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

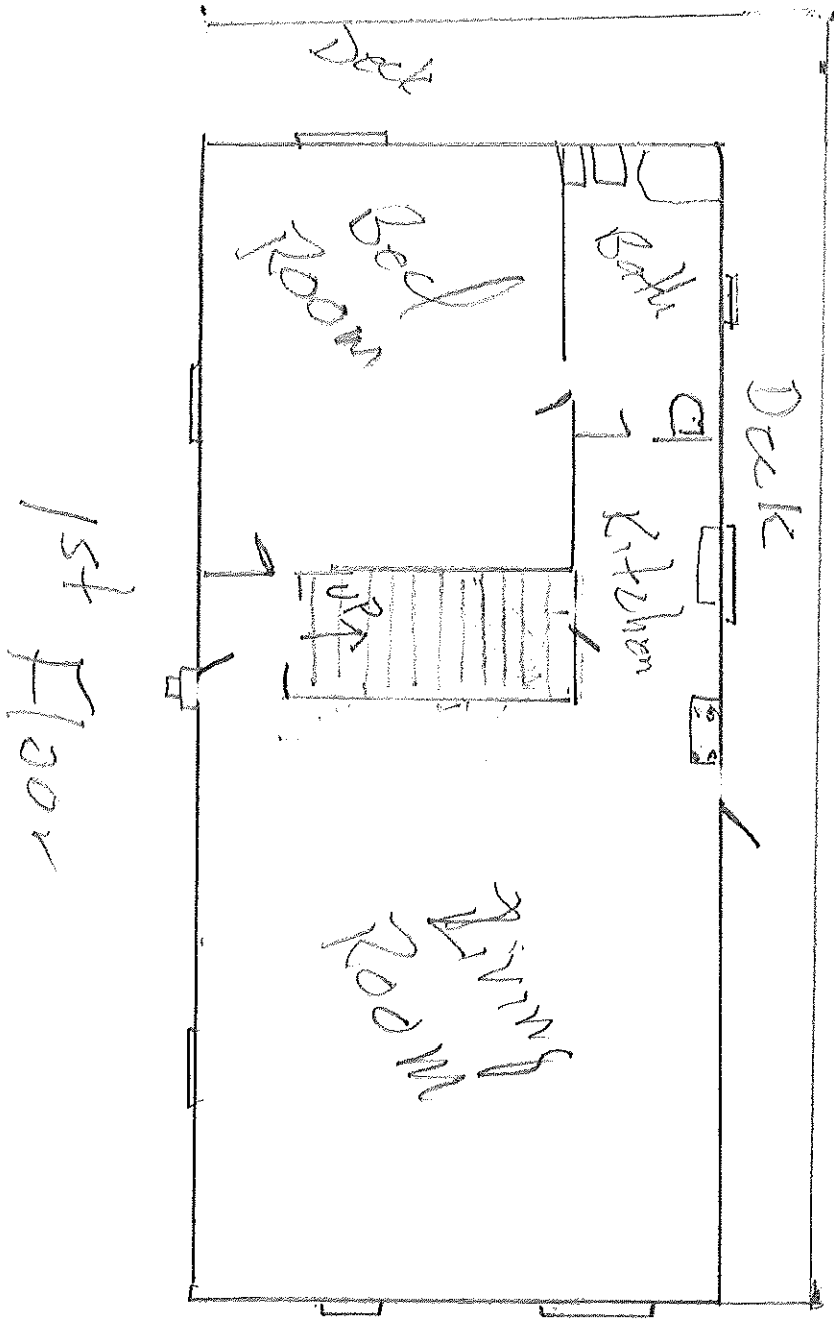
Please note that this is NOT an all-inclusive list. Based upon the information submitted and/or the outcome of the evaluation, it may be determined that a septic system needs additional capacity or upgrade. If so, the appropriate permit will need to be obtained and the work completed before an approval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

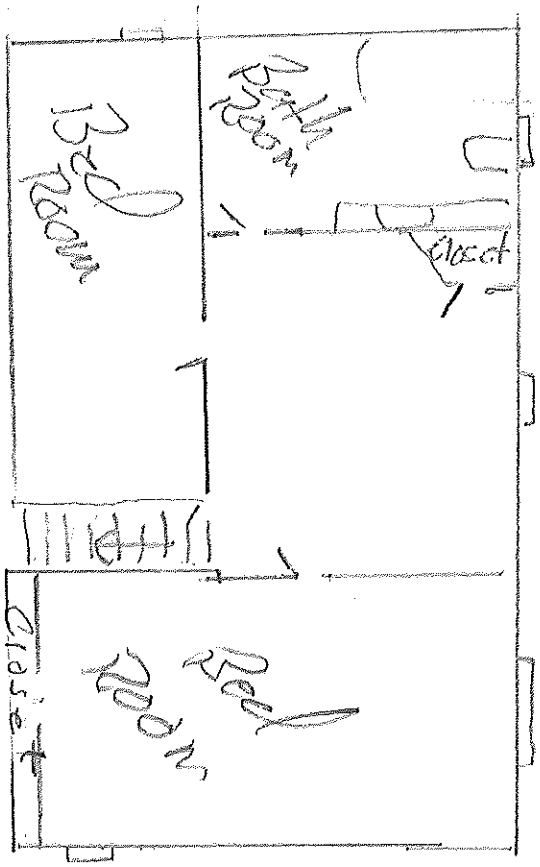
White County Environmental Health
District 2 Public Health

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

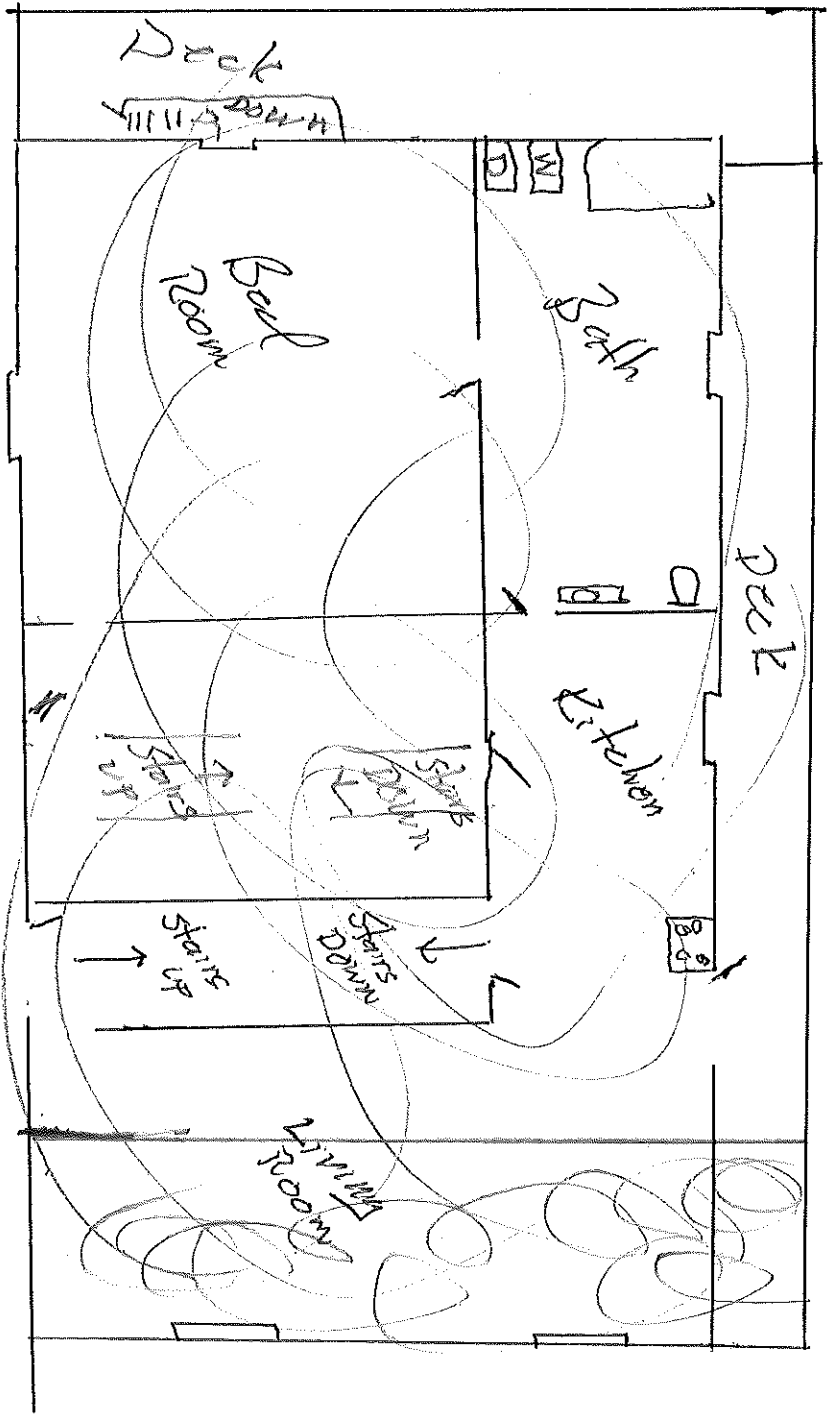

 Applicant Signature

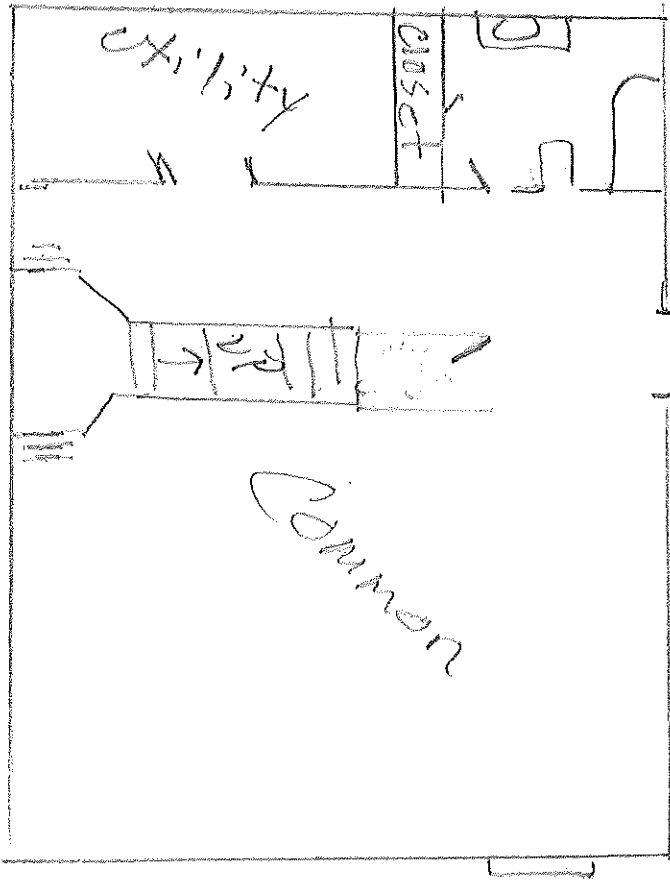


1st Floor



2nd Floor





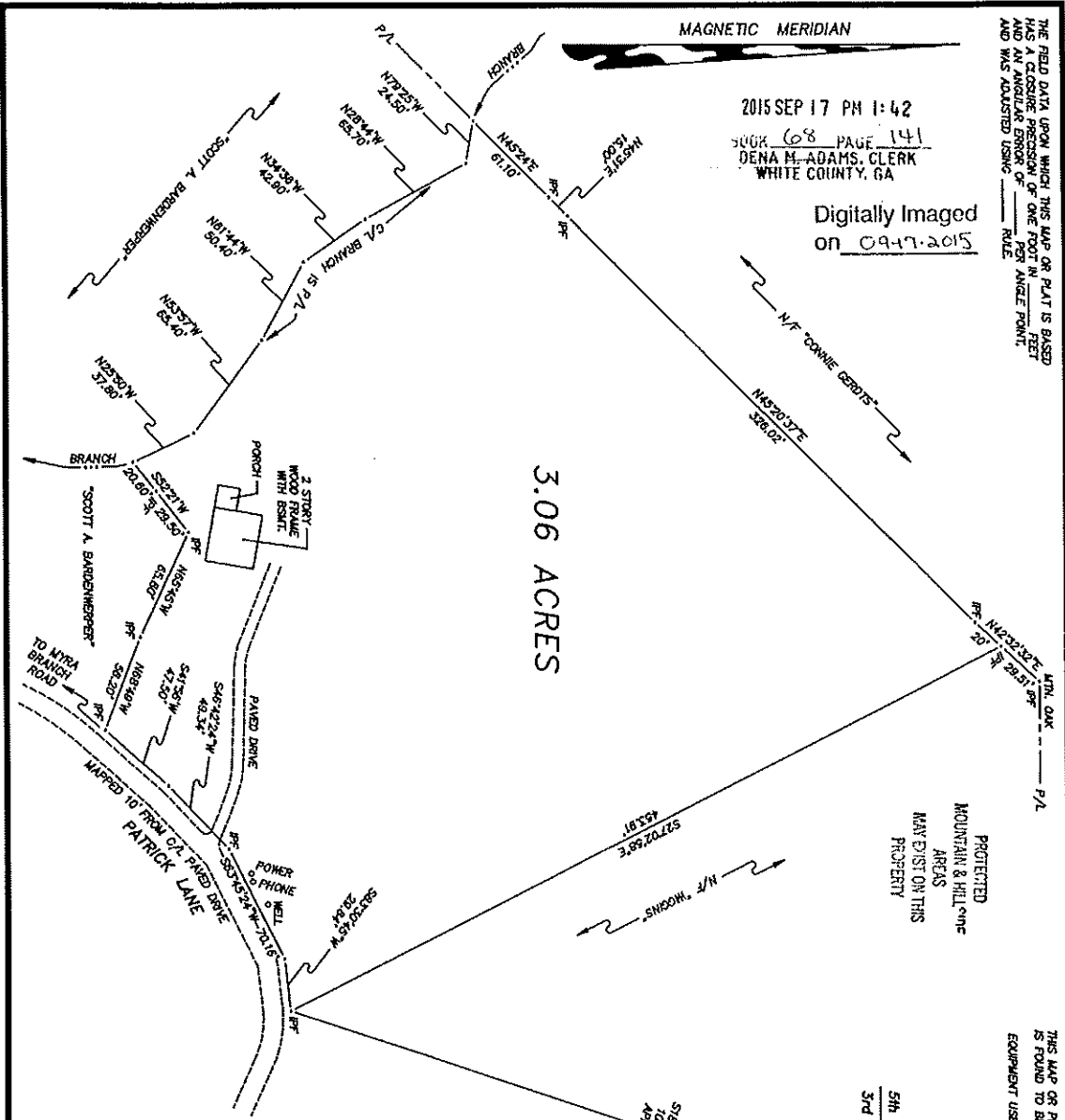
Basement

THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSE APPROXIMATION OF ONE FOOT PER INCH POINT AND WAS ADJUSTED USING THE FOLLOWING RULE:

2015 SEP 17 PM 1:42
 BOOK 68 PAGE 141
 DENA M. ADAMS, CLERK
 WHITE COUNTY, GA

Digitally Imaged
 on 09-17-2015

MAGNETIC MERIDIAN



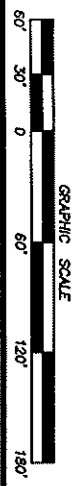
3.06 ACRES

PROTECTED MOUNTAIN & HILLS AREAS MAY EXIST ON THIS PROPERTY

5th DISTRICT PF L.L.12
 3rd DISTRICT ROOFS L.L.4

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN FEET. EQUIPMENT USED - TOPCON GTS-28 TOTAL STATION

MAP PREPARED FOR
SCOTT A. BARDENWERPPER
 LAND LOT 4 — 3rd DISTRICT
 WHITE COUNTY, GEORGIA
 DATE: 09-01-2015 — SCALE: 1" = 60'



THIS PROPERTY IS NOT IN A DESIGNATED FLOOD HAZARD AREA

WHITE COUNTY
 ENGINEERING
 DEPARTMENT
 THIS POINT
 IS BEING
 SAVED
 DATE: 9/17/15

EDDIE HOOD & ASSOCIATES
 8 COURTHOUSE SQUARE
 CLEVELAND, GA 30528
 PHONE: (706) 865-3576
 FAX: (706) 865-7303

JOB NO. 15-061

9-1-15



OFFICIAL TAX RECEIPT

White County Tax Commissioner

Cindy Cannon

P. O. Box 970

Cleveland GA 30528

Phone 17068652225 - Fax 17062190078

Email: wctc@whitecounty.net

OWNER

WESTMORELAND JAYWESTMORELAND KIM

PO BOX 387

CLEVELAND, GA 30528-0007

PAID DATE		11/9/2022	
RECEIPT PRINTED		9/13/2023 10:14:47 AM	
CASH AMOUNT	CHECK AMOUNT	CHARGE AMOUNT	CHECK NUMBER(s) CHARGE APPROVAL CODE
\$0.00	\$1,806.01	\$0.00	2020
REFUND AMOUNT		\$0.00	
OVERPAY AMOUNT		\$0.00	
CHANGE AMOUNT		\$0.00	
REGISTER		7	
CASHIER			
TOTAL PAID		\$1,806.01	

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	
2022-18548 FMV: 190290.00 041 044	LL 4 LD 3 PLAT IN DB1593 382 183 PATRICK LN DISTRICT: 001 SERIAL NUMBER: DECAL NUMBER: 0	11/15/2022 \$1,806.01	\$0.00 \$0.00 \$0.00	\$0.00	\$1,806.01	\$1,806.01	\$0.00	
Paid By: WESTMORELAND JAY P CRAIG RENTAL ACCOUNT		Overpayment Amount: 0.00						
Check Number: 2020								
Transaction(s): 13761 - 13761		Total(s):	\$1,806.01	\$0.00	\$0.00	\$1,806.01	\$1,806.01	\$0.00



Map data ©2023 Google 200 ft



LETTER REQUEST FOR APPROVAL OF SHORT TERM RENTAL

Hello,

My name is Jay Westmoreland. I am requesting a conditional use permit for Short Term Rental for the following property:

Address: 183 Patrick Ln Helen

Parcel ID: 041044

Per White County Code of Ordinances Appendix C/Article VII/Section 702, I am required to have a signed majority of the homeowners in the subdivision for me to apply for this conditional use. Please complete the form below indicating that you approve of a conditional use for Short Term Rental at my property above.

I, _____ (printed name), approve of short term rental at the property referenced above. My information is provided below.

I own the following properties in this subdivision:

Lot #	Parcel ID	Address or Street name if no address
	041044	183 Patrick Lane

Phone Number: _____

Email Address: _____

Signature: _____

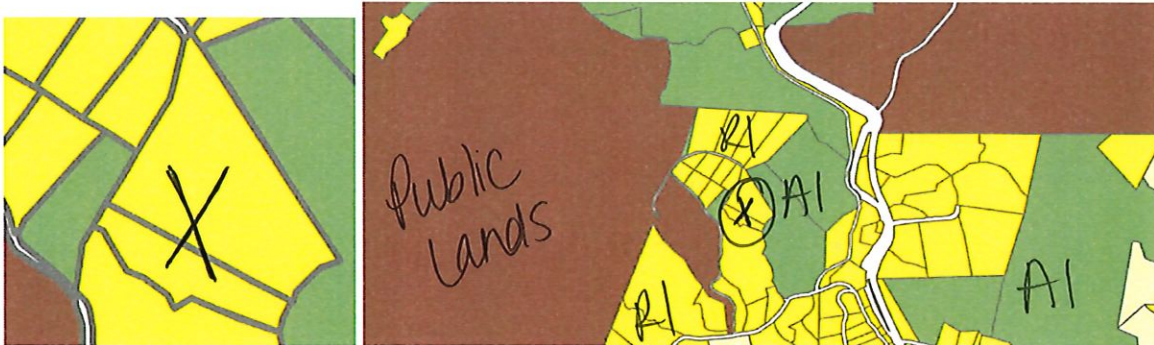
Date Signed: _____

**WHITE COUNTY PLANNING DEPARTMENT
STAFF COMMENT**

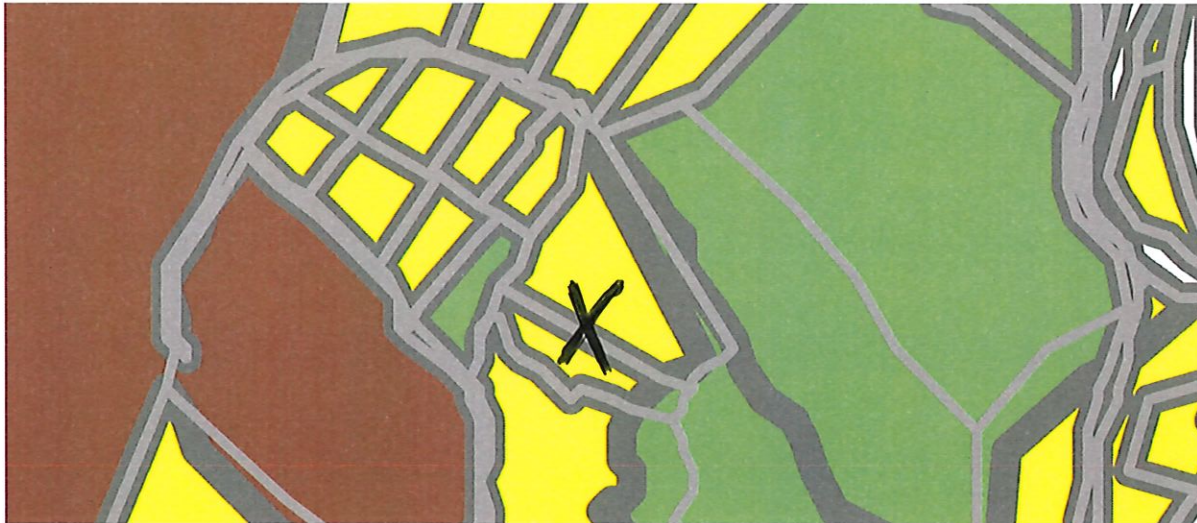
JAY WESTMORELAND

- PROPERTY IS LOCATED AT 183 PATRICK LN 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, AND WEST R-1 RESIDENTIAL SINGLE-FAMILY DISTRICT; TO THE EAST AND WEST A-1 AGRICULTURE FORESTRY DISTRICT.
- THE WHITE COUNTY COMPREHENSIVE PLAN FUTURE LAND USE MAP INDICATES SINGLE FAMILY RESIDENTIAL.
- TOTAL ACREAGE IS 3.01.
- PROPERTY SUPPLIED BY WELL AND SEPTIC.

EXISTING LAND USE



FUTURE LAND USE



Financial Reporting

[Payout summary](#) [Bank deposits](#) [Stay tax](#) [Pending transactions](#)

This list is a summary of all stay taxes that are required in your jurisdictions. Expand a row to view the amounts by property and booking, or download a complete report.



[Download](#) 

Start
1/1/2021 → End
10/31/2023

Includes
Stays within this date range



Refresh

Jurisdiction name	Jurisdiction level	Tax type	Taxes Vrbo paid	Taxes you pay
GEORGIA	STATE	General Sales and Use Tax	\$2,805.00	\$0.00 
GEORGIA	STATE	Hotel Daily Fee	\$1,030.00	\$0.00 
WHITE	COUNTY	Accommodations Tax	\$3,819.60	\$0.00 
WHITE	COUNTY	General Sales and Use Tax	\$2,103.75	\$0.00 

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

have anything to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on November 6th.

Application of Paula Lembo and Loretta Martin to redistrict property located at 2227 Highway 17, Sautee Nacoochee, Georgia, 30571 from C-1 Community Commercial District to R-1 Residential Single Family District and to request a conditional use permit. Tax map and parcel 071-070. Total acreage is 0.93. Proposed use is to place in “Short Term Rental” program. Present zoning is C-1 Community Commercial District.

The applicant, Paula Lembo of 1421 Yonah Lake Road in Clarkesville, GA, was present. Mr. Barton gave a summary of the application. She explained the proposed short-term rental would have a maximum occupancy of ten with the same six parking for six vehicles. Ms. Lembo explained that her sister visits Sautee Nacoochee often so part of the desire is short-term rental but to maintain as a separate residence for her sister, as well as family gatherings. Currently, she said the home is vacant and last use was to house her sister’s children or for friends to stay when they visit. She explained that they do not plan to rent both residences at the same time.

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. Ms. Lembo did not have anything to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on November 6th.

Application of Jay Westmoreland to request a conditional use permit located at 183 Patrick Lane, Helen, Georgia, 30545. Tax map and parcel 041-044. Total acreage is 3.01. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

Ms. Burke recused from the public hearing due to being family.

A representative, Kim Westmoreland of 1151 Helen Highway in Cleveland, was present. Mr. Barton gave a summary of the application. Ms. Westmoreland explained short-term rental has a maximum occupancy of six with parking for two to three vehicles. She said she is the local contact and there are no close neighbors. She stated the property has been on VRBO the last few years and she filed proof of taxes today for the application.

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. Ms. Westmoreland did not have anything to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on November 6th.

Application of Georgianna “Emma” Stoica to request a special use permit located at 4564 Highway 255 South, Cleveland, Georgia, 30528. Tax map and parcel 074-130. Total acreage is 5.29. Proposed use is for a personal care home/ group home. Present zoning is A-1 Agriculture Forestry District.

The applicant, Emma Stoica of 4564 Highway 255 South, was present. Mr. Barton gave a summary of the application. Ms. Stoica explained the proposed use is a group home for elderly people that will link personal care with hospice. She said she is licensed by the Department of Community Health and is currently remodeling the home. Ms. Stoica detailed her experience with group homes and possibility of expanding to multiple homes eventually. Currently, she said she lives in the home with her children but

WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

0.93. Proposed use is to place in “Short Term Rental” program. Present zoning is C-1 Community Commercial District.

The applicant, Paula Lembo of 1421 Yonah Lake Road in Clarkesville, GA, was present. Mr. Barton gave a summary of the application. Ms. Lembo explained this home will not be short-term rental currently since her mother-in-law lives there, but does have the intention for it to be a rental.

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 applicant of the next meeting on November 27th at 4:30pm.

Application of Paula Lembo and Loretta Martin to redistrict property located at 2227 Highway 17, Sautee Nacoochee, Georgia, 30571 from C-1 Community Commercial District to R-1 Residential Single Family District and to request a conditional use permit. Tax map and parcel 071-070. Total acreage is 0.93. Proposed use is to place in “Short Term Rental” program. Present zoning is C-1 Community Commercial District.

The applicant, Paula Lembo of 1421 Yonah Lake Road in Clarkesville, GA, was present. Mr. Barton gave a summary of the application. Ms. Lembo explained this would be a short-term rental, but also her family’s second home so it will not be rented all of the time.

Motion to recommend approval to the Board of Commissioners made by Ms. Dixon and seconded by Mr. Ackerman. Motion was unanimous. Mr. Barton advised the applicant of the next meeting on November 27th at 4:30pm.

Application of Jay Westmoreland to request a conditional use permit located at 183 Patrick Lane, Helen, Georgia, 30545. Tax map and parcel 041-044. Total acreage is 3.01. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

A representative, Kim Westmoreland 1151 Helen Highway in Cleveland, was present. Mr. Barton gave a summary of the application. Ms. Westmoreland had nothing to add.

Ms. Burke abstained due to being family.

Motion to recommend approval to the Board of Commissioners made by Ms. Dixon and seconded by Mr. Ash. Motion was unanimous, with Ms. Burke abstained. Mr. Barton advised the applicant of the next meeting on November 27th at 4:30pm.

Application of Georgianna “Emma” Stoica to request a special use permit located at 4564 Highway 255 South, Cleveland, Georgia, 30528. Tax map and parcel 074-130. Total acreage is 5.29. Proposed use is for a personal care home/ group home. Present zoning is A-1 Agriculture Forestry District.

The applicant, Emma Stoica of 4564 Highway 255 South in Cleveland, GA, was present. Mr. Barton gave a summary of the application. Ms. Stoica said there was a question about not having a sign at the public hearing last week, but the state requires her to have something out for doctors, hospice, hospitals, etc. to see. She said it does not have to be a large sign.



WHITE COUNTY

Board of Commissioners

Item Title: Special Use Permit for Personal Care Home for Emma Stoica, 4564 Hwy 255, Cleveland

For Meeting Date: 11/27/2023

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. 20315
2. Public Hearing Minutes 10/31/2023
3. Regular Meeting Minutes 11/6/2023

Purpose:

Consider the application of Georgianna “Emma” Stoica to request a special use permit located at 4564 Highway 255 South, Cleveland, Georgia, 30528. Tax map and parcel 074-130. Total acreage is 5.29. Proposed use is for a personal care home/ group home. Present zoning is A-1 Agriculture Forestry District..

Background / Summary:

- Applicant is requesting a special use permit in A-1 for a personal care home. Ms. Stoica explained that the proposed use is for a group home for elderly that will link personal care with Hospice. She will be licensed by the Georgia Department of Community Health and they will provide inspections of the property. She said she has experience in running this type of home and will be working with her daughter. She said the maximum capacity will be an overnight caregiver plus 6 residents. She has spoken to the neighbors and the only concern was ambulance traffic but once she explained that most residents will be on Hospice and would not be subject to emergency transport. She said she will work primarily with one Hospice company. Stephanie Dubose, the director of Willowbrook Hospice, said she has been in Hospice Care for 15 years and will be working with Ms. Stoica. She said they will have access to doctors and a 24-7 RN case manager through their network. The only opposition was Erik Bentley of 4320 Highway 225 who requested that the zoning stay A-1 if there is an ownership change and he also would not want a large sign on the property. He does support the home. Ms. Stoica said she is required by the state to have a sign but will make it as small as possible. The Planning Commission recommended approval 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

OFFICE USE ONLY	Land Use Application #: <u>20315</u>
Public Hearing Date: <u>10/31/23</u>	Commission District: <u>4</u>
Fees Assessed: <u>\$250</u>	Paid via: <input type="checkbox"/> cash <input checked="" type="checkbox"/> credit card <input type="checkbox"/> check# _____

APPLICANT INFORMATION	
Status: <input type="checkbox"/> Owner <input type="checkbox"/> Authorized Agent <input type="checkbox"/> Lessee <input type="checkbox"/> Option to Purchase	
Printed Name(s): <u>GEORGIA NNA = EMMA" STOICA</u>	
Address: <u>4564 Hwy 255 S, Cleveland, GA 30528</u>	
Phone Number: [REDACTED]	Alternate Contact Number: _____
Email: [REDACTED]	

Owner Information (if different from Applicant/Agent):

Name: <u>(SAME)</u>	Phone #: _____
---------------------	----------------

PROPERTY INFORMATION	
Parcel ID: <u>074130</u>	Total acreage being changed: <u>5.29</u> (1 acre around the property/house)
Address: <u>4564 Hwy 255 S, Cleveland, GA 30528</u>	
Directions to Property: <u>From the square in Cleveland, make a right onto E Kyle St, turn left onto SR-255 in 2.7 miles and then property is on the right in 4.6 miles. (4564)</u>	

Current Use/Zoning of Property: <u>A1</u>	Type of Road Surface: _____
Any prior redistricting requests for property: <input type="checkbox"/> If yes, provide redistricting application #: _____	

SURROUNDING PROPERTY LAND USE CLASSIFICATION:

North: <u>R1</u>	South: <u>A1</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 type="checkbox"/>	Conditional Use - specify: _____	
<input checked="" type="checkbox"/>	Special Use - specify: <u>Personal Care Home / Group Home</u>	
<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): (same)
 County or City Water Well Septic Gas Electric Broadband

COMMERCIAL AND INDUSTRIAL REDISTRICK INFORMATION

Building Area: _____ No. of Parking Spaces: _____

RESIDENTIAL REDISTRICK INFORMATION

No. of Lots: 1 Minimum Lot Size in acres: _____ No. of Units: _____

Minimum Heated Floor Area (ft²): 2,044 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	<u>087060 Garrison Baker</u>	<u>4591 Hwy 255 S, Cleveland, GA 30528</u>
2	<u>087016 Katie McCollum</u>	<u>4591 Hwy 255 S, Cleveland, GA 30528</u>
3	<u>087019A Garnett A McCollum</u>	<u>0 Hwy 255 S, Cleveland, GA 30528</u>
4	<u>014133 Michael D. Shook</u>	<u>86 Blackberry lane, Cleveland GA 30528</u>
5	<u>014131 Elizabeth Doyle</u>	<u>4320 Hwy 255 S, Cleveland GA 30528</u>
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:

08/28/2023

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

Revision 1.10.2023 4.3.2023 5.23.2023

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), GEORGIANNA STOICA, 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):	<u>GEORGIANNA STOICA</u>
Mailing Address:	<u>4564 Hwy 255 South,</u>
	<u>Cleveland, GA 30528</u>
Phone Number:	[REDACTED]
Alternate Contact Number:	
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:
<u>[Signature]</u>	<u>09/13/23</u>

PROPERTY OWNER AUTHORIZATION DOCUMENT: NOTARY ACKNOWLEDGEMENT

Sworn to (or affirmed) and subscribed before me this 13 day of September, 2023 by Georgianna Stoica (name of signer(s)). The named signer(s) is/are personally known by me or produced the identification type of Driver's License (05339620)

{Seal}

[Signature]
(Signature of Notary)



Telaka Thomas
(Name of Notary Typed, Stamped, or Printed)

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:

08/28/2003

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.**

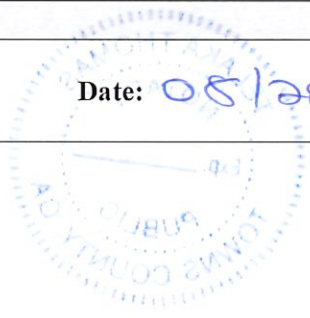
Check box if no contributions made

Applicant Signature:



Date:

08/28/2003



SHORT TERM RENTAL CERTIFICATIONS

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

I/WE (print), _____,
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):

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):

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):

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):

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):

SHORT TERM RENTAL CERTIFICATIONS DOCUMENT: NOTARY ACKNOWLEDGEMENT

Sworn to (or affirmed) and subscribed before me this _____ day of _____, 20____ by _____ (name of signer(s)). The named signer(s) is/are personally known by me or produced the identification type of _____.

{Seal}

(Signature of Notary)

(Name of Notary Typed, Stamped, or Printed)

APPLICANT ACKNOWLEDGEMENT OF MEETING DATES

I, GEORGIANNA STOICA (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): 10/30/2023

Regular Meeting Date (Planning Commission): 11/6/2023

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

Board of Commissioners Meeting Date: 11/27/2023

**Meeting dates are subject to change*


Signature of Applicant or Authorized Agent

09/13/23
Date

<u>OFFICE USE ONLY</u>
Copy given to applicant: <u>9/13/2023</u> (date)
Staff Initials: <u>WS</u>
Flag (circle): <input checked="" type="radio"/> Y <input type="radio"/> N

WITHDRAWAL
<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: _____

My name is Emma and I have been in the Personal Care Home Business in over 20 years. I have a great passion to help elderly people receive care in my home and have them enjoy a "homelike" environment rather than the huge institutional style facilities.

I have owned multiple care homes from which the last one I had in Guinnett County that I sold this year in June. I sold it because it was getting harder and more stressful to be able to manage it from a 2 hour driving distance. I have been in Cleveland for 8 years now.

Since I had some family situation (health wise - where my husband had 6 months or less to live, I had to put my mind and sell it urgently and deal with him at home) meanwhile, he is doing better and I believe a miracle has happened and he might be able to live longer.

With this said, I have been really hurt that I had to sell my personal care home in Guinnett County after having it for 18 years. @

My intent with my property now in Cleveland is to turn it into a small personal care home for the elderly where it would be run by me and my daughter Ariana only. Very family oriented business. I had 1-2 residents live with us in the past years here already as I had no vacancies at the Guinnett home.

This is a passion I have had for 20 years is to care for elderly people and give them good care, food and a home.

I have already set up a LLC and other licenses I need, but before getting the state license I need the zoning to be approved as well. I understand my property is a A1 for the pasture which is 4 acres, but I

Can get a variance for the space around the house itself. I also understand it would be good only for myself and family while we own it, I can not sell it as a personal care home. My daughter Ariana Nicole is not on the deed but she will be working side by side with me and own the business position with me.

The home will be state licensed for 5-6 residents only. The home will have all requirements done to hold this license. Besides, my daughter and I we will probably have 1 nurse once a week come visit the residents and maybe if they need physical therapist 1 a week or a hospice CNA/RN care when ever they are needed only. Also, families diet care more than 1-2 times a week and that would more than likely be on the weekends.

We are adding a random about driveway for visitors to come in and out easily and not interfere with traffic.

I am very excited for this and (4) have already been to some of my neighbors telling them of my plans. I was encouraged by some and had no opposites as they know I have experience in this business and that it would be runned more as a family business only,

Thankyou so much for your time and can't wait to meet everyone else there at the county / commissioner office.

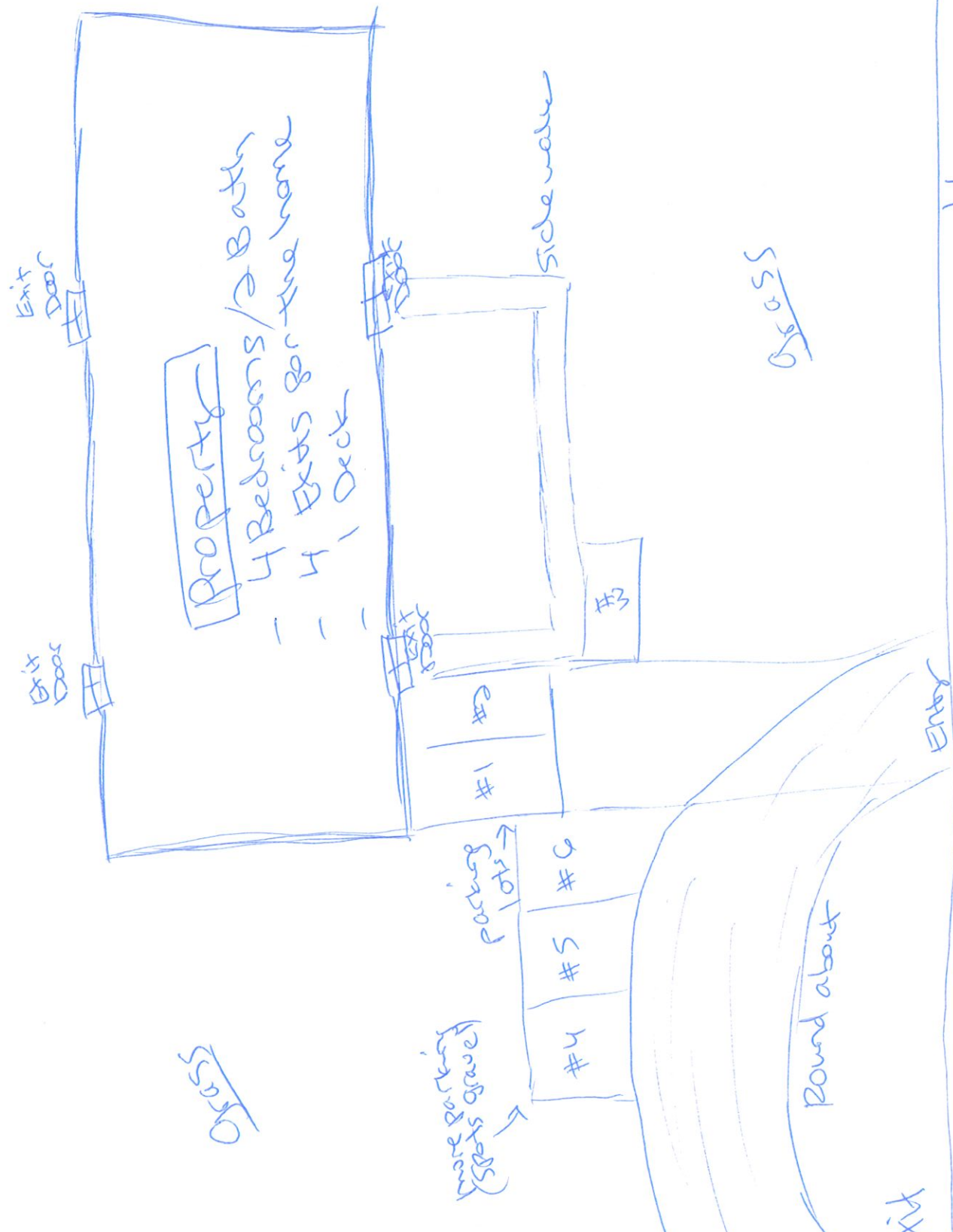
I am also a local Realtor with Better Homes and Gardens Real Estate metro brokers and I have been encouraged and have great support from my fello Realtors seeing that there is such a great need for what I am doing.

Thankyou and see you all soon!

Georgianna "Emma" Stoica



4564 Hwy 255 South, Cleveland, GA 303
(Sunrise Personal Care Home, LLC)



555 Hwy

- ① 56 Residents (live in)
- (receiving room, board + care)
- ② Visitors from health professionals
- 1-2 per week
- ③ Family visitations (more likely on the weekend)
- Sunday / Saturday
- ④ parking (6 spaces)
- 3 on cement and 3 on gravel
- ⑤ Building a round about for easy access in and out of the property.

⑥



Public Health
Prevent. Promote. Protect.

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

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: 09/13/2023

APPLICANT NAME: Georgianna Stoica

PROPERTY ADDRESS: 4564 HWY 255 S
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

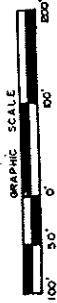
By signing below, I certify all information submitted is accurate and true to the best of my knowledge.



Applicant Signature

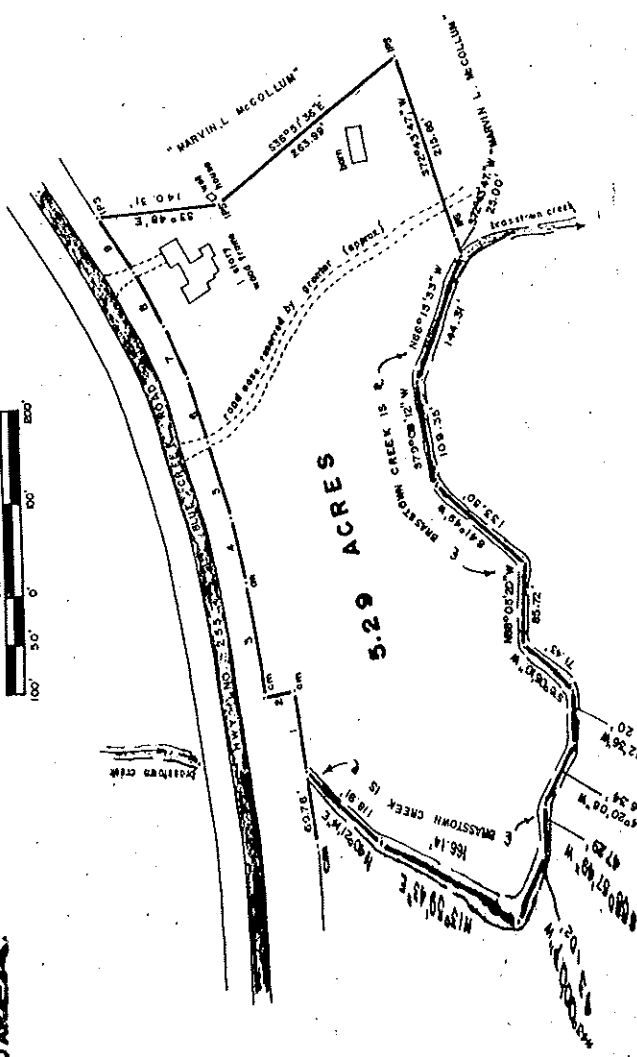
TO WHOM IT MAY CONCERN
THIS PROPERTY IS NOT IN A
FLOOD HAZARD AREA.

EQUIPMENT USED
TOPCON GTS-28 TOTAL STATION



CALLS ALONG R/W HWY. NO. 285

1. N60°28'E - 80.00'
2. N60°20'W - 35.18'
3. N60°20'W - 115.80'
4. N70°23'E - 72.42'
5. N70°21'E - 87.86'
6. N72°42'E - 87.78'
7. N60°15'E - 61.23'
8. N60°51'30"E - 64.46'
9. N62°42'E - 74.89'



MAGNETIC MERIDIAN

GEORGIA, White County
 Registered Professional Surveyor
 No. 285
 State of Georgia
 Clerk

MAP PREPARED FOR
MARVIN CECIL McCOLLUM
 LAND LOT 180 3rd DISTRICT
 WHITE COUNTY GEORGIA
 DATE - 7-1-87 SCALE - 1"=100'





OFFICIAL TAX RECEIPT

White County Tax Commissioner

Cindy Cannon

P. O. Box 970

Cleveland GA 30528

Phone 17068652225 - Fax 17062190078

Email: wctc@whitecounty.net

OWNER

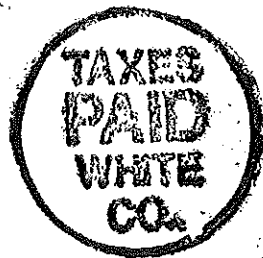
STOICA GEORGIANNA HERA

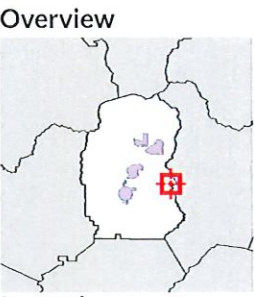
PO BOX 337

CLEVELAND. GA 30528

PAID DATE			10/31/2022
RECEIPT PRINTED			9/13/2023 9:38:14 AM
CASH AMOUNT	CHECK AMOUNT	CHARGE AMOUNT	CHECK NUMBER(s) CHARGE APPROVAL CODE
\$0.00	\$929.74	\$0.00	4738512514
REFUND AMOUNT			\$0.00
OVERPAY AMOUNT			\$0.00
CHANGE AMOUNT			\$0.00
REGISTER			9
CASHIER			
TOTAL PAID			\$929.74

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	
2022-16560 FMV: 172400.00 074 130	LL 180 LD3 4564 HWY 255 S DISTRICT: 001 SERIAL NUMBER: DECAL NUMBER: 0	11/15/2022 \$929.74	\$0.00 \$0.00 \$0.00	\$0.00	\$929.74	\$929.74	\$0.00	
Paid By: WELLS FARGO \$585,556.35 & \$121,754.88					Overpayment Amount: 0.00			
Check Number: 4738512514								
Transaction(s): 803 - 803		Total(s):	\$929.74	\$0.00	\$0.00	\$929.74	\$929.74	\$0.00





- Legend**
- Roads
 - Railroads
 - Lakes
 - Streams and Rivers
 - City Labels

Parcel ID	074 130	Alternate ID	5178608	Owner Address	STOICA GEORGIANNA HERA
Sec/Twp/Rng	n/a	Class	V		PO BOX 337
Property Address	4564 HWY 255 S	Acreage	5.29		cLEVELAND GA 30528
	01				
District	01				
Brief Tax Description	LL 180 LD3				

(Note: Not to be used on legal documents)

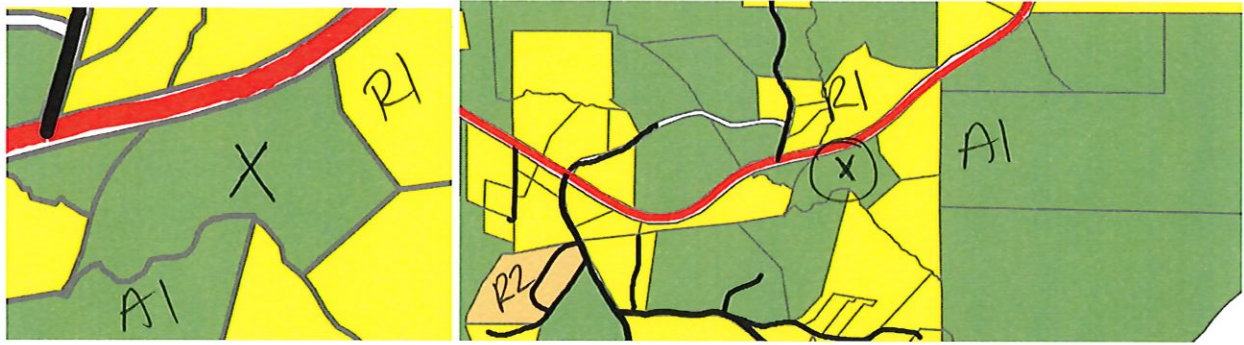
Date created: 9/13/2023
Last Data Uploaded: 9/13/2023 5:29:20 AM

**WHITE COUNTY PLANNING DEPARTMENT
STAFF COMMENT**

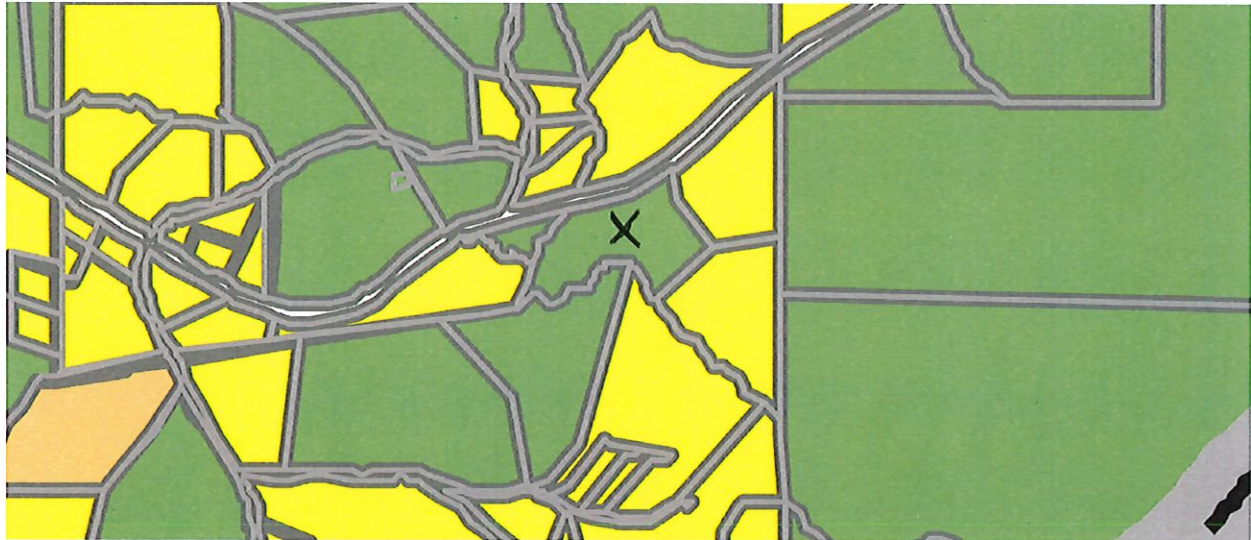
GEORGIANNA “EMMA” STOICA

- PROPERTY IS LOCATED AT 4564 HIGHWAY 255 S IN CLEVELAND. IT IS IN THE A-1 AGRICULTURE FORESTRY DISTRICT AND WILL REQUIRE A SPECIAL USE PERMIT FROM THE WHITE COUNTY BOARD OF COMMISSIONERS FOR PERSONAL CARE HOME/GROUP HOME.
- PROPERTY ADJOINS TO THE NORTH C-1 COMMUNITY COMMERCIAL DISTRICT; TO THE SOUTH, EAST, AND WEST A-1 AGRICULTURE FORESTRY DISTRICT.
- THE WHITE COUNTY COMPREHENSIVE PLAN FUTURE LAND USE MAP INDICATES COMMUNITY COMMERCIAL.
- TOTAL ACREAGE IS 5.29.
- PROPERTY SUPPLIED BY WELL AND SEPTIC.

EXISTING LAND USE



FUTURE LAND USE



WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

have anything to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on November 6th.

Application of Paula Lembo and Loretta Martin to redistrict property located at 2227 Highway 17, Sautee Nacoochee, Georgia, 30571 from C-1 Community Commercial District to R-1 Residential Single Family District and to request a conditional use permit. Tax map and parcel 071-070. Total acreage is 0.93. Proposed use is to place in “Short Term Rental” program. Present zoning is C-1 Community Commercial District.

The applicant, Paula Lembo of 1421 Yonah Lake Road in Clarkesville, GA, was present. Mr. Barton gave a summary of the application. She explained the proposed short-term rental would have a maximum occupancy of ten with the same six parking for six vehicles. Ms. Lembo explained that her sister visits Sautee Nacoochee often so part of the desire is short-term rental but to maintain as a separate residence for her sister, as well as family gatherings. Currently, she said the home is vacant and last use was to house her sister’s children or for friends to stay when they visit. She explained that they do not plan to rent both residences at the same time.

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. Ms. Lembo did not have anything to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on November 6th.

Application of Jay Westmoreland to request a conditional use permit located at 183 Patrick Lane, Helen, Georgia, 30545. Tax map and parcel 041-044. Total acreage is 3.01. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

Ms. Burke recused from the public hearing due to being family.

A representative, Kim Westmoreland of 1151 Helen Highway in Cleveland, was present. Mr. Barton gave a summary of the application. Ms. Westmoreland explained short-term rental has a maximum occupancy of six with parking for two to three vehicles. She said she is the local contact and there are no close neighbors. She stated the property has been on VRBO the last few years and she filed proof of taxes today for the application.

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. Ms. Westmoreland did not have anything to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on November 6th.

Application of Georgianna “Emma” Stoica to request a special use permit located at 4564 Highway 255 South, Cleveland, Georgia, 30528. Tax map and parcel 074-130. Total acreage is 5.29. Proposed use is for a personal care home/ group home. Present zoning is A-1 Agriculture Forestry District.

The applicant, Emma Stoica of 4564 Highway 255 South, was present. Mr. Barton gave a summary of the application. Ms. Stoica explained the proposed use is a group home for elderly people that will link personal care with hospice. She said she is licensed by the Department of Community Health and is currently remodeling the home. Ms. Stoica detailed her experience with group homes and possibility of expanding to multiple homes eventually. Currently, she said she lives in the home with her children but

**WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION**

they will move out once converted. She explained that she will be the main caregiver and manager, but will have a caregiver that lives there and the maximum overnight occupancy would be the caregiver plus six residents. She detailed the process required by the state and said she is given a specific timeframe to complete any additional items they have after inspection. She said she has spoken to the neighbors and they are spread out due to large acreages. However, she said the only question she got from the neighbors was about ambulances at the property, but she said the residents would be mostly hospice and would not go through emergency transport. She stated preference would be that she work with a singular hospice company.

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

Stephanie Dubose 27 Pebble Lane in Cleveland, director of Willowbrook Hospice, explained that she has been in hospice for fifteen years and works with Northeast Georgia Senior Services, which is a group of people willing to bring care homes and assisted living to surrounding counties. She said partnering with small care homes gives the opportunity to speak with care homes instead of calling 911 and will have access to doctors and an RN case manager twenty four seven. Ms. Dubois said they would help with daily activities and provide the opportunity for residents to stay local and not go to Atlanta or Gwinnett.

Erik Bentley of 4320 Highway 255 South requested that the zoning stay A-1 or residential if there is an ownership change and said the preference would be not to have a large sign since this is in a small community. He said he does vote for this as a neighbor and sees the need for it.

Chairman Thomas asked if anyone would like to speak against the application, there was no response.

Mr. Barton clarified that the application is to stay in A-1 with a conditional use permit, so the zoning would not change.

Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on November 6th.

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

WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

0.93. Proposed use is to place in “Short Term Rental” program. Present zoning is C-1 Community Commercial District.

The applicant, Paula Lembo of 1421 Yonah Lake Road in Clarkesville, GA, was present. Mr. Barton gave a summary of the application. Ms. Lembo explained this home will not be short-term rental currently since her mother-in-law lives there, but does have the intention for it to be a rental.

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 applicant of the next meeting on November 27th at 4:30pm.

Application of Paula Lembo and Loretta Martin to redistrict property located at 2227 Highway 17, Sautee Nacoochee, Georgia, 30571 from C-1 Community Commercial District to R-1 Residential Single Family District and to request a conditional use permit. Tax map and parcel 071-070. Total acreage is 0.93. Proposed use is to place in “Short Term Rental” program. Present zoning is C-1 Community Commercial District.

The applicant, Paula Lembo of 1421 Yonah Lake Road in Clarkesville, GA, was present. Mr. Barton gave a summary of the application. Ms. Lembo explained this would be a short-term rental, but also her family’s second home so it will not be rented all of the time.

Motion to recommend approval to the Board of Commissioners made by Ms. Dixon and seconded by Mr. Ackerman. Motion was unanimous. Mr. Barton advised the applicant of the next meeting on November 27th at 4:30pm.

Application of Jay Westmoreland to request a conditional use permit located at 183 Patrick Lane, Helen, Georgia, 30545. Tax map and parcel 041-044. Total acreage is 3.01. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

A representative, Kim Westmoreland 1151 Helen Highway in Cleveland, was present. Mr. Barton gave a summary of the application. Ms. Westmoreland had nothing to add.

Ms. Burke abstained due to being family.

Motion to recommend approval to the Board of Commissioners made by Ms. Dixon and seconded by Mr. Ash. Motion was unanimous, with Ms. Burke abstained. Mr. Barton advised the applicant of the next meeting on November 27th at 4:30pm.

Application of Georgianna “Emma” Stoica to request a special use permit located at 4564 Highway 255 South, Cleveland, Georgia, 30528. Tax map and parcel 074-130. Total acreage is 5.29. Proposed use is for a personal care home/ group home. Present zoning is A-1 Agriculture Forestry District.

The applicant, Emma Stoica of 4564 Highway 255 South in Cleveland, GA, was present. Mr. Barton gave a summary of the application. Ms. Stoica said there was a question about not having a sign at the public hearing last week, but the state requires her to have something out for doctors, hospice, hospitals, etc. to see. She said it does not have to be a large sign.

WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

Motion to recommend approval to the Board of Commissioners made by Mr. Ackerman and seconded by Ms. Dixon. Motion was unanimous. Mr. Barton advised the applicant of the next meeting on November 27th at 4:30pm.

There was no citizen comment. Motion to adjourn made by Ms. Dixon and seconded by Mr. Ackerman. Motion was unanimous.

DRAFT



WHITE COUNTY

Board of Commissioners

Item Title: Budget amendment for McCormick Solutions

For Meeting Date: 11/27/2023

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

Category (Select One): Other

Submitted By: Bryan Payne, Chief Appraiser for the Board of Assessors

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

1. McCormick Solutions Quote
2. _____
3. _____

Purpose:

To enter into a contract with McCormick Solutions for analysis of the CAMA data to improve the sales ratio with the Department of Audits and Accounts.

Background / Summary:

- In 2020, the Department of Audits and Accounts returned a ratio for White County which was not in compliance with the Department of Revenue guidelines. The Board of Assessors is given three years to correct the problem areas before the next review. 2023 is the Board of Assessors review year. Because the DOAA ratio methodology includes trending of sales and the in-house ratio studies performed by the Chief Appraiser do not include trending, the ratios differ greatly. McCormick Solutions has developed a program which will analyze the in-house data and adjust it accordingly so that the ratios are more similar in nature and methodology.

Department Recommendation:

The Board of Assessors voted at the November 8, 2023 regular meeting to ask the Board of Commissioners for funding to perform this data analysis in an effort to raise the ratio to a compliant level. If the ratio is still out of compliance for the review year a \$5/parcel penalty will be assessed against the County by the Department of Revenue.

Options:

-

Budget Information: Applicable Not Applicable

Budgeted: Yes No

Finance Director's Comments (if applicable):

-

County Manager Comments:

- This is one of two things that the Assessors are doing to try to get into compliance in the review year. The way I understand this is, this program will allow the department ratios to be consistent with the DOAA by allowing "trending" that is consistent with DOAA. The cost for this program is not re-occurring and will be beneficial in "normalizing" data in years to come.
- The assessors office is also looking to get some outside assistance to help catch up on the parcel assessments.
- It is anticipated that we can fund these items with a shift in other department expenses. However, it will be the fiscal year-end before we know if there is departmental excess resources to cover the total expenses. If there are insufficient funds at the fiscal year-end, then a budget amendment will be in order and funds can come from Contingency.

McCormick Solutions a division of LMC Inc



APPRAISALS | ANALYTICS

Proposal for Real Property
White County Georgia

Terry McCormick
10/25/2023

McCormick Solutions Inc., respectfully submits the following bid proposal for the analytics of data for BI Tek White County, Georgia.

Items of Submission:

The cost submitted for this request covers the following items:

- Power BI
 - Data from BI TEK the appraisal system for the county will be joined in Power BI in order for the county to use such data to assist in the setting of values in the mass appraisal process!.
 - Analytics will offer the following:
 - Ratio based on depreciation.
 - Ratios based in square feet.
 - Ratios based on construction types, qualities.
 - Increase decrease list
 - Assist the county with recommendations of time adjustments for compliance with 2024 residential DOAA ratio study.

Cost of Service

\$38,600

Company Information:

Along with references, McCormick Solutions a division of LMC, Inc. would like to submit information regarding the company and appraisal work performed in Georgia.

Additional Company Information:

Company Name	LMC, Inc.
Principle Owners	Terry McCormick
Business Address	3439 Kelly Bridge Rd Dawsonville GA 30534
Phone Number	Terry McCormick: 770-262-1385

County References during last 5 Years:

County Name	Address	Telephone	Contact
Dawson	25 Justice Way	706-344-3590	Elaine Garrett
Greene	1034 Silver Dr	706-453-3355	Debbie Moreno
Dade	71 Case Ave	706-657-6341	Paula Duvall
Gwinnett	75 Langley Dr Lawrenceville GA 30046	770-822-7200	Stewart Oliver
Walker	122 Ga 95	706-638-4823	Terry Gilreath
Lumpkin	99 Courthouse Hill	706-864-2433	Danny Ziemer

County Contracts in Progress: Gwinnett Dawson Lumpkin Greene Walker Dade Franklin Whitfield

Contract for Services

County of White

State of Georgia

THIS CONTRACT AND AGREEMENT is made and entered into this ____ day of _____ 2023

, by and between White COUNTY, GEORGIA, a political subdivision of the state of Georgia, acting by and through its Board of Tax Assessors (herein, the "County") and McCormick Solutions a division of LMC Inc, (herein the "Company") for the purposes of providing services for analytical or logical reasoning for data provided by White County, Georgia. Kelly McCormick will be project manager.

Scope of Service

Install POWER BI

- Connect CAMA (BI TEK) data with Power BI * a Microsoft product the desk version is free.
- Dashboards will be created for the county.
 - Data from BI TEK the appraisal system for the county will be joined in Power BI in order for the county to use such data to assist in the setting of values in the mass appraisal process!.
 - Analytics will offer the following:
 - Ratio based on depreciation.
 - Ratios based in square feet.
 - Ratios based on construction types, qualities.
 - Increase decrease list.

County expectations

County will provide data from BI TEK

County will provide remote access to at least one computer through VPN or some other source

McCormick Solutions A division of LMC Inc. Will provided these services based on the following cost. Billed half due at signing of the contract and the final billing n later than April 30th 2024

for the sum of: **\$ 38,600**

Invoices: Invoices will be billed based on above statement and approved by the Chief Appraiser. Invoices are net 10 days, after 30 days 1 ½ interest will be added to all late payments.

Terry McCormick

McCormick Solutions, Chief Financial Officer

White County Board of Commissioners

Attest



WHITE COUNTY

Board of Commissioners

Agenda Request Form

Item Title: LMIG 2024 Grant Application

For Meeting Date: 11/27/2023

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

Category (Select One): Grant App / Acceptance

Submitted By: Derick Canupp

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

1. LMIG Cover Letter
2. Signature Page
3. Proposed Project List

Purpose:

To seek approval of LMIG 2024 grant application

Background / Summary:

- The Local Maintenance and Improvement Grant (LMIG) is a grant that counties receive each year from GDOT. The attached grant application is ready for Board review. If approved by the Board, the application will be submitted to GDOT for further processing. The formula amount for FY 23 is \$476,005.35 and requires a minimum 30% match.
- Funding Sources:
- LMIG: \$476,005.35
- SPLOST: \$1,022,276.65
- Total Project Estimate: \$1,498,282
- CIP Budget: 1,565,730
-

Department Recommendation:

Staff recommends approving LMIG 2024 application as presented

Options:

- Revise project scope and cost
- Commission defined alternative

Budget Information: Applicable Not Applicable

Budgeted: Yes No

Finance Director's Comments (if applicable):

-

County Manager Comments:

- recommend approving LMIG 2024 application

GEORGIA DOT LMIG PROGRAM
White County 2024 Project List (Proposed)

Co. Rd. No.	Road Name	Beginning	Ending	Length (Miles)	Description of Work	Project Cost	Project Let Date
84	Albert Reid Rd.	US 129	Asbestos Rd.	4.00	Patch	\$ 491,556	May 1, 2024
10	Kinsey Town Rd.	SR 384	SR 115	2.60	Patch	\$ 396,812	May 1, 2024
11	Adair Mill Rd.	Town Creek Rd.	US 129	3.25	Level and Overlay	\$ 609,914	May 1, 2024
				9.85		\$ 1,498,282	

Total Project Estimate	\$	1,498,282.00
LMIG Grant	\$	476,005.35
SPLOST	\$	1,022,276.65



Board of Commissioners

Travis C. Turner, Chairman • Terry D. Goodger, District 1 • Lyn Holcomb, District 2 • Edwin Nix, District 3 • Craig Bryant, District 4

November 15, 2023

Charles Arnhart
District 1 State Aid Coordinator
1475 Jesse Jewell Pkwy., NE
Gainesville, GA 30501

RE: LMIG 2024 Grant Application – White County

Mr. Arnhart,

Please find enclosed the White County 2024 LMIG application, along with a project list including location, scope of work, and estimated cost. The proposed project for the 2024 LMIG program consists of pavement Patching and Resurfacing of 9.85 miles of county roads.

The 2023 LMIG project is nearly complete and progressing well. The project should be closed out, with statement of final expenditures, by December 15, 2023. Should you have any questions or need additional information please contact Derick Canupp, Public Works Director, at (706) 865-2510.

Sincerely,

Travis C. Turner
Commission Chairman

**GEORGIA DEPARTMENT OF TRANSPORTATION LOCAL MAINTENANCE & IMPROVEMENT
GRANT (LMIG) APPLICATION FOR FISCAL YEAR 2024
TYPE OR PRINT LEGIBLY. ALL SECTIONS MUST BE COMPLETED.**

LOCAL GOVERNMENT AFFIDAVIT AND CERTIFICATION

I, _____ (Name), the _____ (Title), on behalf of _____ (Local Government), who being duly sworn do swear that the information given herein is true to the best of his/her knowledge and belief. Local Government swears and certifies that it has read and understands the LMIG General Guidelines and Rules and that it has complied with and will comply with the same.

Local government further swears and certifies that it has read and understands the regulations for the Georgia Planning Act of 1989 (O.C.G.A. § 45-12-200, et seq.), Service Delivery Strategy Act (O.C.G.A. § 36-70-20, et seq.), and the Local Government Budgets and Audits Act (O.C.G.A. 36-81-7 et seq.) and will comply in full with said provisions. Local government further swears and certifies that the roads or sections of roads described and shown on the local government’s Project List are dedicated public roads and are part of the Public Road System in said county/city. Local government further swears and certifies that it complied with federal and/or state environmental protection laws and at the completion of the project(s), it met the match requirements as stated in the Transportation Investment ACT (TIA).

Further, the local government shall be responsible for any claim, damage, loss or expense that is attributable to negligent acts, errors, or omissions related to the designs, drawings, specifications, work and other services furnished by or on behalf of the local government pursuant to this Application (“Loss”). To the extent provided by law, the local government further agrees to hold harmless and indemnify the DEPARTMENT and the State of Georgia from all suits or claims that may arise from said Loss.

If the local government fails to comply with these General Guidelines and Rules, or fails to comply with its Application and Certification, or fails to cooperate with the auditor(s) or fails to maintain and retain sufficient records, the DEPARTMENT may, at its discretion, prohibit the local government from participating in the LMIG program in the future and may pursue any available legal remedy to obtain reimbursement of the LMIG funds. Furthermore, if in the estimation of the DEPARTMENT, a roadway or bridge shows evidence of failure(s) due to poor workmanship, the use of substandard materials, or the failure to follow the required design and construction guidelines as set forth herein, the Department may pursue any available legal remedy to obtain reimbursement of the allocated LMIG funds or prohibit local government from participating in the LMIG program until such time as corrections are made to address the deficiencies or reimbursement is made. All projects identified on the Project list shall be constructed in accordance with the Department’s Standard Specifications of Transportation Systems (Current Edition), Supplemental Specifications (Current Edition), and Special Provisions.

Local Government:

_____ (Signature)

_____ (Print)

Mayor / Commission Chairperson

_____ (Date)

E-Verify Number

Sworn to and subscribed before me,

This ____ day of _____, 20____.

In the presence of:

NOTARY PUBLIC

My Commission Expires:

LOCAL GOVERNMENT SEAL:

NOTARY PUBLIC SEAL:



WHITE COUNTY

Board of Commissioners

Item Title: Certificate of Deposits Quotes

For Meeting Date: 11/27/2023

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

Category (Select One): Other

Submitted By: Jodi Ligon

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

1. November 2023 CD Quote Results
2. _____
- 3.

Purpose:

To approve the purchase of two (2) Certificates of Deposit.

Background / Summary:

- White County currently has two Certificates of Deposit at United Community Bank.
- One CD has an approximate value of \$693,000 and is a cash asset recorded in the General Fund.
- One CD has an approximate value of \$35,500 and is a cash asset recorded in the Solid Waste Fund.
- Both CDs were earning 2.750% APR / 2.79% APY and matured November 21, 2023.
- Quote requests were sent to Piedmont Bank, United Community Bank, Regions Bank, Apex Bank and South State Bank. Regions Bank and South State Bank did not respond. Piedmont Bank's response states an early withdrawal penalty.

Department Recommendation:

Options:

- Move funds to Piedmont Bank - highest quoted CD rate w/ early withdrawal penalty
- Move funds to Apex Bank - next highest quoted CD rate no early withdrawal penalty
- Leave funds at United Community Bank and transfer to General Operating account for highest rate earned

Budget Information: Applicable Not Applicable

Budgeted: Yes No

Finance Director's Comments (if applicable):

-

County Manager Comments:

- In the future, we should consider looking into options other than CD's. i.e. state managed Local Government Investment Pool and US government securities.

Request for Quotes for Certificates of Deposit

Currently held at United Community Bank @ 2.75%APR / 2.79%APY

Maturity Date: November 21, 2023

Certificate #1 \$693,000 approx. value		(12 month Maturity)		
Banking Institution	Quote Rec'd	Rate	APY	Total Interest
United Community Bank	Yes	4.28%	4.35%	\$30,139.85
Piedmont Bank*	Yes	4.98%	5.10%	\$36,257.17
Apex Bank	Yes	4.50%	4.58%	\$31,715.00
South State Bank	No response	-	-	-
Regions Bank	No response	-	-	-

Certificate #1 \$693,000 approx. value		(6 month Maturity)		
Banking Institution	Quote Rec'd	Rate	APY	Total Interest
United Community Bank	Yes	4.67%	4.75%	\$16,276.01
Piedmont Bank*	Yes	4.98%	5.10%	\$17,847.81
Apex Bank	Yes	4.80%	4.89%	\$16,732.00
South State Bank	No response	-	-	-
Regions Bank	No response	-	-	-

Certificate #2 \$35,500 approx. value		(12 month Maturity)		
Banking Institution	Quote Rec'd	Rate	APY	Total Interest
United Community Bank	Yes	4.28%	4.35%	\$1,543.69
Piedmont Bank*	Yes	4.98%	5.10%	\$1,857.33
Apex Bank	Yes	4.50%	4.58%	\$1,625.00
South State Bank	No response	-	-	-
Regions Bank	No response	-	-	-

Certificate #2 \$35,500 approx. value		(6 month Maturity)		
Banking Institution	Quote Rec'd	Rate	APY	Total Interest
United Community Bank	Yes	4.67%	4.75%	\$833.76
Piedmont Bank*	Yes	4.98%	5.10%	\$914.28
Apex Bank	Yes	4.80%	4.89%	\$857.00
South State Bank	No response	-	-	-
Regions Bank	No response	-	-	-

* CDARS Program - 180 days of interest early withdrawal penalty

* CDARS Program - 90 days of interest early withdrawal penalty



November 15, 2023

Jodi Ligon
White County Board of Commissioners
1235 Helen Highway
Cleveland, GA 30528

Dear Jodi,

We would like to bid on your Certificate of Deposit in the amount of \$693,000 for the following terms of 6 months and 12 months. **There will not be a penalty for early withdrawal.**

I would also like to propose cashing in the Certificate of Deposit and put in the County's interest-bearing account that is currently earning 5.25% (current Fed Funds Lower Bound rate).

Term:	6 months	Term:	12 months
Rate:	4.67%	Rate:	4.28%
APY:	4.75%	APY:	4.35%
Interest:	\$16,276.01	Interest:	\$30,139.85
Maturity Value:	\$709,276.01	Maturity Value:	\$723,139.85

Sincerely,

A handwritten signature in black ink, appearing to read 'Donald W. Harris'.

Donald W. Harris
President
United Community Bank

153 East Kytle Street
Cleveland, GA 30528

P 706-865-3151

F 706-865-6767



November 15, 2023


Jodi Ligon
White County Board of Commissioners
1235 Helen Highway
Cleveland, GA 30528

Dear Jodi,

We would like to bid on your Certificate of Deposit in the amount of \$35,500 for the following terms of 6 months and 12 months. **There will not be a penalty for early withdrawal.**

I would also like to propose cashing in the Certificate of Deposit and put in the County's interest-bearing account that is currently earning 5.25% (current Fed Funds Lower Bound rate).

Term:	6 months	Term:	12 months
Rate:	4.67%	Rate:	4.28%
APY:	4.75%	APY:	4.35%
Interest:	\$833.76	Interest:	\$1,543.69
Maturity Value:	\$36,333.76	Maturity Value:	\$37,043.69

Sincerely,

Donald W. Harris
President
United Community Bank

153 East Kytile Street
Cleveland, GA 30528
P 706-865-3151
F 706-865-6767



November 8, 2023

Jodi Ligon
White County Board of Commissioners
1235 Helen Highway
Cleveland, GA 30528

Dear Ms. Ligon,

The Piedmont Bank would like to bid on the Certificate of Deposit for The White County Board of Commissioners in the amount of \$693,000.00. In lieu of pledging these funds, they would be placed in a CDARS CD that is fully FDIC insured to the full amount. With this program there is an early withdrawal penalty.

Our bid is:

Term:	6 months
APY:	5.10%
APR:	4.98%
Anticipated Payout:	\$710,847.81
Early Withdrawal Penalty:	90 days of interest

Term:	12 Months
APY:	5.10%
APR:	4.98%
Anticipated Payout:	\$729,257.17
Early Withdrawal Penalty:	180 days of interest

Thank you for giving us the opportunity to bid on this deposit. If you have any questions, please contact me at 706-348-6822.

Sincerely,

Don E. Allison
North Georgia Regional President



November 8, 2023

Jodi Ligon
White County Board of Commissioners
1235 Helen Highway
Cleveland, GA 30528

Dear Ms. Ligon,

The Piedmont Bank would like to bid on the Certificate of Deposit for The White County Board of Commissioners in the amount of \$35,500.00. In lieu of pledging these funds, they would be placed in a CDARS CD that is fully FDIC insured to the full amount. With this program there is an early withdrawal penalty.

Our bid is:

Term:	6 months
APY:	5.10%
APR:	4.98%
Anticipated Payout:	\$36,414.28
Early Withdrawal Penalty:	90 days of interest

Term:	12 Months
APY:	5.10 %
APR:	4.98%
Anticipated Payout:	\$37,357.33
Early Withdrawal Penalty:	180 days of interest

Thank you for giving us the opportunity to bid on this deposit. If you have any questions, please contact me at 706-348-6822.

Sincerely,

Don E. Allison
North Georgia Regional President



Banking Company of Georgia

1641 Hwy 129 South Unit D
Cleveland, Georgia 30528

November 16, 2023

White County Board of Commissioners
Attn: Jodi Ligon
1235 Helen Highway
Cleveland, GA 30528

Re: CD request for quotes

Dear Ms. Ligon,

Below are the rates and required information for the quote requests dated November 3, 2023.

	<u>Term</u>	<u>APR</u>	<u>APY</u>	<u>Interest Earned</u>	<u>Final Balance</u>
\$693,000	6 mo.	4.80%	4.89%	\$16,732	\$709,731.79
\$693,000	12 mo.	4.50%	4.58%	\$31,715	\$724,715.20
\$35,500	6 mo.	4.80%	4.89%	\$857	\$36,357.11
\$35,500	12 mo.	4.50%	4.58%	\$1,625	\$37,124.66

Please be assured that Apex Banking Company of Georgia will always comply with government regulations and have all funds above FDIC insurance levels collateralized to the full extent of the law. There will not be any fees, charges, or early withdrawal penalties imposed on these certificates of deposit.

Reach out to me with any questions at 706-723-8487 or via e-mail at dmote@apexga.bank.

Respectfully submitted,

Deanna A. Mote
Chief Financial Officer
Apex Banking Company of Georgia