



WHITE COUNTY BOARD OF COMMISSIONERS

CALLED MEETING

THURSDAY, NOVEMBER 16, 2023 AT 9:00 A.M.

AGENDA

1. Call to Order.
2. Consider the land use application filed by Pam Collins to request a conditional use permit at 482 Monroe Ridge Sautee Nacoochee, Georgia - tax map and parcel 069-584 / total acreage is 1.00. The proposed use is to place in a short-term rental program. The present zoning is R-1, Residential Single-Family District.
3. Consider the land use application filed by Daryll Lovell, on behalf of Generation Church of North Georgia, to request a conditional use permit on Duncan Bridge Road Cleveland, Georgia - tax map and parcel 077-171 / total acreage is 3.39. The proposed use is for a place of worship. The present zoning is C-1, Community Commercial District.
4. Consider the land use application filed by Susan Cabrera to request a conditional use permit at 3377 Town Creek Road Cleveland, Georgia - tax map and parcel 020-015 / total acreage is 2.28. The proposed use is to place in a short-term rental program. The present zoning is R-1, Residential Single-Family District.
5. Consider the land use application filed by Jim Patton to request a conditional use permit at 24 Luke Road Cleveland, Georgia - tax map and parcel 061-146N / total acreage is 1.50. The proposed use is to place in a short-term rental program. The present zoning is R-1, Residential Single-Family District.
6. Consider the land use application filed by Erik Perrine to request a conditional use permit at 242 Eagles Nest Road Sautee Nacoochee, Georgia - tax map and parcel 068-144A / total acreage is 1.00. The proposed use is to place in a short-term rental program. The present zoning is R-1, Residential Single-Family District.
7. Consider the land use application filed by Frank Liesen to request a conditional use permit at 89 Small Pond Drive Cleveland, Georgia - tax map and parcel 060D-039 / total acreage is 5.09. The proposed use is to place in a short-term rental program. The present zoning is R-1, Residential Single-Family District.
8. Consider the land use application filed by Frank Liesen to request a conditional use permit at 91 Small Pond Drive Cleveland, Georgia - tax map and parcel 060D-039 / total acreage is 5.09. The proposed use is to place in a short-term rental program. The present zoning is R-1, Residential Single-Family District.
9. Consider the land use application filed by Paige Hulseley, on behalf of Donald Weideman, to redistrict property located on Honeybrook Lane Cleveland, Georgia from R-1, Residential Single-Family District to R-3, Residential Seasonal District -tax map and parcel 077-090 / total acreage is 5.00.
10. Consider awarding the contract for the purchase and installation of HVAC for Fire Station 6 on Hwy 129N, as part of the proposed renovation plan to accommodate 24-hour shift personnel.
11. Adjourn.



WHITE COUNTY

Board of Commissioners

Item Title: Conditional Use Permit Request for STR for Pam Collins, 482 Monroe Ridge, Sautee Nacoochee

For Meeting Date: 11/16/2023

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

Category (Select One): Land Use Application

Submitted By: John Sell

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

1. Application #20230
2. Public Hearing Minutes 10/30/2023
3. Regular Meeting Minutes 11/6/2023

Purpose:

Consider the application of Pam Collins to request a conditional use permit located at 482 Monroe Ridge, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 069-584. Total acreage is 1.00. Proposed use is to place in "Short Term Rental" program. Present zoning is R-1 Residential Single Family.

Background / Summary:

- Applicant is requesting a conditional use permit for short term rental. The property is in Highcrest Summit subdivision which covenants allow for short term rentals. Ms. Collins explained that she has owned and rented the property for 17 years but was unaware of the licensing requirements until she got a notice from the county. The cabin has a maximum occupancy of 4 adults and a child and parking for 4 vehicles. She rents through AirBnB, she is the local contact and she has never had problems or complaints. No one spoke for or against the application. The Planning Commission recommended approval of the application and the motion passed by unanimous vote.

Department Recommendation:

Planning Commission recommended approval by unanimous vote.

Options:

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

Budget Information: Applicable Not Applicable

Budgeted: Yes No

Finance Director's Comments (if applicable):

-

County Manager Comments:

-

WHITE COUNTY CHANGE OF LAND USE DISTRICT APPLICATION

OFFICE USE ONLY	Land Use Application #: <u>20230</u>
Public Hearing Date: <u>Oct 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 type="checkbox"/> check# <u>1109</u>

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>Pam Collins</u>	
Address: <u>482 Monroe Ridge</u>	
Phone Number: [REDACTED]	Alternate Contact Number: [REDACTED]
Email: [REDACTED]	
Owner Information (if different from Applicant/Agent):	
Name:	Phone #:
PROPERTY INFORMATION	
Parcel ID: <u>069584</u>	Total acreage being changed: <u>01</u>
Address: <u>482 Monroe Ridge</u>	
Directions to Property: <u>Hwy 356 Turn on Gus Abernethy Rd. First Rd to Right (Monroe Ridge) Go throu gate 4 Driveway on Left</u>	
Current Use/Zoning of Property: <u>R1</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>R1</u>	South: <u>R1</u> East: <u>R1</u> West: <u>R1</u>
REQUESTED ACTION AND DETAILS OF PROPOSED USE (check all that apply)	
<input type="checkbox"/> Redistrict from district:	Redistrict to district:
<input checked="" type="checkbox"/> Conditional Use - specify: <u>STR</u>	
<input type="checkbox"/> Special Use - specify:	
<input type="checkbox"/> Land Use Variance from Code Section:	
Proposed use if not listed above:	
Is this property part of a subdivision? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If so, please list number of lots: <u>42 in Phase I</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>High Crest Summit</u>	

Existing Utilities (check all that apply):
 ___ County or City Water Community 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: 4

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	069585 TMP Property	2189-Tamiami Trails Venice FL 34293
2	069621 - Carhino Bonet	303 Clarice Lane Santee CA - 30528
3	069606 Barbaree Cris	
4	7998 NewField ^{Drive} Use next Page	Tallahassee FL
5	069583 Armour Richard - Palladino Colleen	6921 Crooked Fence Dr Skowhegan
6		
7	069623 Appalachian Magnolia LLC	3341 Regent Blvd - STE 130 - 169

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:** 8-10-23

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

N/A

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:

Da Collins 8-10-23

Date:

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), Pam Collins,
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>Pam Collins</u>	
Mailing Address: <u>809 Rabbit Run</u> <u>Cleveland GA 30528</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>Pam Collins</u>
Signature of Owner(s):	Date Signed:
<u>Pam Collins</u>	<u>Pam Collins</u>
	<u>10-5-23</u>

PROPERTY OWNER AUTHORIZATION DOCUMENT: NOTARY ACKNOWLEDGEMENT

Sworn to (or affirmed) and subscribed before me this 5th day of October, 2023 by Pamela Collins (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), Pam Collins,
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):

Pam Collins

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):

Pam Collins

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):

Pam Collins

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):

Pam Collins

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):

Pam Collins

SHORT TERM RENTAL CERTIFICATIONS DOCUMENT: NOTARY ACKNOWLEDGEMENT

Sworn to (or affirmed) and subscribed before me this 5th day of October, 2023 by
Pamela Collins (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, Pam Collins (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*

Pam Collins
Signature of Applicant or Authorized Agent

8/16/2023
Date

<p><u>OFFICE USE ONLY</u></p> <p>Copy given to applicant: <u>8/16/23</u> (date)</p> <p>Staff Initials: <u>JH</u></p> <p>Flag (circle): <input checked="" type="radio"/> Y <input type="radio"/> 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>

Aug 12, 2023

Pam Collins
482 Monroe Ridge Sautee Ga

Subject: Letter of Intent to use property as short term rental

To whom it may concern,

I am writing this letter express my intent to use the property located at 482 Monroe Ridge Sautee, Georgia, as a short-term rental. As the owner of this property, I (Pam Collins) believe that utilizing it for short term rental would not only beneficial to me but also contribute positively to the local community and tourism industry. Occupancy for this rental property shall not exceed 4 adults and their children. Renters will not exceed 2 vehicles in the driveway for an extended amount of time.

I am committed to maintaining the property in good condition and providing a comfortable and enjoyable experience for guests who choose to stay there. I understand the importance of being a responsible host and ensuring that guests adhere to all the rules and regulations during their stay. I am fully aware of the need to manage noise levels, handle waste properly, and ensure the safety and security of both guests and the neighborhood. I am dedicated to addressing an concerns that may arise promptly and professionally.

Sincerely,

Pam Collins





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: 08/14/2023

APPLICANT NAME: Pam Collins

PROPERTY ADDRESS: 482 Monroc Ridge
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

AMERICAN WATER SERVICES GA

WATER SERVICE BILL
 8507 Dunwoody Bridge Road, Cleveland, GA 30523

billing@americanwater.com
 8am - 5pm
 Monday-Friday
 706-348-6215
 www.americanwater.com

INVOICE TO
PAM COLLINS
 Billing address: 809 Rabbit Run, Cleveland

INVOICE

Invoice Date: **03/01/2023** Total Due: **\$ 105.00**

Item Description

Total

Water - 1

Total Water Service = 105.00				\$0.00
				\$ 105.00
Water Service				\$0.00

Water Service at 482 Monroe Ridge Rd	Number Days	Meter Readings	Usage in Gallon
From: 04/01/2023 To: 06/30/2023	91	Start : 0 End : 0	0

Total Due: \$105.00

Pam Collins

Account No	Due Date	Amount Due
045031	03/31/2023	\$105.00
Billing Date	On/After	Late Amount
03/01/2023	04/15/2023	\$125.00

Credit card & ACH payments will have a transaction service fee:
 Minimum service fee will be \$2.95
 Visa, Mastercard, & Discover cards will have a 3.5% fee

HIGHCREST SUMMIT

PHASE - 1 (SHEET 2 OF 2)

DATE: 6-15-2022
 FIELD SURVEY: 6/15-2022
 LOCAL N
 LAND LOT 15
 6TH LAND DISTRICT
 WHITE COUNTY, GEORGIA

PREPARED BY:
BENCHMARK LAND SURVEYING, P.C.
 6728 JACK BRYANT CIRCLE
 PHOENIX, AZ 85048
 EMAIL: benchmark@benchmarking.com

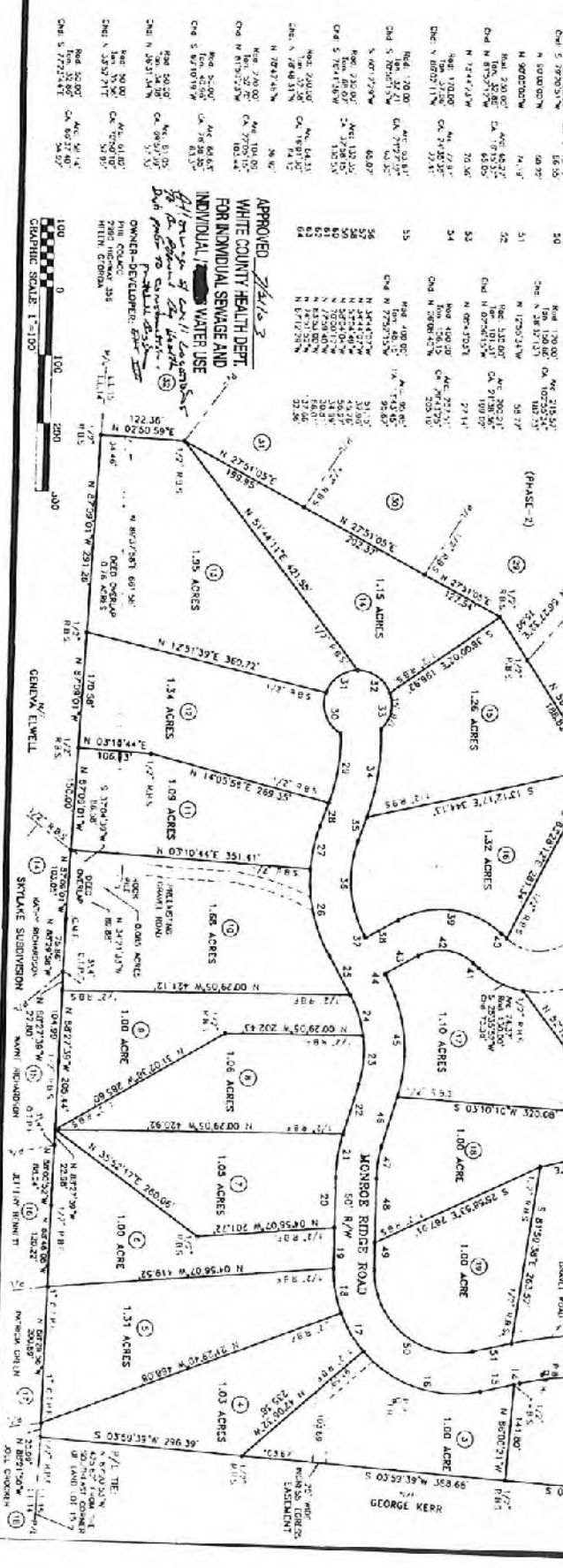


COURSES FOR LOT-1

1	1.00 ACRES
2	1.00 ACRES
3	1.00 ACRES
4	1.00 ACRES
5	1.00 ACRES
6	1.00 ACRES
7	1.00 ACRES
8	1.00 ACRES
9	1.00 ACRES
10	1.00 ACRES
11	1.00 ACRES
12	1.00 ACRES
13	1.00 ACRES
14	1.00 ACRES
15	1.00 ACRES
16	1.00 ACRES
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26	1.00 ACRES
27	1.00 ACRES
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30	1.00 ACRES
31	1.00 ACRES
32	1.00 ACRES
33	1.00 ACRES
34	1.00 ACRES
35	1.00 ACRES

COURSES ALONG MONROE RIDGE ROAD

1	1.00 ACRES
2	1.00 ACRES
3	1.00 ACRES
4	1.00 ACRES
5	1.00 ACRES
6	1.00 ACRES
7	1.00 ACRES
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30	1.00 ACRES
31	1.00 ACRES
32	1.00 ACRES
33	1.00 ACRES
34	1.00 ACRES
35	1.00 ACRES



APPROVED *[Signature]*
 WHITE COUNTY HEALTH DEPT.
 FOR INDIVIDUAL SEWER AND
 WATER USE

All lots of this subdivision are to be used for residential purposes only. No other use is permitted without the express written consent of the Board of Health.

OWNER-DEVELOPER: *[Signature]*
 FULL CONTACT: 206
 MILL CREEK
 MILL CREEK

SUBJECT NOTES:
 THE FIELD DATA UPON WHICH THIS PLAN IS BASED WAS OBTAINED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND I AM AWARE OF THE ACCURACY OF THE SAME.
 I AM NOT PROVIDING ANY WARRANTY OR GUARANTEE OF ANY KIND, EXPRESS OR IMPLIED, REGARDING THE ACCURACY OF THE DATA OR THE RESULTS OF THIS SURVEY.
 THIS PLAN IS TO BE USED ONLY FOR THE PURPOSES SPECIFIED HEREIN AND IS NOT TO BE USED FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF BENCHMARK LAND SURVEYING, P.C.

LEGEND:
 --- CONCRETE MONUMENT ROAD
 --- CONCRETE MONUMENT CURB
 --- CONCRETE MONUMENT SIDEWALK
 --- CONCRETE MONUMENT DRIVE
 --- CONCRETE MONUMENT WALKWAY
 --- CONCRETE MONUMENT FENCE
 --- CONCRETE MONUMENT WALL
 --- CONCRETE MONUMENT POST
 --- CONCRETE MONUMENT BRACKET
 --- CONCRETE MONUMENT CAP
 --- CONCRETE MONUMENT PLATE
 --- CONCRETE MONUMENT PIN
 --- CONCRETE MONUMENT NAIL
 --- CONCRETE MONUMENT SCREW
 --- CONCRETE MONUMENT BOLT
 --- CONCRETE MONUMENT WOOD
 --- CONCRETE MONUMENT METAL
 --- CONCRETE MONUMENT BRASS
 --- CONCRETE MONUMENT COPPER
 --- CONCRETE MONUMENT ALUMINUM
 --- CONCRETE MONUMENT STEEL
 --- CONCRETE MONUMENT IRON
 --- CONCRETE MONUMENT LEAD
 --- CONCRETE MONUMENT ZINC
 --- CONCRETE MONUMENT SILVER
 --- CONCRETE MONUMENT GOLD
 --- CONCRETE MONUMENT PLATINUM
 --- CONCRETE MONUMENT DIAMOND
 --- CONCRETE MONUMENT JEWELRY
 --- CONCRETE MONUMENT ART
 --- CONCRETE MONUMENT COLLECTIBLES
 --- CONCRETE MONUMENT ANTIQUITIES
 --- CONCRETE MONUMENT FURNITURE
 --- CONCRETE MONUMENT APPLIANCES
 --- CONCRETE MONUMENT TOOLS
 --- CONCRETE MONUMENT EQUIPMENT
 --- CONCRETE MONUMENT VEHICLES
 --- CONCRETE MONUMENT BOATS
 --- CONCRETE MONUMENT AIRCRAFT
 --- CONCRETE MONUMENT SPACECRAFT
 --- CONCRETE MONUMENT ROCKETRY
 --- CONCRETE MONUMENT MISSILES
 --- CONCRETE MONUMENT WEAPONS
 --- CONCRETE MONUMENT AMMUNITION
 --- CONCRETE MONUMENT MILITARY
 --- CONCRETE MONUMENT POLICE
 --- CONCRETE MONUMENT FIREARMS
 --- CONCRETE MONUMENT GUNS
 --- CONCRETE MONUMENT RIFLES
 --- CONCRETE MONUMENT SHOTGUNS
 --- CONCRETE MONUMENT PISTOLS
 --- CONCRETE MONUMENT SWORDS
 --- CONCRETE MONUMENT DAGGERS
 --- CONCRETE MONUMENT KNIVES
 --- CONCRETE MONUMENT AXES
 --- CONCRETE MONUMENT HAMMERS
 --- CONCRETE MONUMENT PICKS
 --- CONCRETE MONUMENT SHOVELS
 --- CONCRETE MONUMENT MATTOCKS
 --- CONCRETE MONUMENT HATCHETS
 --- CONCRETE MONUMENT TOMAHAWKS
 --- CONCRETE MONUMENT MACE
 --- CONCRETE MONUMENT WARHAMMERS
 --- CONCRETE MONUMENT MORTARS
 --- CONCRETE MONUMENT CANNONS
 --- CONCRETE MONUMENT GUNS
 --- CONCRETE MONUMENT MOUNTAINS
 --- CONCRETE MONUMENT HILLS
 --- CONCRETE MONUMENT VALLEYS
 --- CONCRETE MONUMENT PLAINS
 --- CONCRETE MONUMENT DESERTS
 --- CONCRETE MONUMENT TUNDRA
 --- CONCRETE MONUMENT SAVANNAH
 --- CONCRETE MONUMENT JUNGLES
 --- CONCRETE MONUMENT FORESTS
 --- CONCRETE MONUMENT PRAIRIES
 --- CONCRETE MONUMENT STEPPES
 --- CONCRETE MONUMENT TUNDRA
 --- CONCRETE MONUMENT SAVANNAH
 --- CONCRETE MONUMENT JUNGLES
 --- CONCRETE MONUMENT FORESTS
 --- CONCRETE MONUMENT PRAIRIES
 --- CONCRETE MONUMENT STEPPES

PREEXISTING GRAVEL ROAD

5

(25) 0 ACRE

2" R.B.S.

1.00 ACRE (24)

N 64°23'41"E 351.50'

1/2" R.B.S.

59

1/2" R.B.S.

58

7

1/4 R.B.F.

1/2 R.B.

4" R.B.S.
48.04'
N 45°08'59"W

(22)

121.50'
N 45°08'59"W

1/2" R.B.S.

1.00 ACRE (23)

45' x 45'

EXISTING HOME CABIN

(23)

N 58°00'26"E 385.52'

PAVED DRIVE

1/2" R.B.S.

PAVED MONITOR RIDGE RD

8

9

A

1.00 ACRE (22)

N 56°17'26"E 344.04'

1/2" R.B.S.

1.06 ACRES (21)

208.1
95.74'
N 45°08'59"W

1/2" R.B.S.

1/2" R.B.S.
26.55'

15" B/L

Highcrest Summit Property Owners Association

PO Box 755

Sautee Nacoochee, GA 30571

email; hcspoa@outlook.com

August 1, 2023

RE: 484 Monroe Ridge Rd

Od

Dear Pam Collins;

This is a reminder that the annual dues for 484 Monroe Ridge Rd have not been received as of this date. If you have already mailed your payment, please disregard this letter. If however payment has not been made, would you please send payment at this time.

Pursuant to the Protective Covenants of Highcrest Summit Subdivision, the **Annual Membership fee** for the Association in the amount of **\$240.00 is due for each lot you own by July 1** each year. (Article III, Number 16)

Please remit the amount of **\$240.00** upon receipt of this letter. Make your check payable to: **Highcrest Summit Property Owner Association** and reference your property address or lot #, mailing it to the above PO address.

Thank you for your prompt attention to this matter.

Sincerely, Your Directors

8/4/23 1107

Donald Munson – 590 Monroe Ridge Rd

Blake Percival – 171 Clarice La

Anna Carlino – 303 Clarice La

White County, Georgia
Real Estate Transfer Tax
Paid \$ 0
Date 12-21-2005
Dena M. Adams
Clerk of Superior Court
154-2005-003878

2005 DEC 21 AM 11:45
BOOK 1075 PAGE 68-70
DENA M. ADAMS, CLERK
WHITE COUNTY, GA

This page attached hereto and made a part of the following document to provide required three-margin for recording information.
(Additional recording fee applies)

Please type the following information.

Title of Document: QUIT-CLAIM DEED
Date of Document: JULY 8, 2005
Grantor(s): KENNETH E. COLLINS Grantee(s): THE KENNETH E.
AND JAMELA ANN COLLINS REVOCABLE
LIVING TRUST

After Recording, Please Return to: KENNETH COLLINS
16295 S.E. 92 AVE
SUMMERFIELD, FL. 34491

Record and Return to:
KENNETH E. COLLINS
16295 SE 92ND AVE
OCALA, FLORIDA

QUIT-CLAIM DEED

July

THIS QUIT-CLAIM DEED, executed this 8 day of July, 2005, between KENNETH E. COLLINS herein referred to as the "GRANTOR", and KENNETH E. COLLINS and PAMELA ANN COLLINS, as trustees of THE KENNETH E. AND PAMELA ANN COLLINS REVOCABLE LIVING TRUST, dated 8/24/01, herein referred to as the "GRANTEE", all having an address of 16295 SE 92ND AVE, OCALA, FLORIDA, with full power and authority in the Grantees to sell, convey, mortgage, lease, encumber or otherwise manage and dispose of the real property described above in fee simple with or without consideration, and to retain absolutely any and all proceeds derived therefrom. *(Whenever used herein the term "Grantor", "Grantee" and "party" include all the parties to this instrument, whether singular or plural).

WITNESSETH that the said GRANTOR, for and in consideration of the sum of Ten and 00/100 (\$10.00) Dollars and other good and valuable consideration, in hand paid by the said GRANTEE, the receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim unto the said GRANTEE forever, all the right, title, interest, claim and demand which the said GRANTOR has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of White County, State of Georgia, to-wit:

SEE ATTACHED LEGAL DESCRIPTION

This is an inter-family conveyance; therefore minimum documentary stamps are attached. This document is being prepared without the benefit of title examination, as requested by the Grantor.

TO HAVE AND TO HOLD The same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title interest, lien equity and claim whatsoever of the said GRANTOR, either in law or equity, to the only proper use, benefit and behoof of the said GRANTEE forever.

IN WITNESS WHEREOF, the GRANTOR has hereunto executed these presents the day and year first above written.

Signed, sealed and delivered
in the presence of:

Sandra Kuhn
Print Name: Sandra Kuhn

Kenneth E. Collins
KENNETH E. COLLINS
16295 SE 92ND AVE
OCALA, FLORIDA

Elizabeth Mills
Print Name: Elizabeth M Mills

STATE OF FLORIDA)
COUNTY OF _____)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to administer oaths and take acknowledgments, personally appeared KENNETH E. COLLINS who did not take an oath, but acknowledged before me the execution of the foregoing instrument for the purposes therein expressed.

WITNESS my hand and official seal in the County and State last aforesaid this 8 day of July, 2005.

NOTARY PUBLIC, State of Florida
Name: _____

My Commission expires:

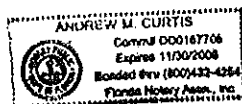


EXHIBIT "A"

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 15 of the 6th Land District of White County, Georgia and being designated as Lot 23 of Highcrest Summit Subdivision, containing 1.00 acres, more or less as shown on a plat of survey prepared for Highcrest Summit, by Thomas Durkin, RLS, dated June 15, 2002, recorded in Plat Book 54, Page 104 of the White County, Georgia deed records. Reference to said plat and the description contained therein being incorporated herein by reference for a full and complete description thereof.

SUBJECT TO all easements and restrictions on record.

ALSO CONVEYED is the unobstructed non-exclusive right of ingress and egress along the existing roadways to the public road.

19. Homes may be rented out either for vacation rental use or long term rentals but must not become a nuisance or offensive to the neighboring parties.
20. The noise from televisions, radios, musical instruments or motor vehicles should not be so loud as to cause disturbances to the other properties.
21. No swine, cattle, horses, goats, sheep or chicken shall be kept or maintained on any part of the property. Household pets shall be allowed so long as the number of such pets does not exceed three pets per species. All housing for pets shall be located in the rear of the lot or side of the lot not visible from the street.
22. Dogs and cats shall not be allowed to run loose and must be contained within their property boundaries and shall be kept indoors at night.
23. No property owner is allowed to plant trees, shrubs, etc. that will directly obstruct the mountain view of other property owners. Declarants' or the Association's decision will rule if plantings are in question.
24. Each lot shall be maintained and kept in a clean, neat and orderly fashion. Lots shall be landscaped within thirty (30) days of completion or occupancy of the residence. Grass and other landscaping shall be cut on a regular basis, so as to maintain a neat and orderly appearance.
25. Any and all ground cuts or bank cuts must be covered and stabilized by either grass, landscaping, stones or retaining wall for sediment control and to cover the red clay.
26. No part of said land shall be used or maintained as a dumping ground for rubbish, garbage or refuse. Trash, garbage and other waste shall be kept in sanitary containers in the rear of home.
27. All lots which have been sold or transferred may be maintained by the Declarants or by the Association in the event that the owner fails to do so. The expense of maintaining the lot may be charged as a lien by the Declarants or the Association in the same manner as a lien for failure to pay assessments.
28. Propane fuel tanks shall be kept to side or rear of lot and shall be screened with either landscaping or decorative lattice.
29. No campers or recreational vehicles, motorcycles or boats are to be left on the premises without current registrations. Campers or recreational vehicles cannot be used as temporary housing. If kept on premises, they must be parked on the rear or side of property and not in the front or on the road. No inoperable or wrecked vehicles shall be permitted on any lot.
30. Motorcycles, motor bikes, four wheelers, three wheelers, dune buggies, go carts, or any other type of motorized vehicles designed primarily for off road use shall not be permitted except for storage on the lot. The Declarants shall be permitted to use such motorized vehicles for transportation to job sites within the subdivision.
31. Tent camping is not permitted.
32. No commercial trucks of any type (semis, tractor trailers, box trucks, low boys, transport vehicles, buses larger than a pick up truck or flat beds, etc.) can be parked on any lot at any time or for any purpose, except during construction.



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

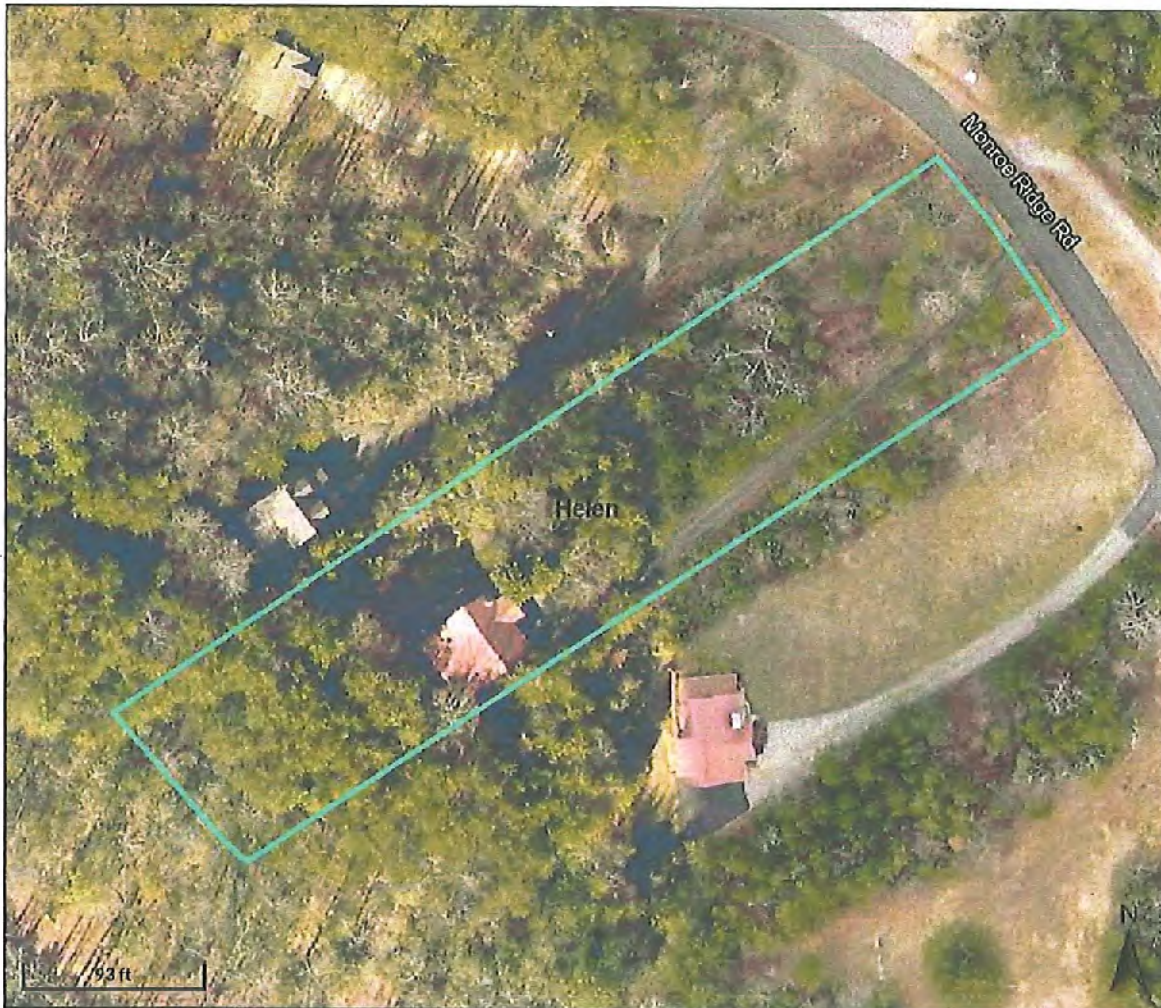
COLLINS PAMELA ANN TRUST

1764 LISETTE WY

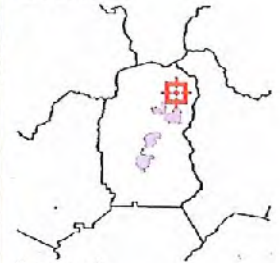
THE VILLAGES. FL 32162

PAID DATE			10/17/2022
RECEIPT PRINTED			8/10/2023 11:09:46 AM
CASH AMOUNT	CHECK AMOUNT	CHARGE AMOUNT	CHECK NUMBER(S) CHARGE APPROVAL CODE
\$0.00	\$2,116.83	\$0.00	067560
REFUND AMOUNT			\$0.00
OVERPAY AMOUNT			\$0.00
CHANGE AMOUNT			\$0.00
REGISTER			2
CASHIER			
TOTAL PAID			\$2,116.83

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	
2022-3704 FMV: 223040.00 069 584	LL15 LD6 LT23 HIGHCREST 482 MONROE RIDGE RD DISTRICT: 001 SERIAL NUMBER: DECAL NUMBER: 0	11/15/2022 \$2,116.83	\$0.00 \$0.00 \$0.00	\$0.00	\$2,116.83	\$2,116.83	\$0.00	
Paid By: INFO-PRO LENDER SERVICES INC				Overpayment Amount: 0.00				
Check Number: 067560								
Transaction(s): 213774 - 213774		Total(s):	\$2,116.83	\$0.00	\$0.00	\$2,116.83	\$2,116.83	\$0.00



Overview



Legend

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

Parcel ID	069 584	Alternate ID	5163940	Owner Address	COLLINS PAMELA ANN TRUST
Sec/Twp/Rng	n/a	Class	R		809 RABBIT RUN RD
Property Address	482 MONROE RIDGE RD	Acreage	1.0		CLEVELAND GA 30528-5643
	01.				
District	01				
Brief Tax Description	LL15 LD6 LT23 HIGHCREST				
	<i>(Note: Not to be used on legal documents)</i>				

Date created: 8/10/2023
 Last Data Uploaded: 8/10/2023 5:22:12 AM

Developed by  Schneider
 GEOSPATIAL

**WHITE COUNTY PLANNING DEPARTMENT
STAFF COMMENT**

PAM COLLINS

- PROPERTY IS LOCATED AT 482 MONROE RIDGE RD IN SAUTEE. 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 1.00.
- PROPERTY SUPPLIED BY COMMUNITY WELL AND SEPTIC.

EXISTING LAND USE



FUTURE LAND USE



WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

Application of Frank Liesen to request a conditional use permit located at 89 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.

The applicant, Frank Liesen of 89 Small Pond Drive, was present. Mr. Barton gave a summary of the application. Mr. Liesen asked if there was this stipulation on the land, why did the board approve Mount Yonah Vineyard’s short-term rental. Ms. Burke said she was not at that meeting. Mr. Liesen said his house is the first house on the road and does not come close to the neighbors that are bothered by what is happening. He said he thinks it is a great cause and hopes one could be accepted. Ms. Dixon said Mount Yonah Vineyard had not paid their road maintenance as of yesterday. Mr. Liesen said he understood that they had committed to never have traffic come on their road, to which Ms. Dixon said they are. Mr. Ackerman said he believed it is better to keep the vineyard out of this since there are discrepancies and this has to do with Mr. Liesen’s property only. Mr. Liesen said the problems that the neighbors voiced, he shares but they do not apply to the property he is applying for.

Motion to recommend denial to the Board of Commissioners made by Ms. Burke based on the same explanation for 91 Small Pond Drive. Ms. Dixon seconded the motion. The motion carried with 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.

Application of Paige Hulsey, on behalf of Donald Weideman, to redistrict property located on Honeybrook Lane, Cleveland, Georgia, 30528 from R-1 Residential Single Family District to R-3 Residential Seasonal District. Tax map and parcel 077-090. Total acreage is 5.00. Present zoning is R-1 Residential Single Family District.

The applicant, Paige Hulsey of 240 Honeybrook Lane, was present. Mr. Barton gave a summary of the application. When asked if the issues with road easements and encroachments had been resolved, Ms. Hulsey explained that the gravel had been removed prior to the meeting and it was previously a logging road. She said she added gravel about a year ago, but the issue could not be resolved so she removed the gravel and no longer uses that access. She said she now uses the existing driveway easement and cuts through the pasture. Ms. Hulsey said she already has one tiny home on the property that was rented for a short time.

Motion to recommend denial to the Board of Commissioners made by Ms. Burke based on the easement that goes through other people’s property and the zoning that the farm is, it does not belong there. Ms. Dixon seconded the motion. The motion was unanimous. Mr. Barton advised the applicant of the next meeting on November 16th at 9am.

Application of Pam Collins to request a conditional use permit located at 482 Monroe Ridge, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 069-584. Total acreage is 1.00. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

The applicant, Pam Collins of 482 Monroe Ridge, was present. Mr. Barton gave a summary of the application. Ms. Collins had nothing to add.

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 Daryl Lovell, on behalf of Generation Church of North Georgia, to request a conditional use permit located on Duncan Bridge Road, Cleveland, Georgia, 30528. Tax map and parcel 077-171. Total acreage is 3.39. Proposed use is for a place of worship. Present zoning is C-1 Community Commercial District.

The applicant, Daryl Lovell of 1973 Holiness Campground, was present. Mr. Barton gave a summary of the application. Mr. Lovell had nothing to add.

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

Application of Susan Cabrera to request a conditional use permit located at 3377 Town Creek Road, Cleveland, Georgia, 30528. Tax map and parcel 020-015. Total acreage is 2.28. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

The applicant, Susan Cabrera of 3377 Town Creek Road, was present. Mr. Barton gave a summary of the application. Ms. Cabrera stated there are no rules and regulations like a standard subdivision. She said there are eight lots and got approval from three, plus her two that she owns. She said of the eight lots, three are vacant lots and she believes the other homes are rentals.

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

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 in Cleveland, was present. Mr. Barton gave a summary of the application. Mr. Patton had nothing to add.

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 16th at 9am.

Application of Erik Perrine to request a conditional use permit located at 242 Eagles Nest Road, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 068-144A. Total acreage is 1.00. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

The applicant, Erik Perrine 242 Eagles Nest Road, was present. Mr. Barton gave a summary of the application. Mr. Perrine had nothing to add.

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

Monday, October 30th, 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 Pam Collins to request a conditional use permit located at 482 Monroe Ridge, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 069-584. Total acreage is 1.00. Proposed use is to place in "Short Term Rental" program. Present zoning is R-1 Residential Single Family.

The applicant, Pam Collins of 482 Monroe Ridge Road, was present. Mr. Barton gave a summary of the application. Ms. Collins explained the short-term rental, which she has owned and rented short-term for seventeen years, has a maximum occupancy of four adults and a child with parking for four vehicles. She said she has been renting the property out for short-term rental but was not aware the licensing requirements until she received county notification. She explained she rents through AirBnB, she is the local contact, and that she has had no problems or complaints since renting. When asked how far away the closest neighbor was, she said approximately 200 feet.

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. Collins 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 Daryll Lovell, on behalf of Generation Church of North Georgia, to request a conditional use permit located on Duncan Bridge Road, Cleveland, Georgia, 30528. Tax map and parcel 077-171. Total acreage is 3.39. Proposed use is for a place of worship. Present zoning is C-1 Community Commercial District.

The applicant, Daryl Lovell of 1973 Holiness Campground Rd in Cleveland, was present. Mr. Barton gave a summary of the application. Mr. Lovell explained Generation Church of North Georgia was established nine years ago and is currently located nearby. He said they are proposing two structures, one of which would be the main sanctuary and the second for the family hall. He stated this would provide a place of permanent worship for the church that would have a capacity of about 250 people and parking for at least 100 vehicles. Currently, he said, the average is 100-125 people per service but they are anticipating for growth.

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. Lovell 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 Susan Cabrera to request a conditional use permit located at 3377 Town Creek Road, Cleveland, Georgia, 30528. Tax map and parcel 020-015. Total acreage is 2.28. Proposed use is to place in "Short Term Rental" program. Present zoning is R-1 Residential Single Family.



WHITE COUNTY

Board of Commissioners

Item Title: Conditional Use Permit in C-1 for a place of worship for Daryll Lovett -Generation Church of North Georgia - Duncan Bridge Road, Cleveland

For Meeting Date: 11/16/2023

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. 20266
2. Public Hearing Minutes 10/30/2023
3. Regular Meeting Minutes 11/6/2023

Purpose:

Consider the application of Daryll Lovell, on behalf of Generation Church of North Georgia, to request a conditional use permit located on Duncan Bridge Road, Cleveland, Georgia, 30528. Tax map and parcel 077-171. Total acreage is 3.39. Proposed use is for a place of worship. Present zoning is C-1 Community Commercial District.

Background / Summary:

- Applicant is requesting to a conditional use permit for a place of worship in a C-1 District. Mr. Lovell explained that the church was established 9 years ago and is located nearby but needs to expand. They are proposing a sanctuary and family hall. Capacity will be about 250 people with parking for 100 vehicles. Current attendance is 100-125 people per service. No one spoke in favor or in opposition to the application. The Planning Commission recommended approval of the application and the motion passed by unanimous vote.

Department Recommendation:

Planning Commission recommended approval by unanimous vote.

Options:

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

Budget Information: Applicable Not Applicable

Budgeted: Yes No

Finance Director's Comments (if applicable):

-

County Manager Comments:

-

WHITE COUNTY CHANGE OF LAND USE DISTRICT APPLICATION

OFFICE USE ONLY	Land Use Application #: <u>20266</u>
Public Hearing Date: <u>10/30/23</u>	Commission District: <u>2</u>
Fees Assessed: <u>\$250</u>	Paid via: <input type="checkbox"/> cash <input type="checkbox"/> credit card <input checked="" type="checkbox"/> check# <u>3997</u>

APPLICANT INFORMATION	
Status: <input type="checkbox"/> Owner <input checked="" type="checkbox"/> Authorized Agent <input type="checkbox"/> Lessee <input type="checkbox"/> Option to Purchase	
Printed Name(s): <u>DARRYL Lovell</u>	
Address: <u>1973 Holiness Campground Rd Cleveland GA</u>	
Phone Number: [REDACTED]	Alternate Contact Number:
Email: [REDACTED]	
Owner Information (if different from Applicant/Agent):	
Name: <u>Generation Church of North Georgia</u>	Phone #: <u>706-969-0292</u>
PROPERTY INFORMATION	
Parcel ID: <u>077 / 171</u>	Total acreage being changed: <u>3.39</u>
Address: <u>0 Dunlap</u>	
Directions to Property: <u>115 East to Duncan Bridge Road</u> <u>turn Right 3/4 of mile on Right</u> <u>(wooden fence with 2 Rock Columns in front of property)</u>	
Current Use/Zoning of Property: <u>C1</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>C1</u>	South: <u>A1</u> East: <u>A1</u> West: <u>A1</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>Place of worship</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 type="checkbox"/> No Is there an active homeowner's association? <input type="checkbox"/> Yes <input 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 REDISTRICK INFORMATION

Building Area: 2 Buildings 1-9750 sqft No. of Parking Spaces: 95
2-3750 sqft

RESIDENTIAL REDISTRICK 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	076158 Jane + Etal Jackson	1084 Thronwood Drive Dacula GA 30019
2	077084 Ashley Helton	3358 Webster Lake Rd Cleveland GA
3	077083A Stacy Sullens	132 Gunn Circle Cleveland GA
4	090032 William Standridge + Post	8965 Duncan Bridge Rd Cleveland GA
5	090032A Michael Standridge	8925 Duncan Bridge Rd Cleveland GA
6	_____	_____
7	_____	_____

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: 8-31-23

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:

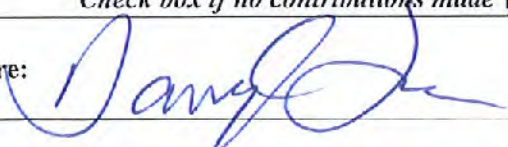
Name of local official(s) to whom campaign contribution was made:

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:  Date: 8-31-23

APPLICANT CERTIFICATION

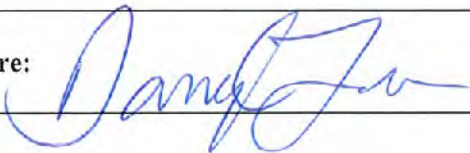
I hereby request the action contained within this application relative to the property shown on the attached plats and site plan and further request that this item be placed on both the Planning Commission and Board of Commissioners meeting agendas.

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: 8-31-23

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

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), DARRYL Lovell,
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>Generation Church of North Georgia Inc.</u> <u>DARRYL Lovell</u>
Mailing Address: <u>1973 Holiness Campground Rd</u> <u>Cleveland</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): <u>[Signature]</u> Date Signed: <u>9-31-23</u>

PROPERTY OWNER AUTHORIZATION DOCUMENT: NOTARY ACKNOWLEDGEMENT

Sworn to (or affirmed) and subscribed before me this 31 day of August, 2023 by Matthew Darryl (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

[Signature]
(Signature of Notary)

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

APPLICANT ACKNOWLEDGEMENT OF MEETING DATES

I, DARRYL LOVELL (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

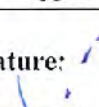
Board of Commissioners Meeting Date: Nov. 27, 2023

**Meeting dates are subject to change*


Signature of Applicant or Authorized Agent

8-31-23
Date

<p><u>OFFICE USE ONLY</u></p> <p>Copy given to applicant: <u>8/31/23</u> (date)</p> <p>Staff Initials: <u>YAP</u></p> <p>Flag (circle): <input checked="" type="radio"/> Y <input type="radio"/> 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: <u></u> Date: <u>8-31-23</u></p>

D2 *DL*

Letter of intent

I would like to apply for a conditional use permit to construct a church sanctuary (9,750 sqft) and a fellowship hall (3,750 sqft) on our property on Duncan Bridge Rd

Dana Jones



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: GENERATION CHURCH OF NORTH GEORGIA

PROPERTY ADDRESS: DUNCAN BRIDGE RD(PARCEL 077 171)
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:

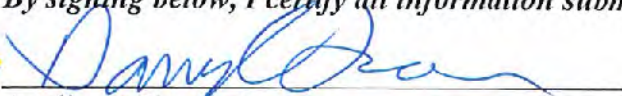
- that the permit on file is the correct permit for the property in question;
- that there is no evidence of system failure;
- that the septic system is appropriately sized for the current and proposed use;
- that there is adequate repair after the proposed addition;
- that there are no conditions that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



Georgia Department of Public Health Construction Permit and Site Approval For On-Site Sewage Management System

COUNTY: White	SUBDIVISION:	LOT NUMBER:	BLOCK:			
PROPERTY ADDRESS: DUNCAN BRIDGE RD CLEVELAND, GA 30528		DIRECTIONS:				
I hereby receive this construction permit to install an On-Site Sewage Management System and agree that the system will be installed to conform to the requirements of the rules of the Georgia Department of Public Health, Chapter 511-3-1 and this permit. By my signature, I understand that final inspection is required and will notify the County Health Department upon completion of construction and before applying final cover material to the system.						
PROPERTY OWNER'S/AUTHORIZED AGENT'S SIGNATURE:			DATE COMPLETED APPLICATION RECEIVED: 09/29/2023			
PROPERTY OWNER'S NAME: GENERATION CHURCH	PHONE NUMBER: (706) 969-0292	PROPERTY OWNER'S ADDRESS: 7702 DUNCAN BRIDGE RD CLEVELAND, GA 30528				
AUTHORIZED AGENT'S NAME:	PHONE NUMBER:	RELATIONSHIP TO OWNER:				
Section A - General Information						
CAN REQUIRED SETBACKS BE MET: YES		TYPE OF STRUCTURE: Commercial < 2000	SOIL SERIES:			
DRINKING WATER SUPPLY: Public	WELL ON THE SITE: NO	WATER USAGE BY: Gallons Per Day	PERCOLATION RATE / HYDRAULIC LOADING RATE:			
SYSTEM TYPE: New		NO. OF BEDROOMS / GPD: 1500	RESTRICTIVE SOIL HORIZON DEPTH (inches):			
LOT SIZE (SQ FT/Acres): 3.392		LEVEL OF PLUMBING OUTLET: Ground Level	SOIL TEST PERFORMED BY:			
Section B - Primary / Pretreatment						
PRETREATMENT: Septic Tank	GARBAGE DISPOSAL: NO	SEPTIC TANK CAPACITY (gallons): 1000	MIN. ATU CAPACITY (gallons): 0	DOSING TANK CAPACITY (gallons):	GREASE TRAP CAPACITY (gallons):	
Section C - Secondary Treatment						
ABSORPTION FIELD DESIGN: Serial		NUMBER OF TRENCHES:		TOTAL ABSORPTION FIELD LINEAR FT REQUIRED:		
		DISTANCE B/W TRENCHES:				
ABSORPTION FIELD PRODUCT: Conventional 12x36 gravel & pipe		DEPTH OF TRENCHES (range in inches):		TOTAL ABSORPTION FIELD SQ FT REQUIRED:		
<p>Issued permits expire twelve (12) months from approval date and are not valid unless signed below by authorized representative of the Georgia Department of Public Health or County Board of Health.</p> <p>Any grading, filling, or other landscaping after issuance of a permit may render permit void. Failure to follow site plan may render permit void. Any grading, filling, or other landscaping after final inspection by county health department, which adversely affects the function of the on-site sewage management system, may render approval void. Installation contractor is responsible for ensuring all required setbacks are met.</p> <p>Issuance of a construction permit for an on-site sewage management system and subsequent approval of same by representative of the Georgia Department of Public Health or County Board of Health shall not be construed as a guarantee that such systems will function satisfactorily for a given period of time; furthermore, said representative(s) do not, by any action taken in effecting compliance with these rules, assume any liability for damages which are caused, or which may be caused, by the malfunction of such system.</p>						
INSPECTOR & INSPECTOR TITLE: Sean Sullivan Environmental Health County Manager		INSPECTOR SIGNATURE:		DATE: 09/29/2023	CONSTRUCTION PERMIT #: OSC15402143	STATUS: Pending

PROPOSED LAYOUT

**APPLICATION FOR CONSTRUCTION PERMIT &
INSPECTION FORM FOR ON-SITE SEWAGE
MANAGEMENT SYSTEM**

PERMIT NUMBER: **OSC15402143**
Property Address: **DUNCAN BRIDGE RD**
Owner's Name: **GENERATION CHURCH/DARRYL
LOVELL**

Builder/Company:
Water Supply: **PUBLIC**
Bedrooms: **1500**
Gallons per Day:
Plumbing Level: **GROUND**
Garbage Disposal: **NO**

**WHITE COUNTY ENVIRONMENTAL HEALTH
1241 HELEN HWY, UNIT 210
CLEVELAND, GA 30528 ♦ (706) 348-7698**

Type of Permit: **NEW**
Type of Facility: **COMMERCIAL**
Subdivision:

Lot/Phase #:
Lot Size: **3.392**
Perc Rate:
Soil Type:

Directions to Property:

Type System: _____ Linear Ft. _____ Trench Width (in): _____ Trench Depth (in): _____
Conventional: _____

Septic Tank Size: _____ Gallons Pump Tank: _____ Gallons Grease Trap: _____ Gallons

Distance Septic Tank from Well/Well Site: _____ Distance Drain Line from Well/Well Site: _____

Comments: _____

Proposed Site Approved By: _____ Date: _____

FINAL APPROVAL

**APPLICATION FOR CONSTRUCTION PERMIT &
INSPECTION FORM FOR ON-SITE SEWAGE
MANAGEMENT SYSTEM**

PERMIT NUMBER: **OSC15402143**
Property Address: **DUNCAN BRIDGE RD**
Owner's Name: **GENERATION CHURCH/DARRYL
LOVELL**

Builder/Company:
Water Supply: **PUBLIC**
Bedrooms: **1500**
Gallons per Day:
Plumbing Level: **GROUND**
Garbage Disposal: **NO**

**WHITE COUNTY ENVIRONMENTAL HEALTH
1241 HELEN HWY, UNIT 210
CLEVELAND, GA 30528 ♦ (706) 348-7698**

Type of Permit: **NEW**
Type of Facility: **COMMERCIAL**
Subdivision:

Lot/Phase #:
Lot Size: **3.392**
Perc Rate:
Soil Type:

Directions to Property:

Septic Tank Installer: _____ Certification #: _____

Company Name: _____ Expiration Date: _____

Type System Installed: _____ Linear Ft. _____ Trench Width (in): _____ Trench Depth (in): _____

Septic Tank: _____ Gallons Manufacturer: _____ Filter: _____

Pump Tank: _____ Gallons Grease Trap: _____ Gallons

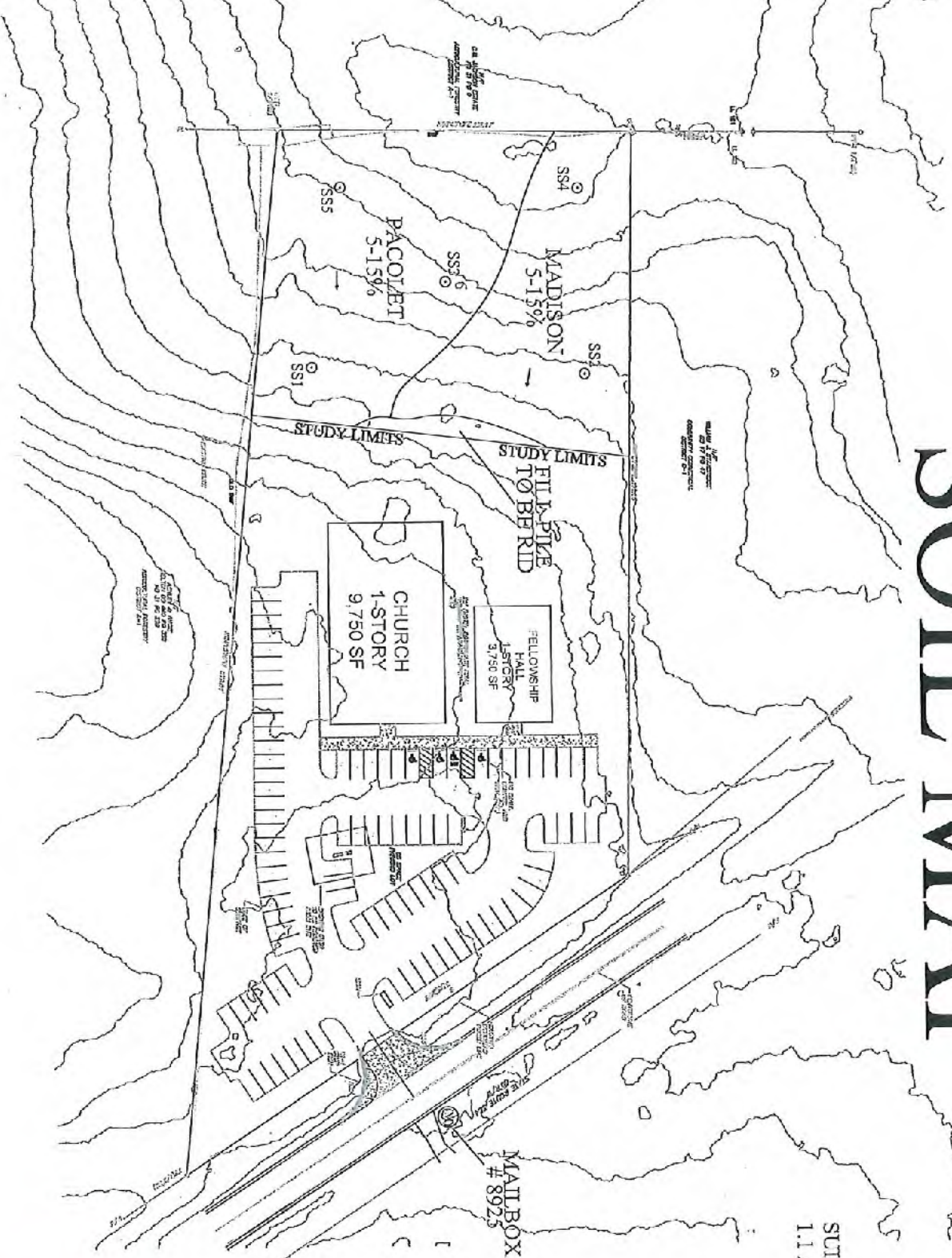
Distance Septic Tank from Well/Well Site: _____ Distance Drain Line from Well/Well Site: _____

Final Approval By: _____ Date: _____

SOIL MAP

SUITABLE SOILS:
1.1 ACRES

GRID NORTH - GA. WEST ZONE



GRAPHIC SCALE - FEET



SUITABILITY CODES

- A SUITABILITY CODE=SOIL SERIES SHOULD HAVE ABILITY TO FUNCTION AS SUITABLE ABSORPTION FIELD WITH PROPER DESIGN, INSTALLATION, AND MAINTENANCE.
 - B SUITABILITY CODE=SOME ROCK AND OR STONY CONDITIONS WERE FOUND WHILE BORING IN THE FOLLOWING SOIL DELINEATION. BORINGS REACHED A DEPTH ACCEPTABLE FOR A CONVENTIONAL INSTALLATION. THESE SOILS HAVE THE ABILITY TO FUNCTION AS A SUITABLE ABSORPTION FIELD WITH PROPER DESIGN,INSTALLATION, AND MAINTENANCE.
 - C SUITABILITY CODE=DUE TO WATER TABLE, FLOODING, AND OR DRAINAGE PROBLEMS, THERE IS A HIGH PROBABILITY OF FAILURE FOR CONVENTIONAL SYSTEMS. (YOUR HEALTH DEPARTMENT CAN DISCUSS WITH YOU IF AN ALTERNATIVE SYSTEM MIGHT BE AN OPTION FOR YOUR SITUATION.) FURTHER STUDY WILL BE NEEDED FOR PERCOLATION RATES TO INSTALL AN ALTERNATIVE SEPTIC SYSTEM.
 - D SUITABILITY CODE=DUE TO THE DRAINAGE AND OR FLOODING CONDITIONS THESE SOIL TYPES SHOULD BE AVOIDED. SEASONAL HIGH WATER TABLES ARE NOT NORMALLY FOUND. HOWEVER; DUE TO HIGH SUBSURFACE FLOW THESE AREAS ARE NORMALLY CONSIDERED UNSATISFACTORY.
 - F SUITABILITY CODE=NORMALLY CONSIDERED UNSATISFACTORY FOR USE FOR CONVENTIONAL ABSORPTION FIELDS.
 - G SUITABILITY CODE=DUE TO SLOPES BEING GREATER THAT 35%, THESE AREAS ARE NORMALLY CONSIDERED UNSUITABLE UNLESS MODIFICATIONS WHICH ARE SUITABLE TO YOUR LOCAL HEALTH DEPARTMENT HAVE TAKEN PLACE.
 - H SUITABILITY CODE=DUE TO BEDROCK LIMITATIONS, THESE SOILS ARE NOT SUITABLE FOR CONVENTIONAL ABSORPTION FIELDS. PLEASE DISCUSS ALTERNATIVE SYSTEM OPTIONS WITH YOUR LOCAL HEALTH DEPARTMENT. TEST PITS WERE DUG ON SITE. Ksat TESTING MAY BE NEEDED IF LOADING RATES WILL BE REQUIRED FOR AN ALTERNATIVE SEPTIC SYSTEM.
 - I SUITABILITY CODE=DEPTH TO BEDROCK IS GENERALLY NOT SUFFICIENT TO ACCOMMODATE A SEPTIC SYSTEM. HOWEVER, SOILS WITH BEDROCK DEPTHS 36 INCHES OR GREATER OR INCLUSIONS OF OTHER SOILS WITH SUFFICIENT DEPTH MAY BE SUITABLE; TEST BORINGS, PITS, AND SATURATED SOIL HYDRAULIC CONDUCTIVITY TESTS; OR POSSIBLY PERCOLATION TESTS MAY BE NEEDED TO DETERMINE THIS. THESE SOILS HAVE THE ABILITY TO FUNCTION WITH AN ALTERNATIVE SYSTEM.
 - K SUITABILITY CODE=THESE SOILS GENERALLY HAVE SUFFICIENT DEPTH OF SOIL MATERIAL OVER BEDROCK TO ACCOMMODATE A SEPTIC SYSTEM. HOWEVER, INCLUSIONS OF OTHER SOILS WITH INSUFFICIENT DEPTH MAY OCCUR. TEST BORINGS, PITS, AND SATURATED SOIL HYDRAULIC CONDUCTIVITY TESTS; OR POSSIBLY A SERIES OF QUALITY PERCOLATION TESTS MAY BE NEEDED TO DETERMINE PROPER SUITABILITY FOR THESE AREAS.
 - P SUITABILITY CODE=THIS SOIL SERIES HAS WATER TABLE AND/OR DRAINAGE PROBLEMS IN THE LOWER PORTION OF THE SOIL AND A CLAYEY (POSSIBLY RESTRICTIVE) LAYER IN THE UPPER PORTION OF THE SOIL WHICH COULD CAUSE PROBLEMS FOR CONVENTIONAL SEPTIC SYSTEMS. HOWEVER, THE DEPTH TO THE SEASONAL HIGH WATER TABLE IS SUCH THAT A SHALLOW INSTALLATION (WHICH MAINTAINS THE REQUIRED 24 INCHES OF SEPARATION BETWEEN THE TRENCH BOTTOM AND THE SEASONAL HIGH WATER TABLE) MIGHT BE POSSIBLE. A LEVEL 4 STUDY, POSSIBLY INCLUDING SATURATED SOIL HYDRAULIC CONDUCTIVITY TESTS, OR POSSIBLY A SERIES OF QUALITY PERCOLATION TESTS, COULD BE CONDUCTED WITHIN THE PROPOSED SEPTIC AREA TO DETERMINE IF A SUITABLE RATE AND DEPTH EXISTS FOR A CONVENTIONAL ABSORPTION FIELD. THESE AREAS SHOULD HAVE THE ABILITY TO FUNCTION FOR AN ALTERNATIVE SEPTIC SYSTEM.
 - S SUITABILITY CODE= DUE TO BEDROCK LIMITATIONS OR A SEASONAL HIGH WATER TABLE, AN ATU WILL BE REQUIRED TO ALLOW FOR 12 INCHES OF SEPERATION RATHER THAN THE NORMAL 24 INCHES. THESE SOIL SERIES SHOULD HAVE THE ABILITY TO FUNCTION AS A SUITABLE ABSORPTION FIELD WITH PROPER DESIGN, INSTALLATION, AND MAINTENANCE.
- KW1 SUITABILITY CODE= THE FOLLOWING SOIL PROFILES ARE DERIVED FROM MAFIC SOILS WHICH HAVE A VERY HIGH CLAY CONTENT THAT LEAD TO EXTREMELY SLOW PERCOLATION RATES. DUE TO THE SLOW PERC. RATES, IT IS IN THE OPINION OF THE SOIL SCIENTIST THAT NO REDUCTION BE GIVEN FOR THE SEPTIC DRAIN LINES. IF PROPERLY INSTALLED, THE SYSTEM SHOULD WORK PROPERLY WITH A CONVENTIONAL SEPTIC SYSTEM
- KW2 SUITABILITY CODE= THE FOLLOWING SOIL PROFILES ARE ON SLOPES GREATER THAN 35%. DUE TO THESE STEEP SLOPES, GRADING OR BENCHING WILL BE REQUIRED FOR INSTALLATION OF SEPTIC. FURTHER TESTING WILL BE REQUIRED AFTER GRADING IS COMPLETED. CONSULT WITH YOUR LOCAL HEALTH DEPARTMENT FOR MORE DETAILS.



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

SULLENS R STACY

132 GUNN CIRCLE

CLEVELAND, GA 30528

PAID DATE		11/14/2022	
RECEIPT PRINTED		8/31/2023 8:08:38 AM	
CASH AMOUNT	CHECK AMOUNT	CHARGE AMOUNT	CHECK NUMBER(s) CHARGE APPROVAL CODE
\$0.00	\$401.83	\$0.00	006359
REFUND AMOUNT		\$0.00	
OVERPAY AMOUNT		\$0.00	
CHANGE AMOUNT		\$0.00	
REGISTER		4	
CASHIER			
TOTAL PAID		\$401.83	


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	
2022-16690 FMV: 42340.00 077 171	LL162 LD2 DUNCAN BRIDGE RD DISTRICT: 001 SERIAL NUMBER: DECAL NUMBER: 0	11/15/2022 \$401.83	\$0.00 \$0.00 \$0.00	\$0.00	\$401.83	\$401.83	\$0.00	
Paid By: SULLENS ENTERPRISES OF NORTHEAST GEORGIA LLC				Overpayment Amount: 0.00				
Check Number: 006359								
Transaction(s): 36628 - 36628		Total(s):	\$401.83	\$0.00	\$0.00	\$401.83	\$401.83	\$0.00

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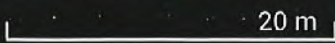
Duncan Bridge Ro... 

Duncan Bridge Rd, Geo...

34.60°N, 83.68°W



Google Earth
Google



Camera: 525 m 34°33'50"N 83°39'11"W 419 m



Overview



Legend

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

Parcel ID	077 171	Alternate ID	5167386	Owner Address	SULLENS R STACY
Sec/Twp/Rng	n/a	Class	R		132 GUNN CIRCLE
Property Address	DUNCAN BRIDGE RD	Acreege	3.39		CLEVELAND GA 30528
	01				
District	01				
Brief Tax Description	LL162 LD2				
	(Note: Not to be used on legal documents)				

Date created: 8/29/2023
 Last Data Uploaded: 8/29/2023 5:22:27 AM

WHITE COUNTY PLANNING DEPARTMENT

STAFF COMMENT

GENERATION CHURCH OF NORTH GA – DARYLL LOVELL

- PROPERTY IS LOCATED ON DUNCAN BRIDGE RD IN CLEVELAND. IT IS IN THE C-1 COMMUNITY COMMERCIAL DISTRICT AND WILL REQUIRE A CONDITIONAL USE PERMIT FROM THE WHITE COUNTY BOARD OF COMMISSIONERS FOR A PLACE OF WORSHIP.
- 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 3.39.
- PROPERTY WILL BE SUPPLIED BY WELL AND SEPTIC.

EXISTING LAND USE



FUTURE LAND USE



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 Daryll Lovell, on behalf of Generation Church of North Georgia, to request a conditional use permit located on Duncan Bridge Road, Cleveland, Georgia, 30528. Tax map and parcel 077-171. Total acreage is 3.39. Proposed use is for a place of worship. Present zoning is C-1 Community Commercial District.

The applicant, Daryl Lovell of 1973 Holiness Campground, was present. Mr. Barton gave a summary of the application. Mr. Lovell had nothing to add.

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

Application of Susan Cabrera to request a conditional use permit located at 3377 Town Creek Road, Cleveland, Georgia, 30528. Tax map and parcel 020-015. Total acreage is 2.28. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

The applicant, Susan Cabrera of 3377 Town Creek Road, was present. Mr. Barton gave a summary of the application. Ms. Cabrera stated there are no rules and regulations like a standard subdivision. She said there are eight lots and got approval from three, plus her two that she owns. She said of the eight lots, three are vacant lots and she believes the other homes are rentals.

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

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 in Cleveland, was present. Mr. Barton gave a summary of the application. Mr. Patton had nothing to add.

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 16th at 9am.

Application of Erik Perrine to request a conditional use permit located at 242 Eagles Nest Road, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 068-144A. Total acreage is 1.00. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

The applicant, Erik Perrine 242 Eagles Nest Road, was present. Mr. Barton gave a summary of the application. Mr. Perrine had nothing to add.

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

Monday, October 30th, 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 Pam Collins to request a conditional use permit located at 482 Monroe Ridge, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 069-584. Total acreage is 1.00. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

The applicant, Pam Collins of 482 Monroe Ridge Road, was present. Mr. Barton gave a summary of the application. Ms. Collins explained the short-term rental, which she has owned and rented short-term for seventeen years, has a maximum occupancy of four adults and a child with parking for four vehicles. She said she has been renting the property out for short-term rental but was not aware the licensing requirements until she received county notification. She explained she rents through AirBnB, she is the local contact, and that she has had no problems or complaints since renting. When asked how far away the closest neighbor was, she said approximately 200 feet.

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. Collins 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 Daryll Lovell, on behalf of Generation Church of North Georgia, to request a conditional use permit located on Duncan Bridge Road, Cleveland, Georgia, 30528. Tax map and parcel 077-171. Total acreage is 3.39. Proposed use is for a place of worship. Present zoning is C-1 Community Commercial District.

The applicant, Daryl Lovell of 1973 Holiness Campground Rd in Cleveland, was present. Mr. Barton gave a summary of the application. Mr. Lovell explained Generation Church of North Georgia was established nine years ago and is currently located nearby. He said they are proposing two structures, one of which would be the main sanctuary and the second for the family hall. He stated this would provide a place of permanent worship for the church that would have a capacity of about 250 people and parking for at least 100 vehicles. Currently, he said, the average is 100-125 people per service but they are anticipating for growth.

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. Lovell 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 Susan Cabrera to request a conditional use permit located at 3377 Town Creek Road, Cleveland, Georgia, 30528. Tax map and parcel 020-015. Total acreage is 2.28. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.



WHITE COUNTY

Board of Commissioners

Item Title: Conditional Use Permit Request for STR for Susan Cabrera, 3377 Town Creek Road, Cleveland

For Meeting Date: 11/16/2023

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

Category (Select One): Land Use Application

Submitted By: John Sell

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

1. Application #20269
2. Public Hearing Minutes 10/30/2023
3. Regular Meeting Minutes 11/6/2023

Purpose:

Consider the application of Susan Cabrera to request a conditional use permit located at 3377 Town Creek Road, Cleveland, Georgia, 30528. Tax map and parcel 020-015. Total acreage is 2.28. 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 property is part of Venie G. Allen Estate which has 8 parcels. Ms. Cabrera acquired 5 letters to meet the requirement. Ms. Cabrera stated the property has a maximum capacity of 4 people with parking for 4 cars. Ms. Cabrera has been renting the house and was notified by the county that she needed a host license, so she contacted the office immediately. She has been paying Hotel/Motel tax through the on-line platform and has had no complaints. The emergency contact is the next door neighbor who is also the grounds keeper. No one spoke for or against the application. The Planning Commission recommended approval of the application and the motion passed by unanimous vote.

Department Recommendation:

Planning Commission recommended approval by unanimous vote.

Options:

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

Budget Information: Applicable Not Applicable

Budgeted: Yes No

Finance Director's Comments (if applicable):

-

County Manager Comments:

-

WHITE COUNTY CHANGE OF LAND USE DISTRICT APPLICATION

OFFICE USE ONLY	Land Use Application #: <u>20269</u>
Public Hearing Date: <u>10/30/23</u>	Commission District: <u>3</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>Susan Cabrera</u>	
Address: <u>5135 S. Trimble Rd Sandy Springs Ga 30342</u>	
Phone Number: [REDACTED]	Alternate Contact Number: _____
Email: [REDACTED]	
Owner Information (if different from Applicant/Agent):	
Name: _____	Phone #: _____
PROPERTY INFORMATION	
Parcel ID: <u>020015</u>	Total acreage being changed: <u>2.28</u>
Address: <u>3377 Town Creek Rd Cleveland ga, 30528</u>	
Directions to Property: _____	
Current Use/Zoning of Property: _____	Type of Road Surface: <u>RI</u>
Any prior redistricting requests for property: <u>NO</u> If yes, provide redistricting application #: _____	
SURROUNDING PROPERTY LAND USE CLASSIFICATION:	
North: <u>RI</u>	South: <u>RI</u> East: <u>RI</u> West: <u>RI</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): _____	

*Part of 8 lot Estate plat

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	020016 Benny Allen	3379 Towncreek Rd Cleveland Ga 30528
2	020014 Susan E Ernesto Cabrera	5135 S. Trimble Rd Sandy Springs Ga 30342
3	020013 Lillie Myer Allen	3277 Town Creek Rd Cleveland Ga 30528
4	026022C Lisa Short	317 Aurum Hill Rd Cleveland Ga 30528
5	020022B Stephen Terebecki Helen Terebecki	Aurum Hill Rd Cleveland Ga 30528
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:

Susan Cabresora

Date:

August 10, 2023

2023 DEADLINES AND MEETING DATES

Bring Before 9-13

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

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

NOTICE OF AGRICULTURAL DISTRICT ADJACENCY

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

Applicant Signature:

Date:

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

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

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

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

Amount \$:

Date:

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

Check box if no contributions made

Applicant Signature:

Lusan Cabrera

Date:

08/10/2023

PROPERTY OWNER AUTHORIZATION

Notary

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), Susan Cabrera & Ernesto Cabrera
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>020015</u>	
PROPERTY OWNER INFORMATION	
Printed Name of Owner(s): <u>Susan Cabrera</u>	
Mailing Address: <u>5135 S. Trimble Rd</u> <u>Sandy Springs Ga 30342</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):	
Signature of Owner(s):	Date Signed:
<u>Susan Cabrera</u>	<u>08/31/23</u>

Notary

PROPERTY OWNER AUTHORIZATION DOCUMENT: NOTARY ACKNOWLEDGEMENT

Sworn to (or affirmed) and subscribed before me this 31 day of August, 2023 by Susan Cabrera (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
White County, GEORGIA
My Commission Expires 07/12/2025

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

SHORT TERM RENTAL CERTIFICATIONS

Notary

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

I/WE (print), Susan Cabrera, 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): Susan Cabrera

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): Susan Cabrera

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): Susan Cabrera

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): Susan Cabrera

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): Susan Cabrera

Notary

SHORT TERM RENTAL CERTIFICATIONS DOCUMENT: NOTARY ACKNOWLEDGEMENT

Sworn to (or affirmed) and subscribed before me this 31st day of August, 2023 by Susan Cabrera (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 (Name of Notary Typed, Stamped, or Printed)

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

APPLICANT ACKNOWLEDGEMENT OF MEETING DATES

I, Susan Cahura (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*

Susan Cahura
Signature of Applicant or Authorized Agent

8/31/2023
Date

<p><u>OFFICE USE ONLY</u></p> <p>Copy given to applicant: <u>8/31/23</u> (date)</p> <p>Staff Initials: <u>JA</u></p> <p>Flag (circle): <input checked="" type="radio"/> Y <input type="radio"/> 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>

To Whom it concerns:

Our intent is to have a short term rental with Air B&B. The maximum number of people would be 4. The cabin is 2 Bedroom one bath cabin.

Susan Cabrera.



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 checked="" type="checkbox"/> Evaluation, Permit Not Applied For At This Time |

DATE: 08/24/2022

APPLICANT NAME: Susan Cabrera

PROPERTY ADDRESS: 3377 Town Creek Road
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.

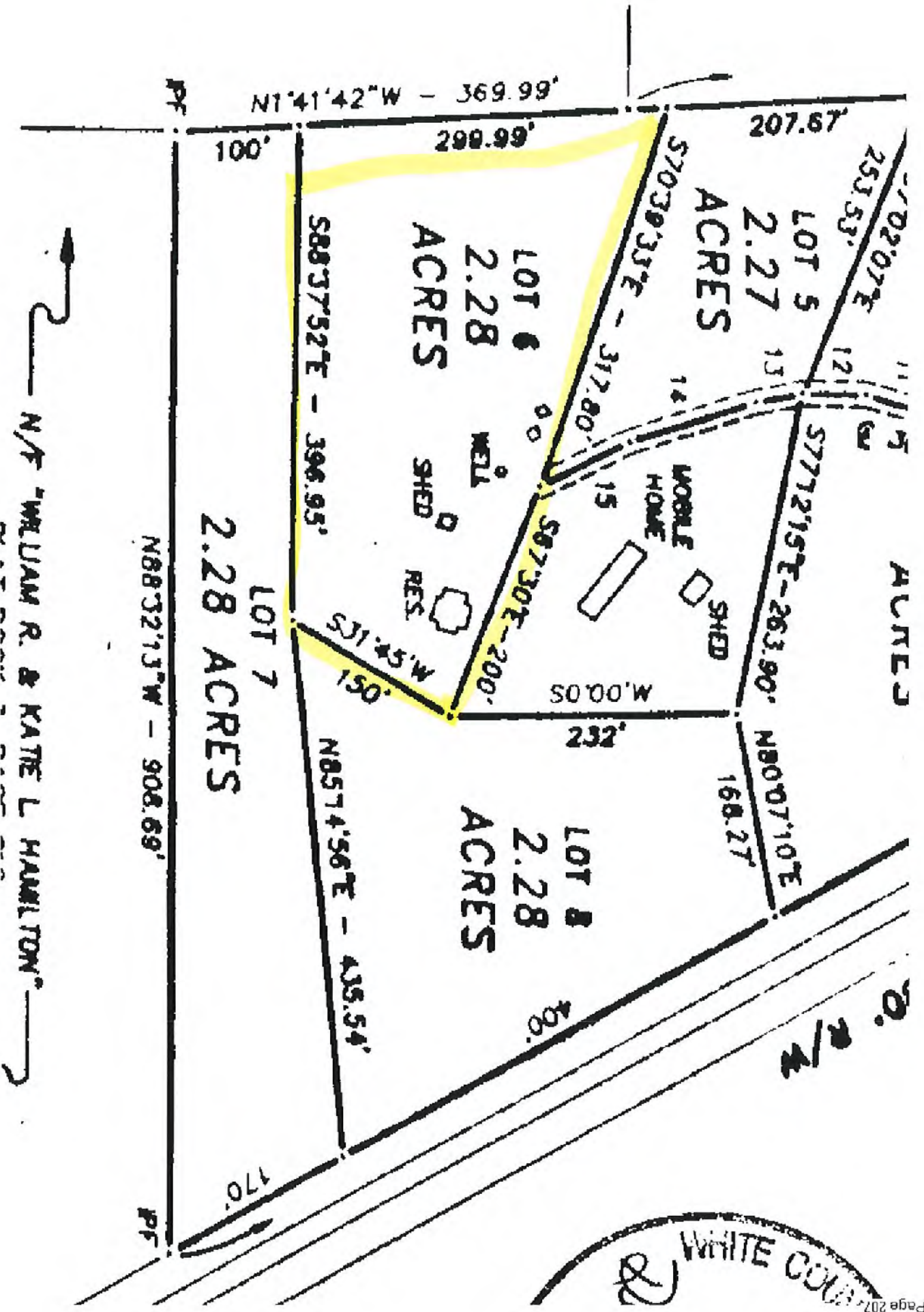
If, based upon information submitted, no septic systems exist on the property, this zoning/land use change and/or building permit request should not affect the property with respect to septic use.

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.

 Susan Cabrera

Applicant Signature





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
 CABRERA ERNESTO LCABRERA SUSAN J
 5135 S TRIMBLE RD
 SANDY SPRINGS, GA 30342-2124

PAID DATE			12/28/2022
RECEIPT PRINTED			8/17/2023 10:28:41 AM
CASH AMOUNT	CHECK AMOUNT	CHARGE AMOUNT	CHECK NUMBER(S) CHARGE APPROVAL CODE
\$0.00	\$4.54	\$0.00	0000007309
REFUND AMOUNT			\$0.00
OVERPAY AMOUNT			\$0.00
CHANGE AMOUNT			\$0.00
REGISTER			3
CASHIER			
TOTAL PAID			\$4.54

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	
2022-2601 FMV: 91510.00 020 015	LL 40 LD 1 PB LOT6 3377 TOWN CREEK RD DISTRICT: 001 SERIAL NUMBER: DECAL NUMBER: 0	11/15/2022 \$868.51	\$4.54 \$0.00 \$0.00	\$868.51	\$4.54	\$4.54	\$0.00	
Paid By: CABRERA ERNESTO LCABRERA SUSAN J				Overpayment Amount: 0.00				
Check Number: 0000007309								
Transaction(s): 44951 - 44951		Total(s):	\$868.51	\$4.54	\$868.51	\$4.54	\$4.54	\$0.00



Overview



Legend

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

Parcel ID	020 015	Alternate ID	5164030	Owner Address	CABRERA ERNESTO L
Sec/Twp/Rng	n/a	Class	R		CABRERA SUSAN J
Property Address	3377 TOWN CREEK RD	Acreage	2.28		5135 S TRIMBLE RD
	01				SANDY SPRINGS GA 30342-2124
District	01				
Brief Tax Description	LL 40 LD 1 PB LOT6				
	(Note: Not to be used on legal documents)				

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

Developed by **Schneider**
 GEOSPATIAL

LETTER REQUEST FOR APPROVAL OF SHORT TERM RENTAL

Hello,

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

Address: 3377 Town Creek Rd 30528

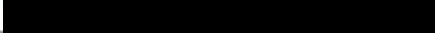
Parcel ID: lots 6+8 020014+020015

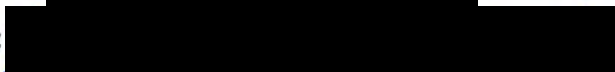
Per White County Code of Ordinances Appendix C/Article VII/Section 702, I am required to have a signed majority of the homeowners in the subdivision for me to apply for this conditional use. Please complete the form below indicating that you approve of a conditional use for Short Term Rental at my property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


X I, Chad Jackson (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
<u>4</u>	<u>020017</u>	<u>3383 Town Creek Rd</u>

Phone Number: 

Email Address: 

X Signature: 

Date Signed: Sept 20, 2023

LETTER REQUEST FOR APPROVAL OF SHORT TERM RENTAL

Hello,

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

Address: 3377 Town Creek Rd 30528

Parcel ID: 020014 & 020015

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, x Lillie Fowler Lillie Fowler (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
<u>7</u>	<u>020013</u>	<u>3277 Town Creek Rd</u>

Phone Number: [REDACTED]

Email Address: 3277 Town Creek Rd. Nowe

Signature: x Lillie Fowler

Date Signed: 9/17/2023

LETTER REQUEST FOR APPROVAL OF SHORT TERM RENTAL

Hello,

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

Address: 3377 Town Creek Rd 30528

Parcel ID: lots 6+8 020014+020015

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, Benny Allen (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
<u>5</u>	<u>020016</u>	<u>3379 Town Creek Rd</u>

Phone Number: 

Email Address: none

Signature: Benny Allen

Date Signed: SEPT 17, 2023

**WHITE COUNTY PLANNING DEPARTMENT
STAFF COMMENT**

SUSAN CABRERA

- PROPERTY IS LOCATED AT 3377 TOWN CREEK IN CLEVELAND. 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 2.28.
- PROPERTY SUPPLIED BY WELL AND SEPTIC.

EXISTING LAND USE



FUTURE LAND USE



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 Daryll Lovell, on behalf of Generation Church of North Georgia, to request a conditional use permit located on Duncan Bridge Road, Cleveland, Georgia, 30528. Tax map and parcel 077-171. Total acreage is 3.39. Proposed use is for a place of worship. Present zoning is C-1 Community Commercial District.

The applicant, Daryl Lovell of 1973 Holiness Campground, was present. Mr. Barton gave a summary of the application. Mr. Lovell had nothing to add.

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

Application of Susan Cabrera to request a conditional use permit located at 3377 Town Creek Road, Cleveland, Georgia, 30528. Tax map and parcel 020-015. Total acreage is 2.28. Proposed use is to place in "Short Term Rental" program. Present zoning is R-1 Residential Single Family.

The applicant, Susan Cabrera of 3377 Town Creek Road, was present. Mr. Barton gave a summary of the application. Ms. Cabrera stated there are no rules and regulations like a standard subdivision. She said there are eight lots and got approval from three, plus her two that she owns. She said of the eight lots, three are vacant lots and she believes the other homes are rentals.

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

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 in Cleveland, was present. Mr. Barton gave a summary of the application. Mr. Patton had nothing to add.

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 16th at 9am.

Application of Erik Perrine to request a conditional use permit located at 242 Eagles Nest Road, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 068-144A. Total acreage is 1.00. Proposed use is to place in "Short Term Rental" program. Present zoning is R-1 Residential Single Family.

The applicant, Erik Perrine 242 Eagles Nest Road, was present. Mr. Barton gave a summary of the application. Mr. Perrine had nothing to add.

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

Monday, October 30th, 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 Pam Collins to request a conditional use permit located at 482 Monroe Ridge, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 069-584. Total acreage is 1.00. Proposed use is to place in "Short Term Rental" program. Present zoning is R-1 Residential Single Family.

The applicant, Pam Collins of 482 Monroe Ridge Road, was present. Mr. Barton gave a summary of the application. Ms. Collins explained the short-term rental, which she has owned and rented short-term for seventeen years, has a maximum occupancy of four adults and a child with parking for four vehicles. She said she has been renting the property out for short-term rental but was not aware the licensing requirements until she received county notification. She explained she rents through AirBnB, she is the local contact, and that she has had no problems or complaints since renting. When asked how far away the closest neighbor was, she said approximately 200 feet.

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. Collins 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 Daryll Lovell, on behalf of Generation Church of North Georgia, to request a conditional use permit located on Duncan Bridge Road, Cleveland, Georgia, 30528. Tax map and parcel 077-171. Total acreage is 3.39. Proposed use is for a place of worship. Present zoning is C-1 Community Commercial District.

The applicant, Daryl Lovell of 1973 Holiness Campground Rd in Cleveland, was present. Mr. Barton gave a summary of the application. Mr. Lovell explained Generation Church of North Georgia was established nine years ago and is currently located nearby. He said they are proposing two structures, one of which would be the main sanctuary and the second for the family hall. He stated this would provide a place of permanent worship for the church that would have a capacity of about 250 people and parking for at least 100 vehicles. Currently, he said, the average is 100-125 people per service but they are anticipating for growth.

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. Lovell 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 Susan Cabrera to request a conditional use permit located at 3377 Town Creek Road, Cleveland, Georgia, 30528. Tax map and parcel 020-015. Total acreage is 2.28. Proposed use is to place in "Short Term Rental" program. Present zoning is R-1 Residential Single Family.

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

Board of Commissioners

Item Title: Conditional Use Permit Request for STR for Jim Patton, 24 Luke Road, Cleveland

For Meeting Date: 11/16/2023

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

Category (Select One): Land Use Application

Submitted By: John Sell

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

1. Application #20271
2. Public Hearing Minutes 10/30/2023
3. Regular Meeting Minutes 11/6/2023

Purpose:

Consider the 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.

Background / Summary:

- Applicant is requesting a conditional use permit for short term rental. The property is not part of a subdivision. Mr. Patton explained that this house is still under construction but will have a maximum occupancy of 6 people with adequate parking. He is considering using a management agency. No one spoke for or against the application. The Planning Commission recommended approval of the application and the motion passed by unanimous vote.

Department Recommendation:

Planning Commission recommended approval by unanimous vote.

Options:

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

Budget Information: Applicable Not Applicable

Budgeted: Yes No

Finance Director's Comments (if applicable):

-

County Manager Comments:

-

WHITE COUNTY CHANGE OF LAND USE DISTRICT APPLICATION

OFFICE USE ONLY	Land Use Application #: <u>20271</u>
Public Hearing Date: <u>10/30/2023</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>1060</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>JIM PATTON</u>	
Address: <u>675 MOUNTAIN MEADOWS ROAD</u>	
Phone Number: [REDACTED]	Alternate Contact Number: [REDACTED]
Email:	
Owner Information (if different from Applicant/Agent):	
Name:	Phone #:
PROPERTY INFORMATION	
Parcel ID: <u>061146N</u>	Total acreage being changed: <u>1.5</u>
Address: <u>24 LUKE ROAD</u>	
Directions to Property: <u>115 EAST TO 255, TURN LEFT. GO ABOUT 2 MILES AND TURN RIGHT ON LUKE RD. 1ST DRIVEWAY ON THE RIGHT</u>	
Current Use/Zoning of Property: <u>R-1</u>	Type of Road Surface: <u>PAVED</u>
Any prior redistricting requests for property: <u>NO</u> If yes, provide redistricting application #: _____	
SURROUNDING PROPERTY LAND USE CLASSIFICATION:	
North: <u>A-1</u>	South: <u>A-1</u> East: <u>A-1</u> West: <u>A-1 & 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): _____	

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: 1 Minimum Lot Size in acres: 1.5 No. of Units: 1

Minimum Heated Floor Area (ft²): 2400 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
<u>1</u>	<u>061 150B BROWN, STEVEN TODD</u>	<u>1718 HWY 255 SOUTH</u>
<u>2</u>	<u>060D 062 R.J. MILLER FAMILY FARMS LLC</u>	<u>1217 HWY. 255</u>
<u>3</u>	<u>061 148 HAMCO PROPERTIES OF CLEVELAND</u>	<u>479 LUKE ROAD</u>
<u>4</u>	<u>061 146E COOPER, JEFF</u>	<u>118 OLD VINEYARD WAY</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:



Date: 8-21-23

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: 

Date: 8-21-23

**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: 

Date: 8-21-23

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), JIM PATTON,
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>PATTON + PATTON PROPERTIES LLC</u> <u>JIM PATTON</u> <u>SCOTT PATTON</u>
Mailing Address:	<u>675 MOUNTAIN MEADOWS RD. CLEVELAND, GA. 30528</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>JIM PATTON</u> <u>9/1/23</u>
Signature of Owner(s):	Date Signed:
	

PROPERTY OWNER AUTHORIZATION DOCUMENT: NOTARY ACKNOWLEDGEMENT

Sworn to (or affirmed) and subscribed before me this 1st day of Sept, 2023 by James Patton (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), JIM PATTON,
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 1 day of SEPTEMBER, 2023 by James Patton (name of signer(s)). The named signer(s) is/are personally known by me or produced the identification type of Drivers License.



(Signature of Notary)

{Seal}

Doreen Green

(Name of Notary Typed, Stamped, or Printed)

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

APPLICANT ACKNOWLEDGEMENT OF MEETING DATES

I, JIM PATTON (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): 10/30/23

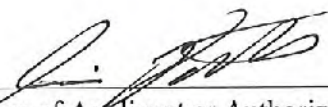
Regular Meeting Date (Planning Commission): 11/6/23

Administration Building, 1235 Helen Hwy, Cleveland

4:30pm

Board of Commissioners Meeting Date: 11/27/23

**Meeting dates are subject to change*


Signature of Applicant or Authorized Agent

8-21-23
Date

<u>OFFICE USE ONLY</u>
Copy given to applicant: <u>9/1/2023</u> (date)
Staff Initials: <u>JK</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>
<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>
I hereby withdraw application #:
Applicant Signature: _____ Date: _____

Intent of property for 24 Luke Road

Our intent for 24 Luke Road is to use the house for short term rental, with an occupancy rate of 10 or less guests.

Thank You,

A handwritten signature in black ink, appearing to read "Jim Patton", with a long horizontal flourish extending to the right.

Jim Patton



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 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: 08/16/2023

APPLICANT NAME: JIM PATTON

PROPERTY ADDRESS: 24 LUKE RD
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



Georgia Department of Public Health On-Site Sewage Management System Performance Evaluation Report Form

APPLICANT NAME: JIM PATTON	PROPERTY/SYSTEM ADDRESS: 24 LUKE RD CLEVELAND, GA 30528	EVALUATION ID: 008121
APPLICANT PHONE: [REDACTED]		COUNTY: White
APPLICANT EMAIL ADDRESS: [REDACTED]	SUBDIVISION/LOT/BLOCK: //	REASON FOR EVALUATION: Structure Change of Use

Inspection Records

Yes	1. Inspection records exist for this septic system.
Yes	2. Inspection records indicate that all components of the septic system were properly constructed and approved at the time of original inspection. A copy of the original inspection report is attached.

Maintenance Records (applicable copies are attached)

Yes	3. Maintenance or installation records indicate that the tank has been pumped out or installed within the past 5 years. Note: it is recommended that septic tanks be pumped at least once every 5 years.
N/A	4. Systems with aerobic treatment unit(s) (ATU): Records indicate the ATU has been serviced in accordance with the manufacturer's recommended maintenance schedule OR an authorized representative of the manufacturer has provided documentation that the ATU is operating sufficiently.
N/A	5. Systems with grease trap(s): Maintenance records indicate the grease trap(s) has been pumped out within the last 6 months OR documentation has been provided by a qualified individual confirming that the grease trap contains less than 75% of the designed grease holding capacity and is operating sufficiently.

System Assessment and Existing Site Conditions (applicable copies are attached)

N/A	6. The septic tank was uncovered at the time of this County Board of Health Evaluation OR maintenance records exist and the tank appears to meet the required design, construction, and installation criteria. The appropriateness of the sizing and installation criteria of the absorption field cannot be verified since no initial inspection records exist.
N/A	7. A Georgia certified septic tank installer has provided written documentation of the system design, location, and components.
Yes	8. This site evaluation by the County Board of Health revealed no evidence of system failure.
Yes	9. This site evaluation by the County Board of Health revealed no evidence of adverse conditions which would affect the functioning of the system.

Addition to Property

N/A	10. This site evaluation as well as the provided information indicate that the proposed construction to the home or property should not adversely affect the functioning of the existing system.
-----	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Relocation of Home or Change of Use

Yes	11. This site evaluation as well as the provided information indicate that the system appears to meet the required design, construction, and installation criteria to accommodate the proposed relocation of the home or change of use for the facility should not adversely affect the functioning of the existing system.
-----	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

See 2nd page for evaluation notes, disclaimer, and signature.

Performance Evaluation Report Form (continued)

PROPERTY/SYSTEM ADDRESS: 24 LUKE RD CLEVELAND, GA 30528	EVALUATION ID: 008121
	SUBDIVISION/LOT/BLOCK: //

Adverse Conditions (i.e. malfunctioning or damaged system or clear evidence of a condition, or conditions, that would likely contribute to system malfunction or unacceptable risk to public health):
none noted

Additional Notes/Comments:

STR approved for 6 people based on 75 gallons per person per day. System on record is sized for 3 bedrooms installed in 2023

Inspector: Padraic Thompson	Signature:	Date: 09/05/2023
---------------------------------------	-------------------	----------------------------

I verify the above information to be correct at the date and time of this evaluation only. Disclaimer: This verification shall not be construed as a guarantee of the proper functioning of this system for any given period of time. No liability is assumed for future damages that may be caused by system malfunction.

eFiled & eRecorded
 DATE: 5/19/2021
 TIME: 9:46 AM
 PLAT BOOK: 02021
 PAGE: 00093
 RECORDING FEES: \$10.00
 PARTICIPANT ID: 8062908767
 CLERK: Dena M. Adams
 White County, GA

SURVEYOR'S CERTIFICATION
 As required by subsection (3) of O.C.G.A. section 15-6-67, the registered land surveyor hereby certifies that this map, plat, or plan has been approved for filing by any and all applicable municipal, county, or municipal-county planning commissions or municipal or county governing authorities or the local governing authorities have affirmed in writing that approval is not required.
 The following governmental body has approved this map, plat, or plan by filing:
Mr. [Signature] 3/16/2018
 White Co. Planning Director Date
 Such approval or affirmations should be confirmed with the appropriate governmental bodies by any purchaser as to intended use of any parcel. The registered land surveyor further certifies that this plat complies with the minimum standards and specifications of the state board of registration for professional engineers and land surveyors and the Georgia Surveyors' Association's Cooperative Authority.
Russell L. Cheek
 Russell L. Cheek GA, PLS # 3028
 This survey complies with both the rules of the Georgia Board of Registration for Land Surveyors and the Official Code of Georgia Annotated (OCGA) 15-6-67 as amended by HB1004 (2018), in that where a conflict exists between those two sets of specifications, the requirements of law prevail.

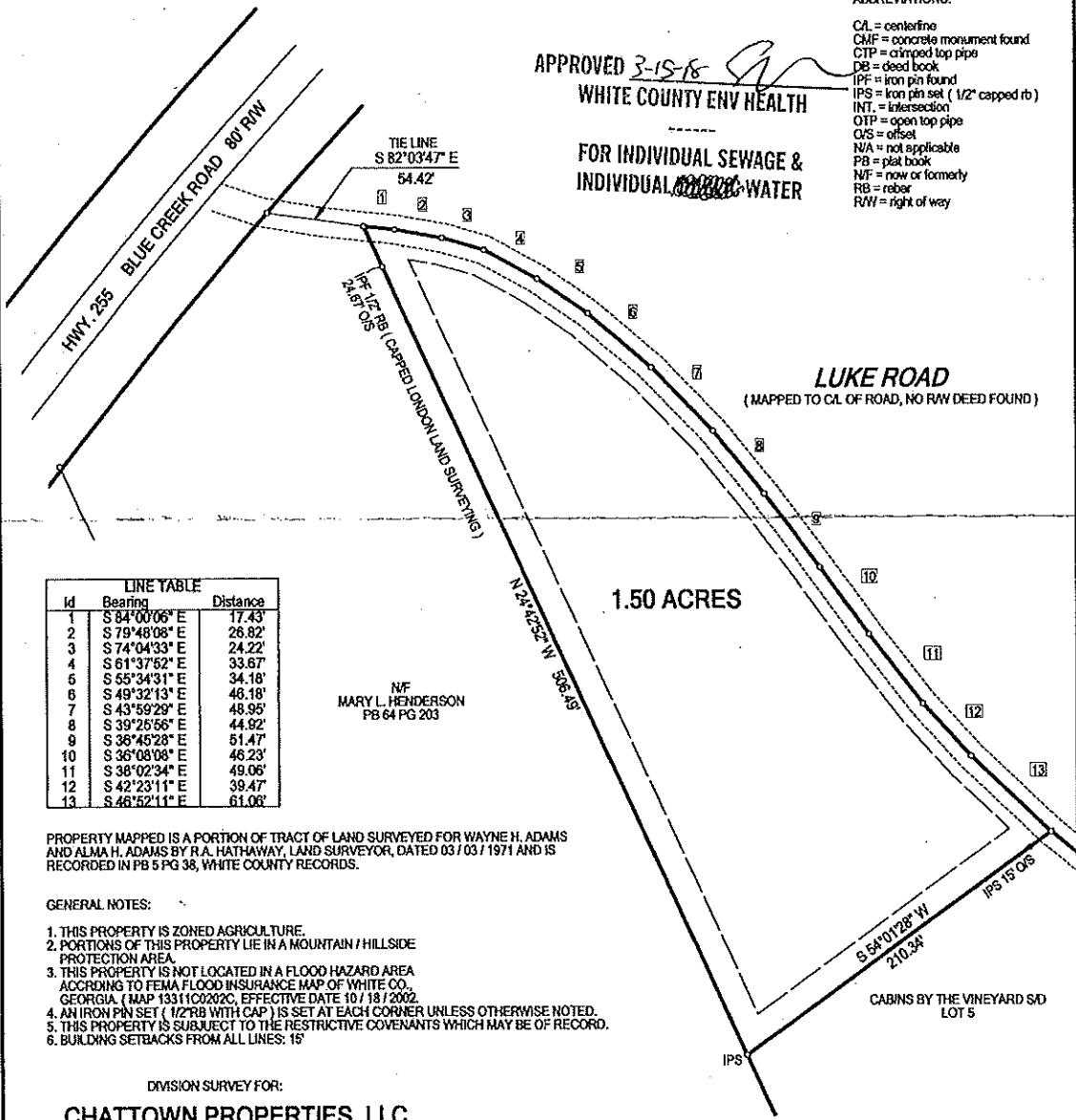


GRID NORTH
 NAD 83 WEST ZONE
 (DETERMINED WITH AN OPUS X90 RECEIVER)

Field equipment used: Sokkia SRX5 robotic total station
 Field closure precision: 1" in 16,254', compass rule adjustment
 Angular error: 03" per angle point
 Plat closure precision: 1" in 83,059'

- ABBREVIATIONS:**
 CL = centerline
 CMF = concrete monument found
 CTP = capped top pipe
 DB = deed book
 IPF = iron pin found
 IPS = iron pin set (1/2" capped rb)
 INT. = intersection
 OTP = open top pipe
 O/S = offset
 N/A = not applicable
 PB = plat book
 NF = now or formerly
 RB = rebar
 RW = right of way

APPROVED 3-15-18 [Signature]
 WHITE COUNTY ENV HEALTH
 FOR INDIVIDUAL SEWAGE & INDIVIDUAL WATER



Id	Bearing	Distance
1	S 84°00'06" E	17.43
2	S 79°48'08" E	26.82
3	S 74°04'33" E	24.22
4	S 61°37'52" E	33.67
5	S 55°34'31" E	34.18
6	S 49°32'13" E	48.18
7	S 43°59'29" E	48.95
8	S 39°25'56" E	44.82
9	S 36°45'28" E	51.47
10	S 36°08'08" E	46.23
11	S 36°02'34" E	49.06
12	S 42°23'11" E	39.47
13	S 46°52'11" E	61.06

PROPERTY MAPPED IS A PORTION OF TRACT OF LAND SURVEYED FOR WAYNE H. ADAMS AND ALMA H. ADAMS BY R.A. HATHAWAY, LAND SURVEYOR, DATED 03/03/1971 AND IS RECORDED IN PB 5 PG 38, WHITE COUNTY RECORDS.

- GENERAL NOTES:**
1. THIS PROPERTY IS ZONED AGRICULTURE.
 2. PORTIONS OF THIS PROPERTY LIE IN A MOUNTAIN / HILLSIDE PROTECTION AREA.
 3. THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA ACCORDING TO FEMA FLOOD INSURANCE MAP OF WHITE CO., GEORGIA, MAP 13311C0202, EFFECTIVE DATE 10/18/2002.
 4. AN IRON PIN SET (1/2" RB WITH CAP) IS SET AT EACH CORNER UNLESS OTHERWISE NOTED.
 5. THIS PROPERTY IS SUBJECT TO THE RESTRICTIVE COVENANTS WHICH MAY BE OF RECORD.
 6. BUILDING SETBACKS FROM ALL LINES: 15'

DIVISION SURVEY FOR:
CHATTOWN PROPERTIES, LLC
 Located In: Land Lot 109 District 2nd Section n/a
 City: n/a White County, Georgia
 Date: 09 - February - 2018 Job No. 1749SD Fb: 33
 Revisions: none
 Field work completed: 09 - February - 2018
 Scale: 1 inch = 60 feet File: Patton, Jim

APPROVED BY
 WHITE CO., GA.
 PUBLIC WORKS
 DATE: 3-14-18
 BY: [Signature]



SURVEYED BY:
 RUSSELL L. CHEEK
 163 N. CURRAHEE LANE
 TOCCOA, GA 30577
 PHONE: 706-886-8536



This property is subject to any valid and enforceable easements, restrictions, and rights of way, written or unwritten.

**TOTAL SUBDIVIDED AREA:
12.67 ACRES**

11.91 ACRES (LOTS 1-8)
0.52 ACRE (ROAD RW)
0.23 ACRE (SEDIMENT BASIN)
0.01 ACRE (WELL TRACT)

PROPERTY MAPPED IS A PORTION OF TRACT OF LAND SURVEYED FOR WAYNE H. ADAMS AND ALAN H. ADAMS BY P.L. KATKINWAY, LAND SURVEYOR, DATED 03/03/1971 AND IS RECORDED IN PG 5 PG 38, WHITE COUNTY RECORDS.

ABBREVIATIONS:

CL = centerline
COP = concrete monument found
CIP = capped top pipe
DB = deed book
FP = iron pin found
IP = iron pin set (1/2" capped rd)
IT = intersection
OIP = open top pipe
OS = offset
NA = not applicable
PB = plat book
RF = right of way



LINE TABLE			LINE TABLE		
Id	Bearing	Distance	Id	Bearing	Distance
1	S 84°00'00" E	17.43	34	S 23°33'30" W	64.64
2	S 79°43'00" E	28.82	35	S 29°21'55" W	44.55
3	S 74°04'33" E	24.22	36	S 37°03'59" W	25.94
4	S 65°37'52" E	33.67	37	N 66°09'44" W	73.69
5	S 65°34'31" E	34.18	38	N 84°07'19" W	64.13
6	S 49°32'13" E	46.18	39	N 80°54'54" W	52.95
7	S 43°02'29" E	48.90	40	N 74°32'21" W	52.17
8	S 39°25'26" E	44.92	41	N 66°26'29" W	13.05
9	S 36°45'23" E	51.47	42	N 66°26'29" W	24.74
10	S 38°10'05" E	46.23	43	N 53°27'55" W	23.06
11	S 33°02'34" E	40.05	44	N 24°00'00" W	29.78
12	S 47°23'11" E	39.47	45	N 20°52'04" W	38.60
13	S 46°52'11" E	61.00	46	N 07°46'22" W	48.69
14	S 60°31'28" E	58.12	47	N 20°57'48" E	7.78
15	S 63°16'59" E	68.23	48	N 20°52'04" E	11.81
16	S 57°02'39" E	64.41	49	S 20°57'48" E	4.31
17	S 60°11'57" E	53.04	50	S 07°46'22" E	48.66
18	S 81°59'01" E	89.50	51	S 20°52'04" E	42.78
19	S 61°24'33" E	81.19	52	N 24°00'00" E	38.46
20	S 65°33'05" E	64.41	53	S 63°27'55" E	34.34
21	S 61°47'14" E	31.76	54	S 66°26'29" E	25.26
22	S 44°51'57" E	43.39			
23	S 40°18'21" E	64.79			
24	S 35°12'34" E	81.71			
25	S 32°34'22" E	54.16			
26	S 26°41'02" E	43.40			
27	S 21°21'53" E	38.70			
28	S 13°13'44" E	61.74			
29	S 06°19'50" E	60.17			
30	S 06°02'35" E	61.74			
31	S 09°02'19" E	57.54			
32	S 12°14'34" E	57.54			
33	S 16°41'32" E	49.16			

CURVE TABLE				
Id	Radius	Arc Length	Chord	Ch Bear
1	40.00	36.34	35.10	N 07°37'26" E
2	40.00	36.34	35.10	N 44°29'28" W
3	40.00	36.99	35.69	S 83°03'26" W
4	40.00	36.34	35.10	S 30°32'21" W
5	40.00	74.44	64.15	S 45°47'44" E

SURVEYOR'S CERTIFICATION
As required by Ordinance 16 of the City of Atlanta, Georgia, I, the undersigned, being duly sworn, certify that this plat, map, or plan has been prepared by me or under my supervision and that I am a duly licensed and qualified land surveyor in the State of Georgia. I have personally examined the original and certified true and correct copies of the same and certify that the same are true and correct copies of the original and that the same have been prepared in accordance with the laws and regulations of the State of Georgia. I have also examined the original and certified true and correct copies of the same and certify that the same are true and correct copies of the original and that the same have been prepared in accordance with the laws and regulations of the State of Georgia.

OWNER/DEVELOPER:
MOUNT YONAH HOMES, LP
1125 W. 129 SOUTH
CLEVELAND, GEORGIA 30323
PHONE: 706-569-8435

OWNERS CERTIFICATE:
STATE OF GEORGIA, COUNTY OF WHITE
THE OWNER OF THE LAND SHOWN ON THIS PLAN AND WHOSE NAME IS SUBSCRIBED HERETO, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, CERTIFIES UNDER OATH THAT THIS PLAN WAS MADE FROM AN ACTUAL SURVEY, THAT ALL STATE AND COUNTY TAXES OR OTHER ASSESSMENTS NOW DUE ON THIS LAND HAVE BEEN PAID, AND THAT ALL STATE OF GEORGIA STATUTORY AND REGULATORY REQUIREMENTS FOR WATER SUPPLY AND SEWER MANAGEMENT HAVE BEEN MET.

OWNER: _____ **DATE:** _____
AGENT: _____ **DATE:** _____
SUBSCRIBED AND SWORN TO IN MY PRESENCE THIS _____ DAY OF _____, 20____
NOTARY PUBLIC: _____
COMMISSION EXPIRES: _____

SURVEYOR'S CERTIFICATION
IT IS CERTIFIED THAT THIS PLAN IS A TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY BY ME OR UNDER MY SUPERVISION THAT ALL BOUNDARY MARKERS SHOWN THEREON ACTUALLY EXIST OR ARE MARKED AS FUTURE AND THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN AND THAT ALL ENGINEERING REQUIREMENTS OF THE LAND SUBDIVISION REGULATIONS OF WHITE COUNTY, GEORGIA, HAVE BEEN FULLY COMPLIED WITH.

REGISTERED LAND SURVEYOR NO. 3058

PURSUANT TO THE LAND SUBDIVISION REGULATIONS OF WHITE COUNTY, GEORGIA, ALL OF THE REQUIREMENTS HAVE BEEN FULFILLED, THIS PLAN PLAT WAS GIVEN FINAL APPROVAL BY THE WHITE COUNTY PLANNING COMMISSION ON _____, 20____.

CHARMAN: _____ **DATE:** _____
WHITE COUNTY PLANNING COMMISSION

FINAL SUBDIVISION PLAT FOR:
CABINS BY THE VINEYARD

Located in: Land Lot 109, District 2nd, Section n/a
City: n/a, White County, Georgia
Date: 31-August-2017, Job No. 1748SD, File: 33
Revisions: 09-February-2018 (Lot 5) 23-October-2018 (change of survey)
Field work completed: 05-October-2018
Scale: 1 inch = 100 feet P&B: Patton, Jm

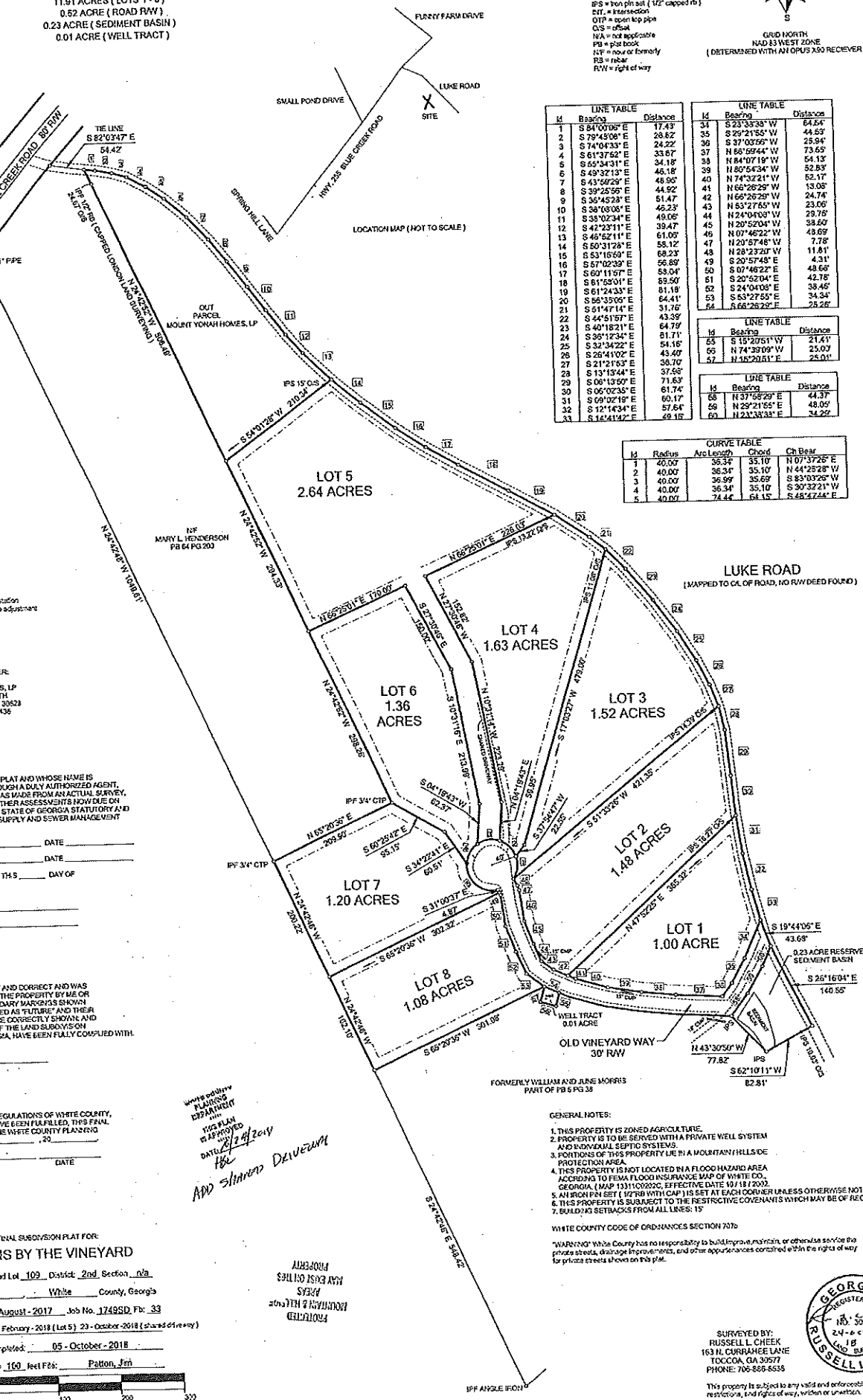
PROPERTY MARKERS SHOWN AREAS BOUNDARIES PROTECTED

ADD SHARED DRIVEWAY

WHITE COUNTY PLANNING COMMISSION

REGISTERED LAND SURVEYOR NO. 3058

SCALE: 1 inch = 100 feet P&B: Patton, Jm



- GENERAL NOTES:**
1. THIS PROPERTY IS ZONED AGRICULTURE.
 2. PROPERTY IS TO BE SERVED WITH A PRIVATE WELL SYSTEM AND INDIVIDUAL SEPTIC SYSTEMS.
 3. PORTIONS OF THIS PROPERTY LIE IN A MOUNTAIN HILLSIDE PROTECTION AREA.
 4. THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA ACCORDING TO FEMA FLOOD INSURANCE MAP OF WHITE CO., GEORGIA (MAP 13111C0202C, EFFECTIVE DATE 07/18/2002).
 5. AN IRON PIN SET (1/2" DIA) IS SET AT EACH CORNER UNLESS OTHERWISE NOTED.
 6. THIS PROPERTY IS SUBJECT TO THE RESTRICTIVE COVENANTS WHICH MAY BE OF RECORD.
 7. BUILDING SETBACKS FROM ALL LINES: 15'

WHITE COUNTY CODE OF ORDINANCES SECTION 7070
"WARNING" White County has no responsibility to build, improve, maintain, or otherwise service the private streets, drainage improvements, and other improvements contained herein in the right of way for private streets shown on this plat.

SURVEYED BY:
RUSSELL L. CHEEK
163 N. CURRAHEE LANE
TOCCOA, GA 30077
PHONE: 706-866-5533

REGISTERED LAND SURVEYOR NO. 3058





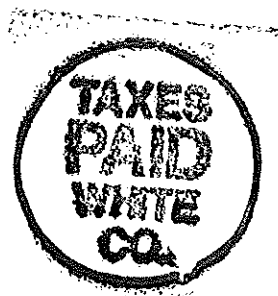
OFFICIAL TAX RECEIPT

White County Tax Commissioner
Cindy Cannon
 P. O. Box 970
 Cleveland GA 30528
 Phone 17068652225 - Fax 17062190078
 Email: wctc@whitecounty.net

PAID DATE			9/1/2023
RECEIPT PRINTED			9/18/2023 10:30:30 AM
CASH AMOUNT	CHECK AMOUNT	CHARGE AMOUNT	CHECK NUMBER(s) CHARGE APPROVAL CODE
\$0.00	\$382.39	\$0.00	1056
REFUND AMOUNT			\$0.00
OVERPAY AMOUNT			\$0.00
CHANGE AMOUNT			\$0.00
REGISTER			3
CASHIER			
TOTAL PAID			\$382.39

OWNER
 PATTON AND PATTON PROPERTIES
 675 MT MEADOWS DR
 CLEVELAND, GA 30528

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
2023-13488 FMV: 42150.00 061 146N	LL109 LD2 PB2021-93 24 LUKE RD DISTRICT: 001 SERIAL NUMBER: DECAL NUMBER: 0	11/15/2023 \$382.39	\$0.00 \$0.00 \$0.00	\$0.00	\$382.39	\$382.39	\$0.00
Paid By: PATTON & PATTON PROPERTIES LLC						Overpayment Amount: 0.00	
Check Number: 1056							
Transaction(s): 45509 - 45509		Total(s):	\$382.39	\$0.00	\$0.00	\$382.39	\$382.39
							\$0.00





Overview



Legend

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

Parcel ID	061 146N	Alternate ID	5172977	Owner Address	PATTON AND PATTON PROPERTIES
Sec/Twp/Rng	n/a	Class	R		675 MT MEADOWS DR
Property Address	24 LUKE RD	Acreage	1.5		CLEVELAND GA 30528
	01				

District 01
 Brief Tax Description LL109 LD2 PB2021-93
 (Note: Not to be used on legal documents)

Date created: 9/1/2023
 Last Data Uploaded: 8/31/2023 5:23:32 AM

**WHITE COUNTY PLANNING DEPARTMENT
STAFF COMMENT**

JIM PATTON

- PROPERTY IS LOCATED AT 24 LUKE RD IN CLEVELAND. 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 R-1 RESIDENTIAL SINGLE-FAMILY DISTRICT; TO THE NORTH, EAST, AND WEST A-1 AGRICULTURE FORESTRY DISTRICT.
- THE WHITE COUNTY COMPREHENSIVE PLAN FUTURE LAND USE MAP INDICATES SINGLE FAMILY RESIDENTIAL.
- TOTAL ACREAGE IS 1.50.
- PROPERTY SUPPLIED BY WELL AND SEPTIC.

EXISTING LAND USE



FUTURE LAND USE



24 Luke road rezone

Jane Eason [REDACTED]

Tue 10/3/2023 11:52 AM

To: John Sell <jsell@whitecounty.net>

[EXTERNAL SENDER - PROCEED CAUTIOUSLY]

Dear Sir,

I am a property owner on Old Vineyard Way . I would like to make a comment on the rezoning request from Jim Patton on 24 Luke Rd. for short term rental. I do not have any issue with the rezone request but my concern is the driveway going up to that house has caused an issue several times at the front of Luke Road. There is constantly gravel in the road from the driveway and then when there is an extreme amount of rain, the mud and erosion washes down into the front of Luke Road. We are proud of our recently paved road and want to continue for it to remain in good condition. My hope is that you would require Mr. Patton to at least blacktop the driveway and form some sort of an erosion control onto Luke road. The driveway is steep and will continue to bring issues. I hope this can be prevented.

THANKYOU for your consideration to resolve this.

Cordially,

Jane Eason

[REDACTED]
Sent from my iPhone

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 Daryl Lovell, on behalf of Generation Church of North Georgia, to request a conditional use permit located on Duncan Bridge Road, Cleveland, Georgia, 30528. Tax map and parcel 077-171. Total acreage is 3.39. Proposed use is for a place of worship. Present zoning is C-1 Community Commercial District.

The applicant, Daryl Lovell of 1973 Holiness Campground, was present. Mr. Barton gave a summary of the application. Mr. Lovell had nothing to add.

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

Application of Susan Cabrera to request a conditional use permit located at 3377 Town Creek Road, Cleveland, Georgia, 30528. Tax map and parcel 020-015. Total acreage is 2.28. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

The applicant, Susan Cabrera of 3377 Town Creek Road, was present. Mr. Barton gave a summary of the application. Ms. Cabrera stated there are no rules and regulations like a standard subdivision. She said there are eight lots and got approval from three, plus her two that she owns. She said of the eight lots, three are vacant lots and she believes the other homes are rentals.

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

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 in Cleveland, was present. Mr. Barton gave a summary of the application. Mr. Patton had nothing to add.

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 16th at 9am.

Application of Erik Perrine to request a conditional use permit located at 242 Eagles Nest Road, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 068-144A. Total acreage is 1.00. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

The applicant, Erik Perrine 242 Eagles Nest Road, was present. Mr. Barton gave a summary of the application. Mr. Perrine had nothing to add.

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: Conditional Use Permit Request for STR for Erik Perrine, 242 Eagles Nest Road, Sautee

For Meeting Date: 11/16/2023

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

Category (Select One): Land Use Application

Submitted By: John Sell

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

1. Application #20273
2. Public Hearing Minutes 10/30/2023
3. Regular Meeting Minutes 11/6/2023

Purpose:

Consider the application of Erik Perrine to request a conditional use permit located at 242 Eagles Nest Road, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 068-144A. Total acreage is 1.00. Proposed use is to place in "Short Term Rental" program. Present zoning is R-1 Residential Single Family.

Background / Summary:

- Applicant is requesting a conditional use permit for short term rental. The property is part of Wildwood Glen subdivision. Mr. Perrine acquired letters for more than 50% of the original platted property owners. He explained that this house will have a maximum occupancy of 4 people with parking for 4 vehicles. He is planning on using a management agency. No one spoke for or against the application. The Planning Commission recommended approval of the application and the motion passed by unanimous vote.

Department Recommendation:

Planning Commission recommended approval by unanimous vote.

Options:

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

Budget Information: Applicable Not Applicable

Budgeted: Yes No

Finance Director's Comments (if applicable):

-

County Manager Comments:

-

WHITE COUNTY CHANGE OF LAND USE DISTRICT APPLICATION

OFFICE USE ONLY	Land Use Application #: <u>20273</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>3855</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>Erik Perrine</u>	
Address: <u>451 Martin Church Road Thomaston GA 30286</u>	
Phone Number: [REDACTED]	Alternate Contact Number: [REDACTED]
Email: [REDACTED]	
Owner Information (if different from Applicant/Agent):	
Name:	Phone #:
PROPERTY INFORMATION	
Parcel ID: <u>068 144 A</u>	Total acreage being changed: <u>1.0</u>
Address: <u>242 Eagles Nest Rd Santee Mccombe, GA 30571</u>	
Directions to Property: <u>Go north on GA-75. Turn right onto Unicoi Turnpike. Turn left onto Garland Bristol Road. Turn left onto GA-255N. Turn left onto Skylake Road. Turn right onto GA-356. Turn right onto Eagles Nest Road.</u>	
Current Use/Zoning of Property: <u>R1</u>	Type of Road Surface: <u>Gravel / Dirt / Pavement</u>
Any prior redistricting requests for property: <u>no</u> If yes, provide redistricting application #: _____	
SURROUNDING PROPERTY LAND USE CLASSIFICATION:	
North: <u>R3</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 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 checked="" type="checkbox"/> Yes <input 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>Wildwood Glen</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 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	068144C Charles Knight	3244 Storrington Drive Tallahassee FL 32309
2	068151 Steven Brill	11949 Elbert Street Clermont, FL 34711
3	068132 Saws C Howell III	PO Box 1263 Gray GA 31032
4	068145 Mike Amerson	42 Cardiff Drive Macon GA 31220
5	068148 Linda Beaufort	116 North O Street Salt Lake City UT 84103
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: 8/1/23

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

Handwritten notes:
 Bid
 issues
 → lease
 2 weeks
 before
 lease
 put at
 in wall
 screen
 capture
 or
 account
 have
 rules

Handwritten notes:
 host fees
 \$125
 sample
 \$75

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: 8/1/23

**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: 

Date: 8/1/23

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), Erik Perrine,
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>Erik Perrine</u>	
Mailing Address: <u>451 Martin Church Road</u> <u>Thomaston, GA 30286</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):	
Signature of Owner(s):	Date Signed:
<u>[Signature]</u>	<u>8/22/23</u>

PROPERTY OWNER AUTHORIZATION DOCUMENT: NOTARY ACKNOWLEDGEMENT

Sworn to (or affirmed) and subscribed before me this 22 day of August, 2023 by Erik Perrine (name of signer(s)). The named signer(s) is/are personally known by me or produced the identification type of himself in person.



{Seal}

[Signature]
(Signature of Notary)
Tina Grossman
(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), Erik Perrine,
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): [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 22 day of August 2023, 2023 by Erik Perrine (name of signer(s)). The named signer(s) is/are personally known by me or produced the identification type of himself.

{Seal}

[Signature]

(Signature of Notary)

Tina Grossman

(Name of Notary Typed, Stamped, or Printed)


APPLICANT ACKNOWLEDGEMENT OF MEETING DATES

I, Eric Perrine (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*



 Signature of Applicant or Authorized Agent

9/1/2023

 Date

<p><u>OFFICE USE ONLY</u></p> <p>Copy given to applicant: <u>9/1/2023</u> (date)</p> <p>Staff Initials: <u>JR</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>

Letter of Intent 242 Eagles Nest Road

I own 242 Eagles Nest Road Sautee Nacoochee, GA 30571. It is parcel ID 068 144A and is a 1 acre lot. I am requesting a conditional use permit to use as a Short Term Rental for up to 6 guests. It is 2 bedrooms and 2 full baths and is 1,020 square feet. There is off street parking for up to 4 vehicles. It is located at the end of Eagles Nest Road, which is a mixture of paved and gravel.


Erik Penne

8/3/23



Georgia Department of Public Health On-Site Sewage Management System Performance Evaluation Report Form

APPLICANT NAME: ERIK PERRINE	PROPERTY/SYSTEM ADDRESS: 242 EAGLES NEST RD SAUTEE NACOOCHEE, GA 30571	EVALUATION ID: 008592
APPLICANT PHONE: [REDACTED]		COUNTY: White
APPLICANT EMAIL ADDRESS: [REDACTED]	SUBDIVISION/LOT/BLOCK: //	REASON FOR EVALUATION: Structure Change of Use
Inspection Records		
Yes	1. Inspection records exist for this septic system.	
Yes	2. Inspection records indicate that all components of the septic system were properly constructed and approved at the time of original inspection. A copy of the original inspection report is attached.	
Maintenance Records (applicable copies are attached)		
No	3. Maintenance or installation records indicate that the tank has been pumped out or installed within the past 5 years. Note: it is recommended that septic tanks be pumped at least once every 5 years.	
N/A	4. Systems with aerobic treatment unit(s) (ATU): Records indicate the ATU has been serviced in accordance with the manufacturer's recommended maintenance schedule OR an authorized representative of the manufacturer has provided documentation that the ATU is operating sufficiently.	
N/A	5. Systems with grease trap(s): Maintenance records indicate the grease trap(s) has been pumped out within the last 6 months OR documentation has been provided by a qualified individual confirming that the grease trap contains less than 75% of the designed grease holding capacity and is operating sufficiently.	
System Assessment and Existing Site Conditions (applicable copies are attached)		
N/A	6. The septic tank was uncovered at the time of this County Board of Health Evaluation OR maintenance records exist and the tank appears to meet the required design, construction, and installation criteria. The appropriateness of the sizing and installation criteria of the absorption field cannot be verified since no initial inspection records exist.	
N/A	7. A Georgia certified septic tank installer has provided written documentation of the system design, location, and components.	
Yes	8. This site evaluation by the County Board of Health revealed no evidence of system failure.	
Yes	9. This site evaluation by the County Board of Health revealed no evidence of adverse conditions which would affect the functioning of the system.	
Addition to Property		
N/A	10. This site evaluation as well as the provided information indicate that the proposed construction to the home or property should not adversely affect the functioning of the existing system.	
Relocation of Home or Change of Use		
Yes	11. This site evaluation as well as the provided information indicate that the system appears to meet the required design, construction, and installation criteria to accommodate the proposed relocation of the home or change of use for the facility should not adversely affect the functioning of the existing system.	

See 2nd page for evaluation notes, disclaimer, and signature.

Performance Evaluation Report Form (continued)

PROPERTY/SYSTEM ADDRESS:

242 EAGLES NEST RD SAUTEE NACOOCHEE, GA 30571

EVALUATION ID:

008592

SUBDIVISION/LOT/BLOCK:

//

Adverse Conditions (i.e. malfunctioning or damaged system or clear evidence of a condition, or conditions, that would likely contribute to system malfunction or unacceptable risk to public health):

None Noted

Additional Notes/Comments:

2 bedroom system on record. STR approved for 4 people based on 75 gallons per person per day.

Inspector:

Padraic Thompson

Signature:**Date:**

09/12/2023

I verify the above information to be correct at the date and time of this evaluation only. *Disclaimer: This verification shall not be construed as a guarantee of the proper functioning of this system for any given period of time. No liability is assumed for future damages that may be caused by system malfunction.*

4930 8/15/97

White County Health Department
 1241 Helen Hwy., Unit 210, Cleveland, GA 30528

BUILDING PERMIT NO. 10896

PERMIT NUMBER
 4381

**APPLICATION FOR CONSTRUCTION PERMIT AND SITE APPROVAL
 FOR ON-SITE SEWAGE MANAGEMENT SYSTEM**

RECEIPT NUMBER
 10896

MAILED GIVEN SI 7/22/97
 Subdivision, Street or Road 242 Eagles Nest Road, Sautee Nac, GA 30591

Property Location (Address, Block, Lot, Directions to Property)
75 North - Right on Hwy 17 - Left on Hwy 255 - left on Sky Lake Rd - Right on Hwy 356 - 1st Right on Eagles Nest Road - Just Past Cemetery on Right.

Property Owner's Name Tracy Clark & Jill Hazen MUST BE INSPECTED CALL (706) 865-2191 BEFORE 9 AM
 Owner's Address 8809 Belton Bridge Rd. Lake, GA 30554 Phone No.
 MUST BE INSTALLED BY BONDED CONTRACTOR OR SELF-INSTALLED

Permit Applicant's Name and Address STAN Phone No.

Type Facility (Residence, Church, Motel, Restaurant, etc.) Public Community Individual
 Water Supply Yes No
 Garbage Disposal Yes No
 No. of Bedrooms or No. of Gallons Per Day 2

Lot Size 5.0 AC. Soil Conditions (Absorption Field)
 Percolation Rate 3" Min/in; Water Table or Rock Depth _____ Feet; Soil Type _____
 Total Capacity _____
 Absorption Field Area _____
 Type System Chamber Level of Plumbing Outlet Ground Level Split Level Basement
 Field Layout Method Distribution Box Mound Level Field Serial Distribution Other (Explain below)
 Septic Tank 1000 Gals. Total Sq. Ft. 88 Trench Width In. 36 Trench Depth In. 40
 Dosing Tank _____ Gals. Total Linear Ft. 88 Trench Width In. 36 Trench Depth In. 40
 Grease Trap _____ Gals. Total Linear Ft. 14 units Trench Width In. 36 Trench Depth In. 40

I hereby apply for a construction permit to install an on-site sewage management system and agree that the system will be installed to conform to the requirements of the rules of the Georgia Department of Human Resources, Chapter 290-5-25. I understand that final inspection is required and will notify the County Health Department upon completion of construction and before applying final cover.

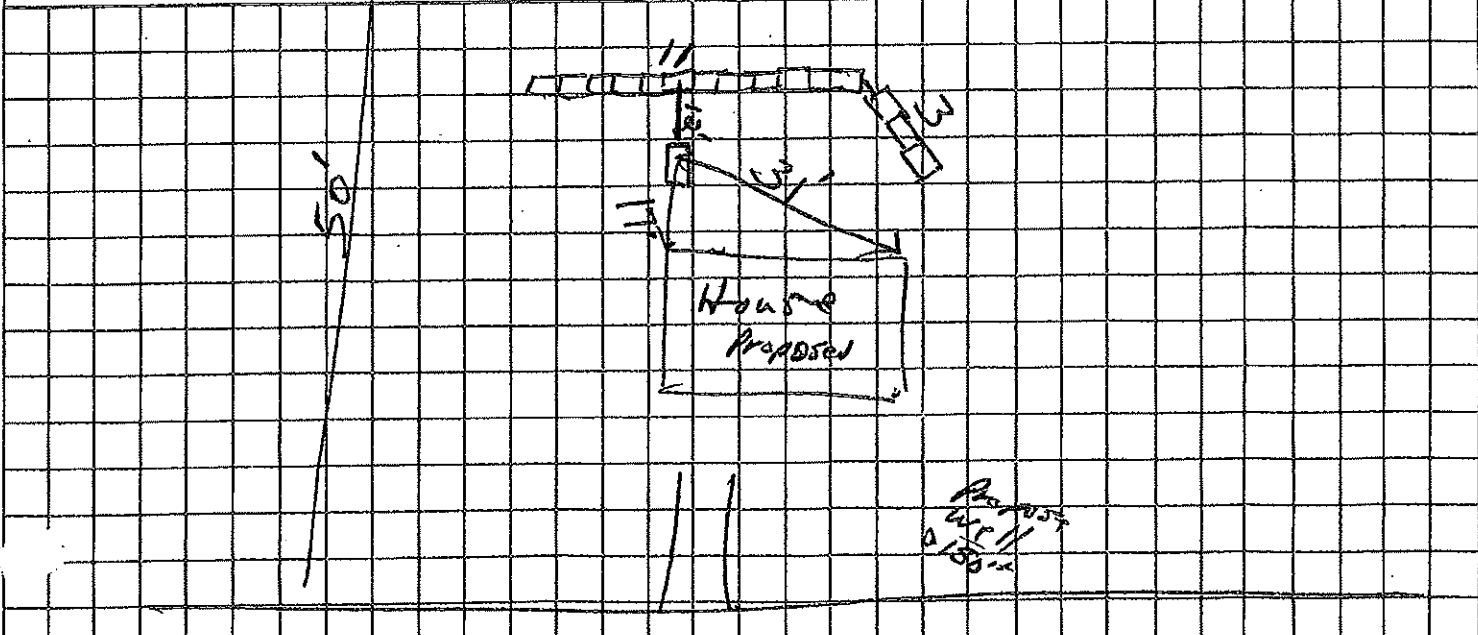
A permit is hereby granted to install or construct the on-site sewage management system described above. This permit is not valid unless properly signed below, and expires twelve (12) months from date of issue.

Issuance of a construction permit for an on-site sewage management system, and subsequent approval of same by representatives of the Georgia Department of Human Resources or County Board of Health shall not be construed as a guarantee that such systems will function satisfactorily for a given period of time, furthermore, said representatives do not by any action in effecting compliance with these rules, assume any liability for damages which are caused, or which may be caused, by the malfunction of such system.

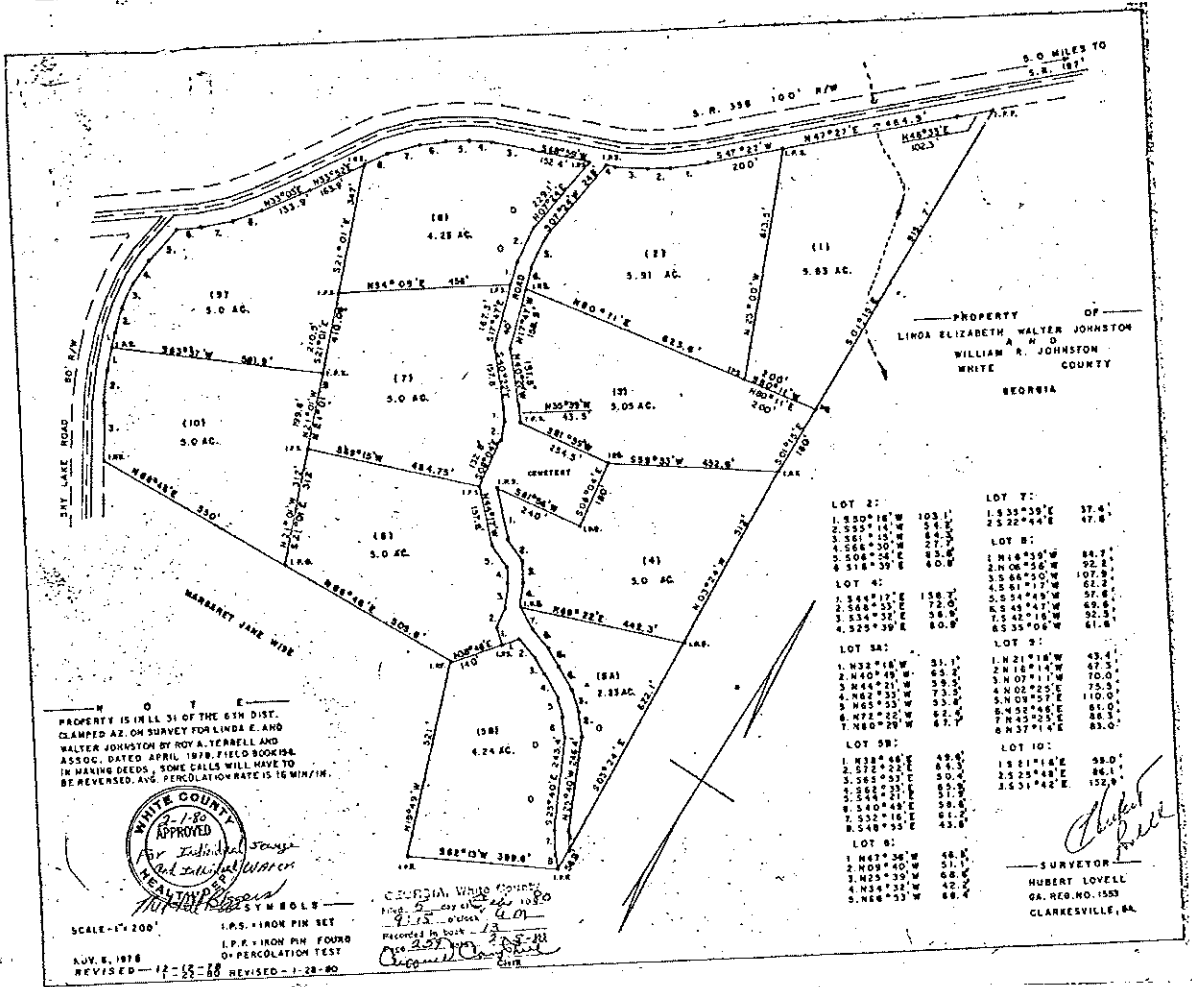
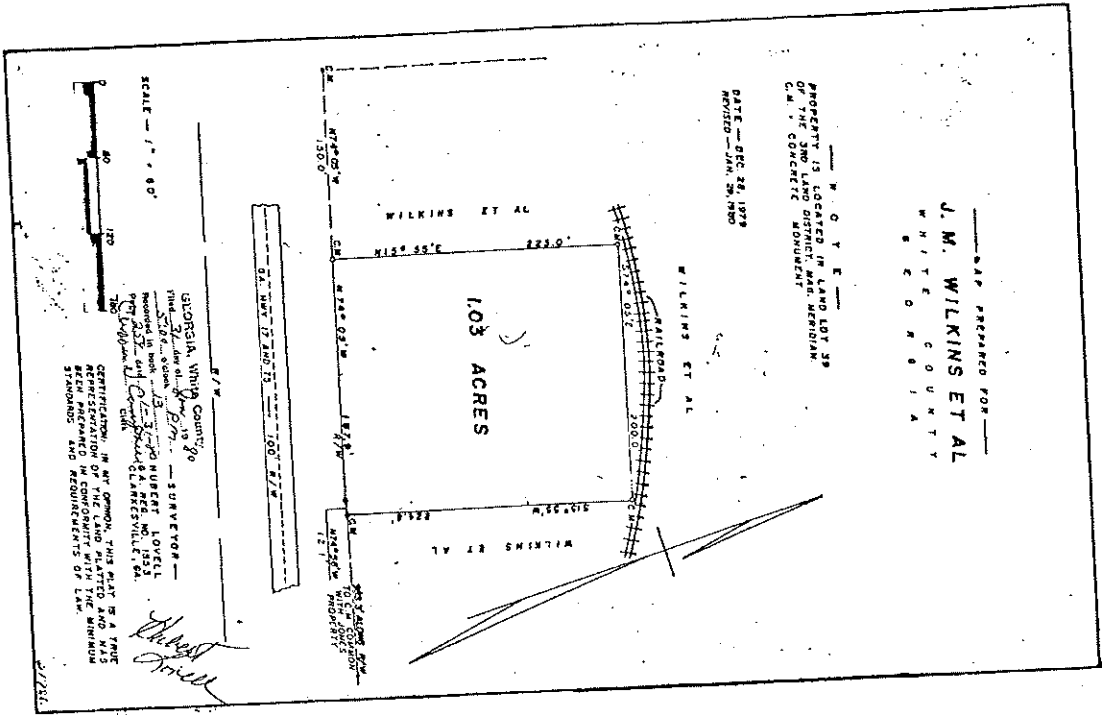
Experimental Yes No
 ARE THERE ANY WELLS OR SPRINGS WITHIN 100' OR STREAMS WITHIN 50'?
 Yes No

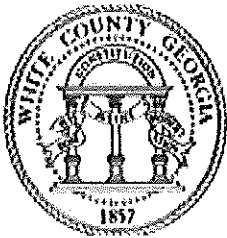
Bonded Contractor's Signature
Fallon Ferguson

Signature (Owner or Applicant) _____ Remarks _____



Approved by (Health Department Representative) Michael B... Date of Issue 7/22/97 Date Inspected 8/15/97 Proposed Layout Approved Final Inspection Yes No





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
2022-2196	068 144A	LL 31 LD 6	\$1,212.70	\$0.00 Fees: \$0.00	\$0.00	\$1,212.70	\$0.00
Totals:			\$1,212.70	\$0.00	\$0.00	\$1,212.70	\$0.00

Paid Date: 09/09/2022

Charge Amount: \$1,212.70

BROOKS HEATHER
242 EAGLES NEST RD
SAUTEE NACOOCHEE, GA 30571



Scan this code with your mobile phone to view this bill

Eagles Nest Rd

10/10/10



LETTER REQUEST FOR APPROVAL OF SHORT TERM RENTAL

Hello,

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

Address: 242 Eagle's Nest Road

Parcel ID: 068144A

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, Clark Howell Sank III (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
	<u>068132</u>	<u>271 Eagle's Nest Road</u>

Phone Number: 

Email Address: 

Signature: Clark Howell Sank III

Date Signed: 8/22/23

LETTER REQUEST FOR APPROVAL OF SHORT TERM RENTAL

Hello,

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

Address: 242 Eagle's Nest Road


Parcel ID: 068144A


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, Mike Amerson (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
	<u>068145</u>	<u>246 Eagle's Nest Road</u>

Phone Number: 

Email Address: 

Signature: 

Date Signed: 8/24/23

LETTER REQUEST FOR APPROVAL OF SHORT TERM RENTAL

Hello,

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

Address: 242 Eagle's Nest Road

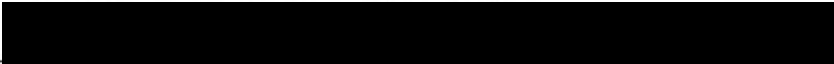
Parcel ID: 068144A

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.

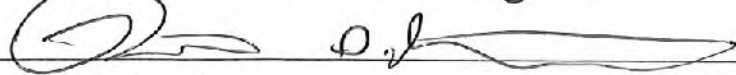
I, Robert Drawbert (printed name), approve of short term rental at the property referenced above. My information is provided below.

I own the following properties in this subdivision:

Lot #	Parcel ID	Address or Street name if no address
	<u>068136A</u>	<u>10 Eagle's Nest Road</u>

Phone Number: 

Email Address: 

Signature: 

Date Signed: 8/5/23

LETTER REQUEST FOR APPROVAL OF SHORT TERM RENTAL

Hello,

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

Address: 242 Eagle's Nest Road

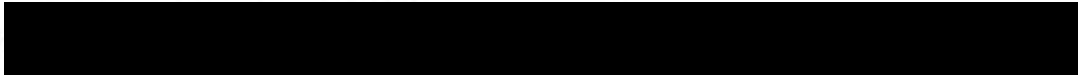
Parcel ID: 068 144A


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, Kenee Whites (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
	<u>068 118</u>	<u>57 Eagles Nest Road</u>

Phone Number: 

Email Address: 

Signature: Kenee Whites

Date Signed: 8/5/23

LETTER REQUEST FOR APPROVAL OF SHORT TERM RENTAL

Hello,

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

Address: 242 Eagle's Nest Road

Parcel ID: 068144A

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, JAMES GASTON (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
	068138	46 Deer Track Road

Phone Number: 

Email Address: _____

Signature: James Gaston

Date Signed: 8-5-23

LETTER REQUEST FOR APPROVAL OF SHORT TERM RENTAL

Hello,

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

Address: 242 Eagle's Nest Road

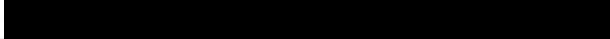
Parcel ID: 068144A

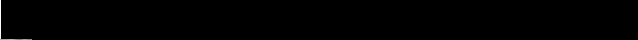
Per White County Code of Ordinances Appendix C/Article VII/Section 702, I am required to have a signed majority of the homeowners in the subdivision for me to apply for this conditional use. Please complete the form below indicating that you approve of a conditional use for Short Term Rental at my property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

I, STEVE BESHARA (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
	<u>068144B</u>	<u>202 Eagle's Nest Road</u>

Phone Number: 

Email Address: 

Signature: 

Date Signed: 8/4/23

LETTER REQUEST FOR APPROVAL OF SHORT TERM RENTAL

Hello,

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

Address: 242 Eagle's Nest Road

Parcel ID: 068144A

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, Billy + Patti Chism (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
	<u>068121</u>	<u>45 Ramblewood Drive</u>

Phone Number: [REDACTED]

Email Address: [REDACTED]

Signature: Billy Chism

Date Signed: Aug. 13, 2023

Welcome!

LETTER REQUEST FOR APPROVAL OF SHORT TERM RENTAL

Hello,

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

Address: 242 Eagle's Nest Road

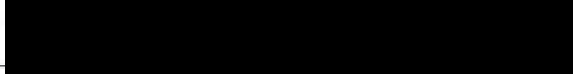
Parcel ID: 068144A

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, STEVEN BRILL (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
	<u>068131</u>	<u>32 Ramblerwood Drive</u>

Phone Number: 

Email Address: 

Signature: 

Date Signed: 8.13.2023

LETTER REQUEST FOR APPROVAL OF SHORT TERM RENTAL

Hello,

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

Address: 242 Eagle's Nest Road

Parcel ID: 068144A

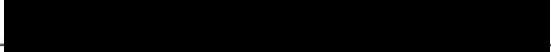
Per White County Code of Ordinances Appendix C/Article VII/Section 702, I am required to have a signed majority of the homeowners in the subdivision for me to apply for this conditional use. Please complete the form below indicating that you approve of a conditional use for Short Term Rental at my property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

I, Eric Ross (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
	<u>068119A</u>	<u>97 Eagle's Nest Road</u>

Phone Number: 

Email Address: 

Signature: 

Date Signed: 8/14/23

LETTER REQUEST FOR APPROVAL OF SHORT TERM RENTAL

Hello,

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

Address: 242 Eagle's Nest Road

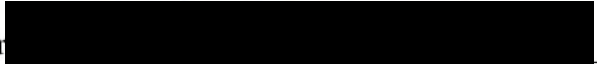
Parcel ID: 068144A

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, NORM M CARVER (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
	<u>068144</u>	<u>206 Eagle's Nest Road</u>

Phone Number 

Email Address 

Signature: *Norm M Carver*

Date Signed: Aug 17, 2023

LETTER REQUEST FOR APPROVAL OF SHORT TERM RENTAL

Hello,

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

Address: 242 Eagle's Nest Road

Parcel ID: 068144A

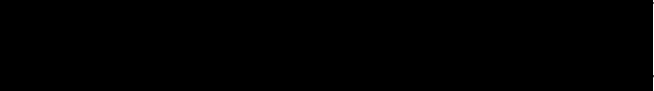
Per White County Code of Ordinances Appendix C/Article VII/Section 702, I am required to have a signed majority of the homeowners in the subdivision for me to apply for this conditional use. Please complete the form below indicating that you approve of a conditional use for Short Term Rental at my property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

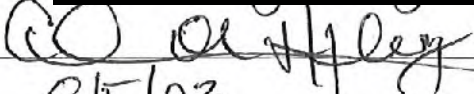
I, CHRISTINA M. HARTLEY (printed name), approve of short term rental at the property referenced above. My information is provided below.

I own the following properties in this subdivision:

Lot #	Parcel ID	Address or Street name if no address
	<u>068130</u>	<u>444 Ramblerwood Drive</u>

Phone Number: 

Email Address: 

Signature: 

Date Signed: 8/5/23

LETTER REQUEST FOR APPROVAL OF SHORT TERM RENTAL

Hello,

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

Address: 242 Eagle's Nest Road

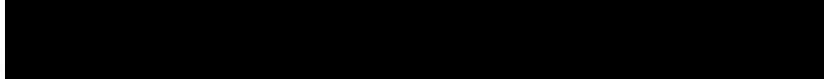
Parcel ID: 068144A

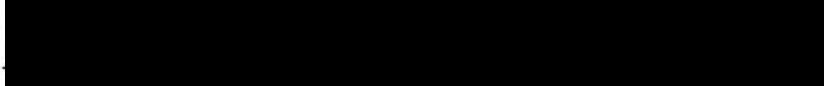
Per White County Code of Ordinances Appendix C/Article VII/Section 702, I am required to have a signed majority of the homeowners in the subdivision for me to apply for this conditional use. Please complete the form below indicating that you approve of a conditional use for Short Term Rental at my property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

I, Gail Knight (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
	<u>068144C</u>	<u>220 Eagle's Nest Road</u>

Phone Number: 

Email Address: 

Signature: Gail Knight

Date Signed: Aug. 5, 2023

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 Daryl Lovell, on behalf of Generation Church of North Georgia, to request a conditional use permit located on Duncan Bridge Road, Cleveland, Georgia, 30528. Tax map and parcel 077-171. Total acreage is 3.39. Proposed use is for a place of worship. Present zoning is C-1 Community Commercial District.

The applicant, Daryl Lovell of 1973 Holiness Campground, was present. Mr. Barton gave a summary of the application. Mr. Lovell had nothing to add.

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

Application of Susan Cabrera to request a conditional use permit located at 3377 Town Creek Road, Cleveland, Georgia, 30528. Tax map and parcel 020-015. Total acreage is 2.28. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

The applicant, Susan Cabrera of 3377 Town Creek Road, was present. Mr. Barton gave a summary of the application. Ms. Cabrera stated there are no rules and regulations like a standard subdivision. She said there are eight lots and got approval from three, plus her two that she owns. She said of the eight lots, three are vacant lots and she believes the other homes are rentals.

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

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 in Cleveland, was present. Mr. Barton gave a summary of the application. Mr. Patton had nothing to add.

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 16th at 9am.

Application of Erik Perrine to request a conditional use permit located at 242 Eagles Nest Road, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 068-144A. Total acreage is 1.00. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

The applicant, Erik Perrine 242 Eagles Nest Road, was present. Mr. Barton gave a summary of the application. Mr. Perrine had nothing to add.

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
PUBLIC HEARING: LAND USE REGULATION

Application of Erik Perrine to request a conditional use permit located at 242 Eagles Nest Road, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 068-144A. Total acreage is 1.00. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family. The applicant, Erik Perrine of 242 Eagles Nest, was present. Mr. Barton gave a summary of the application. Mr. Perrine explained the proposed short-term rental would have a maximum occupancy of four people with parking for four vehicles. He said he does not have previous experience with short-term rentals and plans to utilize a management company. Additionally, he said his closest neighbor is about 200 feet away, which is also a short-term rental, and about two-thirds of the homes in the development are short-term rentals. He said he plans to stay at the home one weekend a month.

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. Perrine 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 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. The applicant, Frank Liesen of 89 Small Pond Drive, was present. Mr. Barton gave a summary of the application. Mr. Liesen explained the proposed short-term rental would have a maximum occupancy of four people in the cabin and six in the main house. He explained there are two homes on the property, the main house and a cabin. He said the purpose of the short-term rental is to fund the free stays for missionaries and pastors. Mr. Liesen stated his son would live in the cabin for at least two years, during which time he could manage the main house. He said another option would be for his family to live in one and rent out the other. He explained that he is unsure if he will advertise online, but there is a community for the missionaries to learn about the home.

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.

Stacy Brown of 248 Small Pond Drive said this is her third time at public hearing for Small Pond. She said she did not oppose one initially but wished she had after living next to one. She stated issues with screaming, yelling, people feeding livestock, petting animals, driving over water lines, blocking easements, renters not being able to find the home, and promises not kept from other applicants. She said the road cannot handle more short-term rentals.

Henrietta Kite of 60 Colley Lane said she adjoins the property and expressed concerns of trespassers. She said she currently feels safe in her home as a widow, but will not if this application passes. She said she does not think short-term rentals should be in these neighborhoods.

Linda Seabolt of 106 Small Pond Drive expressed concerns of road maintenance and ensuring renters are legitimate. She said this would make four short-term rentals on a private road and the county is giving them permission to use the private road. She added that the laws for short-term rentals need to be refined.

Kevin Carbonneau of 248 Small Pond asked how someone could subdivide a property with letters required with the owner being the majority procured. He said many homes are impacted by the short-term



WHITE COUNTY

Board of Commissioners

Item Title: Conditional Use Permit Request for STR for Frank Liesen, 89 Small Pond Drive, Cleveland

For Meeting Date: 11/16/2023

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

Category (Select One): Land Use Application

Submitted By: John Sell

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

1. Application #20282
2. Public Hearing Minutes 10/30/2023
3. Regular Meeting Minutes 11/6/2023

Purpose:

Consider the application of Frank Liesen to request a conditional use permit located at 89 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.

Background / Summary:

- Applicant is requesting a conditional use permit for short term rental. The property is part of a 5-lot subdivision, of which Mr. Liesen owns 4 parcels. Mr. Liesen explained that there are two houses on this property, a main house with a maximum occupancy of 6 and this cabin with an occupancy of 4. He wants to use the property for missionaries at no cost and offset the cost by also using it for Short Term Rentals. He said his son will also live in the cabin and help to manage the property. Several people spoke against the application primarily from experience with two other short term rentals that have been approved in the neighborhood for Yonah Mountain Vineyards. There have been issues with noise, people shining flashlights in windows at night looking for addresses, feeding and petting livestock, blocking easements and driving over water lines. Other complained that the county is giving people permission to use their private road. Another questioned the subdivision of lots to get his own letters and asked about how to get strikes based on the current short term rentals. Mr. Liesen said he is willing to contribute to the road and agrees with his neighbors about their complaints with the current STRs that are not connected to his application. At the regular meeting, Ms. Burke said there is an existing subdivision with covenants from 1971 that state "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." Ms. Burke stated that too many people have said they don't want this because of the disturbance so she made a motion to deny. Ms. Burke stated that she was not at the previous meetings when other STRs were approved on Small Pond Road and that is why the covenant issue had not been brought up previously. The Planning Commission recommended denial of the application and the motion passed by a 4-1 vote with an abstention.

Department Recommendation:

Planning Commission recommended denial by a 4-1 vote.

Options:

- Uphold Planning Commission recommendation and deny the application
- Reverse Planning Commission recommendation and approve 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>20282</u>
Public Hearing Date: <u>10/30/2023</u>	Commission District: <u>1</u>
Fees Assessed: <u>\$250</u>	Paid via: <input type="checkbox"/> cash <input type="checkbox"/> credit card <input checked="" type="checkbox"/> check# <u>145</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>FRANK R. LIESEN</u>	
Address: <u>89 SMALL POND DR., CLEVELAND, GA 30528</u>	
Phone Number: <u>[REDACTED]</u>	Alternate Contact Number: <u>[REDACTED]</u>
Email: <u>FRA [REDACTED]</u>	
Owner Information (if different from Applicant/Agent):	
Name:	Phone #:
PROPERTY INFORMATION	
Parcel ID: <u>060D039</u>	Total acreage being changed: <u>5.09 acres</u>
Address: <u>89 SMALL POND DR., CLEVELAND, GA 30528, main house</u>	
Directions to Property: <u>TAKE I15 AND TURN LEFT ON 255. AFTER ABOUT 2 MILES TURN LEFT ON SMALL POND DR. THE HOUSE IS THE FIRST HOUSE ON THE LEFT.</u>	
Current Use/Zoning of Property: <u>R1</u>	Type of Road Surface: <u>GRAVEL</u>
Any prior redistricting requests for property: <u>No</u> If yes, provide redistricting application #: _____	
SURROUNDING PROPERTY LAND USE CLASSIFICATION:	
North: <u>R1</u>	South: <u>R1</u> East: <u>R1</u> West: <u>R1</u>
REQUESTED ACTION AND DETAILS OF PROPOSED USE (check all that apply)	
<input type="checkbox"/>	Redistrict from district: _____ Redistrict to district: _____
<input checked="" type="checkbox"/>	Conditional Use - specify: <u>STR</u>
<input type="checkbox"/>	Special Use - specify: _____
<input type="checkbox"/>	Land Use Variance from Code Section: _____
Proposed use if not listed above: _____	
Is this property part of a subdivision? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If so, please list number of lots: _____	
Are there covenants? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Is there an active homeowner's association? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Subdivision Name (if applicable): _____	

Existing Utilities (check all that apply):

County or City Water Well Septic Gas Electric Broadband

Proposed Utilities (check all that apply):

County or City Water Well Septic Gas Electric Broadband

COMMERCIAL AND INDUSTRIAL REDISTRRICT INFORMATION

Building Area: _____ No. of Parking Spaces: _____

RESIDENTIAL REDISTRRICT INFORMATION

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

Minimum Heated Floor Area (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	060D047 R. MILLER FAM FARM?	62 SMALL POND DR
2	060D040 ANN-MARIE PETERSON-KAHLE;	117 SMALL POND DR
3	060D036 SALINAS JOSE DJR	57 COLLEY LN
4	060D037 KITE HENRIETTA	60 COLLEY LN
5	061135 RINGO DEVI A ET AL	0 HWY 255S
6	061138 REED CODY	1611 HWY 255S
7	061139 SUTTON JAMICE M.	1536 HWY 255S
(8)	060D045 SEABOLT HAROLD/LINDA,	106 SMALL POND DR.

APPLICANT CERTIFICATION

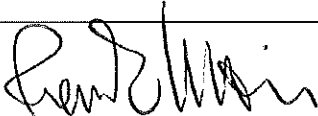
I hereby request the action contained within this application relative to the property shown on the attached plats and site plan and further request that this item be placed on both the Planning Commission and Board of Commissioners meeting agendas.

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: 8/20/23

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
X 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: *NA*

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: *[Handwritten Signature]*

Date: *8/20/13*

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), FRANK LIESEN,
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>89 SMALL POND DR.</u>	
PROPERTY OWNER INFORMATION	
Printed Name of Owner(s): <u>FRANK LIESEN</u>	
Mailing Address: <u>89 SMALL POND DR.</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>Jessica Liesen, Jason Graffagnino</u>	
Signature of Owner(s):	Date Signed:
<u>Frank Liesen</u>	<u>Sep. 6, 2023</u>

PROPERTY OWNER AUTHORIZATION DOCUMENT: NOTARY ACKNOWLEDGEMENT

Sworn to (or affirmed) and subscribed before me this 6 day of September, 20 23 by Frank Liesen (name of signer(s)). The named signer(s) is/are personally known by me or produced the identification type of DL.

{Seal}

Mercedes Dodd
(Signature of Notary)

(Name of Notary Typed, Stamped, or Printed)

**Mercedes Dodd
NOTARY PUBLIC
White County, GEORGIA
My Commission Expires 06/02/2026**

SHORT TERM RENTAL CERTIFICATIONS

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

I/WE (print), FRANK LIESEN,
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): Frank Liesen Sep 6, 2023 (NW)

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): Frank Liesen

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): Frank Liesen

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): Frank Liesen

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): Frank Liesen

SHORT TERM RENTAL CERTIFICATIONS DOCUMENT: NOTARY ACKNOWLEDGEMENT

Sworn to (or affirmed) and subscribed before me this 6 day of September, 2023 by Frank Nielson (name of signer(s)). The named signer(s) is/are personally known by me or produced the identification type of DL.

Mercedes Dodd
(Signature of Notary)

{Seal}

(Name of Notary Typed, Stamped, or Printed)

Mercedes Dodd
NOTARY PUBLIC
White County, GEORGIA
My Commission Expires 06/02/2026

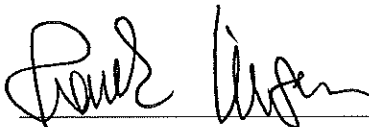
APPLICANT ACKNOWLEDGEMENT OF MEETING DATES



I, FRANK LIESEN (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): 10/30/23
 Regular Meeting Date (Planning Commission): 11/6/23

Administration Building, 1235 Helen Hwy, Cleveland **4:30pm**
 Board of Commissioners Meeting Date: 11/27/23

**Meeting dates are subject to change*


 Signature of Applicant or Authorized Agent
Sep. 6, 2023
 Date

<p><u>OFFICE USE ONLY</u></p> <p>Copy given to applicant: <u>9/6/23</u> (date)</p> <p>Staff Initials: <u></u></p> <p>Flag (circle): <u></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>

Frank R. Liesen
89 Small Pond Dr.
Cleveland, GA 30528

September 6, 2023

Letter of Intent:

My wife and I see this property as a place where we will live permanently and retire, even though we are currently serving as missionaries and might be out of the country for periods of time. At the same time, we have the desire for this property to become a place where missionaries or pastors can rest and take time for spiritual retreats or vacations for free. We would like this to be a place of peace and serenity. The short-term rental use would help to finance such a care ministry while also providing potential income for our own retirement.

Concerning the short-term rental of our cabin and the main house on the property, our intent would be to allow a maximum number of four renters for the cabin and eight renters for the main house.

Thank you for your consideration.

Blessings,

A handwritten signature in black ink that reads "Frank Liesen". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

Frank R. Liesen



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: 09/06/2023

APPLICANT NAME: FRANK LIESEN

PROPERTY ADDRESS: 89 SMALL POND DR
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:

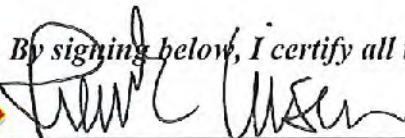
- that the permit on file is the correct permit for the property in question;
- that there is no evidence of system failure;
- that the septic system is appropriately sized for the current and proposed use;
- that there is adequate repair after the proposed addition;
- that there are no conditions that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

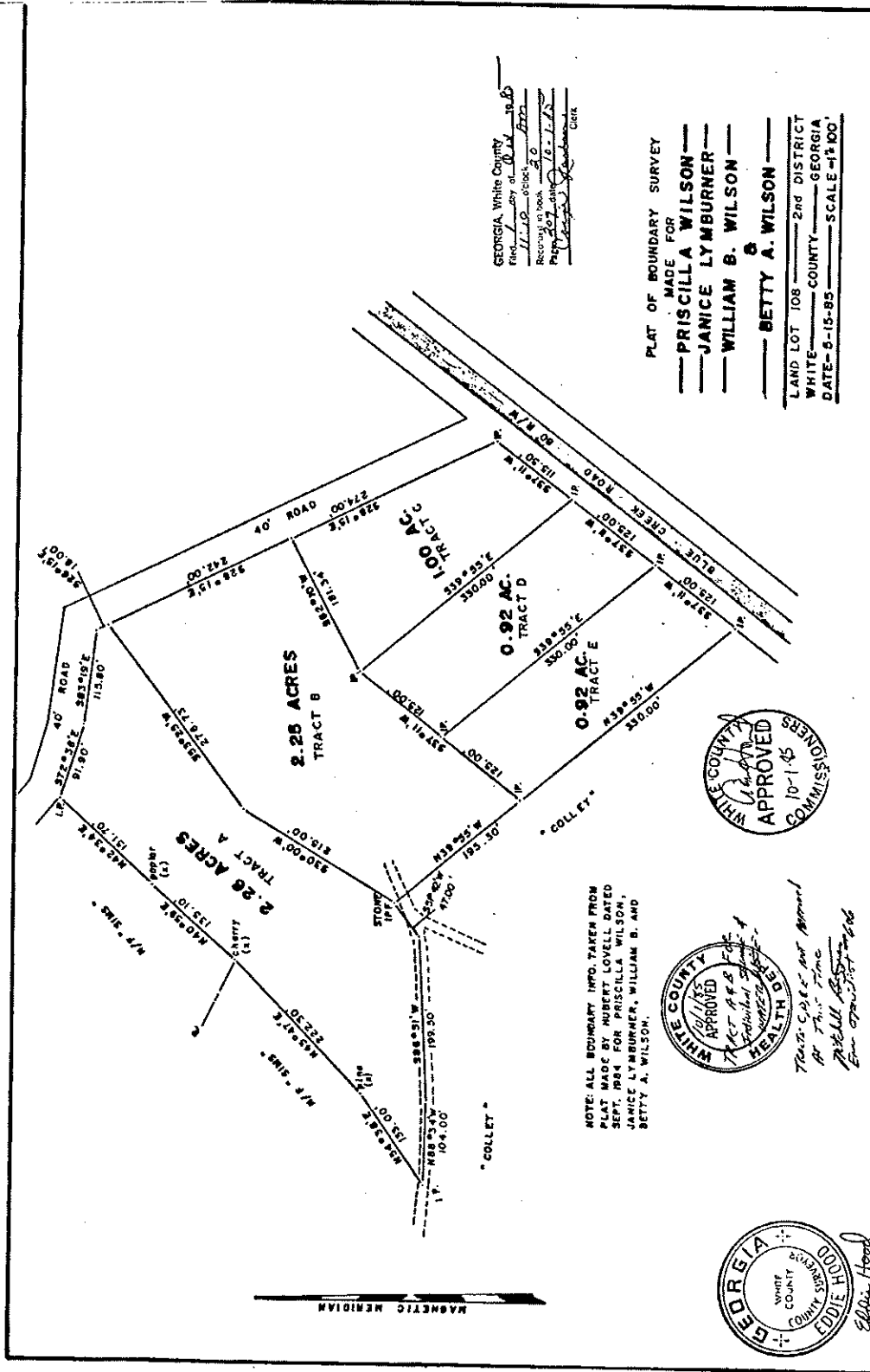
Please note that this is NOT an all-inclusive list. Based upon the information submitted and/or the outcome of the evaluation, it may be determined that a septic system needs additional capacity or upgrade. If so, the appropriate permit will need to be obtained and the work completed before an approval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





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

WILSON BERENICE H

89 SMALL POND DRIVE

CLEVELAND, GA 30528

PAID DATE			2/2/2023
RECEIPT PRINTED			8/25/2023 11:57:45 AM
CASH AMOUNT	CHECK AMOUNT	CHARGE AMOUNT	CHECK NUMBER(s) CHARGE APPROVAL CODE
\$0.00	\$1,676.51	\$0.00	3642
REFUND AMOUNT			\$0.00
OVERPAY AMOUNT			\$0.00
CHANGE AMOUNT			\$0.00
REGISTER			3
CASHIER			
TOTAL PAID			\$1,676.51

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	
2022-19032 FMV: 338200.00 060D 039	LL 108 LD 2 7K/186 PROP 89 SMALL POND DR DISTRICT: 001 SERIAL NUMBER: DECAL NUMBER: 0	11/15/2022 \$1,645.02	\$31.49 \$0.00 \$10.00	\$0.00	\$1,686.51	\$1,676.51	\$0.00	
Paid By: PRISCILLA WILSON				Overpayment Amount: 0.00				
Check Number: 3642								
Transaction(s): 45209 - 45209		Total(s):	\$1,645.02	\$41.49	\$0.00	\$1,686.51	\$1,676.51	\$0.00



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

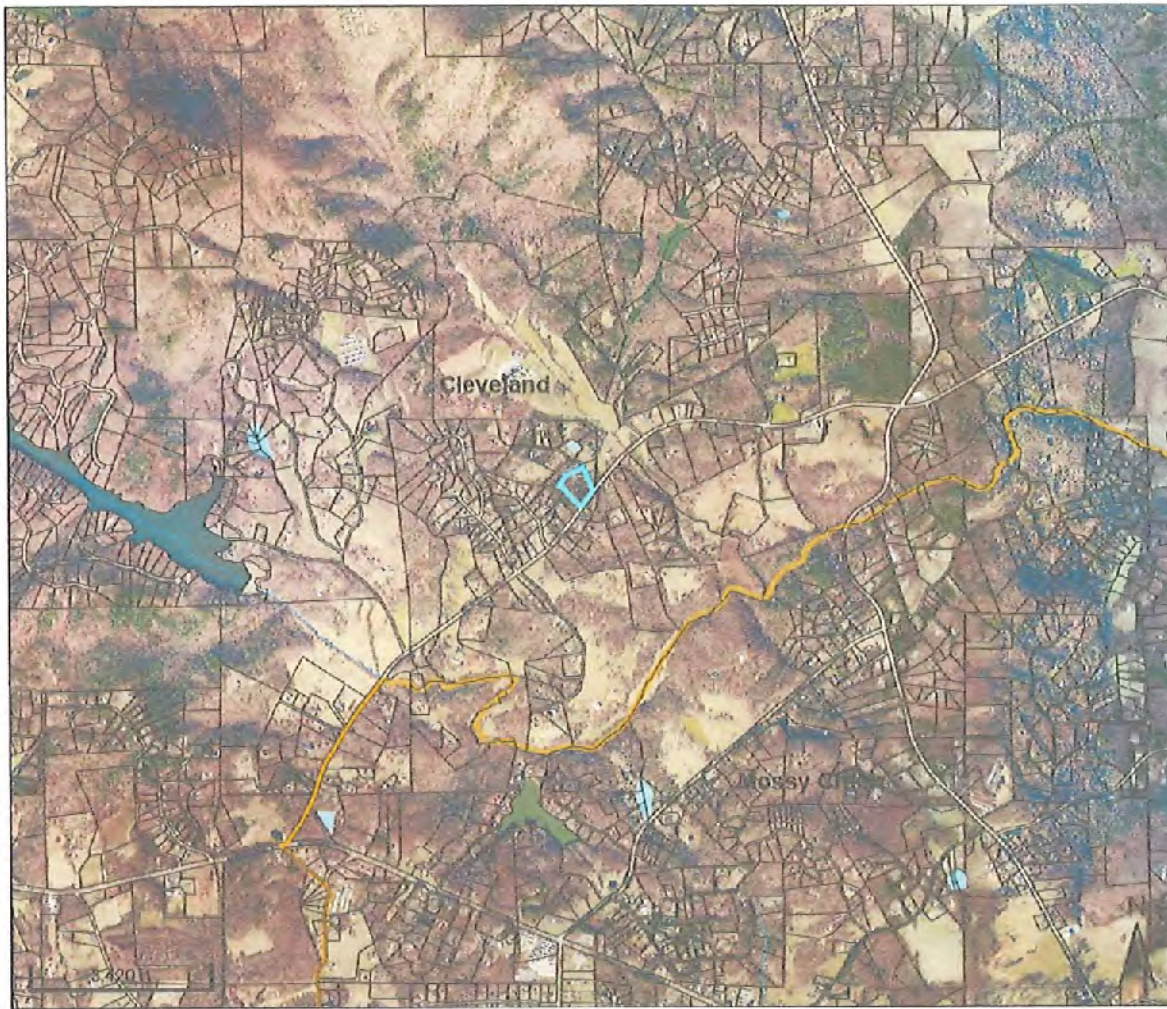
WILSON BERENICE H

89 SMALL POND DRIVE

CLEVELAND, GA 30528

PAID DATE			3/31/2023
RECEIPT PRINTED			8/25/2023 11:58:02 AM
CASH AMOUNT	CHECK AMOUNT	CHARGE AMOUNT	CHECK NUMBER(s) CHARGE APPROVAL CODE
\$0.00	\$10.00	\$0.00	56330
REFUND AMOUNT			\$0.00
OVERPAY AMOUNT			\$0.00
CHANGE AMOUNT			\$0.00
REGISTER			1
CASHIER			
TOTAL PAID			\$10.00

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	
2022-19032 FMV: 338200.00 060D 039	LL 108 LD 2 7K/186 PROP 89 SMALL POND DR DISTRICT: 001 SERIAL NUMBER: DECAL NUMBER: 0	11/15/2022 \$1,645.02	\$31.49 \$0.00 \$10.00	\$1,676.51	\$10.00	\$10.00	\$0.00	
Paid By: Oliver & weidner llc 706-754-9000				Overpayment Amount: 0.00				
Check Number: 56330								
Transaction(s): 193181 - 193181		Total(s):	\$1,645.02	\$41.49	\$1,676.51	\$10.00	\$10.00	\$0.00



Overview



Legend

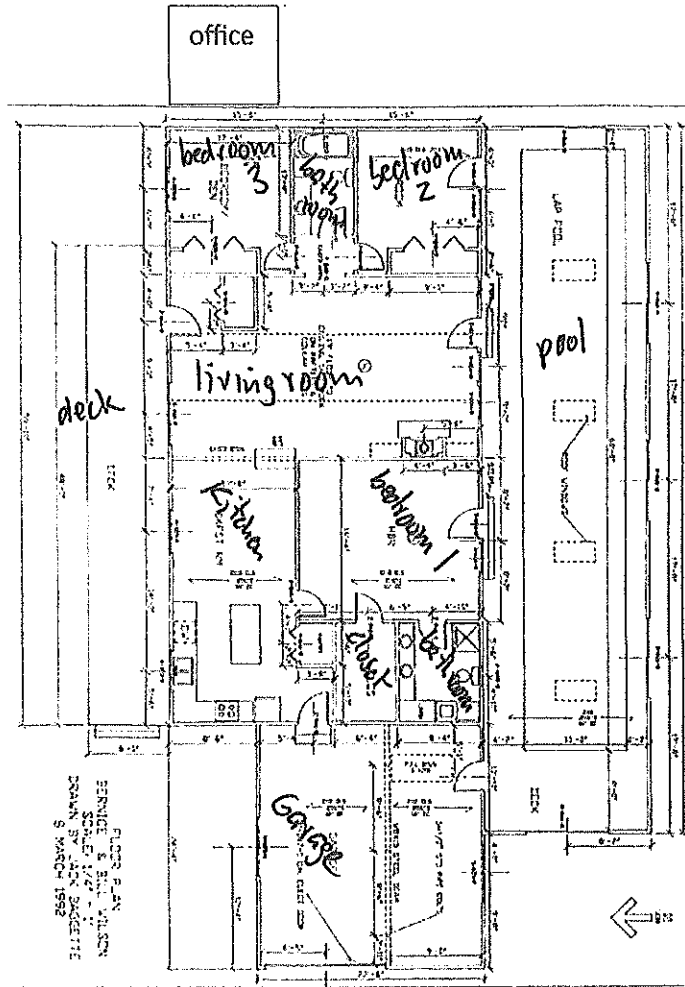
-  Parcels
-  Roads
-  Railroads
-  Lakes
-  Streams and Rivers
-  City Labels

Parcel ID	060D 039	Alternate ID	5165380	Owner Address	WILSON BERENICE H
Sec/Twp/Rng	n/a	Class	R		89 SMALL POND DRIVE
Property Address	89 SMALL POND DR	Acreage	5.09		CLEVELAND GA 30528-0000
	01				
District	01				
Brief Tax Description	LL 108 LD 2 7K/186 PROP				
	<i>(Note: Not to be used on legal documents)</i>				

Date created: 9/1/2023
 Last Data Uploaded: 8/31/2023 5:23:32 AM

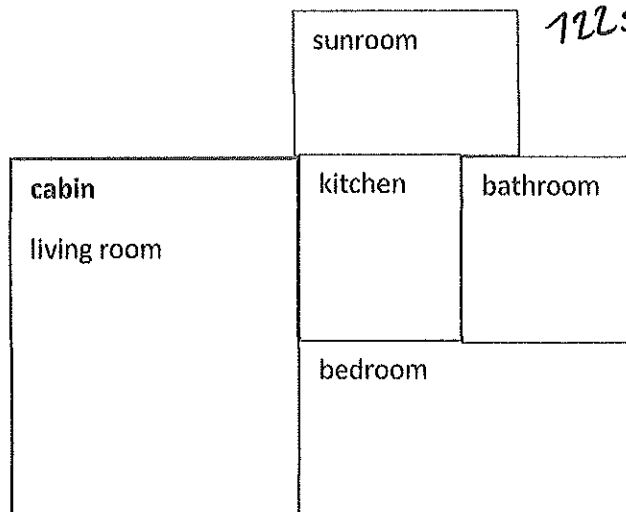
89 Small Pond Dr., Cleveland, GA 30528

main house:



2144 sq. ft.

cabin:



122 sq. ft.

LETTER REQUEST FOR APPROVAL OF SHORT TERM RENTAL

Hello,

My name is FRANK R. LIESEN. I am requesting a conditional use permit for Short Term Rental for the following property:

Address: 89 SMALL POND DR., CLEVELAND, GA 30528

Parcel ID: 060D 039

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, Frank Liesen (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
B		89 Small Pond Dr.
C		
D		all four lots combined into one.
E		

Phone Number: _____

Email Address: _____

Signature: Frank Liesen

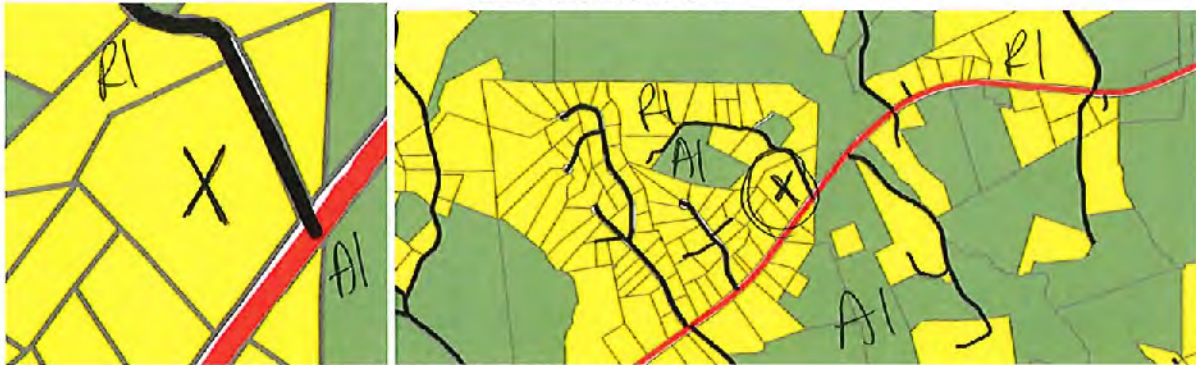
Date Signed: Sep. 6, 2023

**WHITE COUNTY PLANNING DEPARTMENT
STAFF COMMENT**

FRANK LIESON

- PROPERTY IS LOCATED AT 89 SMALL POND DR IN CLEVELAND. 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 5.09.
- PROPERTY SUPPLIED BY WELL AND SEPTIC.

EXISTING LAND USE



FUTURE LAND USE



Liesen Property - STR Application

MJ Henneke 

Fri 11/3/2023 11:51 AM

To: Billy Pittard <BPittard@whitecounty.net>; John Sell <jsell@whitecounty.net>

[EXTERNAL SENDER - PROCEED CAUTIOUSLY]

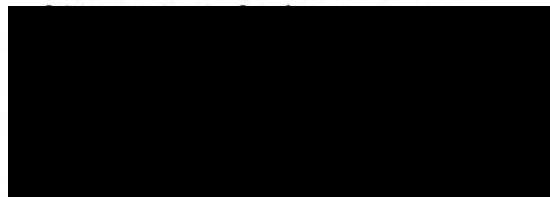
You have asked me about the Liesen property which is in a subdivision that does not have an HOA. Specifically, you have asked whether the Liesen application for an STR permit must obtain the required number of signatures of the property owners shown on the plat recorded in 1985, the plat recorded in 1984 or the plat recorded in 1972. It is my opinion that the Liesen property is subject to the 1985 plat for purposes of obtaining signatures for the STR permit application.

The County has not dealt with this exact issue before. In unique situations such as this, the County must make decisions on a case by case basis. The County acts in a quasi-judicial capacity which involves an ascertainment of the relevant facts from evidence presented and an application of the law/ordinances to those facts.

In this situation, County officials have developed a working policy that uses the most recent plat of record associated with the Liesens' deed. This staff (working) policy was developed because any given property could potentially have multiple plats filed of record over the last 100 years and it would be inefficient to pull all of these plats. Additionally, White County was originally granted to deserving and loyal subjects in tracts of thousands of acres at a time and finding the heir of that one tract at this point in time to obtain a signature needed under ordinance 702(d) would be hugely inefficient and a waste of time for everyone.

In conclusion, it is my opinion that the staff policy of using the most recent plat, filed of record and associated with the deed of the current property owner to determine the number of signatures required under ordinance 702(d) is a legally valid policy.

MaryJane Henneke
Sammons & Henneke,



WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

Application of Frank Liesen to request a conditional use permit located at 89 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.

The applicant, Frank Liesen of 89 Small Pond Drive, was present. Mr. Barton gave a summary of the application. Mr. Liesen asked if there was this stipulation on the land, why did the board approve Mount Yonah Vineyard’s short-term rental. Ms. Burke said she was not at that meeting. Mr. Liesen said his house is the first house on the road and does not come close to the neighbors that are bothered by what is happening. He said he thinks it is a great cause and hopes one could be accepted. Ms. Dixon said Mount Yonah Vineyard had not paid their road maintenance as of yesterday. Mr. Liesen said he understood that they had committed to never have traffic come on their road, to which Ms. Dixon said they are. Mr. Ackerman said he believed it is better to keep the vineyard out of this since there are discrepancies and this has to do with Mr. Liesen’s property only. Mr. Liesen said the problems that the neighbors voiced, he shares but they do not apply to the property he is applying for.

Motion to recommend denial to the Board of Commissioners made by Ms. Burke based on the same explanation for 91 Small Pond Drive. Ms. Dixon seconded the motion. The motion carried with 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.

Application of Paige Hulsey, on behalf of Donald Weideman, to redistrict property located on Honeybrook Lane, Cleveland, Georgia, 30528 from R-1 Residential Single Family District to R-3 Residential Seasonal District. Tax map and parcel 077-090. Total acreage is 5.00. Present zoning is R-1 Residential Single Family District.

The applicant, Paige Hulsey of 240 Honeybrook Lane, was present. Mr. Barton gave a summary of the application. When asked if the issues with road easements and encroachments had been resolved, Ms. Hulsey explained that the gravel had been removed prior to the meeting and it was previously a logging road. She said she added gravel about a year ago, but the issue could not be resolved so she removed the gravel and no longer uses that access. She said she now uses the existing driveway easement and cuts through the pasture. Ms. Hulsey said she already has one tiny home on the property that was rented for a short time.

Motion to recommend denial to the Board of Commissioners made by Ms. Burke based on the easement that goes through other people’s property and the zoning that the farm is, it does not belong there. Ms. Dixon seconded the motion. The motion was unanimous. Mr. Barton advised the applicant of the next meeting on November 16th at 9am.

Application of Pam Collins to request a conditional use permit located at 482 Monroe Ridge, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 069-584. Total acreage is 1.00. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

The applicant, Pam Collins of 482 Monroe Ridge, was present. Mr. Barton gave a summary of the application. Ms. Collins had nothing to add.

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

rentals and expressed concerns of what happens if the applicant's intentions do not work out, additional traffic, strangers in the middle of the night knocking on neighbor's doors, property maintenance for full-time living versus short-term rentals, and the current three-strike rule for short-term rentals. He asked for clarification on the strikes and what constitutes a crime to be considered a strike.

Chairman Thomas asked Mr. Liesen if he had anything to add.

Teray Liesen, Mr. Liesen's wife, said they have not experienced complaints of knocking on doors or traffic. She said the missionary care was her idea from her experience of how it is difficult for missionaries to find places to stay. Ms. Liesen stated her family will be at the property for a number of years and are not building any new structures.

Mr. Liesen explained this is the first property on the left. He said he understands concerns for promises not kept by the vineyard and believes they should try to mitigate them. He said the short-term rentals would be limited on his property since it is only to finance the stay of missionaries. He stated he wants it to be a place of serenity, recovery, and strengthening.

Mr. Ackerman asked if he was okay with placing conditions on the property. Mr. Liesen said he is okay with placing conditions and added that he has a family of five, so there will be seven plus cars on the property when they are home but he will try to limit that. He said that since he works for Truett McConnell and his son is a student there, he does have gatherings at times at his home currently.

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

Application of Frank Liesen to request a conditional use permit located at 89 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.

The applicant, Frank Liesen of 89 Small Pond Drive, was present. Mr. Barton gave a summary of the application. Mr. Liesen did not have anything to add. Chairman Thomas asked if there are plans for the other lots he owns, to which Mr. Liesen said not right now but it could be cabins for students to rent.

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.

Kevin Carbonneau of 248 Small Pond asked if a new driveway along the highway could be considered. He said they have a good relationship with the vineyard; the renters that are the issue because GPS takes them to the home and puts traffic on the private road that residents have to pay for.

Chairman Thomas asked Mr. Liesen if he had anything to add.

Mr. Liesen said building an extra driveway would require cutting trees and that he does pay toward road maintenance. He said to he expects more traffic when home than when not there because of their connection to Truett.

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



WHITE COUNTY

Board of Commissioners

Item Title: Conditional Use Permit Request for STR for Frank Liesen, 91 Small Pond Drive, Cleveland

For Meeting Date: 11/16/2023

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

Category (Select One): Land Use Application

Submitted By: John Sell

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

1. Application #20282
2. Public Hearing Minutes 10/30/2023
3. Regular Meeting Minutes 11/6/2023

Purpose:

Consider the 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.

Background / Summary:

- Applicant is requesting a conditional use permit for short term rental. The property is part of a 5-lot subdivision, of which Mr. Liesen owns 4 parcels. Mr. Liesen explained that there are two houses on this property, this main house with a maximum occupancy of 6 and a cabin with an occupancy of 4. He wants to use the property for missionaries at no cost and offset the cost by also using it for Short Term Rentals. He said his son will also live in the cabin and help to manage the property. Several people spoke against the application primarily from experience with two other short term rentals that have been approved in the neighborhood for Yonah Mountain Vineyards. There have been issues with noise, people shining flashlights in windows at night looking for addresses, feeding and petting livestock, blocking easements and driving over water lines. Other complained that the county is giving people permission to use their private road. Another questioned the subdivision of lots to get his own letters and asked about how to get strikes based on the current short term rentals. Mr. Liesen said he is willing to contribute to the road and agrees with his neighbors about their complaints with the current STRs that are not connected to his application. At the regular meeting, Ms. Burke said there is an existing subdivision with covenants from 1971 that state "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." Ms. Burke stated that too many people have said they don't want this because of the disturbance so she made a motion to deny. Ms. Burke stated that she was not at the previous meetings when other STRs were approved on Small Pond Road and that is why the covenant issue had not been brought up previously. The Planning Commission recommended denial of the application and the motion passed by a 4-1 vote with an abstention.

Department Recommendation:

Planning Commission recommended denial by a 4-1 vote.

Options:

- Uphold Planning Commission recommendation and deny the application
- Reverse Planning Commission recommendation and approve 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>20283</u>
Public Hearing Date: <u>10/30/2023</u>	Commission District: <u>1</u>
Fees Assessed: <u>\$250</u>	Paid via: <input type="checkbox"/> cash <input type="checkbox"/> credit card <input checked="" type="checkbox"/> check# <u>145</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>FRANK R. LIESEN</u>	
Address: <u>89 SMALL POND DR., CLEVELAND, GA 30528</u>	
Phone Number: [REDACTED]	Alternate Contact Number: [REDACTED]
Email: [REDACTED]	
Owner Information (if different from Applicant/Agent):	
Name:	Phone #:
PROPERTY INFORMATION	
Parcel ID: <u>060 D039</u>	Total acreage being changed: <u>5.09 acres</u>
Address: <u>91 89 SMALL POND DR., CLEVELAND, GA 30528, cabin</u>	
Directions to Property: <u>TAKE IIS AND TURN LEFT ON 255. AFTER ABOUT 2 MILES TURN LEFT ON SMALL POND DR. THE HOUSE IS THE FIRST HOUSE ON THE LEFT.</u>	
Current Use/Zoning of Property: <u>R1</u>	Type of Road Surface: <u>GRAVEL</u>
Any prior redistricting requests for property: <u>No</u> If yes, provide redistricting application #: _____	
SURROUNDING PROPERTY LAND USE CLASSIFICATION:	
North: <u>R1</u>	South: <u>R1</u> East: <u>R1</u> West: <u>R1</u>
REQUESTED ACTION AND DETAILS OF PROPOSED USE (check all that apply)	
<input type="checkbox"/> Redistrict from district:	Redistrict to district:
<input checked="" type="checkbox"/> Conditional Use - specify: <u>STR</u>	
<input type="checkbox"/> Special Use - specify:	
<input type="checkbox"/> Land Use Variance from Code Section:	
Proposed use if not listed above:	
Is this property part of a subdivision? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If so, please list number of lots:	
Are there covenants? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Is there an active homeowner's association? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
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 060D047	RJ MILLER FAM FARM?	62 SMALL POND DR
2 060D040	ANN-MARIE PETERSON-KAHLE	117 SMALL POND DR
3 060D036	SALINAS JOSE DJR	57 COLLEY LN
4 060D037	KITE HENRIETTA	60 COLLEY LN
5 061135	RINGO DEVI AET AL	0 HWY 255S
6 061138	REED CODY	1611 HWY 255S
7 061139	SUTTON JANICE M.	1536 HWY 255S
(8) 060D045	SEABOLT HAROLD/LUNDA	106 SMALL POND DR.

APPLICANT CERTIFICATION

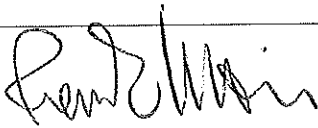
I hereby request the action contained within this application relative to the property shown on the attached plats and site plan and further request that this item be placed on both the Planning Commission and Board of Commissioners meeting agendas.

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: 8/20/23

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
X Wednesday, September 13, 2023	X 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: *NA*

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: *[Handwritten Signature]*

Date: *8/20/23*

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), FRANK LIESEN, 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>89 SMALL POND DR.</u>	
PROPERTY OWNER INFORMATION	
Printed Name of Owner(s): <u>FRANK LIESEN</u>	
Mailing Address: <u>89 SMALL POND DR.</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>Jessica Liesen, Jason Graffagnino</u>	
Signature of Owner(s):	Date Signed:
<u>Frank Liesen</u>	<u>Sep. 6, 2023</u>

PROPERTY OWNER AUTHORIZATION DOCUMENT: NOTARY ACKNOWLEDGEMENT

Sworn to (or affirmed) and subscribed before me this 6 day of September, 2023 by Frank Liesen (name of signer(s)). The named signer(s) is/are personally known by me or produced the identification type of DL.

{Seal}

Mercedes Dodd
(Signature of Notary)

(Name of Notary Typed, Stamped, or Printed)

Mercedes Dodd
NOTARY PUBLIC
White County, GEORGIA
My Commission Expires 06/02/2026

SHORT TERM RENTAL CERTIFICATIONS

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

I/WE (print), FRANK LIESEN,
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): Frank Liesen Sep 6, 2023

(112)

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): Frank Liesen

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): Frank Liesen

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): Frank Liesen

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): Frank Liesen

SHORT TERM RENTAL CERTIFICATIONS DOCUMENT: NOTARY ACKNOWLEDGEMENT

Sworn to (or affirmed) and subscribed before me this 6 day of September, 2023 by Frank Nielsen (name of signer(s)). The named signer(s) is/are personally known by me or produced the identification type of DL.

Mercedes Dodd
(Signature of Notary)

{Seal}

(Name of Notary Typed, Stamped, or Printed)

Mercedes Dodd
NOTARY PUBLIC
White County, GEORGIA
My Commission Expires 06/02/2026

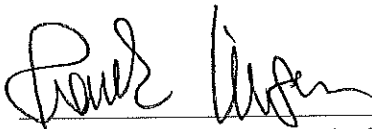
APPLICANT ACKNOWLEDGEMENT OF MEETING DATES

I, FRANK LIESEN (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): 10/30/23
 Regular Meeting Date (Planning Commission): 11/16/23

Administration Building, 1235 Helen Hwy, Cleveland **4:30pm**
 Board of Commissioners Meeting Date: 11/27/23

**Meeting dates are subject to change*


 Signature of Applicant or Authorized Agent

Sep. 6, 2023
 Date

<u>OFFICE USE ONLY</u>
Copy given to applicant: <u>9/16/23</u> (date)
Staff Initials: <u></u>
Flag (circle): <u></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: _____

Frank R. Liesen
89 Small Pond Dr.
Cleveland, GA 30528

September 6, 2023

Letter of Intent:

My wife and I see this property as a place where we will live permanently and retire, even though we are currently serving as missionaries and might be out of the country for periods of time. At the same time, we have the desire for this property to become a place where missionaries or pastors can rest and take time for spiritual retreats or vacations for free. We would like this to be a place of peace and serenity. The short-term rental use would help to finance such a care ministry while also providing potential income for our own retirement.

Concerning the short-term rental of our cabin and the main house on the property, our intent would be to allow a maximum number of four renters for the cabin and eight renters for the main house.

Thank you for your consideration.

Blessings,

A handwritten signature in black ink that reads "Frank Liesen". The signature is written in a cursive style with a long horizontal flourish at the end.

Frank R. Liesen



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: 09/06/2023

APPLICANT NAME: FRANK LIESEN

PROPERTY ADDRESS: 89 SMALL POND DR
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.

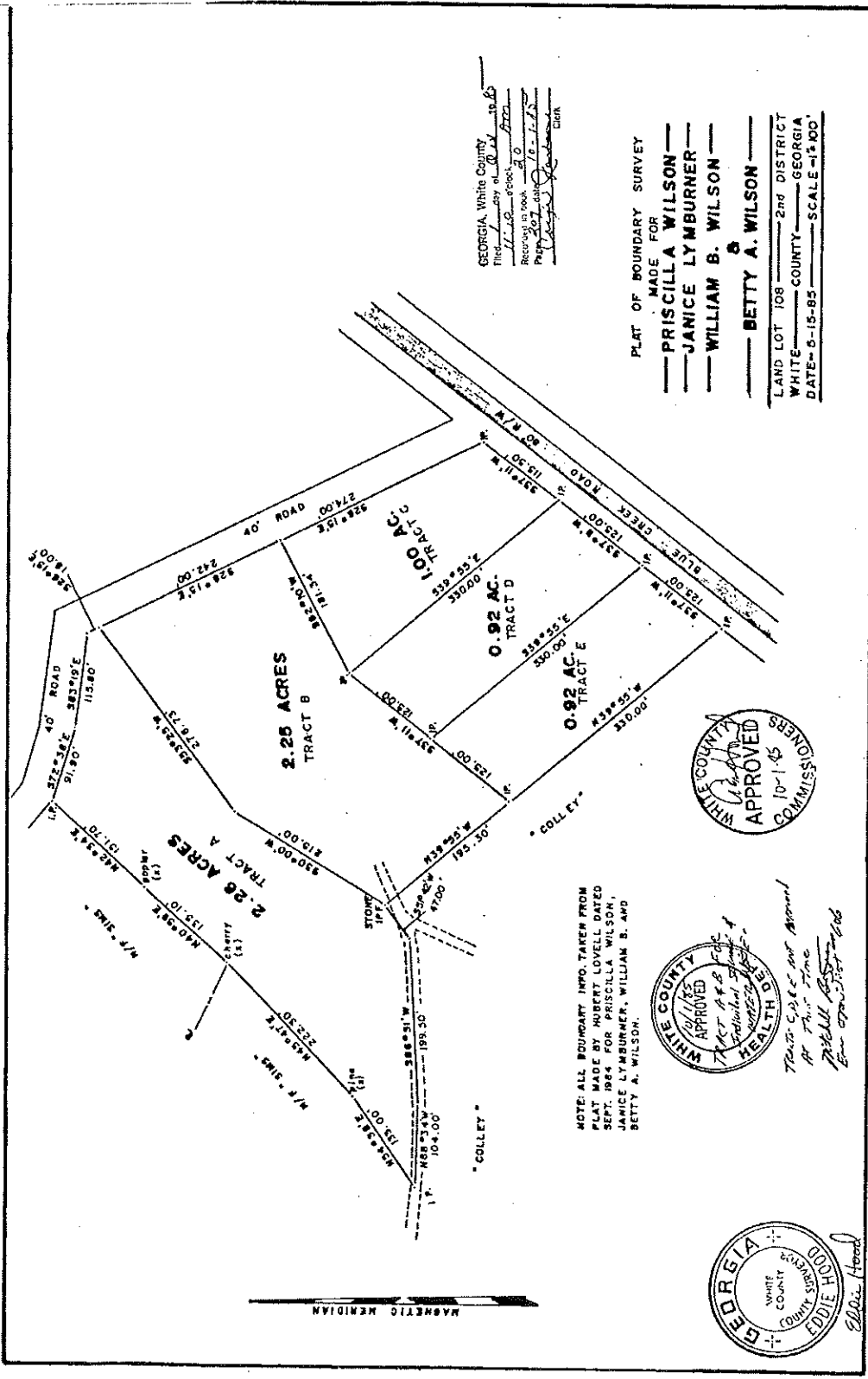
If, based upon information submitted, no septic systems exist on the property, this zoning/land use change and/or building permit request should not affect the property with respect to septic use.

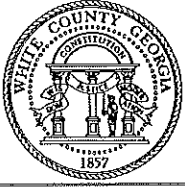
White County Environmental Health
District 2 Public Health

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



Applicant Signature





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

WILSON BERENICE H

89 SMALL POND DRIVE

CLEVELAND, GA 30528

PAID DATE			2/2/2023
RECEIPT PRINTED			8/25/2023 11:57:45 AM
CASH AMOUNT	CHECK AMOUNT	CHARGE AMOUNT	CHECK NUMBER(S) CHARGE APPROVAL CODE
\$0.00	\$1,676.51	\$0.00	3642
REFUND AMOUNT			\$0.00
OVERPAY AMOUNT			\$0.00
CHANGE AMOUNT			\$0.00
REGISTER			3
CASHIER			
TOTAL PAID			\$1,676.51

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	
2022-19032 FMV: 338200.00 060D 039	LL 108 LD 2 7K/186 PROP 89 SMALL POND DR DISTRICT: 001 SERIAL NUMBER: DECAL NUMBER: 0	11/15/2022 \$1,645.02	\$31.49 \$0.00 \$10.00	\$0.00	\$1,686.51	\$1,676.51	\$0.00	
Paid By: PRISCILLA WILSON				Overpayment Amount: 0.00				
Check Number: 3642								
Transaction(s): 45209 - 45209		Total(s):	\$1,645.02	\$41.49	\$0.00	\$1,686.51	\$1,676.51	\$0.00



OFFICIAL TAX RECEIPT

White County Tax Commissioner
Cindy Cannon
 P. O. Box 970
 Cleveland GA 30528
 Phone 17068652225 - Fax 17062190078
 Email: wctc@whitecounty.net

PAID DATE			3/31/2023
RECEIPT PRINTED			8/25/2023 11:58:02 AM
CASH AMOUNT	CHECK AMOUNT	CHARGE AMOUNT	CHECK NUMBER(S) CHARGE APPROVAL CODE
\$0.00	\$10.00	\$0.00	56330
REFUND AMOUNT			\$0.00
OVERPAY AMOUNT			\$0.00
CHANGE AMOUNT			\$0.00
REGISTER			1
CASHIER			
TOTAL PAID			\$10.00

OWNER
 WILSON BERENICE H
 89 SMALL POND DRIVE
 CLEVELAND, GA 30528

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	
2022-19032 FMV: 338200.00 060D 039	LL 108 LD 2 7K/186 PROP 89 SMALL POND DR DISTRICT: 001 SERIAL NUMBER: DECAL NUMBER: 0	11/15/2022 \$1,645.02	\$31.49 \$0.00 \$10.00	\$1,676.51	\$10.00	\$10.00	\$0.00	
Paid By: Oliver & weidner llc 706-754-9000				Overpayment Amount: 0.00				
Check Number: 56330								
Transaction(s): 193181 - 193181		Total(s):	\$1,645.02	\$41.49	\$1,676.51	\$10.00	\$10.00	\$0.00



Overview



Legend

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

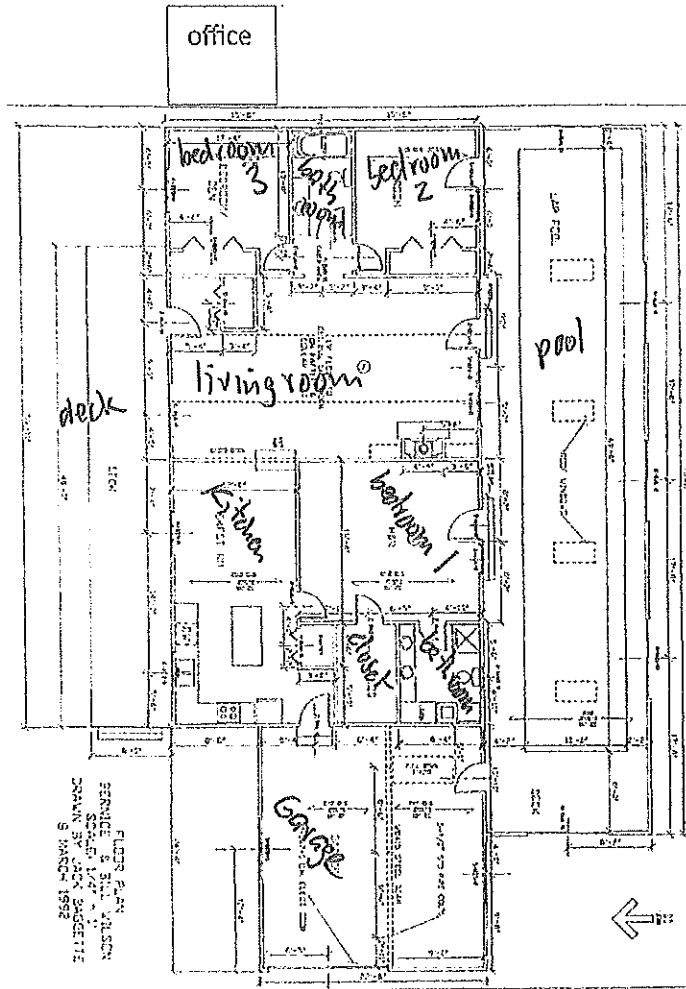
Parcel ID	060D 039	Alternate ID	5165380	Owner Address	WILSON BERENICE H
Sec/Twp/Rng	n/a	Class	R		89 SMALL POND DRIVE
Property Address	89 SMALL POND DR	Acreage	5.09		CLEVELAND GA 30528-0000
	01				
District	01				
Brief Tax Description	LL 108 LD 2 7K/186 PROP				
	<i>(Note: Not to be used on legal documents)</i>				

Date created: 9/1/2023
 Last Data Uploaded: 8/31/2023 5:23:32 AM

Developed by 

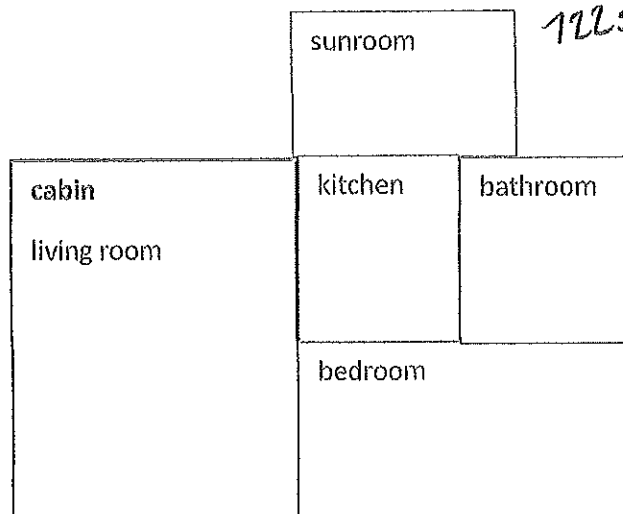
89 Small Pond Dr, Cleveland, GA 30528

main house:



2144 sq. ft

cabin:



722 sq. ft.

LETTER REQUEST FOR APPROVAL OF SHORT TERM RENTAL

Hello,

My name is FRANK R. LIESEN. I am requesting a conditional use permit for Short Term Rental for the following property:

Address: 89 SMALL POND DR., CLEVELAND, GA 30528

Parcel ID: 060D039

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, Frank Liesen (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
B		89 Small Pond Dr.
C		
D		all four lots combined into one.
E		

Phone Number: _____

Email Address: _____

Signature: Frank Liesen

Date Signed: Sep. 6, 2023

Mercedes Dodd

From: Dan Flanders
Sent: Tuesday, September 19, 2023 3:07 PM
To: Mercedes Dodd
Subject: Frank Liesen

Categories: Complete

New cabin address is 91 SMALL POND DR

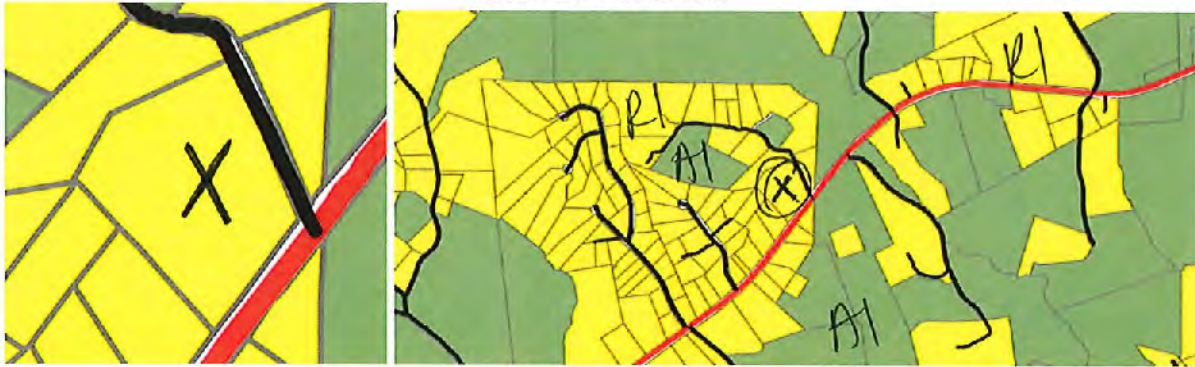
Dan Flanders
GIS/Mapping/Addressing Coordinator
White County Georgia
1241 Helen Highway Suite 200
Cleveland, Ga 30528
706-865-3911

**WHITE COUNTY PLANNING DEPARTMENT
STAFF COMMENT**

FRANK LIESON

- PROPERTY IS LOCATED AT 91 SMALL POND DR IN CLEVELAND. 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 5.09.
- PROPERTY SUPPLIED BY WELL AND SEPTIC.

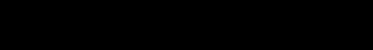
EXISTING LAND USE



FUTURE LAND USE



Liesen Property - STR Application

MJ Henneke <

Fri 11/3/2023 11:51 AM

To: Billy Pittard <BPittard@whitecounty.net>; John Sell <jsell@whitecounty.net>

[EXTERNAL SENDER - PROCEED CAUTIOUSLY]

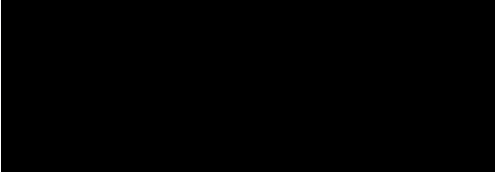
You have asked me about the Liesen property which is in a subdivision that does not have an HOA. Specifically, you have asked whether the Liesen application for an STR permit must obtain the required number of signatures of the property owners shown on the plat recorded in 1985, the plat recorded in 1984 or the plat recorded in 1972. It is my opinion that the Liesen property is subject to the 1985 plat for purposes of obtaining signatures for the STR permit application.

The County has not dealt with this exact issue before. In unique situations such as this, the County must make decisions on a case by case basis. The County acts in a quasi-judicial capacity which involves an ascertainment of the relevant facts from evidence presented and an application of the law/ordinances to those facts.

In this situation, County officials have developed a working policy that uses the most recent plat of record associated with the Liesens' deed. This staff (working) policy was developed because any given property could potentially have multiple plats filed of record over the last 100 years and it would be inefficient to pull all of these plats. Additionally, White County was originally granted to deserving and loyal subjects in tracts of thousands of acres at a time and finding the heir of that one tract at this point in time to obtain a signature needed under ordinance 702(d) would be hugely inefficient and a waste of time for everyone.

In conclusion, it is my opinion that the staff policy of using the most recent plat, filed of record and associated with the deed of the current property owner to determine the number of signatures required under ordinance 702(d) is a legally valid policy.

MaryJane Henneke
Sammons & Henneke,
Attorneys At Law



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

Application of Erik Perrine to request a conditional use permit located at 242 Eagles Nest Road, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 068-144A. Total acreage is 1.00. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family. The applicant, Erik Perrine of 242 Eagles Nest, was present. Mr. Barton gave a summary of the application. Mr. Perrine explained the proposed short-term rental would have a maximum occupancy of four people with parking for four vehicles. He said he does not have previous experience with short-term rentals and plans to utilize a management company. Additionally, he said his closest neighbor is about 200 feet away, which is also a short-term rental, and about two-thirds of the homes in the development are short-term rentals. He said he plans to stay at the home one weekend a month.

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. Perrine 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 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. The applicant, Frank Liesen of 89 Small Pond Drive, was present. Mr. Barton gave a summary of the application. Mr. Liesen explained the proposed short-term rental would have a maximum occupancy of four people in the cabin and six in the main house. He explained there are two homes on the property, the main house and a cabin. He said the purpose of the short-term rental is to fund the free stays for missionaries and pastors. Mr. Liesen stated his son would live in the cabin for at least two years, during which time he could manage the main house. He said another option would be for his family to live in one and rent out the other. He explained that he is unsure if he will advertise online, but there is a community for the missionaries to learn about the home.

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.

Stacy Brown of 248 Small Pond Drive said this is her third time at public hearing for Small Pond. She said she did not oppose one initially but wished she had after living next to one. She stated issues with screaming, yelling, people feeding livestock, petting animals, driving over water lines, blocking easements, renters not being able to find the home, and promises not kept from other applicants. She said the road cannot handle more short-term rentals.

Henrietta Kite of 60 Colley Lane said she adjoins the property and expressed concerns of trespassers. She said she currently feels safe in her home as a widow, but will not if this application passes. She said she does not think short-term rentals should be in these neighborhoods.

Linda Seabolt of 106 Small Pond Drive expressed concerns of road maintenance and ensuring renters are legitimate. She said this would make four short-term rentals on a private road and the county is giving them permission to use the private road. She added that the laws for short-term rentals need to be refined.

Kevin Carbonneau of 248 Small Pond asked how someone could subdivide a property with letters required with the owner being the majority procured. He said many homes are impacted by the short-term

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

rentals and expressed concerns of what happens if the applicant's intentions do not work out, additional traffic, strangers in the middle of the night knocking on neighbor's doors, property maintenance for full-time living versus short-term rentals, and the current three-strike rule for short-term rentals. He asked for clarification on the strikes and what constitutes a crime to be considered a strike.

Chairman Thomas asked Mr. Liesen if he had anything to add.

Teray Liesen, Mr. Liesen's wife, said they have not experienced complaints of knocking on doors or traffic. She said the missionary care was her idea from her experience of how it is difficult for missionaries to find places to stay. Ms. Liesen stated her family will be at the property for a number of years and are not building any new structures.

Mr. Liesen explained this is the first property on the left. He said he understands concerns for promises not kept by the vineyard and believes they should try to mitigate them. He said the short-term rentals would be limited on his property since it is only to finance the stay of missionaries. He stated he wants it to be a place of serenity, recovery, and strengthening.

Mr. Ackerman asked if he was okay with placing conditions on the property. Mr. Liesen said he is okay with placing conditions and added that he has a family of five, so there will be seven plus cars on the property when they are home but he will try to limit that. He said that since he works for Truett McConnell and his son is a student there, he does have gatherings at times at his home currently.

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

Application of Frank Liesen to request a conditional use permit located at 89 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.

The applicant, Frank Liesen of 89 Small Pond Drive, was present. Mr. Barton gave a summary of the application. Mr. Liesen did not have anything to add. Chairman Thomas asked if there are plans for the other lots he owns, to which Mr. Liesen said not right now but it could be cabins for students to rent.

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.

Kevin Carbonneau of 248 Small Pond asked if a new driveway along the highway could be considered. He said they have a good relationship with the vineyard; the renters that are the issue because GPS takes them to the home and puts traffic on the private road that residents have to pay for.

Chairman Thomas asked Mr. Liesen if he had anything to add.

Mr. Liesen said building an extra driveway would require cutting trees and that he does pay toward road maintenance. He said to he expects more traffic when home than when not there because of their connection to Truett.

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 R-3 for Paige Hulsey, on behalf of Donald Weideman, Honeybrook Lane, Cleveland

For Meeting Date: 11/16/2023

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. 20287
2. Public Hearing Minutes 10/30/2023
3. Regular Meeting Minutes 11/6/2023

Purpose:

Consider the application of Paige Hulsey, on behalf of Donald Weideman, to redistrict property located on Honeybrook Lane, Cleveland, Georgia, 30528 from R-1 Residential Single Family District to R-3 Residential Seasonal District. Tax map and parcel 077-090. Total acreage is 5.00. 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 R-3 Residential Seasonal District to allow Short Term Rental of a Park Model/RV on the property and add 2 more to be an RV park. She explained that she would be cutting 5 acres off of the 16-acre track at 240 Honeybrook Lane owned by Mr. Weideman. She stated that she was the trustee for his estate. She said she had been renting for about a year before she was notified by the county that she needed a host license. She said she has had no complaints from the neighbors about the STR. She said she is exploring getting another easement to come off of New Bridge Road instead of the current easement access off of Honeybrook Lane. Mary Meyerscough who lives at 23 Honeybrook Lane said the current easement is very close to her home and she has concerns about an RV park being there and what people staying there would do, to include riding ATV's and dirt bikes and trespassing on her property. Katie Bass of 3886 New Bridge Road said the three pads have already been cut and have crossed the property line onto her property. Ms. Hulsey said that she is addressing the encroachment and that happened because the grade came out before the surveyor identified the property line. The Planning Commission recommended denial of the application because the access is by an easement through other people's property and based on the farm's zoning, the RV park doesn't fit. The motion passed by unanimous vote.

Department Recommendation:

Planning Commission recommended denial by unanimous vote.

Options:

- Uphold Planning Commission recommendation and deny the application
- Reverse Planning Commission recommendation and approve 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>20287</u>
Public Hearing Date: <u>10/30/23</u>	Commission District: <u>2</u>
Fees Assessed: <u>\$250</u>	Paid via: <input type="checkbox"/> cash <input type="checkbox"/> credit card <input checked="" type="checkbox"/> check# <u>1058</u>

APPLICANT INFORMATION

Status: Owner Authorized Agent Lessee Option to Purchase

Printed Name(s): Paige Hulsey

Address: 240 Honeybrook Lane Cleveland GA 30528

Phone Number: [REDACTED] Alternate Contact Number:

Email: [REDACTED]

Owner Information (if different from Applicant/Agent):

Name: Donald Weideman Trust Phone #:

PROPERTY INFORMATION

Parcel ID: 077-090 Total acreage being changed: 5.00 acres

Address: 0 Honeybrook Lane Cleveland GA 30528

Directions to Property:

From Duncan Bridge RD turn on to New Bridge the ~~off~~ turn off New bridge on to Honeybrook Lane

Current Use/Zoning of Property: R1 Type of Road Surface: Gravel

Any prior redistricting requests for property: no If yes, provide redistricting application #: _____

SURROUNDING PROPERTY LAND USE CLASSIFICATION:

North: A1 South: A1 East: R1 West: A1

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

Redistrict from district: <u>R1 - R3</u>	Redistrict to district: <u>R3</u>
Conditional Use - specify:	
Special Use - specify:	
Land Use Variance from Code Section:	

Proposed use if not listed above: RV Park

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): n/a

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: _____ 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	077-134A Gayle Bass	26 Rose Rd. Cleveland
2	077-091E Scott's Chastity Adams	³⁵⁷ 550 Walnut Grove Rd Cleveland
3	077-089 Terri Newsome	165 Jones St. Cornelia 30531
4	090-007 Stanley London	723 Barrett Mill Rd. Cleveland
5	077-090 Donald Weideman	240 Honeybrook Ln Cleveland
6	077-152 Linda Martin	71 Lanark Dr. Cleveland
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.

Lauren Hulse

9/6/23

Applicant Signature:

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: *Rain Hulse* **Date:** *9/6/23*

**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:
n/a

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: *Rain Hulse* **Date:** *9/6/23*

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), Donald Weideman,
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):

Donald Weideman

Mailing Address:

240 Honeybrook Lane
Cleveland GA 30528

Phone Number:



Alternate Contact Number:

Email:

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): Paige Hulse

Signature of Owner(s):

Date Signed:

Donald Weideman

9-06-23

PROPERTY OWNER AUTHORIZATION DOCUMENT: NOTARY ACKNOWLEDGEMENT

Sworn to (or affirmed) and subscribed before me this 6th day of September, 2023 by Donald Weideman (name of signer(s)). The named signer(s) is/are personally known by me or produced the identification type of _____.

{Seal}

Brenda S. Helton

(Signature of Notary)

Brenda S. Helton

(Name of Notary Typed, Stamped, or Printed)

Brenda S Helton
NOTARY PUBLIC
White County, Georgia
My Commission Expires 9/21/2025

SHORT TERM RENTAL CERTIFICATIONS

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

I/WE (print), Paige Hulsey,
hereby swear that I/we own/will own the property referended below for which this land use change application is being made.

*Property Address and/or Parcel ID: 240 Honeybrook Ln, Cleveland GA - 077/090

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): Paige Hulsey

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): Paige Hulsey

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): Paige Hulsey

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): Paige Hulsey

OFFICIAL CODE OF WHITE COUNTY APENDIX 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): Paige Hulsey

SHORT TERM RENTAL CERTIFICATIONS DOCUMENT: NOTARY ACKNOWLEDGEMENT

Sworn to (or affirmed) and subscribed before me this 10 day of September, 20 23 by Paige Hulsey (name of signer(s)). The named signer(s) is/are personally known by me or produced the identification type of ID.

Mercedes Dodd
(Signature of Notary)

{Seal}
Mercedes Dodd
NOTARY PUBLIC
White County, GEORGIA
My Commision Expres 06/02/2026

(Name of Notary Typed, Stamped, or Printed)

APPLICANT ACKNOWLEDGEMENT OF MEETING DATES

I, Paige Hulsey (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): 10/30/23
 Regular Meeting Date (Planning Commission): 11/6/23

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

Board of Commissioners Meeting Date: 11/27/23

**Meeting dates are subject to change*

Paige Hulsey
 Signature of Applicant or Authorized Agent

9/7/23
 Date

OFFICE USE ONLY

Copy given to applicant: 9/7/23 (date)
 Staff Initials: MD
 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. Any petition for an amendment to these regulations, official land use district map, conditional use approval, variance or special use permit may be withdrawn, at the discretion of the person or agency initiating such request, at any time prior to final action by the board of commissioners upon written notice to the planning director. Any required fees shall be forfeited</i>	
I hereby withdraw application #:	
Applicant Signature:	Date:

I intend to have 3 RV's/Tiny houses and they will be rented as Air BnB's. They will only be rented to couples or families with a max capacity of 6. They will not be used for events or parties.

Best Regards,

Paige Hulsey



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: 09/01/2023

APPLICANT NAME: PAIGE HULSEY

PROPERTY ADDRESS: 240 HONEYBROOK LN
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:


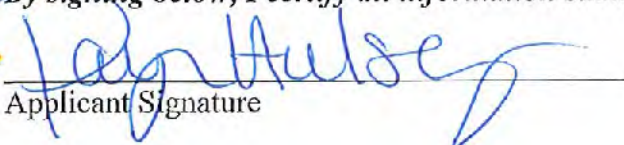
- that the permit on file is the correct permit for the property in question;
- that there is no evidence of system failure;
- that the septic system is appropriately sized for the current and proposed use;
- that there is adequate repair after the proposed addition;
- that there are no conditions that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



Georgia Department of Public Health On-Site Sewage Management System Performance Evaluation Report Form

APPLICANT NAME: PAIGE HULSEY	PROPERTY/SYSTEM ADDRESS: 240 HONEYBROOK LN CLEVELAND, GA 30528	EVALUATION ID: 008582
APPLICANT PHONE: [REDACTED]		COUNTY: White
APPLICANT EMAIL ADDRESS: [REDACTED]	SUBDIVISION/LOT/BLOCK: //	REASON FOR EVALUATION: Structure Change of Use
Inspection Records		
No	1. Inspection records exist for this septic system.	
No	2. Inspection records indicate that all components of the septic system were properly constructed and approved at the time of original inspection. A copy of the original inspection report is attached.	
Maintenance Records (applicable copies are attached)		
No	3. Maintenance or installation records indicate that the tank has been pumped out or installed within the past 5 years. Note: it is recommended that septic tanks be pumped at least once every 5 years.	
N/A	4. Systems with aerobic treatment unit(s) (ATU): Records indicate the ATU has been serviced in accordance with the manufacturer's recommended maintenance schedule OR an authorized representative of the manufacturer has provided documentation that the ATU is operating sufficiently.	
N/A	5. Systems with grease trap(s): Maintenance records indicate the grease trap(s) has been pumped out within the last 6 months OR documentation has been provided by a qualified individual confirming that the grease trap contains less than 75% of the designed grease holding capacity and is operating sufficiently.	
System Assessment and Existing Site Conditions (applicable copies are attached)		
No	6. The septic tank was uncovered at the time of this County Board of Health Evaluation OR maintenance records exist and the tank appears to meet the required design, construction, and installation criteria. The appropriateness of the sizing and installation criteria of the absorption field cannot be verified since no initial inspection records exist.	
No	7. A Georgia certified septic tank installer has provided written documentation of the system design, location, and components.	
Yes	8. This site evaluation by the County Board of Health revealed no evidence of system failure.	
No	9. This site evaluation by the County Board of Health revealed no evidence of adverse conditions which would affect the functioning of the system.	
Addition to Property		
N/A	10. This site evaluation as well as the provided information indicate that the proposed construction to the home or property should not adversely affect the functioning of the existing system.	
Relocation of Home or Change of Use		
No	11. This site evaluation as well as the provided information indicate that the system appears to meet the required design, construction, and installation criteria to accommodate the proposed relocation of the home or change of use for the facility should not adversely affect the functioning of the existing system.	

See 2nd page for evaluation notes, disclaimer, and signature.


Performance Evaluation Report Form (continued)

PROPERTY/SYSTEM ADDRESS: 240 HONEYBROOK LN CLEVELAND, GA 30528	EVALUATION ID: 008582
	SUBDIVISION/LOT/BLOCK: //

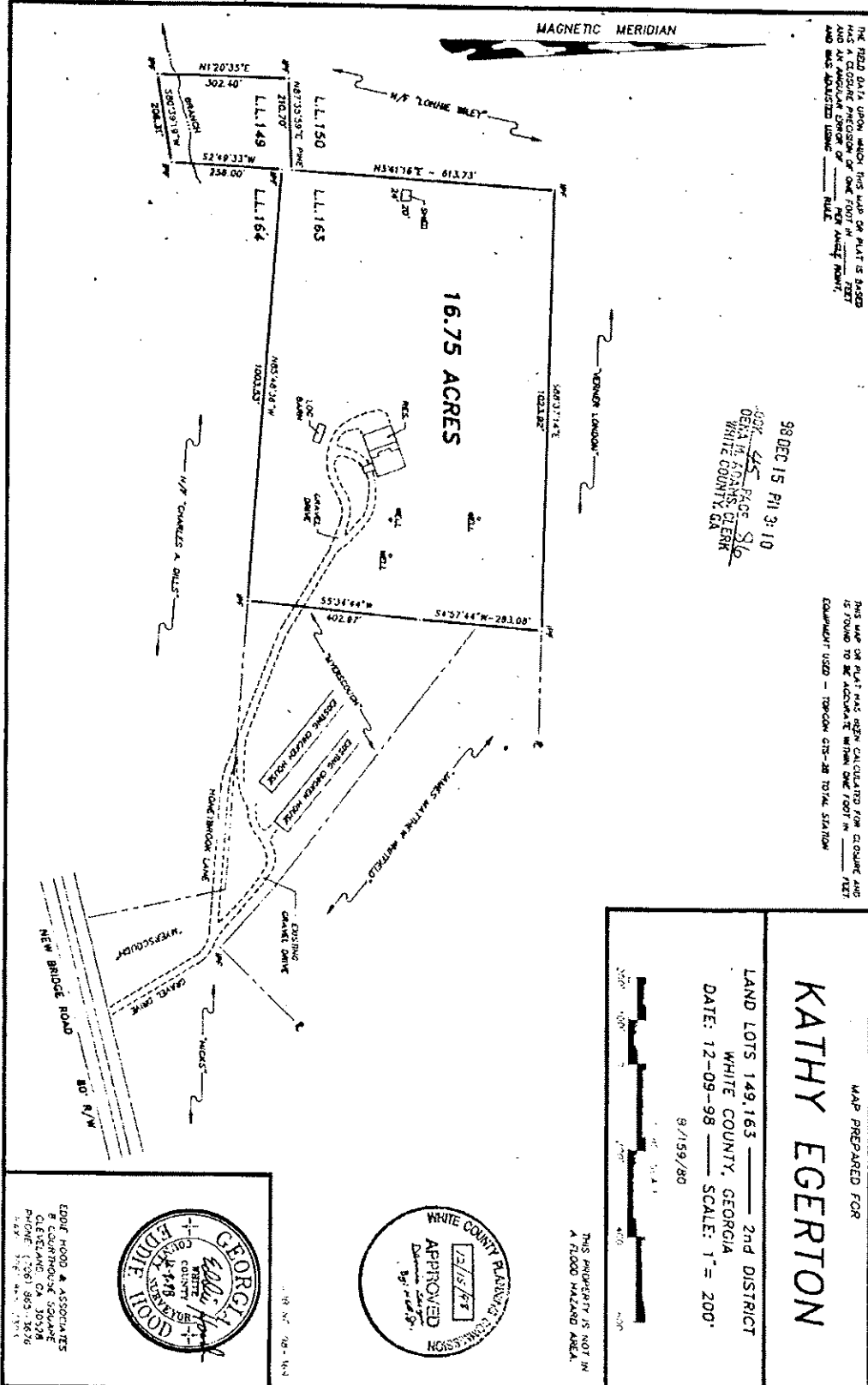
Adverse Conditions (i.e. malfunctioning or damaged system or clear evidence of a condition, or conditions, that would likely contribute to system malfunction or unacceptable risk to public health):
 The entire system seems to be installed within the 50' buffer of the creek.

Additional Notes/Comments:

No failure noted at the time of inspection. This evaluation was in regards to the "tiny home" located on the southwest corner of the property located within Land Lot 149 on the currently recorded plat. The system has been installed without a permit and without documentation. None of the system can be approved. It is recommended to apply with this department for a new system permit to replace the system in violation with a legal, permitted system. Due to the proximity of the system to the creek, use of the system should cease immediately.

Inspector: Padraic Thompson	Signature: 	Date: 09/20/2023
---------------------------------------	-----------------------------------------------------------------------------------------------------------	----------------------------

I verify the above information to be correct at the date and time of this evaluation only. Disclaimer: This verification shall not be construed as a guarantee of the proper functioning of this system for any given period of time. No liability is assumed for future damages that may be caused by system malfunction.



THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSEST PRECISION OF ONE FOOT IN _____ FEET AND AN APPROXIMATE ERROR OF _____ PER HUNDRED THOUSAND AND HAS ADJUSTED THEREIN _____ RULE.

98 DEC 15 PM 3:10
 FOR: KATHY EGERTON
 DEPT. OF PLANNING
 WHITE COUNTY, GA

THIS MAP OR PLAT HAS BEEN CALCULATED FOR SQUARE AND IS FOUND TO BE ACCURATE WITH ONE FOOT IN _____ FEET EQUIPMENT USED - TRIMBLE GPS-28 TOTAL STATION

MAP PREPARED FOR
KATHY EGERTON
 LAND LOTS 149, 163, and 164, 2nd DISTRICT
 WHITE COUNTY, GEORGIA
 DATE: 12-09-98 SCALE: 1" = 200'
 9/15/98

THIS PROPERTY IS NOT IN A FLOOD HAZARD AREA.



EDIE HOOD & ASSOCIATES
 8 COURTHOUSE SQUARE
 CLEVELAND, GA 30398
 PHONE (706) 883-1876
 FAX (706) 883-1876



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

WEIDEMAN DONALD

240 HONEYBROOK LN

CLEVELAND, GA 30528

PAID DATE			11/9/2022
RECEIPT PRINTED			9/6/2023 11:25:33 AM
CASH AMOUNT	CHECK AMOUNT	CHARGE AMOUNT	CHECK NUMBER(s) CHARGE APPROVAL CODE
\$0.00	\$3,470.70	\$0.00	202
REFUND AMOUNT			\$0.00
OVERPAY AMOUNT			\$0.00
CHANGE AMOUNT			\$0.00
REGISTER			9
CASHIER			
TOTAL PAID			\$3,470.70

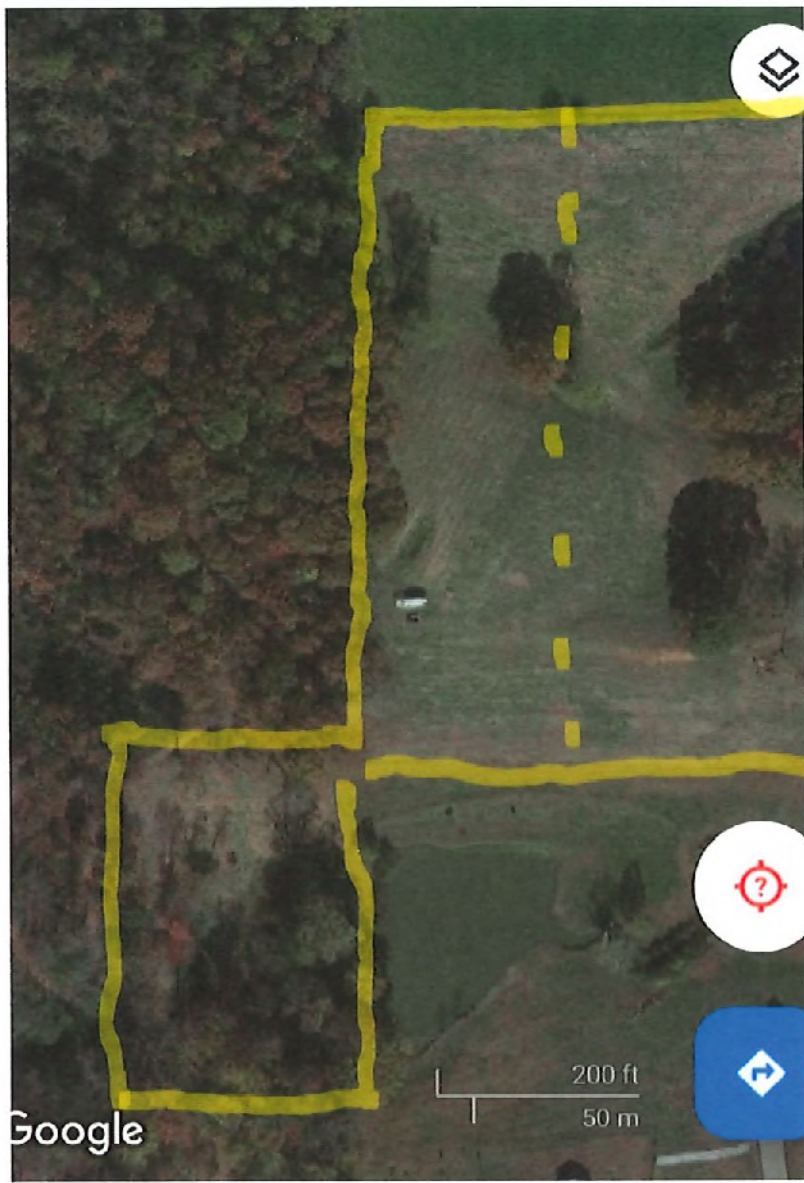
Tax Year- Bill Number FMV Property ID	Property Description Property Address District Serial Number Decal Number	Due Date Original Due	Interest Penalty Other Fees	Previous Paid Amount	Current Amount Due	Amount Paid	Tax Bill New Balance	
2022-18421 FMV: 432940.00 077 090	LL163 LD 2 240 HONEYBROOK LN DISTRICT: 001 SERIAL NUMBER: DECAL NUMBER: 0	11/15/2022 \$3,470.70	\$0.00 \$0.00 \$0.00	\$0.00	\$3,470.70	\$3,470.70	\$0.00	
Paid By: WEIDEMAN DONALD						Overpayment Amount: 0.00		
Check Number: 202								
Transaction(s): 1266 - 1266		Total(s):	\$3,470.70	\$0.00	\$0.00	\$3,470.70	\$3,470.70	\$0.00



Cog's Cogs
Auto parts store

100 m

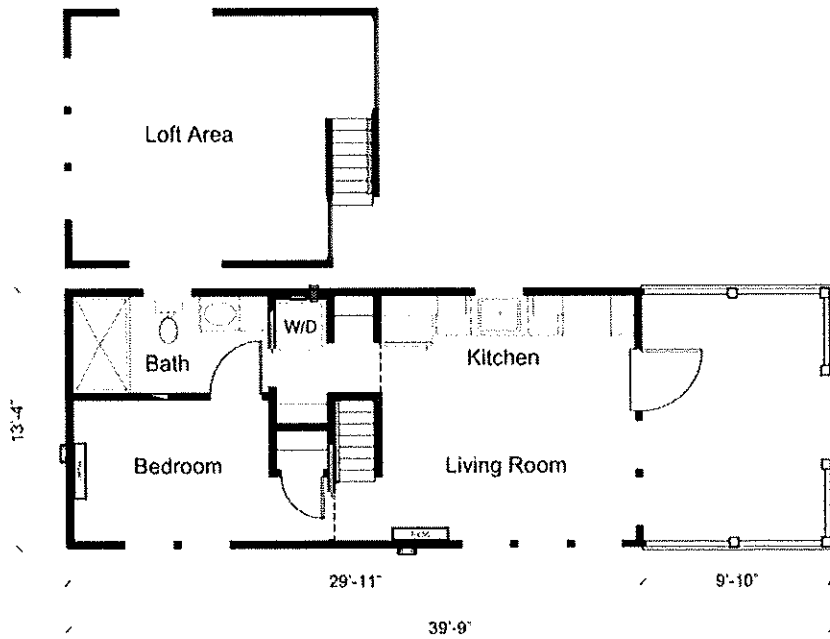
Camera: 1,532 m 34°32'53"N 83°39'08"W 419 m



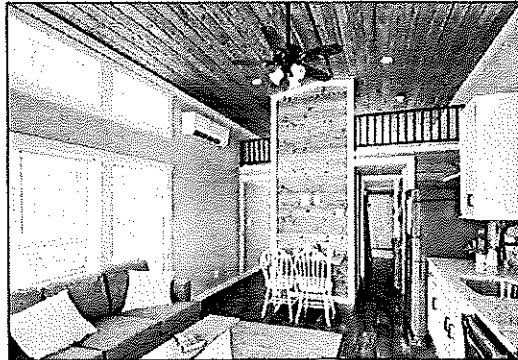
THE BERRY



398 Sq Ft | 13' x 38'
 1 1



- 1" x 6" tongue & groove ceiling
- Solid wood cabinet doors
- 5' one-piece tub/shower combo
- Stainless steel deep kitchen sink
- Stainless steel appliances
- Washer/dryer combo unit
- 20,000 BTU mini-split A/C & heat
- On-demand tankless water heater
- 22-13-13 insulation
- 100 amp electrical service
- Galvalume® metal roof
- James Hardie Cemplank® lap siding
- Full-view door with mini-blinds
- Metal railings w/composite decking



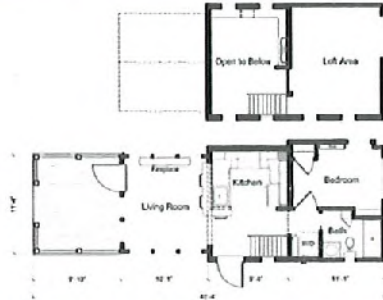
828.634.0077
 sales@compactcottages.net
 www.compactcottages.net



THE SEDONA



394 Sq Ft | 12' x 45'



- 1" x 6" tongue & groove ceiling
- Solid wood cabinet doors
- 5" one-piece tub/shower combo
- Stainless steel deep kitchen sink
- Stainless steel appliances
- Washer/dryer combo unit
- 20,000 BTU mini-split A/C & heat
- On-demand tankless water heater
- 22-15-15 insulation
- 100 amp electrical service
- Galvalume® metal roof
- James Hardie Complant® lap siding
- Full view door with mini-blinds
- Metal railings w/composite decking



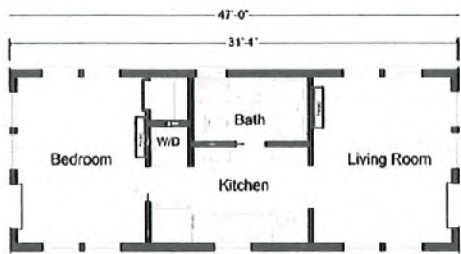
828.634.0077
 sales@compactcottages.net
 www.compactcottages.net






THE COLLINS


396 Sq Ft | 13' x 47'
 1 🛏 1 🚿 👤 👤 👤



- 1" x 6" tongue & groove ceiling
- Solid wood cabinet doors
- 5" one-piece tub/shower combo
- Stainless steel deep kitchen sink
- Stainless steel appliances
- Washer/dryer combo unit
- 20,000 BTU mini-split A/C & heat
- On-demand tankless water heater
- 22-15-13 insulation
- 100 amp electrical service
- Galvalume® metal roof
- James Hardie Complan® lap siding
- Full-view door with mini-blinds
- Metal railings w/composite decking




 828.634.0077
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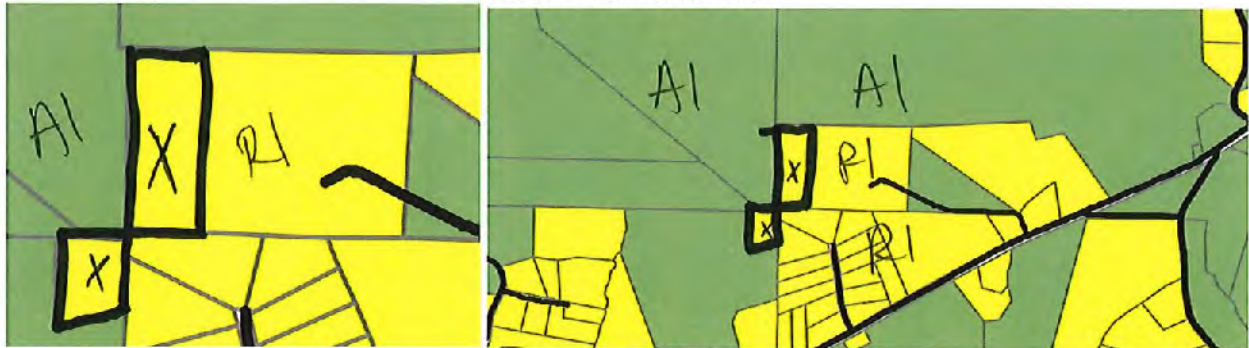


**WHITE COUNTY PLANNING DEPARTMENT
STAFF COMMENT**

DONALD WEIDEMAN - PAIGE HULSEY

- PROPERTY IS LOCATED ON HONEYBROOK LN IN CLEVELAND. IT IS IN THE R-1 RESIDENTIAL SINGLE FAMILY DISTRICT.
- APPLICATION REQUEST TO CONSIDER REDISTRICTING TO R-3 RESIDENTIAL SEASONAL DISTRICT.
- PROPERTY ADJOINS TO THE SOUTH AND EAST R-1 RESIDENTIAL SINGLE FAMILY DISTRICT; TO THE NORTH AND WEST A-1 AGRICULTURE FORESTRY DISTRICT.
- THE WHITE COUNTY COMPREHENSIVE PLAN FUTURE LAND USE MAP INDICATES SINGLE FAMILY RESIDENTIAL.
- TOTAL ACREAGE IS 5.00.
- PROPERTY SUPPLIED BY WELL AND SEPTIC.

EXISTING LAND USE



FUTURE LAND USE



Gloria S. Pogel
23 Honeybrook Lane
Cleveland, GA 30528

White County Planning Commission
1239 Helen Highway
Cleveland, GA 30528

Dear Planning Commission,

My name is Gloria S. Pogel and I own the property at 23 Honeybrook Lane, Cleveland, GA.

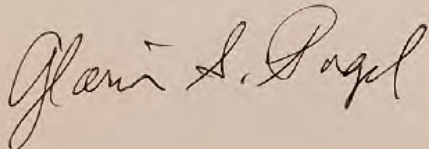
I understand there is an application to rezone in my neighborhood, specifically at 240 Honeybrook Lane (parcel 077-090), to rezone from R-1 Residential Single Family District to R-3 Residential Seasonal District.

I am objecting.

I stand against this rezoning application, not wanting any further commercial activity in my neighborhood. I purchased my home in White County because of its peaceful, rural qualities. I wish to continue living at 23 Honeybrook Lane in my retirement, in quiet and peace, and I do not want increased traffic on Honeybrook Lane that will come with this rezoning. In addition, a commercial rezoning will lead to far greater liability concerns, which I do not want to incur for myself and my neighbors.

I very much look forward to the commission's denial of the rezoning request.

Very truly yours,

A handwritten signature in cursive script that reads "Gloria S. Pogel". The signature is written in dark ink and is positioned above the printed name.

Gloria S. Pogel

White County Planning Commission
1235 Helen Highway
Cleveland, Georgia 30528

October 27, 2023

Subject: Opposition to Application submitted by Paige Hulseley on behalf of Don Weiderman to redistrict/rezone Parcel 077-090 from R-1 Residential Single Family to R-3 Residential Seasonal District

To all Planning Commission Members:

My name is Mary Myerscough and I am the owner of five acres (Parcel No. 090-003) which abuts the property that is owned by Don Weiderman and that is the subject of this rezoning request (refer to Attachment No. 1). Currently, Mr. Weiderman accesses his property through an easement which runs through my property and through my sister's adjacent property as Mr. Weiderman's property is landlocked. It is my understanding that Mr. Weiderman's caregiver, Paige Hulseley, intends to open an RV park and an Airbnb commercial business if this rezoning is granted. Given Mr. Weiderman's advanced age (around 80 YOA) and his declining health such that he requires 24/7 care, I don't know that he is even fully aware of this action or under duress has agreed to support it. I believe that at least one official elder exploitation and neglect inquiry has been conducted regarding the care provided to Mr. Weiderman by Ms. Hulseley. It should also be noted that according to records found in White County's Criminal Division of the Superior Court, Ms. Hulseley is currently out on bond and awaiting trial on a separate 3rd felony forgery charge (refer to Case No. SUPI2023000414). If Ms. Hulseley is convicted, she could face incarceration in which case she would be unable to manage the RV park. In addition to all of the above stated misgivings, I oppose this rezoning application for the following reasons:

- 1) The increase of vehicular traffic at all hours of day and night will upset the peace and quiet of this rural residential neighborhood that has existed for decades. Ms. Hulseley's proposed RV park/Airbnb venture will bring with it not only additional passenger vehicles but also large RVs which will need to travel on the private narrow gravel easement which runs through my property and through my sister's (Gloria Pogel's) property. This easement is about 20' from my sister's front door and it runs the entire length of my property. Ms. Hulseley and Mr. Weiderman should not be permitted to operate a commercial enterprise that is only accessible through my private property.

- 2) The type of RV park/Airbnb venture Ms. Hulseley seeks to open typically attracts individuals and families who love camping, the outdoors, and related activities. These activities include, but are not limited to, socializing around bonfires and riding ATVs and dirt bikes. While these are certainly fun activities, it will be

Page 2 of 2

Letter to White County Planning Commission

Re: Redistricting request submitted by Paige Hulseby on behalf of Don Weiderman

difficult to control where the riders travel. They're not likely to know all of the neighbors' property boundaries and even with "No Trespassing" signs (which can be ignored), it would be next to impossible to manage the riders' movements once they've left Mr. Weiderman's property and get onto my property. This would increase my liability on my property.

I thank you for any and all consideration that you might give to my opposition to this redistricting request.

Respectfully submitted,

Mary Myerscough
Owner of Parcel 090-003

ATTACHMENT #1

Don Weiderman's property

Mary Myerscough's property

Cabin built and advertised on Airbnb

The screenshot shows a parcel map for White County, GA. A cyan polygon outlines a parcel with a popup window displaying the following information:

090 003
MYERSCOUGH MARY K
HONEYBROOK LN
5.19 Acres Value \$88,400
View Report Homestead Application

At the bottom of the map, there is a metadata table:

Parcel ID	090 003	Alternate ID	5171030	Owner Address	MYERSCOUGH MARY K
City/Twp/Rng	n/a	Class	R		1993 SACRAMENTO
Property Address	HONEYBROOK LN	Acres	5.19		WESTON FL 32026
	01				

My brother
Rex Myerscough's
land

My sister
Gloria Pogel's
Residence

Mercedes Dodd

From: Christine Kennedy [REDACTED]
Sent: Tuesday, October 31, 2023 10:13 AM
To: Mercedes Dodd
Subject: Re: Rezoning —Honeysuckle Lane

Categories: Complete

[EXTERNAL SENDER - PROCEED CAUTIOUSLY]

Good Morning

I was at the zoning meeting last night and was wanted to object to the person wanting the zoning when she was stating no one who has property there has spoken (my neighbors have owned their property over 40 years), however the meeting was abruptly adjourned. I also could not hear when the next hearing is for Honeybrook Lane. Would you be able to tell me the date/time/place for the next hearing?

Thank you

On Mon, Oct 30, 2023 at 11:08 AM Mercedes Dodd <mDodd@whitecounty.net> wrote:

Received. I will add your email to the application file.

Thank you,

Mercedes Dodd

Planning Technician, White County Planning Dept.

Administrator, Development Authority
706-865-6768

[1241 Helen Hwy, Suite 200](#)
[Cleveland, GA, 30528](#)

mdodd@whitecounty.net

whitecountydevelopment@whitecounty.net

From: Christine Kennedy <[REDACTED]>
Sent: Monday, October 30, 2023 10:10 AM
To: Mercedes Dodd <mDodd@whitecounty.net>
Subject: Rezoning —Honeysuckle Lane

[EXTERNAL SENDER - PROCEED CAUTIOUSLY]

Good Morning

Please see my concerns below in regards to tonight's meeting on the proposed rezoning on Honeysuckle Lane. We recently bought here because it is a residential agricultural community and are restoring an old farm (house and barn). We grew up in White County and love it here, it's where our family is...it's home.

***Disruption in our personal space**

***Trash**

***Increase in Traffic**

***Sewage**

***New Bridge already has speeders and people throwing trash out their windows on to our property, that we pick up constantly**

***Disruption in our lifestyle (Quiet) vs vacationers up all hours**

***Disruption to Farm Animals**

***There is already a shortage of housing for local residents due to Vacation rentals**

***Keep White County Beautiful**

Thank you.

Respectfully,

Christine Kennedy

WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

Application of Frank Liesen to request a conditional use permit located at 89 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.

The applicant, Frank Liesen of 89 Small Pond Drive, was present. Mr. Barton gave a summary of the application. Mr. Liesen asked if there was this stipulation on the land, why did the board approve Mount Yonah Vineyard’s short-term rental. Ms. Burke said she was not at that meeting. Mr. Liesen said his house is the first house on the road and does not come close to the neighbors that are bothered by what is happening. He said he thinks it is a great cause and hopes one could be accepted. Ms. Dixon said Mount Yonah Vineyard had not paid their road maintenance as of yesterday. Mr. Liesen said he understood that they had committed to never have traffic come on their road, to which Ms. Dixon said they are. Mr. Ackerman said he believed it is better to keep the vineyard out of this since there are discrepancies and this has to do with Mr. Liesen’s property only. Mr. Liesen said the problems that the neighbors voiced, he shares but they do not apply to the property he is applying for.

Motion to recommend denial to the Board of Commissioners made by Ms. Burke based on the same explanation for 91 Small Pond Drive. Ms. Dixon seconded the motion. The motion carried with 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.

Application of Paige Hulsey, on behalf of Donald Weideman, to redistrict property located on Honeybrook Lane, Cleveland, Georgia, 30528 from R-1 Residential Single Family District to R-3 Residential Seasonal District. Tax map and parcel 077-090. Total acreage is 5.00. Present zoning is R-1 Residential Single Family District.

The applicant, Paige Hulsey of 240 Honeybrook Lane, was present. Mr. Barton gave a summary of the application. When asked if the issues with road easements and encroachments had been resolved, Ms. Hulsey explained that the gravel had been removed prior to the meeting and it was previously a logging road. She said she added gravel about a year ago, but the issue could not be resolved so she removed the gravel and no longer uses that access. She said she now uses the existing driveway easement and cuts through the pasture. Ms. Hulsey said she already has one tiny home on the property that was rented for a short time.

Motion to recommend denial to the Board of Commissioners made by Ms. Burke based on the easement that goes through other people’s property and the zoning that the farm is, it does not belong there. Ms. Dixon seconded the motion. The motion was unanimous. Mr. Barton advised the applicant of the next meeting on November 16th at 9am.

Application of Pam Collins to request a conditional use permit located at 482 Monroe Ridge, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 069-584. Total acreage is 1.00. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

The applicant, Pam Collins of 482 Monroe Ridge, was present. Mr. Barton gave a summary of the application. Ms. Collins had nothing to add.

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

Application of Paige Hulsey, on behalf of Donald Weideman, to redistrict property located on Honeybrook Lane, Cleveland, Georgia, 30528 from R-1 Residential Single Family District to R-3 Residential Seasonal District. Tax map and parcel 077-090. Total acreage is 5.00. Present zoning is R-1 Residential Single Family District.

The applicant, Paige Hulsey of 240 Honeybrook Lane, was present. Mr. Barton gave a summary of the application. Ms. Hulsey explained she has a tiny home on the property that she would like to rent out short-term and would like to add two more. Mr. Barton explained the Recreational Vehicle classification for tiny homes. Ms. Hulsey explained the closest neighbor is a good distance away and that she is particular about who she rents to. She said she has been renting out the current tiny home for about a year until she received a letter from the county but has not received any complaints from the adjoining neighbor. She said she has strict policies in place, that she has never had parties, she self-manages, she lives on the property and is the emergency contact, and rents to a lot of couples. She explained that her grandfather owns the 16-acre tract and will be cutting out 5 acres for the RV Park with access via easement off New Bridge Road and through the existing parcel. She said there have been issues with the current easement but has been talking with the adjoining neighbor about possibility getting another easement off the subdivision cul-de-sac.

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

Mary Myerscough of 23 Honeybrook Lane said her property is where the 20 to 25-foot easement runs through and is very close to her home. She expressed concerns of the RV Park bringing RV's and large vehicles, the types of activities such as ATV's and dirt bikes for that zoning, trespassing, traffic, and liability. She said she has had issues contacting the property owner and wanted to ensure that he is aware of the request.

Rex Myerscough of 23 Honeybrook Lane said the easement is 15 feet from their home. He said he has had issues getting in touch with the owner and with no trespassing signs. He expressed concerns with the unpermitted tiny home placed on the property without his permission and use of the road. He said there was a dispute regarding the fence and a new road that was put in, as well as pointed out the well put in for purposes of cattle and concerns about the proximity of the tiny home to the creek.

Katie Bass of 3886 New Bridge Road said there have already been two or three pads already cut out over the property line. She said she is not against short-term rentals but is against encroaching on neighbors with short-term rental. She said her mother-in-law's 28-acre property that adjoins this is vacant now but they plan to build on it and they do not want to see the tiny homes piled up along the property line.

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

Ms. Hulsey said the property is in trust and she is the trustee. She said she is aware of issues with property line and the grader came before the surveyor but the surveyor did show where property line was. She said the purpose of the grading was to level the ground for the tiny homes. When asked when she plans to get the easement issue settled, she said she was unsure because it is a money issue. She said the people opposed do not live there full-time and that she has been trying to resolve the issue with them since April.

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

Ms. Hulsey stated that the adjoining property owner submitted a letter in support. She said a complaint had been submitted to the county regarding the new driveway, but it was determined the road had been there for a long time and she has since removed the gravel and stopped using it. She explained that she has no intentions for RV's to come and park, and suggested a condition be placed stated RV's could not be pulled onto the property. She added that she could have Mr. Weideman attend the next meeting.

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

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 Highway 255 North in Sautee Nacoochee, was present. Mr. Barton gave a summary of the application and explained that the application was not advertised with a conditional use permit for a boarding house, but can move forward with the rezone to R-2 with a separate application for the conditional use permit. Mr. Visuti said he understands the stigma around the inaccurate information that has been circulating around. He said he wants to help those with drug addiction and he will have policies such as strict admission, background checks, random drug screenings, therapy sessions, required employment, curfews, GPS tracking on phones via a sober living phone application, and other resources like financial planning and career building. He said this would be a sober living home where residents would have already complete rehabilitation or treatment elsewhere, so this would be for the transition period before going home. He explained the program would be for those with drug or alcohol abuse history only. Mr. Visuti stated the home would be male only and there are two owners, two live-in house managers, and an admissions officer. He said the length of stay would depend on the need of the residents, but statistically the success rate is one to two years. When asked how the residents will pay for their stay, he said they would through employment or a sponsor. He said they would be responsible for their own transportation, likely through ridesharing.

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

Cody Montgomery 5296 Warwoman Road in Clayton, GA said he is the owner of Levi's House in White County and a youth pastor. He explained there is a lot of stigma around people with drug addiction and alcoholism and that they are always career criminals, but that is not true. He explained drug addiction in the county and world has run ramped, but the problem is that it is hard for people that want to help to get care. He said there is nothing like what Mr. Visuti is proposing nearby. Mr. Montgomery said he moved to the Hickey House and is a youth pastor now, but he was not provided with the resources he needed when he got out. He stated there needs to be more after-care homes, not like Hickey House or Levi's House, which can provide additional resources.

Zoey Wadall of 109 Ber Weg in Helen said she is currently the onboarding and admissions officer for Sumo House. She explained that she has a medical background and an addiction background and sober living homes are needed for people to continue sobriety. She said programs like this open the door to help people learn new skills. She said Mr. Visuti is offering life skills that are necessary for sobriety in an environment where they will not have to worry about what their next step will be. She said he has rules



WHITE COUNTY

Board of Commissioners

Item Title: HVAC - Fire Station 6

For Meeting Date: 11/16/2023

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

Category (Select One): SPLOST Request

Submitted By: David Murphy

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

1. HVAC Summary Quote Sheet
2. Vendors Bid Packet
3. HVAC Sample Bid Document

Purpose:

To contract the purchase and installation of HVAC for Fire Station 6 on Hwy 129N. This is part of the renovation plan.

Background / Summary:

- Original stations were built as volunteer fire stations.
- Stations now used to house 24 hour personnel - seven days a week.
- Planned expenditures in the FY24 CIP.

Department Recommendation:

Department recommends to contract the low bidder for HVAC purchase and installation at Fire Stations 6. This is part of the planned renovations for the location.

Options:

-

Budget Information: Applicable **Not Applicable**

Budgeted: Yes **No**

Finance Director's Comments (if applicable):

-

County Manager Comments:

-

Fire Station 6 HVAC

2023-WCFS-002

Friday, November 3, 2023 5:00pm

Bids/Quotes/RFPs Received

Vendor:

A & A Electric - Cornelia, GA

Complete Comfort - Cleveland, GA

White County Staff Present:

David Murphy, Director

Bryce Barrett, PIO

Fire Station 6 HVAC

Project# 2023-WCFS-002

Vendor:

	A + H Electric	Complete Comfort							Comments
Appendix A - Bidder's Certification	✓	✓							
Appendix B - E-Verify Affidavit	✓	✓							
Appendix C - Pricing Sheet	✓	✓							
Completed W-9	✓	✓							
Certificate or Proof of Insurance	✓	✓							
Brochures and Warranty Information	✓	✓							
Bid Totals:									
		\$12,612.00	\$15,000.00						