



**WHITE COUNTY BOARD OF COMMISSIONERS  
COMBINED WORK SESSION & CALLED MEETING  
MONDAY, APRIL 29, 2024 AT 4:30 P.M.**

**AGENDA**

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1. Call to Order.

**Land Use Items**

**NOTE: In reference to land use agenda item #2 – Georgia Zoning Procedures Law (O.C.G.A. 36-66-1, et seq.) requires a public hearing be advertised and held prior to any proposed zoning decision with a minimum of 10 minutes (per side) for both proponents and opponents to present data, evidence, and opinion. This requirement was met for the following item at the public hearing held at the Planning Commission Meeting on March 25, 2024. All information presented was then forwarded to the Board of Commissioners.**

2. Consider the land use application filed by SW West Cleveland LLC, on behalf of Dennis Brown, to redistrict property located at 0 Ed Lewis Road Cleveland, Georgia 30528 from R-1, Residential Single-Family District to C-1, Community Commercial District. Tax map and parcel 021-011A. Total acreage is 2.00. The present zoning is R-1, Residential Single-Family District.

**New Business Items**

3. Consider the appeal filed by Ms. Tamara Adelberg requesting the removal of 37 Thornblade Trail Cleveland, Georgia 30528 – tax map / parcel 017-084C, 1.16 acres – from the Short-Term Rental Subdivision Map.
4. Consider the appeal filed by Mr. Stephen Kramer requesting the addition of Wild Turkey Trail - as a portion of Tesnatee Ridge / Creek Estates – to the Short-Term Rental Subdivision Map.
5. Consider the appeal filed by Mr. John and Ms. Amanda Kelley requesting the removal of 734 Wooten Road – tax map / parcel 051A-026, 25.19 acres – from the Short-Term Rental Subdivision Map.
6. Consider approval of a contract with Auvik US, Inc. for cloud-based network monitoring services.
7. Consider approval of Change Order #1 for the Pittman Construction, Inc. contract in order to extend the scope of the contract to include the 2024 Local Road Assistance (LRA) Grant projects –patching of Pless Road, Lothridge Road, and Asa Dorsey Road.
8. Consider awarding the contract for the reconstruction of the parking area at Fire Station No. 4 (Westmoreland Road).
9. Consider adoption of a Surplus Resolution – County Resolution No. 2024-08.

10. Review the agenda for the May 6, 2024 Regular Meeting.
11. Consider entering into Executive Session in order to discuss matters of personnel and real estate.
12. Adjourn.



# WHITE COUNTY

## *Board of Commissioners*

**Item Title:** Rezoning from R-1 to C-1 for SW West Cleveland (Dollar General) on behalf of Dennis Brown at 0 Ed Lewis/Hwy 115 W Cleveland

**For Meeting Date:** 4/29/2024

**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. 20650
2. Public Hearing Minutes 3/25/2024
3. Regular Meeting Minutes 4/5/2024

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### **Purpose:**

Consider the application of SW West Cleveland LLC, on behalf of Dennis Brown, to redistrict property located at 0 Ed Lewis Road, Cleveland, Georgia, 30528 from R-1 Residential Single Family District to C-1 Community Commercial District. Tax map and parcel 021-011A. Total acreage is 2.00. Present zoning is R-1 Residential Single Family District.

### **Background / Summary:**

- Applicant is requesting to rezone property at the intersection of Ed Lewis Road and Highway 115 West in Cleveland to C-1 in order to build a new Dollar General "Plus" store. Jason Fritz represented the application and said this would be a DG Market with fresh produce and meats, larger aisles and cooler sections and would be the second one in Ga - the first is in Lavonia. He said the access would be off of Ed Lewis Road and DG would pave that road past the entrance. He said it has to come off the county road because it would not meet GDOT site distance requirements. He said there would be a 40-foot buffer with trees and a wooden fence. The parking lot would hold about 35 vehicles and store hours would be 7 a.m. to 10 p.m. The closest Dollar General to this location is about 4 miles in Lumpkin and there is one in Cleveland. There was no one to speak in favor of the application. There were six people who spoke in opposition representing about 20 people in the audience. Chuck Gilreath said he is concerned about the increase in traffic and safety on a small rural road. He asked that a traffic study be conducted on Ed Lewis Road. He said his family has owned a farm there for 100 years and he did not want complaints when he spread fertilizer. He is not opposed to Dollar General, just that location. Rusty and Glenda Yother said there is already traffic issues on Ed Lewis because people travel 60-70 MPH down that road and it will be worse if it is paved. They also said that farm equipment and farm animals that use that road which will be more dangerous with additional traffic. Doug and Kathleen Patterson were concerned about lighting, light pollution on Highway 115, traffic safety and the proximity to their home. They questioned the need for another store so close and said the Dollar Generalsdon't carry local items. They think a location off of

Helen Highway would be better. Lisa Stover was concerned about the traffic safety issues, destruction of the neighborhood by paving the road and disturbing a quiet farming area. She also mentioned staffing issues already existing at Dollar Generals in the area. David Smith said he has already had traffic wrecks that end on his property and the Dollar General will make it worse and he does not want to retire two doors down from Dollar General. Jennifer Wollett said she move to the area from Henry County to get away from commercial properties and their issues including crime, light pollution, heavy traffic volume, speeding, staffing issues at stores. Ken Wollet said Ed Lewis has 15-20 cars a day on it now and going to 200 a day on a dirt road is absurd. Mr. Fritz gave explanations about their plans for widening and paving the road and said that traffic counts on Hwy 115 West is what makes it attractive. He said the commercial property just west of proposed location was too expensive. The Planning Commission recommended denial because commercial zoning does not fit the area and they want to preserve residential neighborhood so thie application is not a good fit. The motion to deny passed by a 5-1 vote.

**Department Recommendation:**

Planning Commission recommended denial by a 5-1 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

<b>OFFICE USE ONLY</b>		Land Use Application #: <u>20650</u>
Public Hearing Date: <u>3/25/2024</u>	Commission District: <u>3</u>	
Fees Assessed: <u>\$250</u>	Paid via: <input type="checkbox"/> cash <input type="checkbox"/> credit card <input checked="" type="checkbox"/> check# <u>238</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>SW West Cleveland, LLC</u>	
Address: <u>4151 Ashford Dunwoody Rd, Ste 155, Atlanta, GA 30319</u>	
Phone Number: <u>404-831-3397</u>	Alternate Contact Number:
Email: <u>charlie@sullivanwickley.com</u>	
<b>Owner Information (if different from Applicant/Agent):</b>	
Name: <u>Dennis Brown</u>	Phone #:
PROPERTY INFORMATION	
Parcel ID: <u>021 011A</u>	Total acreage being changed: <u>2.0 Acres</u>
Address: <u>183 Martin Springs Lane, Cleveland, GA 30528</u> <span style="font-size: small; vertical-align: top; margin-left: 10px;">- New parcel proposed access Ed Lewis Road</span>	
Directions to Property: <u>From <del>work office</del> <sup>Spring</sup> Turn right onto 115 S</u>	
<u>5-8 miles, take right onto Ed Lewis Rd</u>	
<u>250 feet on your left</u>	
Current Use/Zoning of Property: <u>Auto Yard/Residential (R-1)</u> Type of Road Surface: <u>Gravel</u>	
Any prior redistricting requests for property: <input type="checkbox"/> If yes, provide redistricting application #: _____	
<b>SURROUNDING PROPERTY LAND USE CLASSIFICATION:</b>	
North: <u>R-1</u>	South: <u>Road</u>
East: <u>R-1</u>	West: <u>A-1</u>
REQUESTED ACTION AND DETAILS OF PROPOSED USE (check all that apply)	
Redistrict from district: <u>R-1</u>	Redistrict to district: <u>C-1</u>
Conditional Use - specify:	
Special Use - specify:	
Land Use Variance from Code Section:	
Proposed use if not listed above:	
Is this property part of a subdivision? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If so, please list number of lots:	
Are there covenants? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Is there an active homeowner's association? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Subdivision Name (if applicable):	

Existing Utilities (check all that apply):

County or City Water     Well     Septic     Gas     Electric     Broadband

Proposed Utilities (check all that apply):

County or City Water     Well     Septic     Gas     Electric     Broadband

**COMMERCIAL AND INDUSTRIAL REDISTRICK INFORMATION**

Building Area: 10,640                      No. of Parking Spaces: 35

**RESIDENTIAL REDISTRICK INFORMATION**

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

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

Is an Amenity area proposed (specify if yes)?

Apartments     Condominiums     Townhomes     Single Family

Rental Cabins     Recreational Vehicle Park     Other- Specify:

**LIST OF ADJACENT PROPERTY OWNERS**

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

PARCEL	PROPERTY OWNER NAME	MAILING ADDRESS
1	<u>022 078</u> <u>Trina D Paul</u>	<u>6916 Hwy 115 w, Cleveland, GA 30528</u>
2	<u>022 079</u> <u>Earle E Gilreath Jr</u>	<u>851 Tesnater Gap Valley Rd, Cleveland, GA 30528</u>
3	<u>021 010</u> <u>Sheila Renee Neal</u>	<u>1630 67<sup>th</sup> St Ct, Bradenton, FL 34208</u>
4	<u>021 015</u> <u>Louis Joseph Lazzaro</u>	<u>37 Martin Springs Ln, Cleveland, GA 30528</u>
5	<u>021 014</u> <u>Dennis T Brown</u>	<u>1377 Castleberry Bridge Rd, Dawsonville, GA 30534</u>
6	<u>021 013</u> <u>William Wayne Stepens</u>	<u>261 Martin Springs Ln, Cleveland, GA 30528</u>
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: 2/1/2024

**2024 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 10, 2024	Monday, February 26, 2024	Monday, March 4, 2024	Monday, March 25, 2024
Wednesday, February 7, 2024	Monday, March 25, 2024	Monday, April 1, 2024	Monday, April 29, 2024
Wednesday, March 13, 2024	Monday, April 29, 2024	Monday, May 6, 2024	<b>TBA</b>
Wednesday, April 10, 2024	<b>Tuesday, May 28, 2024</b>	Monday, June 3, 2024	Monday, June 24, 2024
Wednesday, May 8, 2024	Monday, June 24, 2024	Monday, July 1, 2024	Monday, July 29, 2024
Wednesday, June 12, 2024	Monday, July 29, 2024	Monday, August 5, 2024	Monday, August 26, 2024
Wednesday, July 10, 2024	Monday, August 26, 2024	<b>Tuesday, September 3, 2024</b>	Monday, September 30, 2024
Wednesday, August 14, 2024	Monday, September 30, 2024	Monday, October 7, 2024	Monday, October 28, 2024
Wednesday, September 11, 2024	Monday, October 28, 2024	Monday, November 4, 2024	Monday, November 25, 2024
Wednesday, October 9, 2024	Monday, November 25, 2024	Monday, December 2, 2024	Monday, December 30, 2024
Wednesday, November 13, 2024	Monday, December 30, 2024	Monday, January 6, 2025	Monday, January 27, 2025
Wednesday, December 11, 2024	Monday, January 27, 2025	Monday, February 3, 2025	Monday, February 24, 2025
Wednesday, January 8, 2025	Monday, February 24, 2025	Monday, March 3, 2025	Monday, March 31, 2025

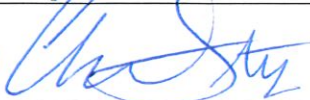
\*MEETING DATES ARE SUBJECT TO CHANGE

\*\*BOLDDED DATES ARE RESCHEDULED MEETINGS DUE TO HOLIDAYS

rev. 12.8.2023

**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:** 2/1/2024

**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:

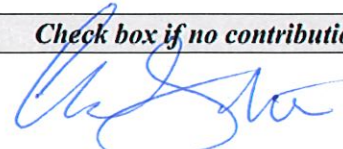
The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two (2) years immediately preceding the filing of this application for action for district re-classification, conditional use or special use permit.

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:** 2/1/2024



**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), Dennis Ted Brown,  
hereby swear that I/we own the property for which this land use change application is being made.

<b>Property Address and/or Parcel ID:</b>	
<b>PROPERTY OWNER INFORMATION</b>	
Printed Name of Owner(s):	<u>Dennis Ted Brown</u>
Mailing Address:	<u>1377 Castleberry Bridge Road Dawsonville, GA 30534</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>SW West Cleveland, LLC</u>
Signature of Owner(s):	Date Signed:
<u>Dennis Ted Brown</u>	<u>2-14-2024</u>

**PROPERTY OWNER AUTHORIZATION DOCUMENT: NOTARY ACKNOWLEDGEMENT**

Sworn to (or affirmed) and subscribed before me this 14 day of February, 2024 by Dennis Ted Brown (name of signer(s)). The named signer(s) is/are personally known by me or produced the identification type of Driver's License

{Seal} James Clendenning (Signature of Notary)

James Clendenning (Name of Notary Typed, Stamped, or Printed)

JAMES CLENDENNING  
NOTARY PUBLIC  
Dawson County  
State of Georgia  
My Comm. Expires Mar. 31, 2026

**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.

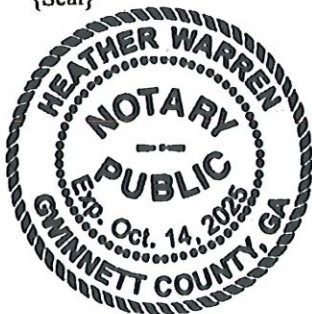
I/WE (print), DENNIS Ted Brown,  
hereby swear that I/we own the property for which this land use change application is being made.

<b>Property Address and/or Parcel ID:</b>	
<b>PROPERTY OWNER INFORMATION</b>	
Printed Name of Owner(s): <u>DENNIS TED BROWN</u>	
Mailing Address: <u>1377 Castleberry Bridge Rd, Dawsonville, GA 30534</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.	
<b>Printed Name of applicant or agent(s):</b>	
<b>Signature of Owner(s):</b>	<b>Date Signed:</b>
<u>Dennis Ted Brown</u>	<u>2-6-2024</u>

**PROPERTY OWNER AUTHORIZATION DOCUMENT: NOTARY ACKNOWLEDGEMENT**

Sworn to (or affirmed) and subscribed before me this 6 day of February, 2024 by Dennis Ted Brown (name of signer(s)). The named signer(s) is/are personally known by me or produced the identification type of Driver's License.

{Seal}



Heather Warren  
(Signature of Notary)  
Heather Warren  
(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), \_\_\_\_\_,  
hereby swear that I/we own/will own the property referenced below for which this land use change application is being made.

**\*Property Address and/or Parcel ID:**

**PROPERTY OWNER AUTHORIZATION ACKNOWLEDGEMENT OF GUESTS**

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

**Signature of Owner/Future Owner(s):**

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

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

**Signature of Owner/Future Owner(s):**

**PROPERTY OWNER AUTHORIZATION CERTIFIED DEED RESTRICTION**

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

**Signature of Owner/Future Owner(s):**

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

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

**Signature of Owner/Future Owner(s):**

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

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

**Signature of Owner/Future Owner(s):**

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

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

{Seal}

\_\_\_\_\_  
(Signature of Notary)

\_\_\_\_\_  
(Name of Notary Typed, Stamped, or Printed)

**APPLICANT ACKNOWLEDGEMENT OF MEETING DATES**

I, Charlie Stewart (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**

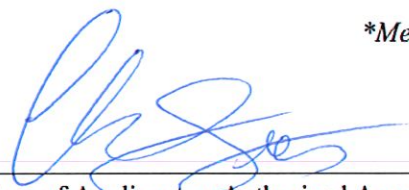
Public Hearing Date (Planning Commission): 3/25/24

Regular Meeting Date (Planning Commission): 4/1/24

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

Board of Commissioners Meeting Date: 4/29/24

*\*Meeting dates are subject to change*



Signature of Applicant or Authorized Agent

2/5/2024

Date

**OFFICE USE ONLY**

Copy given to applicant: 2/6/24 (date)

Staff Initials: KW

Flag (circle): (Y) N

\*\*\*\*\*

**WITHDRAWAL**

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

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

*Section 1803. Withdrawal of amendment application.* Any petition for an amendment to these regulations, official land use district map, conditional use approval, variance or special use permit may be withdrawn, at the discretion of the person or agency initiating such request, at any time prior to final action by the board of commissioners upon written notice to the planning director. Any required fees shall be forfeited

I hereby withdraw application #:

**Applicant Signature:**

**Date:**



4151 Ashford Dunwoody Road, NE  
Suite 155  
Atlanta, GA 30319  
404.475.9000 • 404.475.9600 (Fax)

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February 1, 2024

White County Commissioners

Re: Letter of Intent to rezone +/- 2.0 acres of property at Parcel ID 021 011A corner of Ed Lewis Rd and Highway 115, unincorporated White County.

Dear Commissioners:

As the applicant for this rezoning, SW West Cleveland, LLC is respectfully requesting approval to rezone approximately 2.0 acres of land from R-1 to C-1, for a proposed Dollar General “Plus” store. If approved, the building will be 10,640 square feet and will have 35 parking spaces. The “Plus” store is DG’s new prototype which provides fresh produce and expanded cooler sections as well as multiple aisles of home goods sold in DG’s new pOpshelf concept store.

The property is currently being used as an auto salvage & storage yard. A Dollar General “Plus” store would be a much more compatible use for the property as the current use does not provide the benefit to the neighborhood that a Dollar General with fresh food options would bring to the area. In fact, there are no stores within a 4 mile radius of the site where the local community can purchase fresh food and everyday goods other than convenience stores.

Even though buffers are not a requirement in White County, we have included them to screen the store from the surrounding neighbors on our site plan. In addition, we intend to enhance the buffer with the property to the west with a staggered row of evergreens and a 6 foot wooden fence to minimize any impact on that neighbor. We would also be paving a large section of Ed Lewis Road which would be a significant improvement as it is currently a gravel road.

The proposed Dollar General “Plus” building will be constructed of mainly brick with varying architectural accents. All building lights will be full-cutoffs (shielded) to direct the light downward and not outward, while the two or three parking lot lights would be “shoe-box” type fixtures directing the light downward. The site will be designed in accordance with White County code and include updated landscaping. The proposed Dollar General plans to go above and beyond the current overlay code in regard to architecture by including additional design features to be more aesthetically pleasing to the neighborhood. The site will be served by county water and septic as county sewer is not available.

The Dollar General “Plus” retail store would bring approximately 10 immediate local jobs to the area in addition to the short-term construction-related jobs and tax benefits to the county. The store would also bring additional consumer services to the area allowing local residents to purchase everyday goods such as

fresh produce, meats, milk, bread, frozen foods, medicines, dry goods, general retail items and other household items. Residents today require a further drive to grocery stores or convenience stores where costs are often 25%-40% higher for the same name brand items such as Kraft, Hanes, Proctor & Gamble, Kellogg's, General Mills, and Mattell just to name a few. Dollar General is not a "dollar store" or a "\$0.99 cent store," in fact fewer than 25% of the merchandise sold by Dollar General costs a dollar or less. Dollar General is a neighborhood general store that serves the nearby community by providing quality, name brand household goods and groceries at convenient and low prices.

We would appreciate your positive consideration of our rezoning request. Should you need any additional information or have questions regarding our rezoning request, please feel free to reach me at 404-475-9000 or via email at [charlie@sullivanwickley.com](mailto:charlie@sullivanwickley.com)

Sincerely,  
SW West Cleveland, LLC

## **Constitutional Objections**

### **Rezoning (Zoning Amendment) Application for approx. 2.0 acres on Highway 115 and Martin Springs Rd. Parcel ID: 021 011A (the "Property"), White County, Georgia**

The portions of Zoning Ordinance of White County, Georgia, also variously known as the Zoning Code of White County, Georgia and/or Official Zoning Map of White County, that classify, or that may classify the Property, into the zoning classification of C-2, Highway Business with conditions as it presently exists violate the Applicant's right to the unfettered use of the property in that the existing zoning classification limiting use of the land and improvements to a district with only a narrow range of uses, which are no longer economically viable for the market area within which the property lies and does not bear a substantial relation to the public health, safety, morality or general welfare and is, therefore, confiscatory and void. Further, said classification is unconstitutional in that it is arbitrary and unreasonable, resulting in relatively little gain or benefit to the public, while inflicting serious injury and loss upon the Applicant.

The portions of the White County Zoning Ordinance and Zoning Map that classify, or that may classify the Property, into any zoning district other than the C-2 Highway Business District to allow for a 10,640 square foot Dollar General Store, as requested by the Applicant or to any of the other zoning districts of the County which specifically allow for Retail Store uses, are or would be unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

Any application of the White County Zoning Ordinance/Zoning Code of White County or Zoning Map to the Property that restricts its use to any zoning classification or use other than the category requested by the Applicant or an equivalent use of equal utility for C-2 Highway Business development is unconstitutional, illegal, null and void because such an application constitutes a taking of the Applicant's property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I, and Article I, Section III, Paragraph I, of the Constitution of the State of Georgia of 1983 and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States, because such an application denies the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would constitute an arbitrary and capricious act by the White County Board of Commissioners without any rational basis, thereby constituting an abuse of discretion in violation of Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the

State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

A refusal by White County to amend the official Zoning District Map of White County, as it relates to the Property, to the zoning category requested by the Applicant, or an equivalent category of equal utility for Retail Store uses in the manner requested by the Applicant use would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States.

Any change in the designation of the Property by the Official Zoning Map of White County that subjects the Property to conditions that are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting the Applicant's utilization of the Property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Property to an unconstitutional category and would likewise violate each of the provisions of the State and Federal Constitutions set forth herein above.

A denial of this Application or approval subject to more restrictive conditions than those requested by the Applicant will give rise to a claim by the Applicant for the monetary damages in the amount of the diminution in value of the Property caused by the restrictions, on the theory, among others, of inverse condemnation in that the Applicant's Property has been taken without the payment of just compensation in violation of the Just Compensation Clause of the Fifth Amendment and the Due Process and Equal Protection Clauses of the Fourteenth Amendment to the Constitution of the United States and Article I of the Constitution of the State of Georgia of 1983. This notice is being given to comply with the provisions of O.C.G.A. § 36-11-1.





**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](http://www.phdistrict2.org)

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

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

DATE: 02/05/2024

APPLICANT NAME: SW WEST CLEVELAND, LLC C/O CHARLIE STEWART

PROPERTY ADDRESS: PART OF 021 011A, HWY 115 W  
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: <b>SW WEST CLEVELAND, LLC</b>	PROPERTY/SYSTEM ADDRESS: <b>HWY 115 W CLEVELAND, GA 30528</b>	EVALUATION ID: <b>012461</b> <span style="color: blue; font-size: 1.2em;">2/5/24</span>
APPLICANT PHONE: <b>(404) 418-7524</b>		COUNTY: <b>White</b>
APPLICANT EMAIL ADDRESS: <b>CHARLIE@SULLIVANWICKLEY.COM</b>	SUBDIVISION/LOT/BLOCK: <b>DOLLAR GENERAL/N/A/N/A</b>	REASON FOR EVALUATION: <b>Structure Change of Use</b>

### Inspection Records

Yes	1. Inspection records exist for this septic system.
<input checked="" type="checkbox"/>	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)

<input checked="" type="checkbox"/>	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.
<input checked="" type="checkbox"/>	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.
<input checked="" type="checkbox"/>	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)

<input checked="" type="checkbox"/>	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.
<input checked="" type="checkbox"/>	7. A Georgia certified septic tank installer has provided written documentation of the system design, location, and components.
<input checked="" type="checkbox"/>	8. This site evaluation by the County Board of Health revealed no evidence of system failure.
<input checked="" type="checkbox"/>	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

<input checked="" type="checkbox"/>	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

<input checked="" type="checkbox"/>	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:  
HWY 115 W CLEVELAND, GA 30528

EVALUATION ID:  
012461

SUBDIVISION/LOT/BLOCK:  
DOLLAR GENERAL/N/A/N/A

**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):

\* No septic permit found based on the information given.  
\* No septic tank was uncovered @ the time of the site visit.

**Additional Notes/Comments:**

\* To have the system (if there is one) on this lot approved, you will need to hire a certified septic installer to find, identify and make a drawing of the septic system. Put this info in a letterhead of installers company, with his/her certification #, a description of the tank w/capacity and description of the drainline w/lineal footage. A drawing of the septic system w/measurements will also be required.

Inspector:  
Sean Sullivan

Signature: 

Date:

3-11-24

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.



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

February 1, 2024

**VIA-EMAIL:**  
**jack.mcgowan@sullivanwickley.com**

RE: 183 Martin Springs Lane  
Cleveland GA 30528  
White County, Georgia

To Whom It May Concern,

Let this letter serve as notice that White County Water Authority does have water available but at this time does not service the above referenced service address.

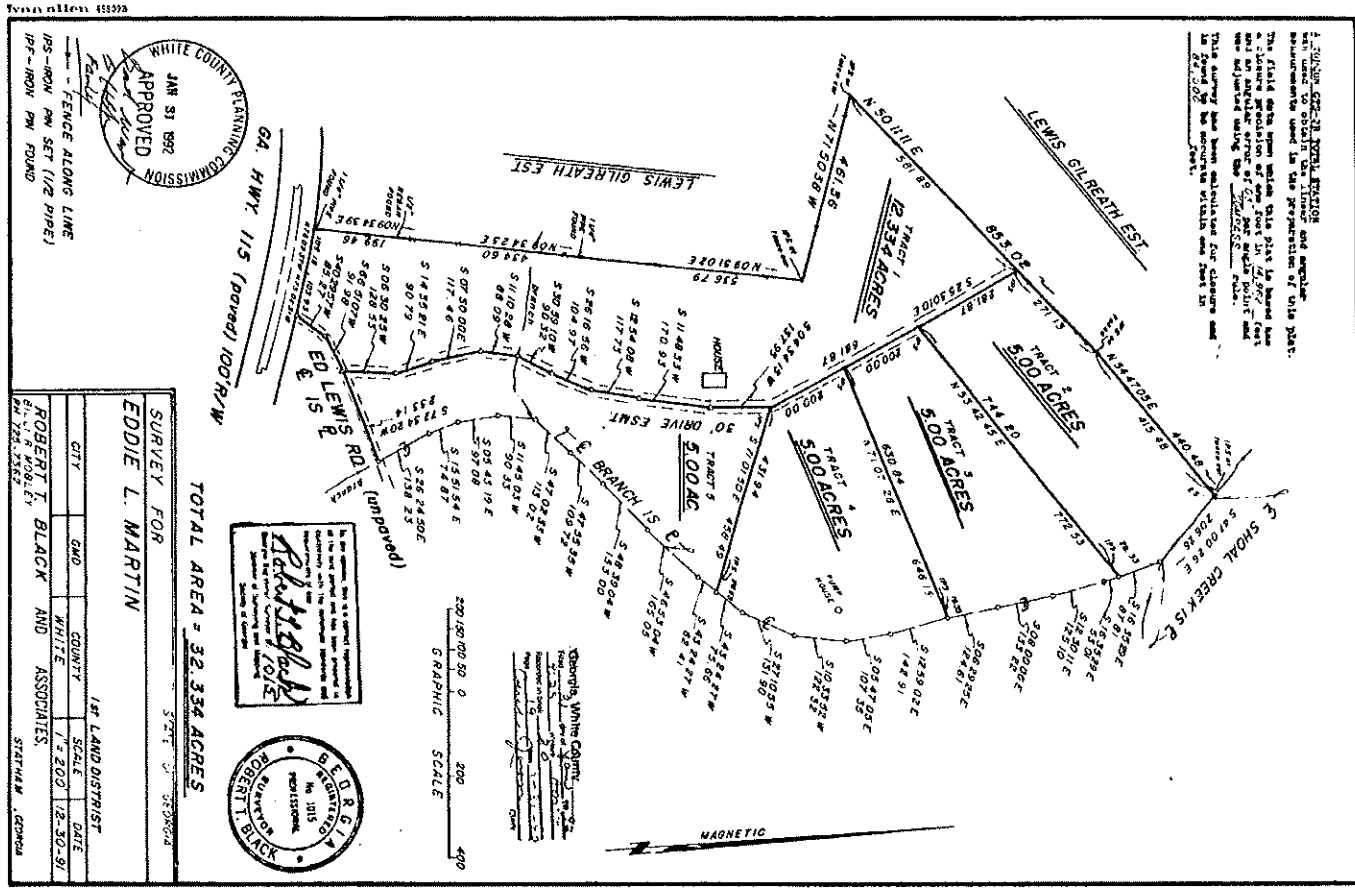
Please understand that if this property is being considered a short-term rental and once the White County Board of Commissioners approves the application, the minimum water bill rate for this service address will increase to a commercial rate without the water leak protection.

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

Thank you,

Edwin Nix  
Executive Director  
White County Water Authority

1. THIS SURVEY WAS MADE FOR THE PURPOSE OF DIVIDING THE LAND SHOWN INTO TRACTS OF APPROXIMATELY EQUAL SIZE AND AN ADJUSTMENT OF THE TOTAL AREA TO 32.336 ACRES. THIS SURVEY HAS BEEN APPROVED BY THE WHITE COUNTY PLANNING COMMISSION AND THE WHITE COUNTY BOARD OF SUPERVISORS.



WHITE COUNTY PLANNING COMMISSION  
 APPROVED  
 JAN 31 1992

--- FENCE ALONG LINE  
 --- IRP - IRON PIN SET (1/2 PIPE)  
 --- IPF - IRON PIN FOUND

SURVEY FOR  
**EDDIE L. MARTIN**

TOTAL AREA = 32.336 ACRES

Robert T. Black  
 PROFESSIONAL SURVEYOR  
 No. 11115  
 DIVISION OF PROFESSIONAL REGULATION  
 STATE OF GEORGIA

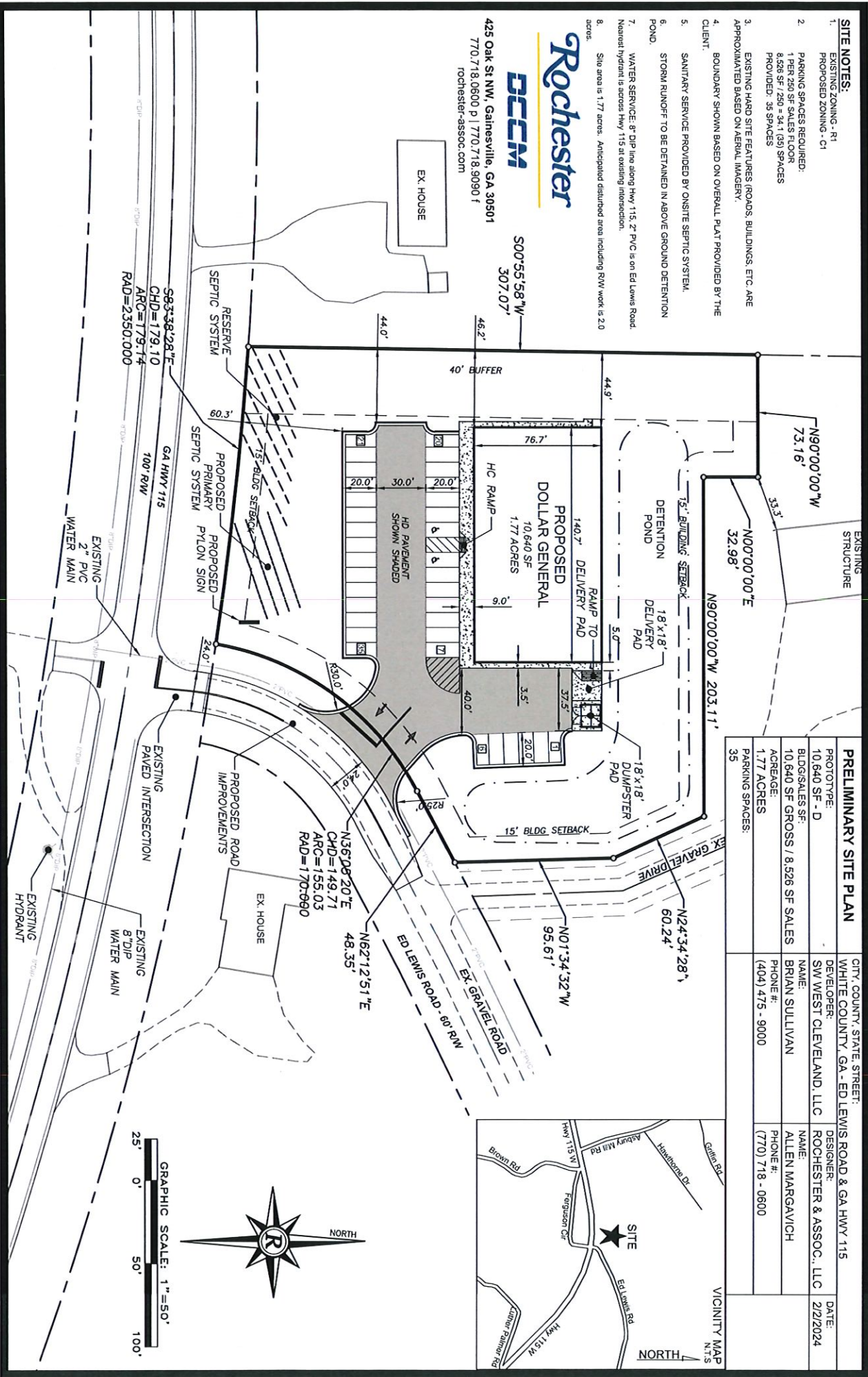
SURVEY FOR		1st LAND DISTRICT	
CITY	COUNTY	SCALE	DATE
ROBERT T. BLACK AND ASSOCIATES	WHITE	1" = 200'	12-30-91
PL 724, 7362	STANWELL, GEORGIA		

**SITE NOTES:**

1. EXISTING ZONING - R1  
PROPOSED ZONING - C1
2. PARKING SPACES REQUIRED:  
1 PER 250 SF SALES FLOOR  
8,526 SF / 250 = 34.1 (35) SPACES  
PROVIDED: 35 SPACES
3. EXISTING HARD SITE FEATURES (ROADS, BUILDINGS, ETC.) ARE APPROXIMATED BASED ON AERIAL IMAGERY.
4. BOUNDARY SHOWN BASED ON OVERALL PLAT PROVIDED BY THE CLIENT.
5. SANITARY SERVICE PROVIDED BY ONSITE SEPTIC SYSTEM.
6. STORM RUNOFF TO BE DETAINED IN ABOVE GROUND DETENTION POND.
7. WATER SERVICE: 8" DIP LINE ALONG HWY 115. 2" PVC IS ON ED LEWIS ROAD. NEAREST HYDRANT IS ACROSS HWY 115 AT EXISTING INTERSECTION.
8. Site area is 1.77 acres. Anticipated disturbed area including RWY work is 2.0 acres.



425 Oak St. NW, Gainesville, GA 30501  
770.718.0600 P | 770.718.9090 F  
rochester-assoc.com



EXISTING STRUCTURE

**PRELIMINARY SITE PLAN**

PROTOTYPE:	10,640 SF - D
BLDG/SALES SF:	10,640 SF GROSS / 8,526 SF SALES
ACREAGE:	1.77 ACRES
PARKING SPACES:	35

CITY COUNTY STATE STREET:  
WHITE COUNTY, GA - ED LEWIS ROAD & GA HWY 115

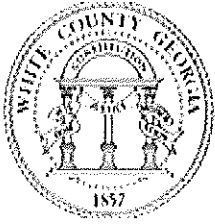
DATE:  
2/21/2024

DEVELOPER:	SW WEST CLEVELAND, LLC
NAME:	BRIAN SULLIVAN
PHONE #:	(404) 475 - 9000
DESIGNER:	ROCHESTER & ASSOC., LLC
NAME:	ALLEN MARGAVICH
PHONE #:	(770) 718 - 0600

VICINITY MAP  
N.T.S.



GRAPHIC SCALE: 1"=50'  
0' 25' 50' 100'



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
2023-2323	021 011A	LL 29 LD 1 1548-563	\$1,416.78	\$0.00 Fees: \$0.00	\$0.00	\$1,416.78	\$0.00
<b>Totals:</b>			<b>\$1,416.78</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$1,416.78</b>	<b>\$0.00</b>

Paid Date: 11/13/2023

Charge Amount: \$1,416.78

BROWN DENNIS T BROWN SUZANNE B  
1377 CASTLEBERRY BRIDGE RD  
DAWSONVILLE, GA 30534-8574



Scan this code with your mobile phone to view this bill



SW W Cleveland, LLC

Copper Safe Storage

Shoal Creek Baptist Church

Kimbrell's Used Auto Parts

Asbury Mill Rd

Post White Hill Rd

115

115

use Farms



# SAY NO TO ANOTHER DOLLAR GENERAL!!!

*Proposed new store location at*

*208 Ed Lewis Road, Cleveland, GA 30528  
(intersection of gravel road and GA-115W)*

## Say NO to:

- **Rezoning parcel from R-1 to C-1**
- **Increased traffic on Ed Lewis Road**
- **Increased congestion/accidents**
- **An eyesore in our neighborhood**
- **Lowered property values**

Please attend the public hearing  
March 25th, 2024 at 6:00pm!

1235 Helen Highway  
Cleveland, GA 30528  
706-865-6768

*Cannot attend in person?*

*Please sign the online petition at:*

**<https://www.change.org/sayNOtoDG30528>**

*Your signature can make a difference! THANK YOU!!*

We, the residents of White County, GA, are deeply concerned about the proposed construction of another Dollar General store in our peaceful rural area. The proposed location is at 208 Ed Lewis Road (at the intersection of Ed Lewis Road and GA-115W). This issue is personal to us. We cherish our gravel roads and country setting - we do not want them destroyed by increased traffic. Neither do we want an eyesore that disrupts the natural beauty of our surroundings.

The intersection where this store is planned to be built is already dangerous. With more traffic brought by a new commercial establishment, we fear for more accidents and potential loss of life or injury. According to data from the National Highway Traffic Safety Administration (NHTSA), rural areas account for a disproportionate number of traffic fatalities considering their population size.

Moreover, numerous studies have shown that such developments can lead to lowered property values due to changes in landscape and increased noise pollution. As homeowners who take pride in our properties and community, this prospect is deeply troubling.

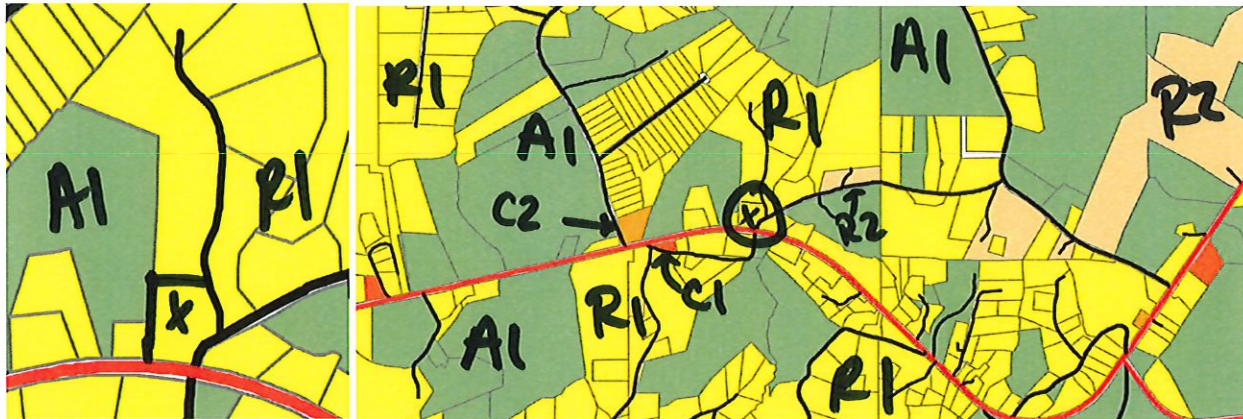
We urge decision-makers to reconsider this plan and prioritize safety, environment preservation over commercial development. Please stand with us against this proposal - sign this petition today!

Presented ~~by~~ by Lesa Griffin  
1957 Gene Nix Rd  
Cleveland 770-714-6052  
Trustee of land on Ed Lewis Rd

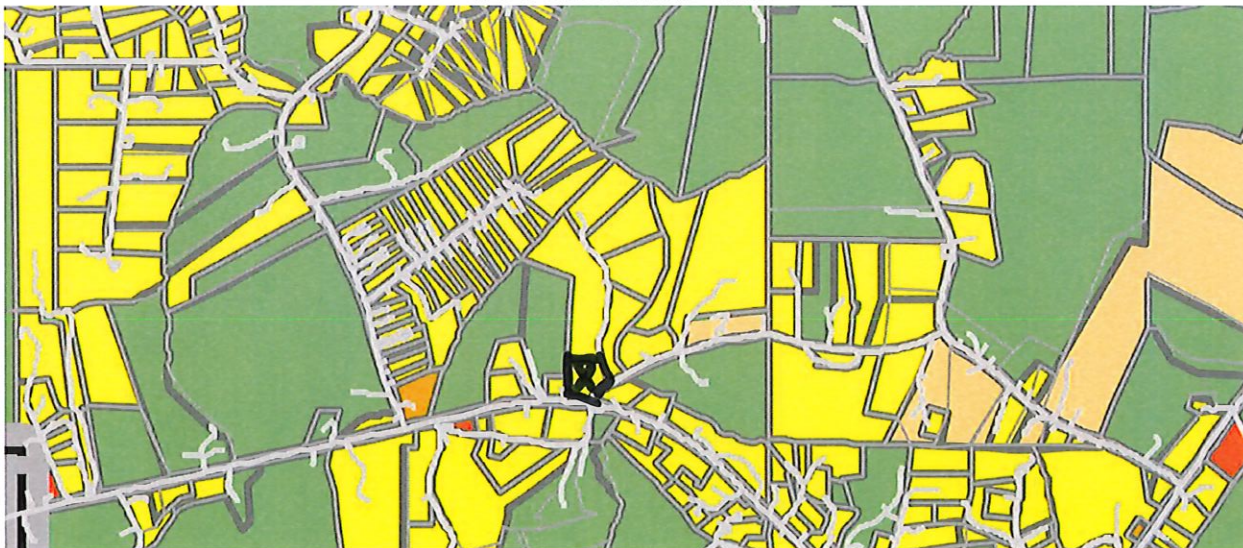
**WHITE COUNTY PLANNING DEPARTMENT  
STAFF COMMENT**

- Application #20650 – SW West Cleveland LLC for property located at 0 Ed Lewis Road in Cleveland.
- Request is to redistrict from R-1 Single Family Residential District to C-1 Community Commercial District.
- Property adjoins:
  - R-1 Residential Single-Family District to North, South, East, and West
  - A-1 Agriculture Forestry District to West
- The White County Comprehensive Plan Future Land Use Map indicates Residential Single Family.
- Total acreage is 2.00.
- Property supplied by White County Water Authority and septic.

**EXISTING LAND USE**



**FUTURE LAND USE**



**WHITE COUNTY PLANNING DEPARTMENT  
STAFF COMMENT**

**LAND USE DISTRICT MAP AMENDMENT CRITERIA**

1. The existing uses and district designation of nearby property and whether the proposed land use will adversely affect the existing use or usability of nearby property.  
Existing properties along St. Hwy 115 and Martin Springs Lane are primarily designated as A1-Agriculture and R1-Residential. These areas range from relatively large tracts for agricultural purposes to rural in character. These areas are intended to establish and preserve quiet, stable, low to medium densities, free from other land uses, except those which are compatible.  
  
Commercial designations along Hwy 115:
  - 8 tracts are designated C1 – Community Commercial
  - 4 tracts are designated as C2 – Highway Business District  
Example of current commercial uses along Hwy 115: Real Estate Office, Auto Sales, Storage Facility, Flea Market, Antique Shop, Clock Repair Shop, Auto Body, Heating & Air Repair, RV & Boat Storage and Restaurant, etc.
2. The extent to which property values are diminished by the particular zoning restrictions.  
The R1 designation promotes low to medium density uses, such as Residential, Agricultural uses and Home Occupations. Property values will be gauged by the residential market.
3. The extent to which the destruction of property values promotes the health, safety, morals or general welfare of the public.  
Property values will be gauged by the residential market.
4. The relative gain to the public as compared to the hardship imposed upon the individual property owner.  
It is the intent of the R1 designation to support the rural character and maintain a community setting, while C1 is intended to apply to areas with a transitional character which includes retail and service establishments.
5. The physical suitability of the subject property for development as presently districted land under the proposed land use district.  
The physical suitability as R1 promotes low to medium density uses, such as Residential, Agricultural uses and Home Occupations. C1 physical suitability is comparable. The zoning designation determines the permitted use allowed on a property. Setbacks, buffers, parking, land disturbance, etc. are reviewed through the submittal of a Site Plan (Plan Review Committee).
6. The length of time the property has been vacant considered in the context of land development in the area in the vicinity of the property and whether there are pre-existing or changed conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the rezoning request.  
Existing properties along St. Hwy 115 and Martin Springs Lane are primarily designated as A1-Agriculture and R1-Residential.

**WHITE COUNTY PLANNING DEPARTMENT  
STAFF COMMENT**

7. The zoning history of the subject property.

No zoning changes have occurred.

8. The extent to which the proposed zoning will result in a use which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, schools, parks or other public facilities.

The applicant is in discussions with the DOT and the County Road Department to determine entrance/road upgrade specifications. In review of the site plan and clarification of all disturbance and development of the lot, additional conditions may be determined.

9. Whether the land use proposal is in conformity with the policy and intent of the comprehensive plan or other adopted plans.

It is the intent of the R1 designation to support the rural character and maintain a community setting, while C1 is intended to apply to areas with a transitional character which includes retail and service establishments.

# White County Planning Department Plan Review Committee

---

Project Name	Dollar General – Ed Lewis Rd.
Land Use Class	R1; Rezoning necessary C1
Owner/Representative	Sullivan Wickley
Review Date	2.15.24
PRC Number	20649      Map 021 Parcel 11A

### Comments:

1. Land Disturbance Permit/NOI will be required
2. Comments from PRC Meeting were discussed and given to Applicant/Developer.
3. Planning Dept. comments:  
Attached Site Plan Checklist
4. Clarify Zoning Request – LOI states C2, Site Plan states C1
5. Recorded Plat (1992) reflects tracts 1-5, by definition this is a subdivision. Be aware of recorded Covenants.

# Site Plan Checklist

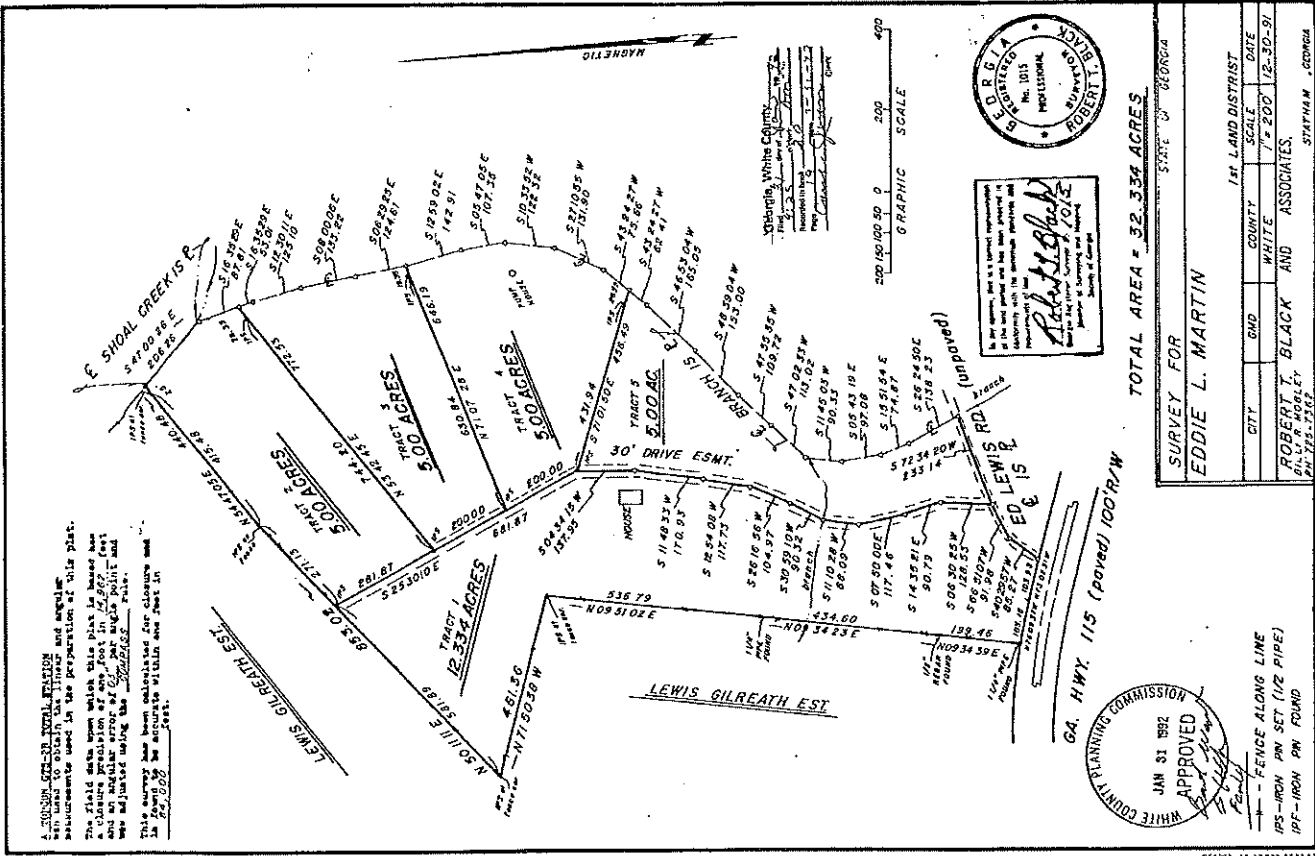
TAMMY COPY

Project Name:	Dollar General Ed Lewis Rd
Owner/Representative:	Sullivan Wickley - Charliz Stewart
Phone Number:	404 475 9000
Date:	2 15 24
Project Number:	20649 M 21 P 11A

Y/N	Item	Description
✓	1	Scale (minimum) 1" = 100 feet
✓	2	Sheet size (maximum) 24"x36"
✓	3	North Arrow, graphic engineering scale and vicinity map
✓	4	Copy of plat before proposed project
✓	5	Description of Water supply and sewerage system
✓	6	Proposed name of project
✓	7	Letter of intent
✓	8	Total acreage and total disturbed acreage
X	9	Name, address, and phone number of owner of record
✓	10	Name, address, and phone number of preparer of plan
✓	11	Date of plan drawing and revision date(s) if any
✓	12	Existing buildings and structures on or encroaching on the tract
✓	13	Proposed buildings and structures on the tract
✓	14	Existing streets, utilities, and easements on and adjacent to the tract
✓	15	Proposed streets, utilities, and easements on and adjacent to the tract
✓	16	Environmental conditions (streams, wetlands, watersheds, ground water recharge areas, flood hazard areas, river corridor protection boundaries, mountain and hillside protection areas, etc.) NHP - N/A LDP - Yes 200' state waters 122 dist'b
✓	17	Right of way widths and pavement widths for abutting streets and existing and proposed streets
X	18	Locations of drainage structures Drainage Plan
✓	19	Minimum building setbacks
✓	20	Location of nearest fire hydrant
X	21	Land surveyor's stamp, certificate, signature, field survey and closure statement
✓	22	Type of occupancy
✓	23	Building size and square footage
✓	24	Type of building
✓	25	Copy of centralized postal delivery letter to owner
X	26	Reflect Parking Reflect dimension specification
X	27	Vegetative Buffer/Screening - Veg. Coverage within parcel Reflect type of buffer/Show on site plan
✓	28	Industrial Dev. And Watershed Criteria (Chapter 30 Sec. 30-104) outside watershed
X	29	Enclosed Solid Waste Container Pad Sec. 512
✓	30	Sign Locations 1 shown
X	31	Outdoor Lighting
X	32	Full Set of Plans
X	33	Curb and Gutter

X Stop sign at exit

X Recorded Plat (1992) reflects tracts 1-5 by definition is a subdivision



A TENSON CTS-23 TOTAL STATION  
 was used to obtain the linear and angular  
 measurements used in the preparation of this plat.  
 The field data upon which this plat is based has  
 a closure precision of one foot in 12,500 feet  
 and the bearings are accurate to one point and  
 the distances are accurate to 0.01 feet.  
 This plat was prepared for closure and  
 is shown by the accuracy of the closure and  
 is 1/4\"/>



Robert L. Black  
 Registered Professional Surveyor  
 No. 1013  
 State of Georgia

GRAPHIC SCALE  
 200 100 50 0 50 100 200 400

TOTAL AREA = 32.334 ACRES

STATE OF GEORGIA	
SURVEY FOR	
EDDIE L. MARTIN	
CITY	COUNTY
ROBERT T. BLACK AND ASSOCIATES	WHITE
GILLER MOBLEY	7 1/2\"/>
1112 S. 21ST ST.	12-30-91
ATLANTA, GEORGIA	STEPHAN, GEORGIA



APPROVED  
 FENCE ALONG LINE  
 IRON PIN SET (1/2\"/>

Small text at the bottom right corner of the page.





**4151 Ashford Dunwoody Road, NE**  
**Suite 155**  
**Atlanta, GA 30319**  
**404.475.9000 • 404.475.9600 (Fax)**

February 1, 2024

White County Commissioners

Re: Letter of Intent to rezone +/- 2.0 acres of property at Parcel ID 021 011A corner of Ed Lewis Rd and Highway 115, unincorporated White County.

Dear Commissioners:

As the applicant for this rezoning, SW West Cleveland, LLC is respectfully requesting approval to rezone approximately 2.0 acres of land from R-1 to C-2 for a proposed Dollar General "Plus" store. If approved, the building will be 10,640 square feet and will have 35 parking spaces. The "Plus" store is DG's new prototype which provides fresh produce and expanded cooler sections as well as multiple aisles of home goods sold in DG's new pOps shelf concept store.

The property is currently being used as an auto salvage & storage yard. A Dollar General "Plus" store would be a much more compatible use for the property as the current use does not provide the benefit to the neighborhood that a Dollar General with fresh food options would bring to the area. In fact, there are no stores within a 4 mile radius of the site where the local community can purchase fresh food and everyday goods other than convenience stores.

Even though buffers are not a requirement in White County, we have included them to screen the store from the surrounding neighbors on our site plan. In addition, we intend to enhance the buffer with the property to the west with a staggered row of evergreens and a 6 foot wooden fence to minimize any impact on that neighbor. We would also be paving a large section of Ed Lewis Road which would be a significant improvement as it is currently a gravel road.

The proposed Dollar General "Plus" building will be constructed of mainly brick with varying architectural accents. All building lights will be full-cutoffs (shielded) to direct the light downward and not outward, while the two or three parking lot lights would be "shoe-box" type fixtures directing the light downward. The site will be designed in accordance with White County code and include updated landscaping. The proposed Dollar General plans to go above and beyond the current overlay code in regard to architecture by including additional design features to be more aesthetically pleasing to the neighborhood. The site will be served by county water and septic as county sewer is not available.

The Dollar General "Plus" retail store would bring approximately 10 immediate local jobs to the area in addition to the short-term construction-related jobs and tax benefits to the county. The store would also bring additional consumer services to the area allowing local residents to purchase everyday goods such as

fresh produce, meats, milk, bread, frozen foods, medicines, dry goods, general retail items and other household items. Residents today require a further drive to grocery stores or convenience stores where costs are often 25%-40% higher for the same name brand items such as Kraft, Hanes, Proctor & Gamble, Kellogg's, General Mills, and Mattell just to name a few. Dollar General is not a "dollar store" or a "\$0.99 cent store," in fact fewer than 25% of the merchandise sold by Dollar General costs a dollar or less. Dollar General is a neighborhood general store that serves the nearby community by providing quality, name brand household goods and groceries at convenient and low prices.

We would appreciate your positive consideration of our rezoning request. Should you need any additional information or have questions regarding our rezoning request, please feel free to reach me at 404-475-9000 or via email at [charlie@sullivanwickley.com](mailto:charlie@sullivanwickley.com)

Sincerely,  
SW West Cleveland, LLC

**RE: PRC# 20649 Proposed Dollar General**

Tom O'Bryant &lt;tobryant@cityofclevelandga.org&gt;

Tue 2/6/2024 4:23 PM

To: Tammy Carter &lt;tcarter@whitecounty.net&gt;

You don't often get email from tobryant@cityofclevelandga.org. [Learn why this is important](#)**[ EXTERNAL SENDER - PROCEED CAUTIOUSLY ]**

Tammy,

Thank you for reaching out to the City of Cleveland. The location of the proposed development is outside the city service area for water, wastewater and public safety services. We have no comment on the proposed development.

Sincerely,

***Tom O'Bryant, Director***  
Economic Development and Planning  
City of Cleveland  
85 South Main Street  
Cleveland, Georgia 30528  
(706) 865-2017 – Office  
(706) 809-3368 – Mobile

[tobryant@cityofclevelandga.org](mailto:tobryant@cityofclevelandga.org)[www.cityofclevelandga.org](http://www.cityofclevelandga.org)**From:** Tammy Carter <tcarter@whitecounty.net>**Sent:** Tuesday, February 6, 2024 1:32 PM**To:** Billy Pittard <BPittard@whitecounty.net>; Derick Canupp <dcanupp@whitecounty.net>; Edwin2 Nix <edwinnix@whitecountywater.org>; Kevin Bullock <kbullock@whitecounty.net>; Sean Sullivan <sean.sullivan@dph.ga.gov>; Sherry Buffington <sbuffington@whitecountywater.org>; Terry Sosebee <tsosebee@WhiteCounty.net>; Rolann Smith <rsmith@whitecounty.net>; Tom O'Bryant <tobryant@cityofclevelandga.org>**Cc:** John Sell <jsell@whitecounty.net>; Mercedes Dodd <mDodd@whitecounty.net>**Subject:** PRC# 20649 Proposed Dollar General

Hello Everyone

We would like to have a PRC Meeting on Thursday, February 15 at 9 am at the Planning Dept.

Please bring comments, if applicable, to be provided to the applicant. If you're unable to attend, please forward your comments to me.

Thank You  
Tammy Carter  
White County Planning Dept.



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

February 7, 2024

Tammy Carter  
White County Planning Department

Re: Dollar General St Rt 115W  
PRC 20649

Edwin Nix will not be able to attend the PRC meeting on February 15, 2024 due to a previous scheduled RC&D meeting.

Therefore, we respectfully submit the following comments.

White County Water Authority services this area with a 10" main on the south side of St. Rt. 115W and a 2" main on the east side of Ed Lewis Rd.

Ed Lewis Rd waterline services two homes. Any construction on Ed Lewis Rd could cause waterline relocation or relocation of customers' service line and could interrupt service for the immediate area.

White County Water Authority requires advanced notification on any construction that occurs near our waterlines.

Please contact me with any questions or concerns 706-865-0788.

Edwin Nix  
Executive Director  
White County Water Authority



**WHITE COUNTY FIRE SERVICES**  
1241 HELEN HWY SUITE 140  
CLEVELAND, GA 30528  
PHONE 706-865-3855  
FAX 706-219-3084

Date 1/24/2024

To: SW West Cleveland, LLC

Ref : PRC 20649 ( Dollar General to be constructed on parcel 021-011A at the corner of Ed Lewis and Hwy. 115 West )

This building to be constructed will be classified by 2018 Life Safety Code 6.1.10 as a mercantile occupancy which states that this occupancy is used for display and sale of merchandise.

White County Fire Service request a set of engineered plans be submitted for the proposed building to be constructed to verify current codes are being incorporated into the design and construction.

Plans for buildings to be constructed will need to be submitted to White County Fire Services 1241 Helen Hwy. suite 100 Cleveland Ga. 30528

Current codes utilized by White County under O.C.G.A. title 25 chapter 2 as adopted by the White County Board of Commissioners by resolution # 2006-45 and as modified by the State of Georgia Fire Marshalls office 120-3-3 and adopted by the Department of Community affairs.

Current codes are as follows.

2018 NFPA 101 Life Safety Code

2018 IFC ( International Fire Code )

2018 IBC ( International Building Code )

2010 ADA ( American Disability's Act as adopted by the state of Georgia under 120-3-20 )

During the construction phase of proposed building, White County Fire Services will be required to perform an 80 % and 100 % inspection to verify codes are met. Please contact our office to schedule.

Once completed the proposed Dollar General store will be required to meet the NFPA 101 life safety code for clear aisle width, storage rooms shall be properly maintained as not to create unsafe working areas.

If there are any questions concerning any or all codes contact our office and we will be glad to meet with you to discuss.

Terry M. Sosebee ( Battalion Chief, Fire Inspector ) White County Fire Services

## White County Building Inspections Department

1241 Helen Highway, Suite 200  
Cleveland, Georgia 30528  
706-865-6496

February 6, 2024

PRC 20649

Dollar General

To whom it may concern:

White County Building will require commercial building permits for structures associated with this plan. We will require two sets of paper plans and a digital copy for this project. Plans should be generated by a Georgia Licensed Design Professional and be detailed and clear. This project will be required by state law to have a licensed general contractor and sub-contractors. Plans should comply with the adopted 2018 IBC, IPC, IMC, 2020 NEC, and GA Chapter 120-3-20 Accessibility Code. Plans should be submitted when you are applying for building permits. Certificate of Occupancy will be issued upon successful building completion, compliance with adopted codes and land use requirements per the planning commission. Please allow sufficient time for review at submission. If you have any questions, call the above number and we will be happy to be of assistance.

Kevin Bullock

White County Building Official

**RE: Proposed Dollar General Ed Lewis Road**

Derick Canupp <dcanupp@whitecounty.net>

Tue 2/20/2024 12:27 PM

To: Jason Fritz <jason@sullivanwickley.com>

Cc: Charlie Stewart <charlie@sullivanwickley.com>; Tammy Carter <tcarter@whitecounty.net>

Jason,

After looking at the plat, the 1.83 acre parcel corresponds to what qpublic shows as being their acreage that they pay taxes on. It also looks like the pins 15' from the CL. I do not see a comment notating these pins are offset 15'. Having said that, it appears based on the plat and tax assessors site that there is a 30' R/W. However, our office does not have any record of R/W acquisition on this road.

On the plat I provided at the PRC meeting the pins were shown to follow the CL of Ed Lewis Rd. If the surveyor changed the property lines without any deeds, I'm not sure if we can claim we have a 30' R/W? It may take a legal opinion as to whether or not the 30' R/W is in fact valid without a deed to support the 30' R/W.

Derick Canupp  
Director of Public Works  
675 Truelove Rd.  
Cleveland, GA 30528  
O: (706) 865-2510  
C: (706) 499-4782



**From:** Jason Fritz <jason@sullivanwickley.com>  
**Sent:** Tuesday, February 20, 2024 12:03 PM  
**To:** Derick Canupp <dcanupp@whitecounty.net>  
**Cc:** Charlie Stewart <charlie@sullivanwickley.com>  
**Subject:** Proposed Dollar General Ed Lewis Road

You don't often get email from [jason@sullivanwickley.com](mailto:jason@sullivanwickley.com). [Learn why this is important](#)

**[ EXTERNAL SENDER - PROCEED CAUTIOUSLY ]**

Derick,  
Thanks for taking my call. Attached is the plat showing the 30' R/W on Ed Lewis Road. I also found a few other plats showing a 30' R/W along Ed Lewis Road as well. Thanks.



**JASON FRITZ**  
Executive VP Development  
Direct: 470.237.2044 | Mobile: 404.368.7511



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

APPLICANT NAME: <b>SW WEST CLEVELAND, LLC</b>	PROPERTY/SYSTEM ADDRESS: <b>HWY 115 W CLEVELAND, GA 30528</b>	EVALUATION ID: <b>012461 2/5/24</b>
APPLICANT PHONE: <b>(404) 418-7524</b>		COUNTY: <b>White</b>
APPLICANT EMAIL ADDRESS: <b>CHARLIE@SULLIVANWICKLEY.COM</b>	SUBDIVISION/LOT/BLOCK: <b>DOLLAR GENERAL/N/A/N/A</b>	REASON FOR EVALUATION: <b>Structure Change of Use</b>

### Inspection Records

Yes	1. Inspection records exist for this septic system.
X	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)

X	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.
X	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.
X	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)

X	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.
X	7. A Georgia certified septic tank installer has provided written documentation of the system design, location, and components.
X	8. This site evaluation by the County Board of Health revealed no evidence of system failure.
X	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

X	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

X	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:  
HWY 115 W CLEVELAND, GA 30528

EVALUATION ID:  
012461

SUBDIVISION/LOT/BLOCK:  
DOLLAR GENERAL/N/A/N/A

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):

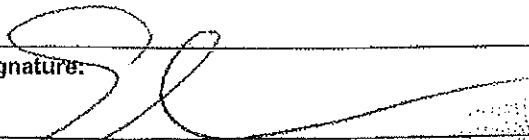
\* No septic permit found based on the information given.  
\* No septic tank was uncovered @ the time of the site visit.

Additional Notes/Comments:

\* To have the system (if there is one) on this lot approved, you will need to hire a certified septic installer to find, identify and make a drawing of the septic system. Put this info in a letterhead of installers company, with his/her certification #, a description of the tank w/capacity, and description of the drainline w/near footage. A drawing of the septic system w/measurements will also be required.

Inspector:  
Sean Sullivan

Signature:



Date:

3-11-24

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.

**SITE NOTES:**

- EXISTING ZONING - R1  
**PROPOSED ZONING - C1**
- PARKING SPACES REQUIRED:  
1 PER 250 SF SALES FLOOR  
8,526 SF / 250 = 34.1 (35) SPACES  
PROVIDED: 35 SPACES
- EXISTING HARD SITE FEATURES (ROADS, BUILDINGS, ETC. ARE APPROXIMATED BASED ON AERIAL IMAGERY.
- BOUNDARY SHOWN BASED ON OVERALL PLAT PROVIDED BY THE CLIENT.
- SANITARY SERVICE PROVIDED BY ONSITE SEPTIC SYSTEM.
- STORM RUNOFF TO BE DETAINED IN ABOVE GROUND DETENTION POND.
- WATER SERVICE: 8" DIP line along Hwy 115, 2" PVC is on Ed Lewis Road. Nearest hydrant is across Hwy 115 at existing intersection.
- Site area is 1.77 acres. Anticipated disturbed area including R/W work is 2.0 acres.

**Rochester**

**DCCM**

425 Oak St NW, Gainesville, GA 30501  
770.718.0600 p | 770.718.9090 f  
rochester-assoc.com

**PRELIMINARY SITE PLAN**

PROTOTYPE:  
10,640 SF - D

BLDG/SALES SF:  
10,640 SF GROSS / 8,526 SF SALES

ACREAGE:  
1.77 ACRES

PARKING SPACES:  
35

CITY, COUNTY, STATE, STREET:  
WHITE COUNTY, GA - ED LEWIS ROAD & GA HWY 115

DEVELOPER:  
SW WEST CLEVELAND, LLC

NAME:  
BRIAN SULLIVAN

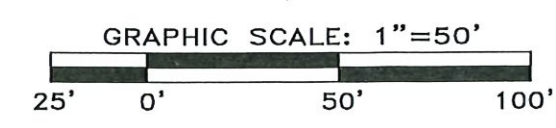
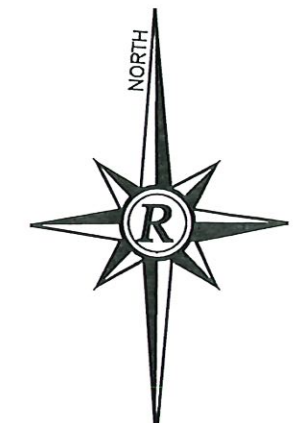
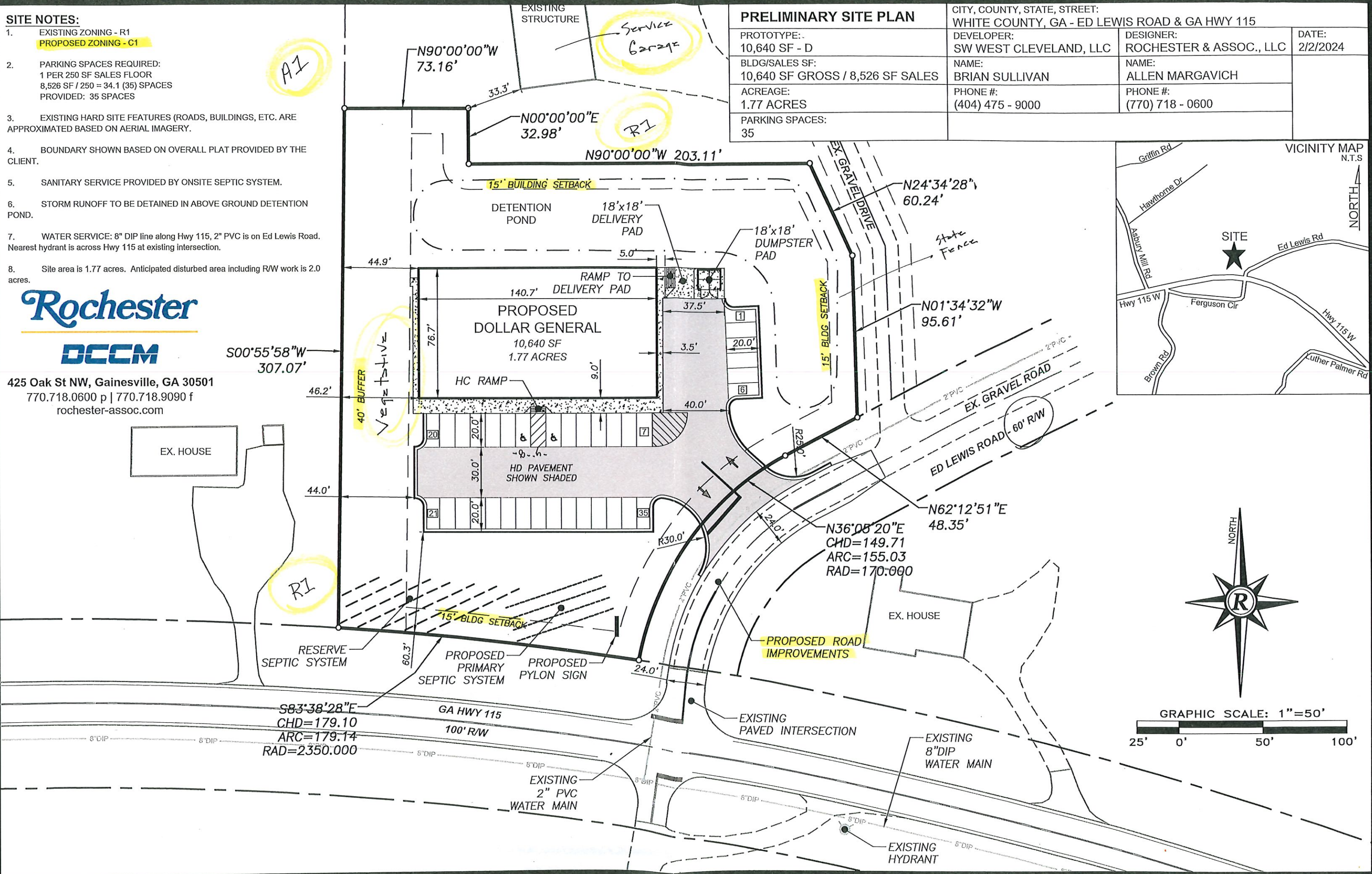
PHONE #:  
(404) 475 - 9000

DESIGNER:  
ROCHESTER & ASSOC., LLC

NAME:  
ALLEN MARGAVICH

PHONE #:  
(770) 718 - 0600

DATE:  
2/2/2024



# Proposed West Cleveland DG Market



# Concept Plan

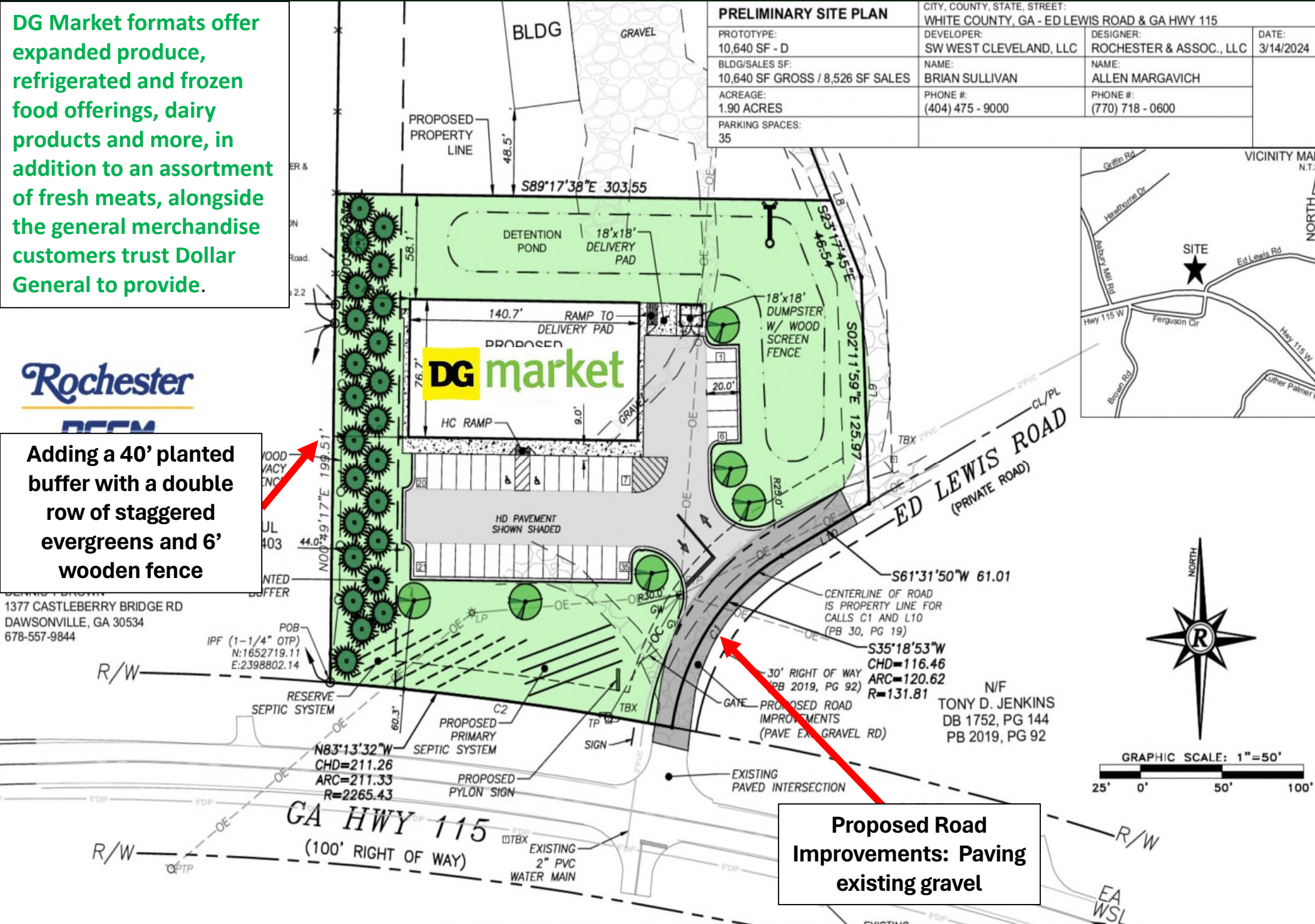
DG Market formats offer expanded produce, refrigerated and frozen food offerings, dairy products and more, in addition to an assortment of fresh meats, alongside the general merchandise customers trust Dollar General to provide.



Adding a 40' planted buffer with a double row of staggered evergreens and 6' wooden fence

PRELIMINARY SITE PLAN	
PROTOTYPE:	10,640 SF - D
BLDG/SALES SF:	10,640 SF GROSS / 8,526 SF SALES
ACREAGE:	1.90 ACRES
PARKING SPACES:	35

CITY, COUNTY, STATE, STREET:		
WHITE COUNTY, GA - ED LEWIS ROAD & GA HWY 115		
DEVELOPER:	DESIGNER:	DATE:
SW WEST CLEVELAND, LLC	ROCHESTER & ASSOC., LLC	3/14/2024
NAME:	NAME:	
BRIAN SULLIVAN	ALLEN MARGAVICH	
PHONE #:	PHONE #:	
(404) 475 - 9000	(770) 718 - 0600	



Proposed Road Improvements: Paving existing gravel

1377 CASTLEBERRY BRIDGE RD  
DAWSONVILLE, GA 30534  
678-557-9844

# Proposed Architecture



New Signage

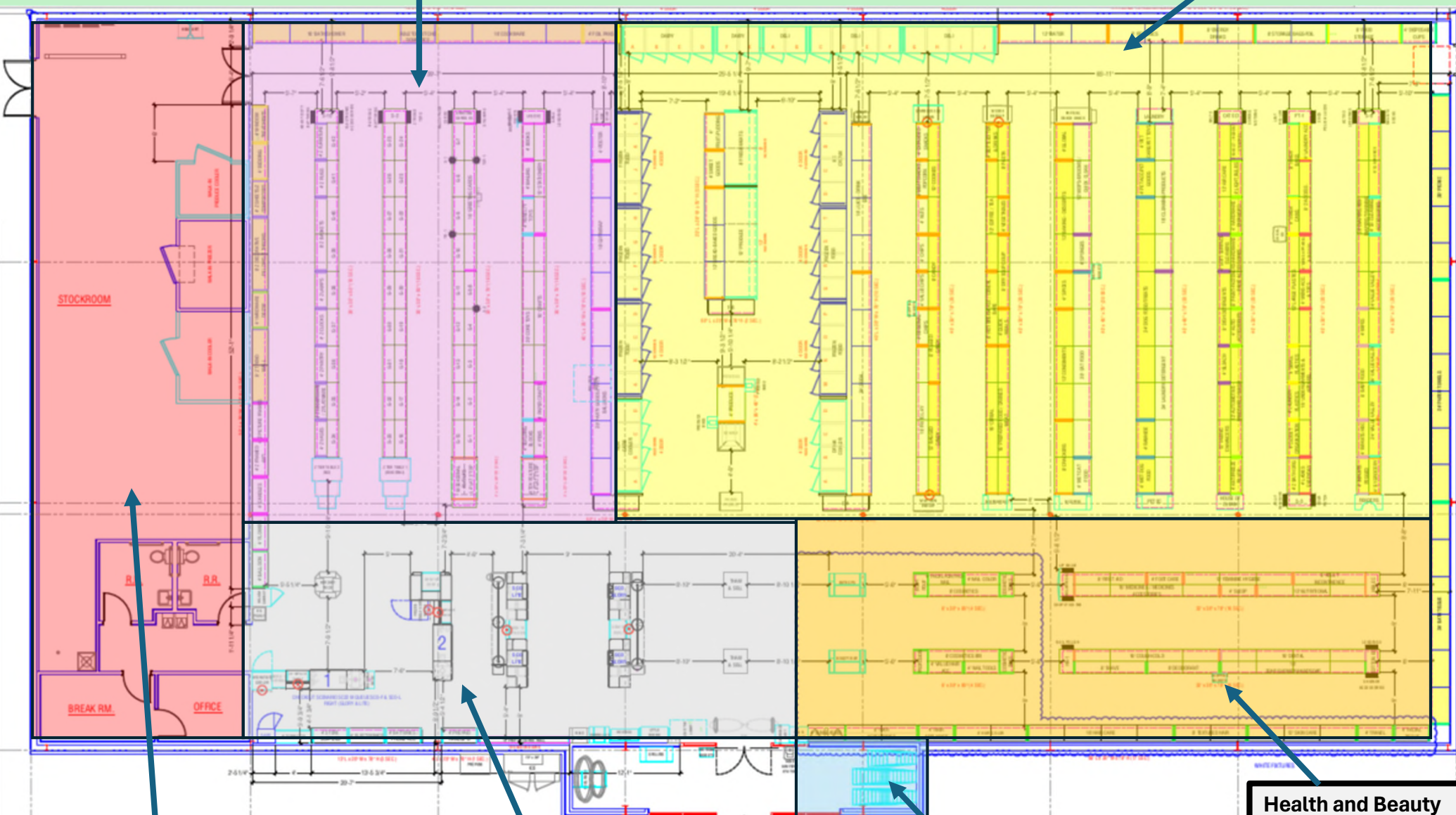
Cart Storage

Shutters

# Store Layout

Convenience & Home Items

Perishable & Non-Perishable Foods



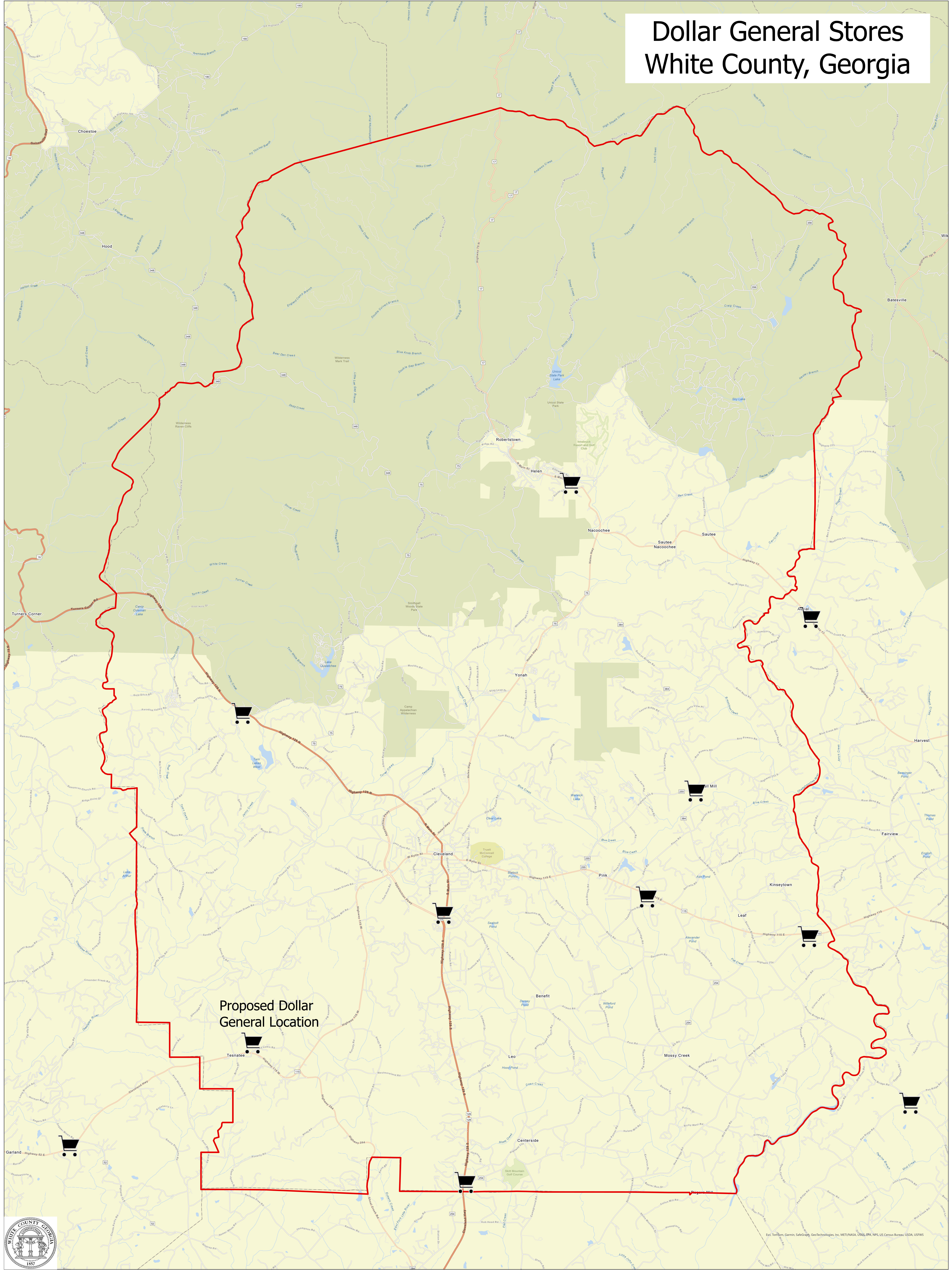
Restrooms, Break Rooms & Stockrooms

Checkout & General Merchandise

Shopping Carts

Health and Beauty

# Dollar General Stores White County, Georgia



WHITE COUNTY PLANNING COMMISSION MINUTES  
PUBLIC HEARING: LAND USE REGULATION

Monday, March 25<sup>th</sup>, 2024  
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, Brad Ash, and John Yarbrough. Staff members present were Tammy Carter and Mercedes Dodd.

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

**Application of SW West Cleveland LLC, on behalf of Dennis Brown**, to redistrict property located at 0 Ed Lewis Road, Cleveland, Georgia, 30528 from R-1 Residential Single Family District to C-1 Community Commercial District. Tax map and parcel 021-011A. Total acreage is 2.00. Present zoning is R-1 Residential Single Family District.

The applicant, Jason Fritz of 4175 Ashford Dunwoody Drive, Atlanta, GA, was present for SW West Cleveland LLC. Ms. Carter gave a summary of the application. Mr. Fritz explained this would be a DG Market with fresh produce and meat, larger fresh food aisles and cooler sections, and wider aisles. He explained this would be the second of this type in Georgia, the first of which was just completed recently in Lavonia. He explained the access would be off Ed Lewis Road and a 40-foot buffer would be included on the western property line consisting of trees and a wooden fence. He stated they would pave Ed Lewis Road just beyond the driveway and would accommodate approximately 35 vehicles in the parking lot. Mr. Fritz addressed the PowerPoint included in the application that documented the new logo and proposed architecture, which would consist of brick with color options. Regarding lighting, he said it is “shoe-box” style that directs light onto the parking lot and building. When asked about traffic patterns, Mr. Fritz said there are over 7000 cars on a day on Highway 115, with Dollar General typically adding 200-250 cars a day that would travel Ed Lewis Road. He explained the reason for the Ed Lewis access is due to side roads generally being safer than state roads.

He explained Dollar General’s site selection process that is based on metrics, adding that they tend to be near pockets of neighborhoods. He said he had not reached out to Georgia Department of Regulations (GDOT) since his engineer advised they would not meet sight separation required by GDOT regulations. When asked hours of operations, he said the store would be open from 7am until 10pm with deliveries from Dollar General once per week and various vendor deliveries. He said the closest Dollar General is about 4 miles in Lumpkin County and the other is in Cleveland. He said the closest residences are across Ed Lewis Road and along the west property line. When asked if he has ever built a Dollar General off a dirt road, Mr. Fritz said yes, in Elberton, Georgia about a year ago and the road was paved to county road standards. He explained he had spoken with White County’s Road Department, and they were okay with paving as long as it meets county road standards. Mr. Fritz explained he does not work for Dollar General but works for the developer Sullivan Wickley who buys the property and builds to suit the lease, which are 15-year timeframes and 5-year renewal terms.

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.

Earl “Chuck” Gilreath of 7130 Highway 115 West said his property has been in his family for over 100 years and has always been Agricultural. He said he has never been contacted by Dollar General or the



WHITE COUNTY PLANNING COMMISSION MINUTES  
PUBLIC HEARING: LAND USE REGULATION

current owner until he received a letter from the Planning Commission. He expressed concerns of allowing the Dollar General in a rural area, traffic safety and previous wrecks, complaints from owner or Dollar General when he puts fertilizer on his property, and not wanting the road to be paved because it will increase traffic. He requested the Planning Commission to do a traffic study on Ed Lewis Road before making a decision, adding that there is already high volumes of traffic, and asked them to stand up for the farmers in this farming community. He said he is not opposed to Dollar General, but is opposed to where it is at.

Rusty and Glenda Yother of 255 Ed Lewis Road said there are not 200 cars that travel their road currently but do have people traveling 60-70 miles per hour down it that would get worse with the addition of Dollar General. They expressed concerns of recreational vehicles, trespassing through their fields, farm equipment that travels on the road that requires pulling over to fit vehicles past them, opposition to paving the road, a neighbor that transports horses across the road that will be dangerous if there is additional traffic, safety of children, and the beginning of the end of their farming community. Mr. Yother stated the same scenario happened on Blue Creek Road that was turned down, except that was not on a dirt road like this one.

Doug and Kathleen Patterson of 326 Hawthorne Drive expressed concerns regarding proximity to their home, the proposed location and traffic accidents, outside lighting and light pollution on Highway 115, staffing due to current stores having this issue and competition with existing Dollar Generals, safety, and lack of local products in Dollar Generals. Mrs. Patterson said they are fans of Dollar General and visited the Lavonia location, adding that it was not much larger. She said Helen Highway would be a better location between Cleveland and Helen. Mr. Patterson explained there are already issues turning at this intersection and would cause more traffic on tributary roads as shortcuts.

Lisa Stover of PO Box 142 in Sautee Nacoochee explained she delivers meals to this area and this stretch of road has always scared her. She expressed concerns disrupting the farming and quiet area, increase in traffic, destruction of the neighborhood by paving the road, limited visibility and high traffic volume, staffing issues for other store locations, and what would happen when the lease runs up and Dollar General leaves the location for not doing enough business.

David Smith of 6744 Highway 115 said he owns two properties east of this location and has had multiple wrecks in his yard since he purchased his property. He said he plans to retire here and does not want to retire two doors down from a Dollar General.

Jennifer Wollett of 456 Ed Lewis said she moved from Henry County to get away from this. She expressed concerns of robberies, light pollution from commercial properties, traffic speeding and difficulties turning from high traffic volumes, and boxes in aisles of the existing stores because they do not have enough employees to stock. She said she plans to retire here and enjoy farm life. Kevin Wollett said there are 15-20 cars a day on Ed Lewis currently and 200 a day on a dirt road is absurd. He said someone is going to get killed on Ed Lewis Road and explained there are lawsuits pending on Dollar General, so they cannot have that in this community. He said they bought a farm for a reason.

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

WHITE COUNTY PLANNING COMMISSION MINUTES  
PUBLIC HEARING: LAND USE REGULATION

Mr. Fritz said they cannot control what GDOT will allow them to do, but they can look into putting in a left turn lane or deceleration lane on Ed Lewis Road, which they are open to having that as a condition on the application. He explained crime is usually regional or local from his understanding, but they can put in cameras. Regarding traffic, he said this is a heavy traffic corridor, which is where the county wants commercial, so they are going where they are told to go. He explained they would be paving and widening the road to 24 or 28 feet wide so it will not just be a single lane at that location. Dollar General brings in about 200 cars a day, but he does not know what the current traffic count on Ed Lewis Road is. He explained the proposed parking goes off the county ordinance and that there are 10-12 cars in a Dollar General parking lot usually at any time. Mr. Fritz explained they are fine with placing a condition on the property that it could only be for a Dollar General. For staffing issues, he said that is country wide in retail and that Dollar General is looking to serve local residents. He said he is not aware of any vacant Dollar Generals. When asked if they had considered any other locations, he said just west of there, which is storage currently, but they cannot afford it.

Chairman Thomas closed the hearing and answered questions from the public regarding dates and processes for the following meetings.

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

DRAFT

WHITE COUNTY PLANNING COMMISSION MINUTES  
REGULAR SESSION

Monday, April 1<sup>st</sup>, 2024  
6:00 pm

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

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

Chairman Thomas called the meeting to order. Mr. Yarbrough gave the invocation. No changes made to agenda. Motion to approve the minutes of February 26<sup>th</sup>, 2024 and March 4<sup>th</sup>, 2024 made by Ms. Dixon and seconded by Ms. Burke. Motion was unanimous.

**Application of Terry and Millie Alexander** to request a variance from Section 601 Access. Property is located at 0 Webster Lake Road, Cleveland, GA, 30528. Tax map and parcel is 078-081A. Total acreage for variance is 4.005, Tracts I & II.

The applicant, Terry Alexander 337 Mt. Zion Church Road in Murrayville, GA, was present. Ms. Carter gave a summary of the application, adding that the plat is also subject to Road Department and Environmental Health approval. Mr. Alexander said he wants to give property to his two sons.

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

**Application of Michael Parsons** to request a variance from Section 601 Access. Property is located at 0 Claude Sims Road, Cleveland, GA, 30528. Tax map and parcel is 033-093. Total acreage for variance is 2.15.

The applicant, Michael Parsons of 0 Claude Sims Rd. Ms. Carter gave a summary of the application. Mr. Parsons said this is for family and has plans for a shared driveway.

Motion to approve the variance made by Ms. Dixon and seconded by Mr. Ackerman. Motion was unanimous. Ms. Carter gave the plats to the applicant and advised them to take the plats to Environmental Health for plat approval.

**Application of TSC Properties** to request a variance from Section 601 Access. Property is located at 0 Pless Road, Cleveland, GA, 30528. Tax map and parcel is 075-094. Total acreage for variance is 1.92, Tract III.

The applicant, Todd Campbell of 5050 Pless Road, was present. Ms. Carter gave a summary of the application. Mr. Campbell said the request is to give property to his two sons.

Motion to approve the variance made by Ms. Burke and seconded by Mr. Ash. Motion was unanimous. Ms. Carter advised the applicant to get additional prints made and to take to Environmental Health for plat approval.

**Application of Barry Robinson** to request a variance from Section 601 Access. Property is located at 0 Grover Miles Road, Cleveland, GA, 30528. Tax map and parcel is 074-163. Total acreage for variance is 2.00.

WHITE COUNTY PLANNING COMMISSION MINUTES  
REGULAR SESSION

The applicant, Barry Robinson of 490 Grover Miles Road, was present. Ms. Carter gave a summary of the application, adding that the plat is subject to Environmental Health approval. Mr. Robinson said the request is to deed property to his son.

Motion to approve the variance made by Ms. Dixon and seconded by Ms. Burke. Motion was unanimous. Ms. Carter advised the applicant to take the plats to Environmental Health for plat approval.

**Application of Terry Gibson** to request a variance from Section 601 Access. Property is located at 0 Arrow Lake Drive, Cleveland, GA, 30528. Tax map and parcel is 034A-089. Total acreage for variance is 1.953.

The applicant, Terry Gibson of 187 Arrow Lake Drive, was present. Ms. Carter gave a summary of the application. Mr. Gibson said the request is to deed property to his father and that his parents are already living on the property.

Motion to approve the variance made by Mr. Ackerman and seconded by Ms. Burke. Motion was unanimous. Ms. Carter advised the applicant to get additional prints made and to take to Environmental Health for plat approval.

**Application of SW West Cleveland LLC, on behalf of Dennis Brown**, to redistrict property located at 0 Ed Lewis Road, Cleveland, Georgia, 30528 from R-1 Residential Single Family District to C-1 Community Commercial District. Tax map and parcel 021-011A. Total acreage is 2.00. Present zoning is R-1 Residential Single Family District.

The applicant, Charlie Stewart of 4151 Ashford Dunwoody Road in Atlanta, GA, was present on behalf of SW West Cleveland LLC. Ms. Carter gave a summary of the application. Mr. Stewart did not have anything to add. When asked how far down Ed Lewis Road they are willing to pave, Mr. Stewart said they will pave just past the entrance and has already spoken to the county Road Department. He said Georgia Department of Transportation (GDOT) may require a deceleration lane, but that has not been determined yet. He said they would put one in if needed but will still be paving and widening Ed Lewis Road. When asked how close this location would be to another Dollar General, Mr. Stewart said about 4.5 miles.

Motion to recommend denial to the Board of Commissioners to preserve the integrity of this residential neighborhood and preservation of the residential area was made by Mr. Ash. The motion was seconded by Ms. Burke based on not seeing another Dollar General in Habersham County or Cleveland this close to that many residential homes and accessed from a main highway. She explained she did not think this location and the neighborhood was a good fit. There was no discussion. Motion carried 5-1, with Mr. Ackerman in opposition.

Chairman Thomas asked if there was any citizen comment.

Lesa Griffin of 1957 Gene Nix Road thanked the board for recommending denial and for understanding this is a residential area. She said she does not hate Dollar General but does not want them there. She explained she did get over 200 signatures on a petition that did not want this store and thanked those who voted.

WHITE COUNTY PLANNING COMMISSION MINUTES  
REGULAR SESSION

Paula Jenkins of 6822 Highway 115 West thanked the board and said this location is a little over 200 feet from her front door.

Kathleen Patterson of 326 Hawthorne Drive thanked the board and wanted to make a correction that the closest Dollar General is 4.0 miles, not 4.5, from this location. She provided documentation to the staff that was added to the application file.

Rembert Yother of 255 Ed Lewis Road thanked the board, saying it means a lot to their community, to their rural farmland because if it had not been voted down then it would have been the beginning of the end of their farmland.

Lillian Hall of 542 Leighs Crossing thanked the board for their vote. She said the applicant mentioned there was another location they were considering near Asbury Mill and if that comes up, that she wants to say “ditto” since that is in her neighborhood.

Doug Patterson of 326 Hawthorne Drive explained that Ed Lewis Road would become a cut-through road with everyone looking for a shortcut and safer way to access the Dollar General. He said the road ends on a “stringer” then hits Asbury Mill that leads onto other local roads. With the estimate of 200 cars a day added, he said that puts more traffic in that neighborhood and expressed concerns of child safety and unsafe driving. He said there are Dollar Generals all over already and explained how it could compete with local stores like Tomato House and IGA in Cleveland.

Chairman Thomas closed citizen comment.

Motion to adjourn made by Ms. Burke and seconded by Ms. Dixon. Motion was unanimous. Ms. Carter announced the Board of Commissioners date for April 29<sup>th</sup> at 4:30pm.



# WHITE COUNTY

## *Board of Commissioners*

**Item Title:** Consider an appeal of the White County Short Term Rental Subdivision Map for Tamara Adelberg 37 Thornblade Trail.

**For Meeting Date:** 4/29/2024

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

**Category (Select One):** Other

**Submitted By:** John Sell

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

1. White County STR Map Appeals Form with Letter of Intent
2. Plats of Thornblade subdivision
3. \_

---

### **Purpose:**

Consider removing 37 Thornblade Trail, Map and Parcel Number 017 084C from the White County STR Subdivision Map.

### **Background / Summary:**

- When Thornblade Subdivision was developed in 1995, the first two parcels on the left as you entered the subdivision were left as out-parcels by developer Lamar Turner. Those parcels are 37 Thornblade Trail, Map and Parcel 017 084C and 43 Thornblade Trail, Map and Parcel 017 094B. When the STR Subdivision Map was developed those two parcels were inadvertently included in the Thornblade Subdivision and colored in. Mrs. Adelberg is asking that her property at 37 Thornblade Trail be removed from the map as it has never been part of the subdivision. 43 Thornblade Trail has not requested the change because they were approved for Short Term Rental in 2023. In order to correct the map, both parcels should be removed from the colored in section of the subdivision.

### **Department Recommendation:**

Community and Economic Development recommend removing both parcels from the White County STR subdivision map.

### **Options:**

- Approve the removal of the parcels from the colored in portion of the map.
- Deny the appeal and leave the map as approved.

- Table the appeal for further review by the BOC.

**Budget Information:** Applicable  Not Applicable

**Budgeted:** Yes  No

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

- 

**County Manager Comments:**

-



## STR Subdivision Map Appeal Form

### Applicant Completes This Section

Subdivision Name Shornblade Date 4-16-24

Subdivision Road Names Shornblade Trail

Affected properties (Map and Parcel #s) 017 094C

Contact Janara Adelberg Phone Number [REDACTED]

The White County Board of Commissioners (BOC) approved the Short Term Rental Subdivision map on Jan. 8, 2024. Any appeal of the map will be processed through the Community and Economic Development Department for consideration by the BOC. A letter of request from the HOA/applicant outlining the appeal must accompany this form.

No STR applications for referenced properties will be granted while under appeal.

**Step 1** – Is there a recorded plat of the subdivision (4 or more parcels of common development)?

- Yes – Provide the plat and nothing else is required to appeal.  
 No – Proceed to Step 2.

**Step 2** – Is there a recorded Deed reference of subdivision properties?

- Yes – Provide the Deed and verification of support from 100% of owners of listed subdivision properties (i.e. letters/HOA minutes/signed petition etc...).
- No - This request does not qualify for appeal.

Applicants Signature 



Tamara Adelberg [REDACTED]



Reply

Reply all

Forward



To: John Sell

Tue 4/16/2024 7:40 PM

**[ EXTERNAL SENDER - PROCEED CAUTIOUSLY ]**

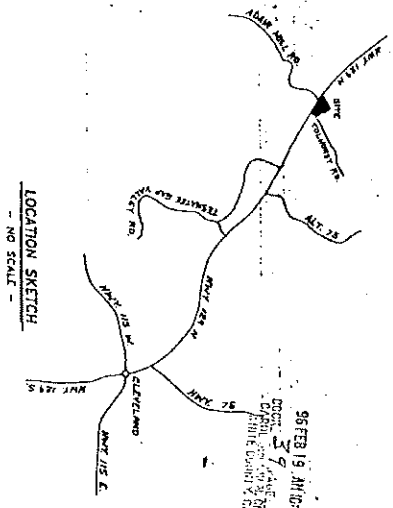
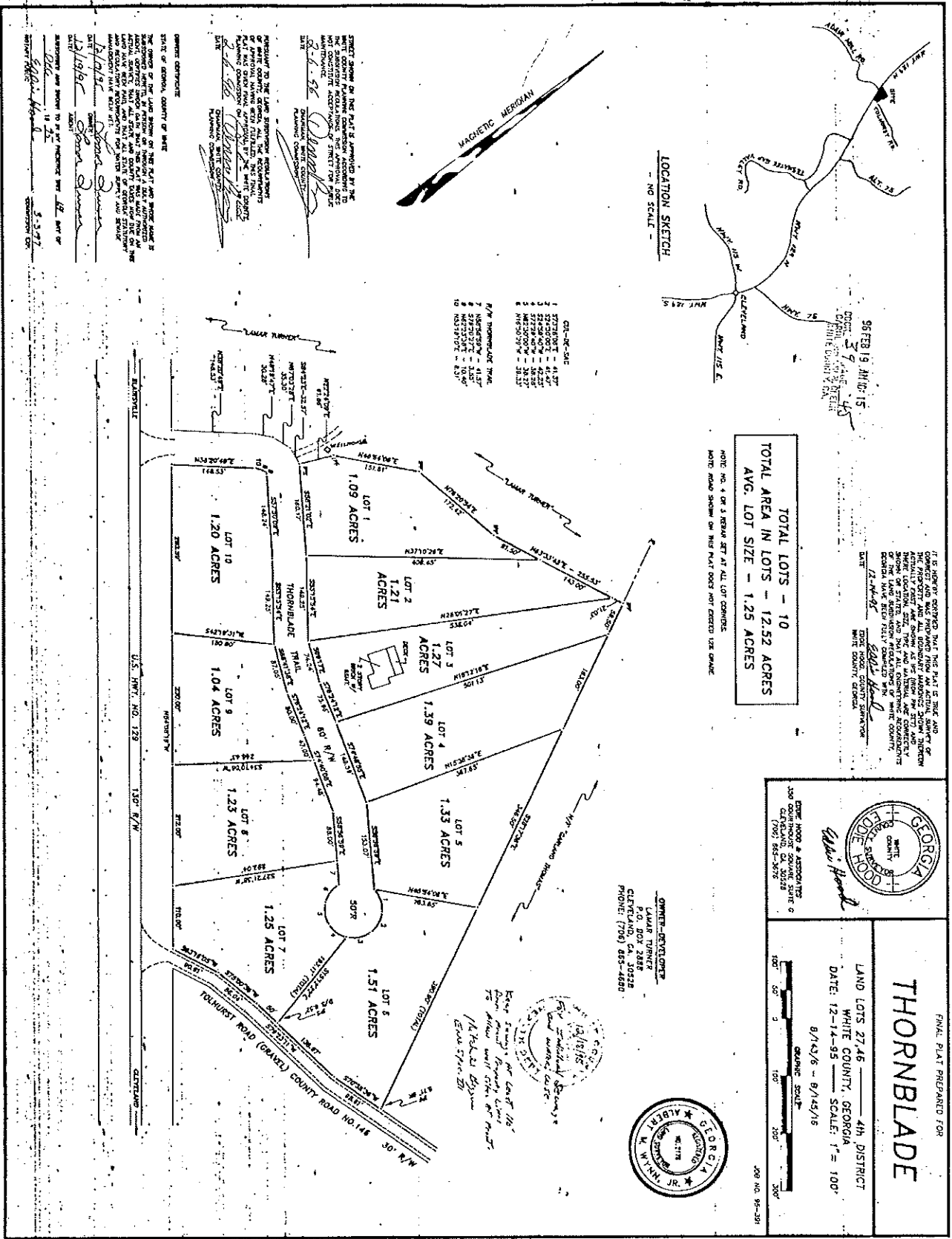
Mr Sell,  
Please see below our appeal letter.

To Whom It May Concern,

We are not part of Thornblade Subdivision because Mr. Turner kept our property as an out-parcel. According to the County when we rezoned from Commercial to Residential and before, we have never been considered part of Thornblade Subdivision. We would like to be removed from the STR Subdivision map as it was added in error. Please remove so that we may pursue a Host License for Short Term Rental.

Thank you for correcting this error.  
Tamara & Lawrence Adelberg  
37 Thornblade Trail  
Cleveland, GA 30528  
[REDACTED]





**TOTAL LOTS - 10**  
**TOTAL AREA IN LOTS - 12.52 ACRES**  
**AVG. LOT SIZE - 1.25 ACRES**

NOTE: NO. 4 OR 5 ROAD SET AT ALL LOT CORNERS.  
 NOTE: ROAD SHOWN ON THIS PLAN DOES NOT EXIST. USE GRADE.

FINAL PLAN PREPARED FOR

# THORNBLADE

LAND LOTS 27.46 4th DISTRICT  
 WHITE COUNTY, GEORGIA  
 DATE: 12-14-95 SCALE: 1" = 100'  
 8/14/96 - 8/14/96

OWNER-DEVELOPER  
 LARRY TURNER  
 CLEVELAND, GA 30528  
 PHONE: (706) 855-4590

ENGINEER & ASSOCIATES  
 500 DOWNTOWN SQUARE, SUITE 6  
 CLEVELAND, GA 30528  
 TEL: (706) 855-3672

DATE: FEB 19 10 07 15  
 5-3-97

STREET SHOWN ON THIS PLAN IS APPROVED BY THE...  
 THE COMMISSIONER OF THE STATE OF GEORGIA...  
 THE COMMISSIONER OF THE STATE OF GEORGIA...  
 THE COMMISSIONER OF THE STATE OF GEORGIA...

DATE: 8-1-95  
 DRAWN BY: [Signature]  
 CHECKED BY: [Signature]

OWNER: LARRY TURNER  
 DEVELOPER: LARRY TURNER  
 ENGINEER: [Signature]

U.S. HWY. NO. 129  
 130' W/W  
 130' W/W

W. OF 30' 30' 30' 30' 30' 30' 30' 30' 30' 30'

W. OF 30' 30' 30' 30' 30' 30' 30' 30' 30' 30'

W. OF 30' 30' 30' 30' 30' 30' 30' 30' 30' 30'

W. OF 30' 30' 30' 30' 30' 30' 30' 30' 30' 30'

# White County, GA

## Homestead Application

[Apply for Homestead Exemption](#)

### Summary

Parcel Number 017 094C  
 Location Address 37 THORNBLADE TRL  
 Legal Description .LL46 LD4 PB 65-59  
 (Note: Not to be used on legal documents)  
 Property Class C-Commercial  
 (Note: This is for tax purposes only. Not to be used for zoning.)  
 BookPage 65 59  
 Tax District 01-County  
 Millage Rate 22.68  
 Acres 1.16  
 Neighborhood LOUDSVILLE

[View Map](#)

### Owners

Current Owner  
 ADELBERG TAMARA L  
 37 THORNBLADE TRL  
 CLEVELAND, GA 30528

### Land

Class	Land Use	Acreage	Frontage	Depth	Zoning	Value
C3	0700 COMMERCIAL	1.16	150	0	C1	\$58,000

### Residential Information

Style SINGLE FAMILY RESIDENTIAL  
 Heated Square Footage 1846  
 Total Square Footage 3882  
 Actual Year Built 2014  
 Effective Year Built 2014  
 Number Of Bedrooms 4  
 Number Of Full Bathrooms 3  
 Number Of Half Bathrooms 1  
 Story Height 1.5 Stories  
 Air Conditioning Type Central  
 Exterior Walls CEMENT PLANK  
 Fireplace Pre Fabricated  
 Foundation Spread Footing  
 Heating Fuel Electric  
 Heating Type Heat Pump  
 Interior Floor Cover Hardwood  
 Interior Floor Cover Quarry or Hard Tile  
 Interior Wall Construction Drywall/Sheetrock  
 Roofing Cover Metal  
 Roofing Structure Gable  
 Sub Floor System Plywood  
 Value \$495,530

### Accessory Information

Description	Year Built	Dimensions/Units	Value
GARAGE	2015	40x24 / 960	\$10,510

### Sales

Sale Date	Sale Price	Instrument Type	Deed Book	Deed Page	Reason	Vacant/Improved	Grantor	Grantee
02/05/2014	\$0	WD	01523	0598	W	Improved	ADELBERG TAMARA L	ADELBERG TAMARA L
01/14/2011	\$23,200	WD	01387	0335	Q	Vacant	TURNER LAMAR	ADELBERG TAMARA L



White County Planning Department  
Short-Term Rental (STR) Eligibility Form

**Applicant Completes This Section**

Property Owner Name: Tamara Adelberg

Proposed STR Property Address: 37 Shornblade Trail

Proposed STR Map & Parcel: 017 094C

Property Owner Mailing Address: 37 Shornblade Trail, 30528

Property Owner Phone Number: [REDACTED] Property Owner Email: [REDACTED]

**\*Applicant must provide a plat of the subject property or a screenshot of the parcel from**

<https://qpublic.schneidercorp.com>

**Planning Staff Completes This Section**

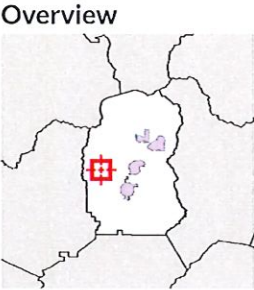
Date Received: \_\_\_\_\_ Received By: \_\_\_\_\_

Is this property located in a subdivision based upon the adopted map?

No - property owner may proceed with STR Process  
Planning Staff Signature / Date \_\_\_\_\_

Yes - the property owner must complete the affidavit on the reverse side of this form.  
Affidavit was completed and property owner may proceed with STR Process  
Planning Staff Signature / Date \_\_\_\_\_

Following review, property owner was advised they could not operate a STR on the property listed above based on White County Code Section 702 (b) or (c) . Operation of a short-term rental at this location will make the property owner amenable to the process of the county magistrate court, and upon conviction will be guilty of a misdemeanor punishable as provided in O.C.G.A. § 15-10-50.  
Property Owner Signature / Date \_\_\_\_\_  
Planning Staff Signature / Date \_\_\_\_\_



- Legend**
- Parcels
  - STR Subdivisions
  - Roads
  - Railroads
  - Lakes
  - Streams and Rivers
  - City Labels

Parcel ID	017 094C	Alternate ID	5443004	Owner Address	ADELBERG TAMARA L
Sec/Twp/Rng	n/a	Class	C		37 THORNBLADE TRL
Property Address	37 THORNBLADE TRL	Acres	1.16		CLEVELAND GA 30528
	01				
District	01				
Brief Tax Description	LL46 LD4 PB 65-59				
	(Note: Not to be used on legal documents)				

Date created: 4/19/2024  
 Last Data Uploaded: 4/19/2024 5:42:24 AM





# WHITE COUNTY

## *Board of Commissioners*

**Item Title:** Consider an appeal of the White County Short Term Rental Subdivision Map to add the Wild Turkey Trail portion of Tesnatee Ridge subdivision.

**For Meeting Date:** 4/29/2024

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

**Category (Select One):** Other

**Submitted By:** John Sell

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

1. White County STR Map Appeals Form with Letter of Intent
2. Plat of Wild Turkey Trail portion of Tesnatee Ridge/Creek Estates
3. \_

---

### **Purpose:**

Consider adding the Wild Turkey Trail portion of the Testnatee Ridge/Creek Estates platted subdivision to the White County STR Subdivision Map.

### **Background / Summary:**

- When the STR Subdivision Map was developed the portion of Tesnatee Ridge/Creek Estates that is along Wild Turkey Trail and Shepherd Drive were overlooked and not included in the map, even though they met the criteria of being a platted subdivision of 4 or more lots of common development. The subdivision was divided by the Appalachian Parkway, which may have lead to part of the confusion. The neighborhood has an HOA and covenants and meets all the qualifications of a subdivision.

### **Department Recommendation:**

Community and Economic Development recommends adding the parcels on the Wild Turkey Trail plat to the White County STR subdivision map.

### **Options:**

- Approve the addition of the Wild Turkey Trail parcels to the STR Subdivision map.
- Deny the appeal and leave the map as approved.
- Table the appeal for further review by the BOC.

**Budget Information:** Applicable  Not Applicable

**Budgeted:** Yes  No

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

- 

**County Manager Comments:**

-





## STR Subdivision Map Appeal Form

### Applicant Completes This Section

Subdivision Name Testatee Bridge/Creek Estates Date 4/17/24  
Subdivision Road Names Wild Turkey Trail + Sheperd Drive  
Affected properties (Map and Parcel #s) see Plat  
Contact Stephen Kramer Phone Number [REDACTED]

The White County Board of Commissioners (BOC) approved the Short Term Rental Subdivision map on Jan. 8, 2024. Any appeal of the map will be processed through the Community and Economic Development Department for consideration by the BOC. A letter of request from the HOA/applicant outlining the appeal must accompany this form.

No STR applications for referenced properties will be granted while under appeal.

**Step 1** – Is there a recorded plat of the subdivision (4 or more parcels of common development)?

- Yes – Provide the plat and nothing else is required to appeal.  
 No – Proceed to Step 2.

**Step 2** – Is there a recorded Deed reference of subdivision properties?

- Yes – Provide the Deed and verification of support from 100% of owners of listed subdivision properties (i.e. letters/HOA minutes/signed petition etc...).
- No - This request does not qualify for appeal.

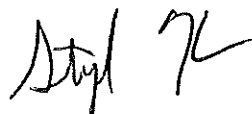
Applicants Signature 

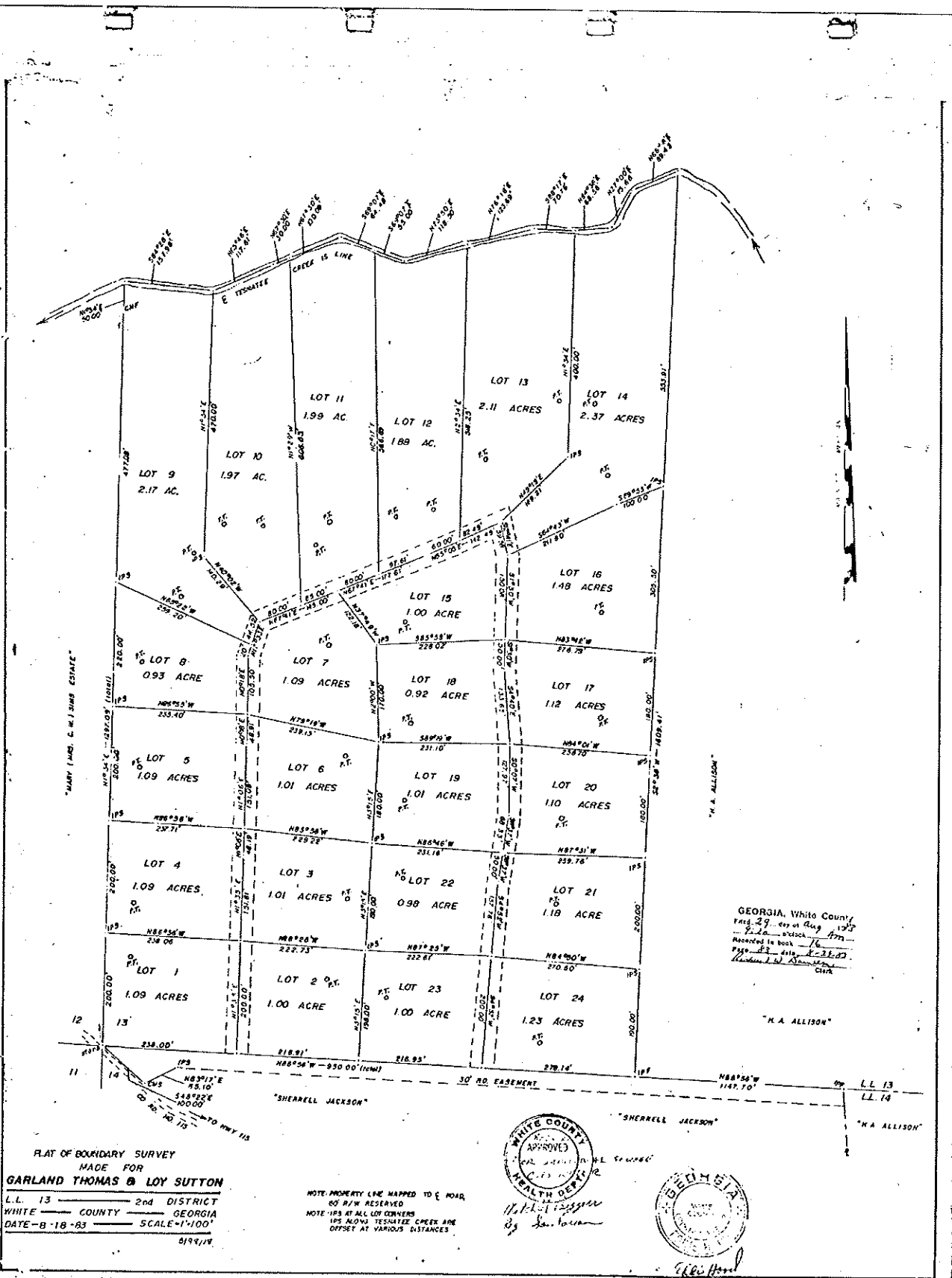
Hello,

My name is Stephen Kramer, and I live at 143 Wild Turkey Trail, Cleveland, Georgia 30528. I am writing this to file an appeal to the STR map. Our neighborhood has covenants and an HOA. We are legally filed as Tesnatee Ridge/Creek Estates. Our subdivision was cut in half by the bypass. At the current time, Stoddard Lane and Cottage Creek Trail are considered subdivisions on the STR map. We are part of that neighborhood. All the houses on Wild Turkey Trail and Sheperd Drive are a part of the subdivision. We had to fight off a STR in the recent past and do not look forward to having do so again. Please add our subdivision to the STR map so that we will be protected in the future. Thank you very much for your time and consideration.

Sincerely,

Stephen Kramer

A handwritten signature in black ink, appearing to read "Steph K", written in a cursive style.



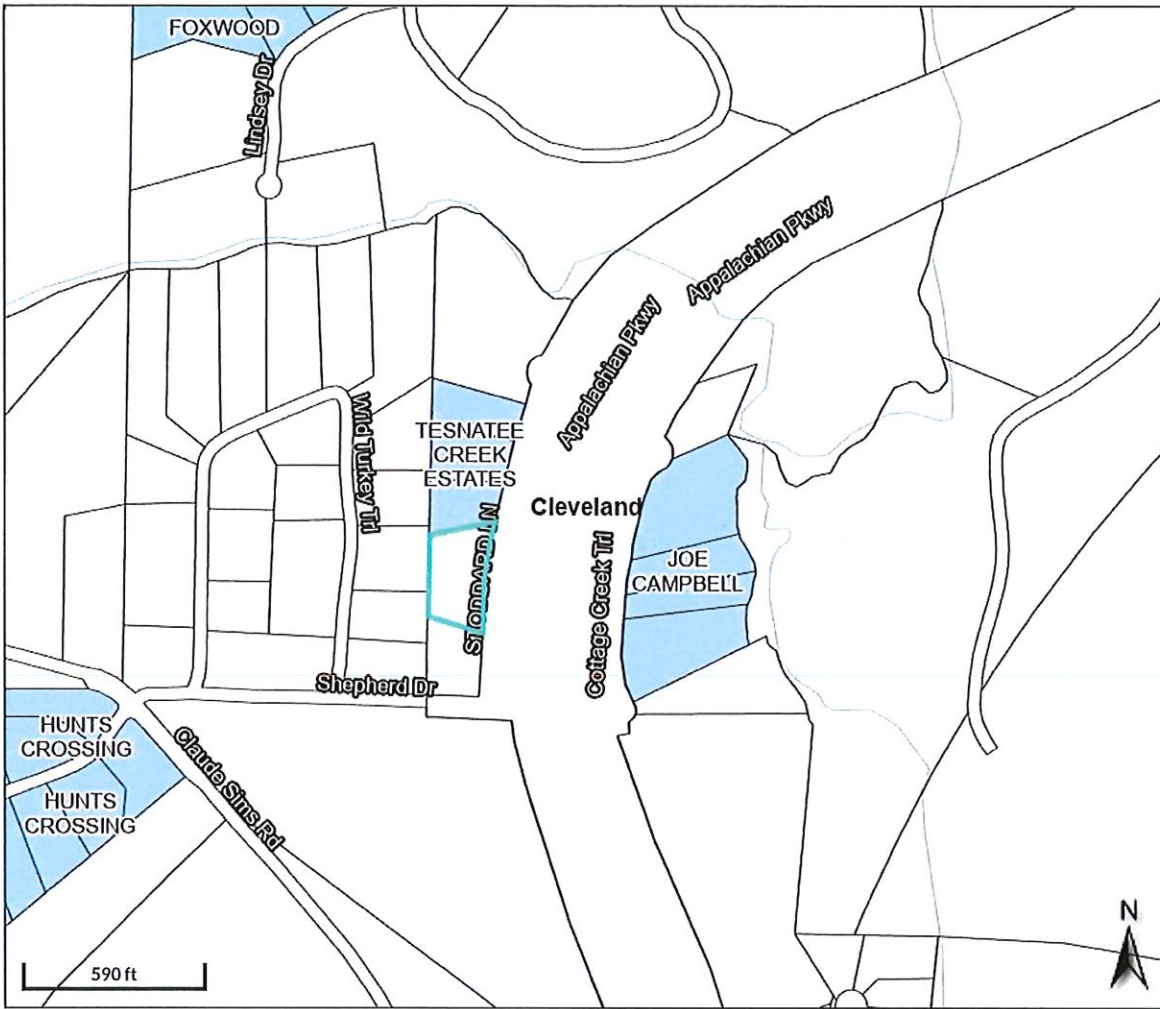
PLAT OF BOUNDARY SURVEY  
 MADE FOR  
**GARLAND THOMAS & LOY SUTTON**  
 L.L. 13 ——— 2nd DISTRICT  
 WHITE COUNTY ——— GEORGIA  
 DATE — 8-13-83 ——— SCALE — 1"=100'  
 01/22/83

NOTE: PROPERTY LINE MAPPED TO E. ROAD  
 80% R/W RESERVED  
 NOTE: IPS AT ALL LOT CORNERS  
 IPS ALONG TESSATEZ CREEK ARE  
 OFFSET AT VARIOUS DISTANCES

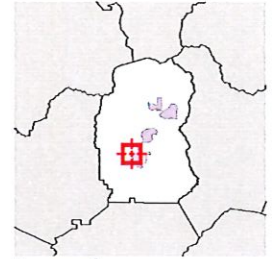
WHITE COUNTY  
 APPROVED  
 FOR COUNTY HEALTH DEPT  
 8/13/83  
*John Jackson*



GEORGIA, White County  
 Page 29 of 29  
 Filed - 8/13/83  
 Recorded in book 16  
 Page 22 - 23  
 8-23-83  
 Clerk



Overview



Legend

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

Parcel ID 033B 051	Alternate ID 5495451	Owner Address ALEXANDER JUSTIN T
Sec/Twp/Rng n/a	Class R	75 STODDARD LN
Property Address 75 STODDARD LN	Acreage 2.0	CLEVELAND GA 30528
01		
District 01		
Brief Tax Description LL13 LD2 LTS4 5 .84AC		
(Note: Not to be used on legal documents)		

Date created: 4/19/2024  
 Last Data Uploaded: 4/19/2024 5:42:24 AM



# WHITE COUNTY

## *Board of Commissioners*

**Item Title:** Consider an appeal of the White County Short Term Rental Subdivision Map for John and Angela Kelley at 734 Wooten Road

**For Meeting Date:** 4/29/2024

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

**Category (Select One):** Other

**Submitted By:** John Sell

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

1. White County STR Map Appeals Form with Letter of Intent
2. Plats of Mt. Scenic Estates subdivision
3. \_

### **Purpose:**

Consider removing 734 Wooten Road, Map and Parcel Number 051A 026 from the White County STR Subdivision Map.

### **Background / Summary:**

- Mt. Scenic Estates was platted as a subdivision in 1967 with 146 lots and the plat recorded in Plat Book 3 Page 59. Over time lots have been combined and there are about 78 lots in the same footprint today. The property in question, 734 Wooten Road, was lots 98, 99, and 100 on the 1967 Plat. The Kelleys purchased the 25-acre property in 2017 and there was no mention of a sub-division in their paperwork and they were given a May 1996 stand alone plat for 25.19 acres that was recorded in Plat Book 38 Page 58. The Road Maintenance Agreement with the mortgage company stated that they lived on a private road that was not maintained by the County that they would be responsible for maintaining. According to the Kelleys there is not a HOA for Mt.Scenic Estates and there are not covenants that they are aware of. No records of an HOA or Covenants have been recorded with the White County Clerk of Superior Court. The Kelleys are trying to sell the property and the prospective buyer only wants to purchase if it can be a short term rental. The Kelleys were not aware of the property being in a subdivision until the prospective buyer called Community and Economic Development to determine if the property was eligible to be a STR.
- The Community and Economic Development staff used a criteria of 4 lots of common development platted together as the definition for a subdivision. The 1967 Plat demonstrates that Mt. Scenic Estates meets that criteria. In the report on White County's QPublic Property Records map, 734 Wooten Road is listed in the legal description as LL 26 and 47 LD 2 Mt Scenic Est but listed under Plat Book 38 Page 58.

### **Department Recommendation:**

In order to preserve the integrity of the STR Subdivision Map and not set a precedent for removal, Community and Economic Development staff recommend denying the appeal based on the criteria of 4 or more lots of common development platted together.

**Options:**

- Deny the appeal and leave the property in the Mt. Scenic Estates subdivision and leave the map as adopted..
- Approve the appeal and remove 734 Wooten Road from the subdivision portion of the map.
- Table the appeal for further review by the BOC.

**Budget Information:** Applicable  Not Applicable

**Budgeted:** Yes  No

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

- 

**County Manager Comments:**

-



## STR Subdivision Map Appeal Form

### Applicant Completes This Section

Subdivision Name Mt. Scenic Estates

Date 4/22/24

Subdivision Road Names Wooten Rd

Affected properties (Map and Parcel #s) 051A 026  
LL 26+47, 2<sup>nd</sup> Dist. Platbook 38, page 58

Contact John + Angela Kelley Phone Number [REDACTED]

The White County Board of Commissioners (BOC) approved the Short Term Rental Subdivision map on Jan. 8, 2024. Any appeal of the map will be processed through the Community and Economic Development Department for consideration by the BOC. A letter of request from the HOA/applicant outlining the appeal must accompany this form.

No STR applications for referenced properties will be granted while under appeal.

**Step 1** – Is there a recorded plat of the subdivision (4 or more parcels of common development)?

Yes – Provide the plat and nothing else is required to appeal.

No – Proceed to Step 2.

**Step 2** – Is there a recorded Deed reference of subdivision properties?

Yes – Provide the Deed and verification of support from 100% of owners of listed subdivision properties (i.e. letters/HOA minutes/signed petition etc...).

No - This request does not qualify for appeal.

Applicants Signature

Angela Kelley

---

## 734 Wooten Rd Appeal for Angela & John Kelley

1 message

---

Angela Kelley 

Mon, Apr 22, 2024 at 2:12 PM

To: "jsell@whitecounty.net" <jsell@whitecounty.net>

Hi Mr Sells,

I would like to request that my home at 734 Wooten Rd, parcel # 051A026 be taken out of the Mt Scenic Subdivision that was created in 1967. When we bought this house back in 2017, the former owner Ronnie Huff nor the closing attorney informed us this property was in a subdivision. They did inform us that we would be responsible for the upkeep of the road from parcel #'s 051A059 & 051A031, from the mailboxes to our property. We have been maintaining the road since 2017. I have also included the sign that is at the dead end by the mailboxes that states " End of county maintenance". If we are truly in this subdivision, why are we having to maintain our own portions of the road? We have seen the county equipment working the roads many times, but never on our portion.

I have also included the Road maintenance agreement with a highlighted paragraph which states the following:

The Owners hereby recognize that any and all means of ingress and egress to the property are considered by the Planning Commission of White County, and the governing body of White County to be private ways not maintained by said governing body; therefore the Owners herein hereby agree that they will each be responsible for their share of the upkeep and maintenance of said private way, holding completely harmless the governing body of White County of any necessity for such upkeep and maintenance.

Per Angela at the County Clerk's Record office there are no covenants, restrictions or an HOA for this subdivision. None of our neighbors have ever heard about any of those either. We have never paid any HOA/member fees. The first we had ever heard about a subdivision was today.

Our driveway is 1000' long and we are located on 25 acres, with no neighbors closer than 1000'. This house is far enough away from anyone to not cause any disturbances and will be priced as to not attract any undesirable renters.

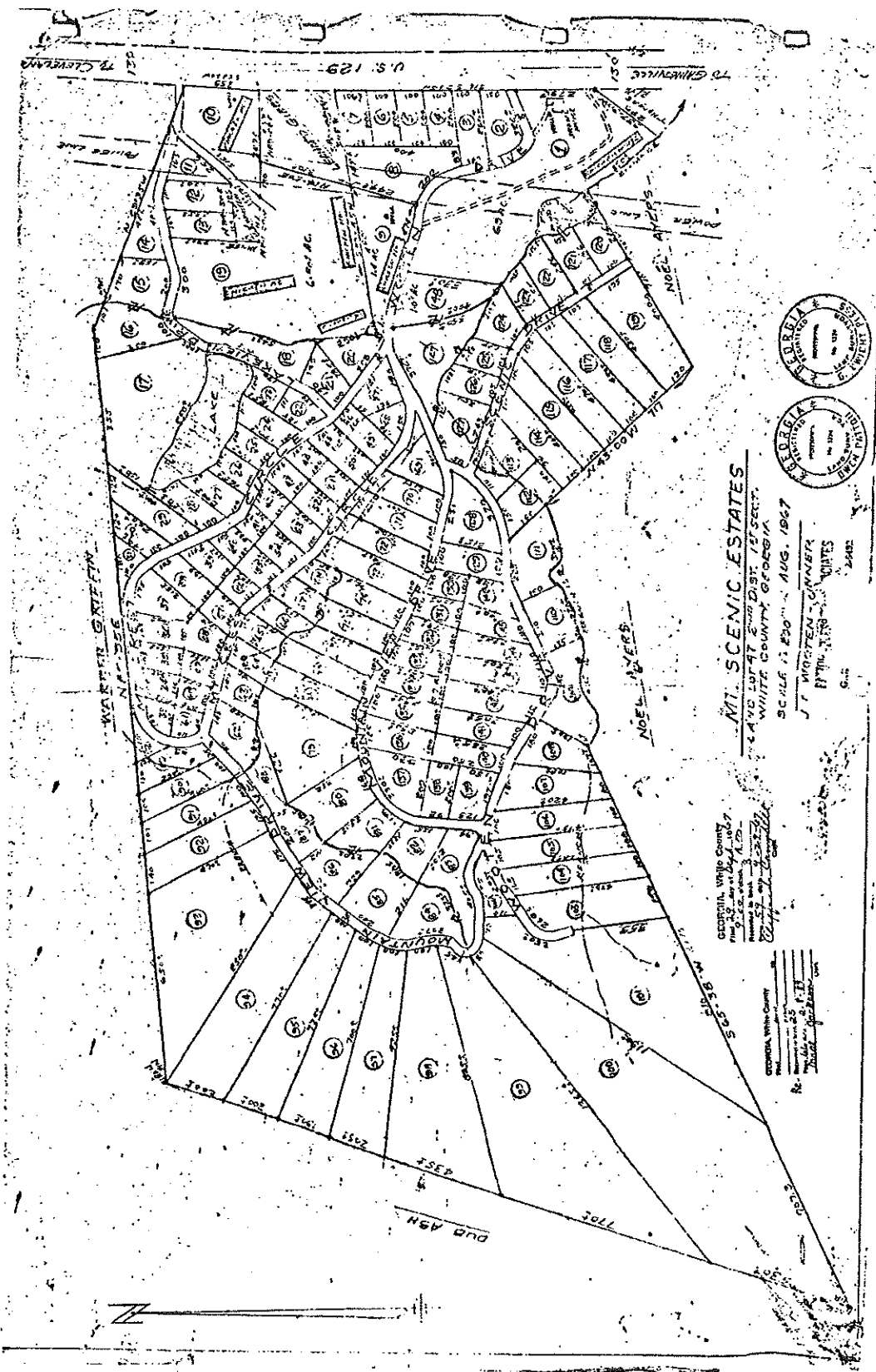
My husband and I would like to thank you in advance for your time and consideration in this matter. This was supposed to be our forever home until our children started having babies....Now we are chasing grandbabies because family is EVERYTHING!!!!

Have a great day!!!  
John & Angela Kelley

---

 734 Wooten Rd, Cleveland, GA 30528.pdf  
2703K





**MT. SCENIC ESTATES**

LAND LOTS AT 5000 DIST. 1ST SETT.  
WHITE COUNTY, GEORGIA

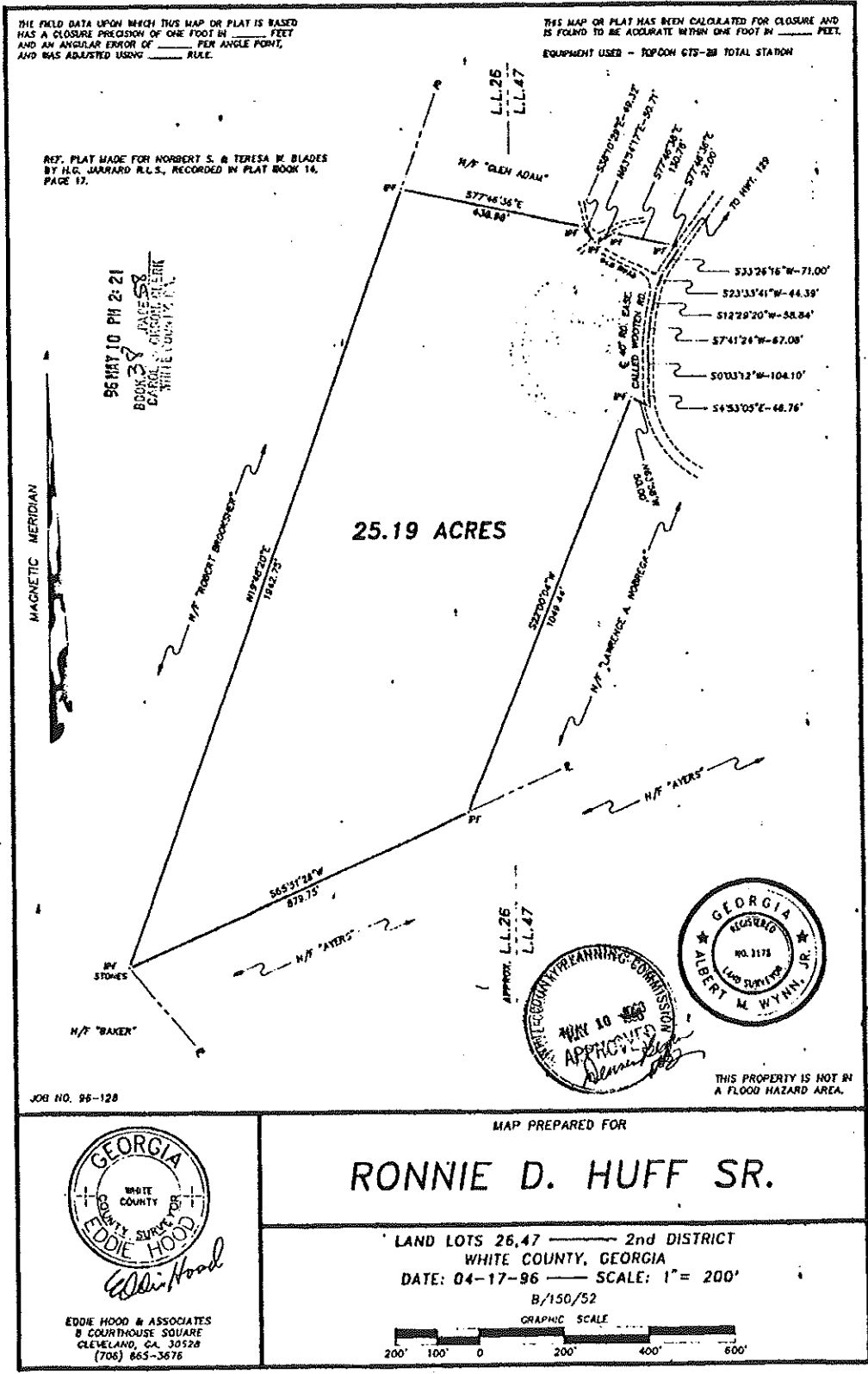
SCALE: 1" = 200' AUG. 1967

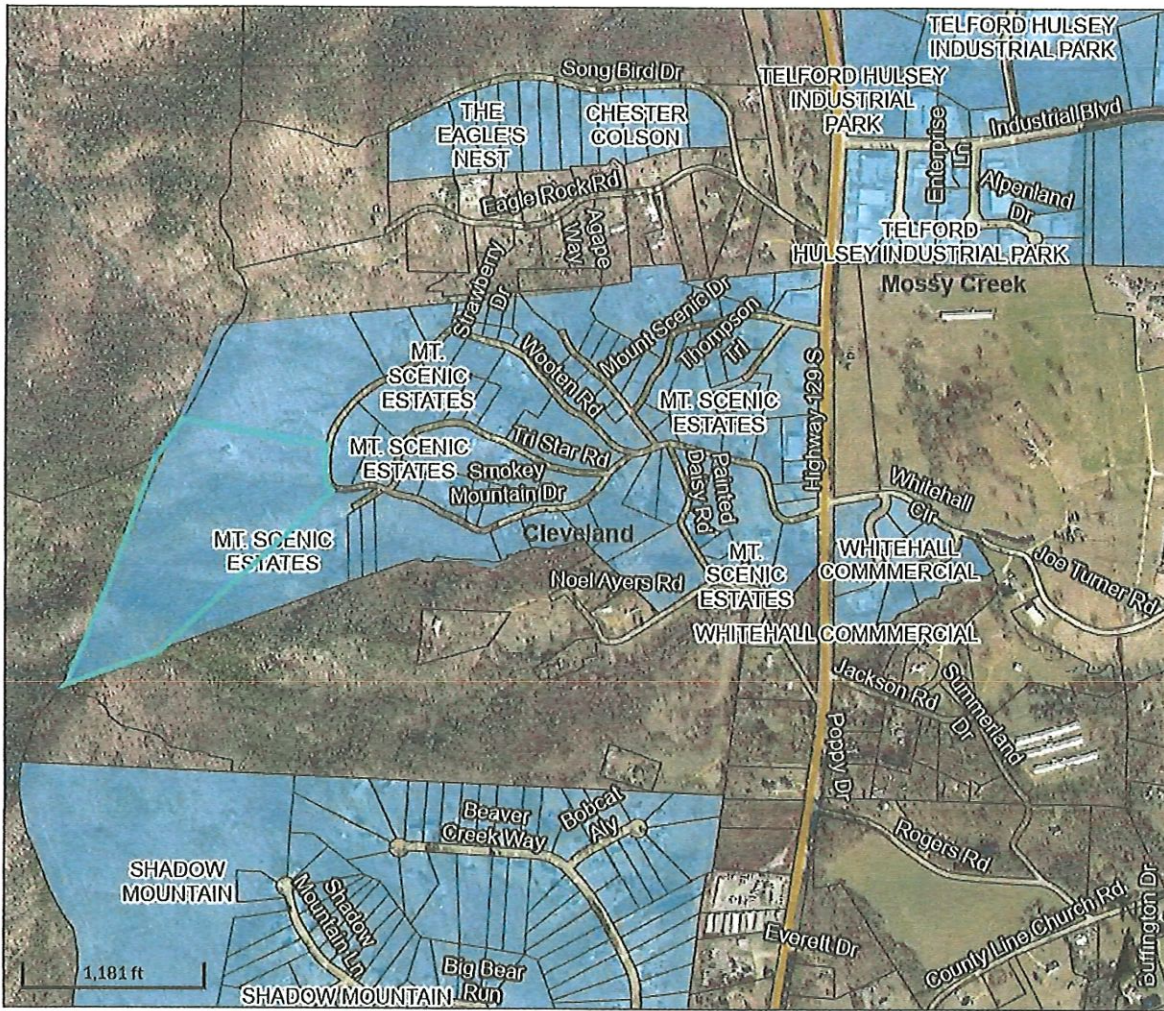
J. J. WATKINS, CIVIL ENGINEER  
BY THE SURVEYOR

GEORGIA, White County  
This plat was recorded on  
August 15, 1967

RECORDED IN BOOK 257 PAGE 107  
J. J. WATKINS, CIVIL ENGINEER  
BY THE SURVEYOR







Overview



Legend

- Parcels
- STR Subdivisions
- Address Numbers
- Roads
- Railroads
- Lakes
- Streams and Rivers
- City Labels

Parcel ID	051A 026	Alternate ID	5492282	Owner Address	KELLEY JOHN H JR
Sec/Twp/Rng	n/a	Class	A		KELLEY ANGELA
Property Address	734 WOOTEN RD	Acreage	25.19		734 WOOTEN RD
	01				CLEVELAND GA 30528
District	01				
Brief Tax Description	LL 26&47 LD 2 MT SCENIC EST PB 38-58 1627-152				
	(Note: Not to be used on legal documents)				

Date created: 4/22/2024

Last Data Uploaded: 4/22/2024 5:30:56 AM

Developed by Schneider  
GEOSPATIAL



ROAD MAINTENANCE AGREEMENT

STATE OF GEORGIA  
COUNTY OF WHITE

This Road Maintenance Agreement made and entered into this 6<sup>th</sup> day of January, 2017, by John H. Kelley, Jr. and Angela Kelley of County of White, State of Georgia, hereinafter referred to as "party of the first part", and United Community Mortgage Services, Inc., State of Georgia, hereinafter referred to as "party of the second part."

WITNESSETH

WHEREAS, John H. Kelley, Jr. and Angela Kelley, party of the first part, is the owner of that certain property known as 734 Wooten Road, Cleveland, Georgia 30528, being located in Land Lots 26 and 47, 2<sup>nd</sup> District, White County, Georgia, as shown and delineated on that certain plat of survey recorded in Plat recorded in Plat Book 38, Page 58, White County Records;

WHEREAS, party of the second part is lending money to party of the first party and requires that party of the first part maintain the private access road connecting subject property with the public road.

The Owners herein recognize that any and all means of ingress and egress to the property are considered by the Planning Commission of White County, and the governing body of White County to be private ways not maintained by said governing body; therefore the Owners herein hereby agree that they will each be responsible for their share of the upkeep and maintenance of said private way, holding completely harmless the governing body of White County of any necessity for such upkeep and maintenance.

This agreement shall be binding on and shall inure to the benefit of the heirs, successors and assigns of the undersigned.

IN WITNESS WHEREOF the party of the first part hereto has set his hand and affixed his seal on the day and year first above written.

Sworn to and subscribed before me this 6<sup>th</sup> day of January, 2017.

Ronda O. Standridge  
Unofficial Witness

John H. Kelley, Jr. (SEAL)  
John H. Kelley, Jr.

Angela G. Clark  
Notary Public  
State of Georgia

Angela Kelley (SEAL)  
Angela Kelley

16re-804



FILED & RECORDED  
 DATE: 1/9/2017  
 TIME: 10:43AM  
 DEED BOOK: 1627  
 PAGE: 152-153  
 FILING FEES: 12.00  
 FT61: 1542017000047  
 TRANSFER TAX: 252.50  
 Dena Adams, C.S.C.  
 White County, GA



RETURN TO: ANGELA GRANT CLARK  
 P.O. BOX 611  
 DAHLONEGA, GA 30533

PT61 Correction 1-30-2017 JS

**SURVIVORSHIP LIMITED WARRANTY DEED**

STATE OF GEORGIA  
 COUNTY OF WHITE

THIS INDENTURE, made this 6<sup>th</sup> day of January in the Year of Our Lord Two Thousand and Seventeen, between Ronnie D. Huff, Sr., as party of the first part, and John H. Kelley, Jr. and Angela Kelley, as parties of the second part,

WITNESSETH: That the said party of the first part, for and in consideration of the sum of Ten Dollars and other good and valuable consideration, in hand paid, at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said parties of the second part as tenants in common, for and during their joint lives, and, upon the death of either of them, then to the survivor of them, in fee simple, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor, the following described property:

**SEE EXHIBIT 'A' ATTACHED HERETO AND INCORPORATED  
 HEREIN BY REFERENCE THERETO.**

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said parties of the second part, as tenants in common, for and during their joint lives, and upon the death of either of them, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor.

And the said party of the first part, for his heirs, executors and administrators, will warrant and forever defend the right and title of the above described property unto the said parties of the second part, their heirs and assigns, against the claims of all persons claiming by, through or under parties of the first part, but not otherwise.

IN WITNESS WHEREOF, the said party of the first part has hereunto set hand and affixed seal, this 6<sup>th</sup> day of January, 2017.

Signed this 6<sup>th</sup> day of January, 2017,  
 in the presence of:

*[Signature]*  
 \_\_\_\_\_  
 Unofficial Witness

*[Signature]* (SEAL)  
 \_\_\_\_\_  
 Ronnie D. Huff, Sr.

*[Signature]*  
 \_\_\_\_\_  
 Notary Public  
 State of Georgia



EXHIBIT 'A'

ALL THAT TRACT OR PARCEL OF LAND, LYING AND BEING IN LAND LOTS 26 AND 47 OF THE 2<sup>ND</sup> DISTRICT, WHITE COUNTY, GEORGIA, CONTAINING 25.19 ACRES, IN ACCORDANCE WITH A PLAT OF SURVEY DATED APRIL 17, 1996, PREPARED FOR RONNIE D. HUFF, SR., BY ALBERT M. WYNN, JR., REGISTERED LAND SURVEYOR, RECORDED IN PLAT BOOK 38, PAGE 58, WHITE COUNTY, GEORGIA RECORDS. SAID PLAT OF SURVEY IS INCORPORATED HEREIN AND MADE A PART HEREOF BY REFERENCE THERETO FOR A MORE COMPLETE DESCRIPTION OF THE PROPERTY HEREIN CONVEYED.

16RE-804

*RDH*

# White County, GA

## Homestead Application

Apply for Homestead Exemption

### Summary

Parcel Number 051A026  
Location Address 734 WOOTEN RD  
Legal Description LL 26&47 LD 2 MT SCENIC EST PB 38-58 1627-152  
(Note: Not to be used on legal documents)  
Property Class A-Agricultural  
(Note: This is for tax purposes only. Not to be used for zoning.)  
BookPage 38 58  
Tax District 01-County  
Millage Rate 22.68  
Acres 25.19  
Neighborhood SOUTH OF CLEVELAND

[View Map](#)

### Owners

Current Owner  
KELLEY JOHN H JR  
KELLEY ANGELA  
734 WOOTEN RD  
CLEVELAND, GA 30528

### Land

Class	Land Use	Acreage	Frontage	Depth	Zoning	Value
A5	0140 AC 25+	25.19	390	0	A1	\$156,430

### Residential Information

Style RURAL HOME SITE  
Heated Square Footage 1672  
Total Square Footage 3928  
Actual Year Built 1998  
Effective Year Built 1998  
Number Of Bedrooms 3  
Number Of Full Bathrooms 2  
Number Of Half Bathrooms 0  
Story Height Ranch w/ basement  
Air Conditioning Type Central  
Exterior Walls Log/Wood Shingle  
Fireplace Pre Fabricated  
Foundation Continuous Footing  
Heating Fuel Gas  
Heating Type Forced Air - Ducted  
Interior Floor Cover Hardwood  
Interior Floor Cover Carpet  
Interior Wall Construction Drywall/Sheetrock  
Interior Wall Construction Custom Interior  
Roofing Cover Composition 3 tab Shingle  
Roofing Structure Irregular/Cathedral  
Sub Floor System Plywood  
Value \$291,840

### Accessory Information

Description	Year Built	Dimensions/Units	Value
STORAGE	2016	18x10 / 180	\$1,640

### Sales

Sale Date	Sale Price	Instrument Type	Deed Book	Deed Page	Reason	Vacant\Improved	Grantor	Grantee
01/06/2017	\$252,500	LW	01627	0152	Q	Improved	HUFF RONNIE D SR	KELLEY JOHN H JR
05/01/1996	\$52,800	WD	00459	0380	X	Vacant		
06/01/1980	\$20,000	WD	0005M	0202	X	Vacant		





# WHITE COUNTY

## *Board of Commissioners*

**Item Title:** Auvik - Network Monitoring Tool

**For Meeting Date:** 4/29/2024

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

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

**Submitted By:** Joel Witcher

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

1. Quote for White County.PDF
2. City of Williamsburg Case Study
3. \_\_\_\_\_

---

**Purpose:**

Getting approval from the Board of Commissioners to enter into a year contract with Auvik, to use their cloud based software to monitor network devices.

**Background / Summary:**

- This is a cloud-based tool, that will be used to Monitor Switches, Routers and Firewalls - But ultimately will give us better visibilty into what's on our County Network
- We will be able to manage network issues, bandwith problems, analyze network traffic.
- We will be able to have an active network map, and review issues before they become problems.
- 

**Department Recommendation:**

IT Department Recommends moving forward with this aggrement

**Options:**

- 

**Budget Information:** Applicable  Not Applicable

**Budgeted:** Yes  No

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

- 

**County Manager Comments:**

-



# ORDER FORM

**Bill To:****White County**Joel Witcher  
[REDACTED]

jwitcher@whitecounty.net

1235 Helen Highway

Cleveland, GA, United States 30528

**Subscription Start Date:** 1-May-2024**Initial Term:** 12 Month**Renewal Term:** 12 month**Cancellation Notice Required:** 1 month prior to next renewal**Sold To:****White County**Joel Witcher  
[REDACTED]

jwitcher@whitecounty.net

1235 Helen Highway

Cleveland, GA, United States 30528

**Quote Number:** Q019300**Valid Until:** 30-Apr-2024**Payment Method:** ACH**Payment Terms:** Net 30**Invoice Date:** 1<sup>st</sup> of the month

(first invoice will be pro-rated for any partial month)

BILLING TYPE	BILLING FREQUENCY	DESCRIPTION	QUANTITY	LIST PRICE PRICE	EFFECTIVE PRICE	TOTAL PRICE
<b>Product</b>		<b>Annual ANM Performance</b>				
Recurring	Annual	Performance - Committed Devices	40	252.00	252.00	10,080.00
Overage	Quarter	Performance - Overage		21.00	21.00	0.00
Recurring	Month	Performance - Sales Approved Discount		7.00%	-17.64	-705.60
		<b>Net Price for Committed Devices</b>			<b>234.36</b>	<b>9,374.40</b>
		<b>Overage calculated monthly and billed quarterly at 19.53 per Device</b>				
One-Time	-	Onboarding	1	500.00	500.00	500.00

Recurring 9,374.40

One-Time 500.00

Tax 0.00

**Total 9,874.40**

Currency USD

## Auvik Network Management Service Definitions.

• **Overage Calculation.** If the number of Billable Devices in a month (on average) *exceeds* the Committed Devices purchased, then the customer owes Auvik an overage fee for that month (*which may be billed monthly or quarterly, as specified in this order*).

- **Billable Device** means each router, firewall, switch and physical wi-fi controller on each network managed by the customer using the Service.
  - For more information regarding the types of physical devices and free devices that constitute a Billable Device, review this article. [Link](#)
  - How do I know how many Billable Devices I have? [Link](#)
- **Committed Devices** means the total number of Billable Device subscriptions purchased for a committed subscription term.

## Auvik SaaS Management Service Definitions.

• **Overage Calculation.** If the number of End Users in a month (on average) *exceeds* the Committed Users purchased, then the customer owes Auvik an overage fee for that month (*which may be billed monthly or quarterly, as specified in this order*).

- **End User** means individual being monitored and protected by the Service.
- **Committed Users** means the total number of End User subscriptions purchased for a committed subscription term.

## Timing of Billing:

- *Recurring charges* - in advance.
- *Overage charges* - in arrears (based on the billing frequency).
- *One-time charges* - are included in the first invoice (unless otherwise specified).
- *Discounts and promotions* only apply during the Initial Term (except to the extent otherwise specified in writing by Auvik).

**\*Payment Notice:** In Auvik's sole discretion and as applicable, a convenience fee of 3% shall be charged for those customers paying by credit card.

Auvik Representative John Cooper

Auvik Approvers *Bob Feller* CFO

**Terms:** This order is governed by the terms of the Subscription Services Agreement located at [www.auvik.com/terms](http://www.auvik.com/terms) between the parties (**agreement**), which terms are incorporated into this order for all purposes. If there is a conflict between the terms of this order and the agreement, this order governs. This order and the agreement are the entire agreement between the parties, and they supersede and replace all prior and contemporaneous negotiations, agreements, representations, and discussions regarding this subject matter. Only a signed writing of the parties may amend this order. By signing below, the Customer acknowledges that it has read this order and agrees to be bound by its terms.

PO#, if required for billing and payment:

---

Full Physical Billing Address:

---

Billing Contact Name and Email:

---

Name and Title of Authorized Signer:

---

Customer Signature and Date:

---



# How to Empower a Small IT Team

City of Williamsburg



# About The City of Williamsburg

Williamsburg is one of the oldest municipalities in Virginia with an estimated population of 14,954, as of 2019. In the 2020 State of the City, City Council unveiled a new vision statement, the Williamsburg of 2040, that outlined strategic initiatives for various goals including modernization of the city. The city's Information Technology team aims to provide exceptional systems and services to people, both internal and external, that support the mission and vision of the City of Williamsburg and to do so in an efficient and cost-effective manner.

## Challenges

- Manual management
- Lack of visibility

## Solution

- Automated asset management
- Network visibility
- Alerting

## Benefits

- Cost savings
- Optimized resources
- Reactive to proactive IT

## Needs & Challenges

The city's Director of Information Technology (IT), Mark Barham, and his team are responsible for providing digital service delivery for Williamsburg's citizens, and that means managing networks across all government departments and services, including the city manager's office, economic development, finance, fire, police, human services, human resources, parks and recreations, human resources, public and utility works.

Their small team — a Network Administrator, IT support representative, and System Analyst — oversees an average of 50 to 75 change requests, monthly. Mark and his team relied on basic tools like Excel spreadsheets to log and track configuration changes, device statuses, and details of available IT assets. With zero visibility into their networks, the team had to spend hours to find the root causes behind network issues. For IT teams serving government bodies, the need to maintain network uptime is critical, as it's tied to emergency services, citizen communications, public health access, and other key aspects of daily business and citizen engagement. They needed a solution which could both automate many of the manual processes to network management, and provide the real-time network visibility they needed.

The City of Williamsburg deployed Auvik to manage its hyper-converged virtual environment, and today, they've realized both their goals. After a successful trial, Auvik proved it was the tool they were looking for, providing automated services for tasks like network inventory and documentation, and the ability to standardize network management across all departments. As Mark says, Auvik is now their source for "network truth" to understand the devices on the network and deeper insights into what's happening on the network before an incident occurs.

# Solution in Detail

## Automated IT Asset Management

At the City of Williamsburg, Mark and team had to toggle between multiple Excel spreadsheets and tools to find even simple information about a device on their network. It was not only time consuming, but also difficult to track every change that occurred on the network. As the city worked toward modernization of citizen services, managing network assets became critical for ensuring continuous service delivery.

Auvik's automated network inventory and documentation captures full details for every device on the network, and dynamically updates the documentation when changes are made. With Auvik, it's fast and easy to locate a device, find details, or review logs. Vital configuration files for switches, routers, and firewalls are also backed up to central location automatically. If the running config is altered, the latest config is automatically backed up, and the old config gets logged into a version index that's always available for review or rollback. "On multiple occasions, we could pull previous config statements (working config) and replace the running config to resolve an issue", says Mark.

## Real-Time Network Visibility

In the past, Williamsburg's sole Network Administrator had to physically trace wires, and reverse engineer the changes to understand network interconnections during troubleshooting. Now, Auvik's automated network discovery dynamically updates the network as it evolves. Auvik pulls data from various sources like LLDP, CDP, forward tables, ARP, IP assignments, and VLAN associations to model the network diagram in real-time, showing exactly what's on the network and how it's connected.

This has been particularly helpful for the team when it comes to device upgrades. During the planning phase, Auvik was able to provide deep discovery and mapping across the entire city network infrastructure. With that, the Network Administrator could pre-validate the impact of the project. Post deployment, they were able to confirm the interfaces were all working properly, and valid connections were in place. "With network visibility," said Mark, "my team can now pre-play the changes and confirm that expectations are met."



As the city worked toward modernization of citizen services, managing network assets became critical for ensuring continuous service delivery."

## Troubleshooting & Alerting

Addressing requests from the help desk is also one of the key responsibilities of Mark's team. Any application or data requests are assigned to their System Analyst, and network change requests to the Network Administrator. In the past, during a network incident, the team would learn about the incident only after a help desk ticket was raised. Then, they'd have to go through lines of code for multiple devices, and refer to manual documentation to resolve the issue. Auvik simplified and streamlined the troubleshooting process with a set of 50 proactive alerts and in-depth visibility.

The IT team was able to configure Auvik's customizable alerts to notify the team about any issues in the network of particular importance. In one situation, Mark explains, "I was doing Palo Alto (firewall) upgrades early in the morning. As part of the upgrades, we had to reboot the device, and it disconnects the internet connection which was part of a critical infrastructure. Auvik notified my network administrator that the interface is down. Though it was not an issue, Auvik sends real-time updates, providing complete visibility into what's happening in the network." Auvik also replaced the need for two resources to monitor IPSec tunnels for potential risks. With network mapping and custom alerts, Auvik monitors the tunnels and sends alerts in case of any issues.

# What is Auvik For The City of Williamsburg?

“For the City of Williamsburg, Auvik is an essential tool in helping us visually understand our network and, more importantly, helps us identify and mitigate issues across our network largely before we even know about them Auvik has proven itself to be a life-saver many times over for us.”



Mark Barham, CGCIO  
Director of Information Technology

## Key Benefits



### Cost & Time Savings

Automated network discovery reduced the time taken to troubleshoot from days to minutes with real-time visibility of the network.



### Optimized Resources

Rather than allocating additional resources at the site location to monitor critical networks, now they leverage network topology maps and have to visit the site only if there is an issue.



### Reactive to Proactive IT

City of Williamsburg moved to a proactive approach of addressing network issues. In countless situations, Auvik notified the IT team proactively so that they could stay on top of all incidents.







# WHITE COUNTY

## *Board of Commissioners*

**Item Title:**

LMIG 2024 Change Order

**For Meeting Date:** 4/29/2024

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

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

**Submitted By:** Derick Canupp

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

1. Change Order Signature Sheet
2. Change Order Exhibits
3. \_\_\_\_\_

---

**Purpose:**

The purpose of this agenda item is to consider/approve change order No. 1 associated with the LMIG 2024 paving project

**Background / Summary:**

- The LMIG 2024 project was awarded to Pittman Construction on April 01, 2024
- Subsequently we received an additional grant from the state in the amount of \$589,521.38
- Staff recommends adding quantities to the existing Pittman contract to patch Pless Rd., Lotheridge Rd., and Asa Dorsey Rd.
- The attached change order and associated exhibits outline the cost and quantity increases

**Department Recommendation:**

Staff recommend approving submitted change order

**Options:**

- Approve Change Order
- Do not approve
- Commission Defined Alternative

**Budget Information:** Applicable  Not Applicable

**Budgeted:** Yes  No

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

- 

**County Manager Comments:**

-

EXHIBIT "A" - Change Order No. 1 Details  
 Project No.: CP340-274-084-062 (2024)  
 Change Order No. 1  
 5.30 Miles Milling

Original Bid Quantities and Prices						Change Order Revised Quantities and Prices					
Item	Description	Units	Original Bid Quantity	Original Unit Price	Original Amount	Change Order Quantity	Change Order Price	Change Order Amount	Contract Value with Change Order	Contract Quantity Increase with Change Order	
150-1000	Traffic Control	LS	1	\$ 27,550.00	\$ 27,550.00	1	\$ 10,000.00	\$ 10,000.00	\$ 37,550.00		
402-1802	Recyc. Asph. Conc. Patching, Incl. Bitum Matl. and H Lime	TN	3,480	\$ 165.50	\$ 575,940.00	3,631	\$ 165.50	\$ 600,930.50	\$ 1,176,870.50	7,111.00	
402-1812	Recyc. Asph. Conc. Leveling, Incl. Bitum Matl. and H Lime, Tp. 1	TN	801	\$ 116.95	\$ 93,676.95	0	\$ 116.95	\$ -	\$ 93,676.95	801.00	
402-3103	Recyc. Asph. Conc. 9.5 Superpave, Tp. 2, GP 2 Only, Bitum Matl. And H Lime	TN	2,641	\$ 115.40	\$ 304,771.40	0	\$ 115.40	\$ -	\$ 304,771.40	2,641.00	
413-1000	Bituminous Tack Coat (AC Only)	GL	6,414	\$ 3.75	\$ 24,052.50	3,828	\$ 3.75	\$ 14,355.00	\$ 38,407.50	10,242.00	
652-2501	Solid Traffic Stripe, 5" White	LM	20.00	\$ 1,100.00	\$ 22,000.00	10.68	\$ 1,100.00	\$ 11,748.00	\$ 33,748.00	30.68	
652-2502	Solid Traffic Stripe, 5" Yellow	LM	20	\$ 1,100.00	\$ 22,000.00	10.68	\$ 1,100.00	\$ 11,748.00	\$ 33,748.00	30.68	
653-1704	Thermoplastic Solid Traffic Stripe, 24" White	LF	204	\$ 12.00	\$ 2,448.00	96.00	\$ 12.00	\$ 1,152.00	\$ 3,600.00	300.00	
653-0220	Thermoplastic Marking Type 2	EA	1	\$ 200.00	\$ 200.00	0	\$ 200.00	\$ -	\$ 200.00		
653-0240	Thermoplastic Marking Type 4	EA	1	\$ 150.00	\$ 150.00	0	\$ 150.00	\$ -	\$ 150.00		
429-1000	Thermoplastic Rumble Strips	EA	3	\$ 750.00	\$ 2,250.00	0	\$ 750.00	\$ -	\$ 2,250.00		
<b>Total</b>					<b>\$ 1,075,038.85</b>			<b>\$ 649,933.50</b>	<b>\$ 1,724,972.35</b>		
					LMIG GRANT \$ 476,005.35			LMIG GRANT \$ 476,005.35			
					SPLOST \$ 599,033.50			LRA GRANT \$ 589,521.38			
								SPLOST \$ 659,445.62			

**EXHIBIT "B" - Quantities and costs estimated for each road**

**Project No.: CP340-274-084-062 (2024)**

**Change Order No. 1**

**5.30 Miles Patching**

**Lothridge Rd. (3.30 Mi) - Patching**

Item	Description	Units	Quantity	Unit Price	Amount
150-1000	Traffic Control	LS	100.00%	\$ 4,000.00	\$ 4,000.00
402-1802	Recyc. Asph. Conc. Patching, Incl. Bitum Matl. and H Lime	TN	1,696	\$ 165.50	\$ 280,688.00
402-1812	Recyc. Asph. Conc. Leveling, Incl. Bitum Matl. and H Lime, Tp. 1	TN	0	\$ -	\$ -
402-3103	Recyc. Asph. Conc. 9.5 Superpave, Tp. 2, GP 2 Only, Bitum Matl. And H Lime	TN	0	\$ -	\$ -
413-1000	Bituminous Tack Coat (AC Only)	GL	1,987	\$ 3.75	\$ 7,451.25
652-2501	Solid Traffic Stripe, 5" White	LM	6.78	\$ 1,100.00	\$ 7,458.00
652-2502	Solid Traffic Stripe, 5" Yellow	LM	6.78	\$ 1,100.00	\$ 7,458.00
653-1704	Thermoplastic Solid Traffic Stripe, 24" White	LF	48	\$ 12.00	\$ 576.00
<b>Total</b>					<b>\$ 307,631.25</b>

**Pless Rd. (1.70 Mi.) - Patching**

Item	Description	Units	Quantity	Unit Price	Amount
150-1000	Traffic Control	LS	100.00%	\$ 4,000.00	\$ 4,000.00
402-1802	Recyc. Asph. Conc. Patching, Incl. Bitum Matl. and H Lime	TN	1,518	\$ 165.50	\$ 251,229.00
402-1812	Recyc. Asph. Conc. Leveling, Incl. Bitum Matl. and H Lime, Tp. 1	TN	0	\$ -	\$ -
402-3103	Recyc. Asph. Conc. 9.5 Superpave, Tp. 2, GP 2 Only, Bitum Matl. And H Lime	TN	0	\$ -	\$ -
413-1000	Bituminous Tack Coat (AC Only)	GL	1,446	\$ 3.75	\$ 5,422.50
652-2501	Solid Traffic Stripe, 5" White	LM	3.18	\$ 1,100.00	\$ 3,498.00
652-2502	Solid Traffic Stripe, 5" Yellow	LM	3.18	\$ 1,100.00	\$ 3,498.00
653-1704	Thermoplastic Solid Traffic Stripe, 24" White	LF	24	\$ 12.00	\$ 288.00
<b>Total</b>					<b>\$ 267,935.50</b>

**Asa Dorsey Rd. (0.30 Mi) - Patching**

Item	Description	Units	Quantity	Unit Price	Amount
150-1000	Traffic Control	LS	100.00%	\$ 2,000.00	\$ 2,000.00
402-1802	Recyc. Asph. Conc. Patching, Incl. Bitum Matl. and H Lime	TN	417	\$ 165.50	\$ 69,013.50
402-1812	Recyc. Asph. Conc. Leveling, Incl. Bitum Matl. and H Lime, Tp. 1	TN	0	\$ -	\$ -
402-3103	Recyc. Asph. Conc. 9.5 Superpave, Tp. 2, GP 2 Only, Bitum Matl. And H Lime	TN	0	\$ -	\$ -
413-1000	Bituminous Tack Coat (AC Only)	GL	395	\$ 3.75	\$ 1,481.25
652-2501	Solid Traffic Stripe, 5" White	LM	0.72	\$ 1,100.00	\$ 792.00
652-2502	Solid Traffic Stripe, 5" Yellow	LM	0.72	\$ 1,100.00	\$ 792.00
653-1704	Thermoplastic Solid Traffic Stripe, 24" White	LF	24	\$ 12.00	\$ 288.00
<b>Total</b>					<b>\$ 74,366.75</b>

**EXHIBIT "C" - Revised Bid Tabulation**  
**Project No.: CP340-274-084-062 (2024)**  
**Change Order No. 1**  
**5.30 Miles Milling**

**Pittman Construction Company, Inc.**

Item	Description	Units	Quantity	Unit Price	Amount
150-1000	Traffic Control	LS	1	\$ 37,550.00	\$ 37,550.00
402-1802	Recyc. Asph. Conc. Patching, Incl. Bitum Matl. and H Lime	TN	7,111	\$ 165.50	\$ 1,176,870.50
402-1812	Recyc. Asph. Conc. Leveling, Incl. Bitum Matl. and H Lime, Tp. 1	TN	801	\$ 116.95	\$ 93,676.95
402-3103	Recyc. Asph. Conc. 9.5 Superpave, Tp. 2, GP 2 Only, Bitum Matl. And H Lime	TN	2,641	\$ 115.40	\$ 304,771.40
413-1000	Bituminous Tack Coat (AC Only)	GL	10,242	\$ 3.75	\$ 38,407.50
652-2501	Solid Traffic Stripe, 5" White	LM	30.68	\$ 1,100.00	\$ 33,748.00
652-2502	Solid Traffic Stripe, 5" Yellow	LM	30.68	\$ 1,100.00	\$ 33,748.00
653-1704	Thermoplastic Solid Traffic Stripe, 24" White	LF	300	\$ 12.00	\$ 3,600.00
653-0220		EA	1	\$ 200.00	\$ 200.00
653-0240		EA	1	\$ 150.00	\$ 150.00
429-1000		EA	3	\$ 750.00	\$ 2,250.00
<b>Total</b>					<b>\$ 1,724,972.35</b>



Board of Commissioners

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

CHANGE ORDER NO. ONE (1)

PROJECT DESCRIPTION: Patching: Lothridge Rd., Pless Rd., & Asa Dorsey Rd.

DATE: April 10, 2024

PROJECT NO. CP340-274-084-062 (2024)

CONTRACTOR: Pittman Construction Company

You are directed to make the following changes in the Contract Documents in accordance with Exhibit "A". Quantities and costs related to each road are indicated as Exhibit "B". Revised overall bid tabulation for change order is included as Exhibit "C"

- Increase Item 150-1000 to a lump sum value of \$10,000.00
• Increase Item 402-1802 to 3,631 tons at original bid price
• Increase Item 413-1000 to 3,828 gallons at original bid price
• Increase Item 652-2501 to 10.68 linear miles at original bid price
• Increase Item 652-2502 to 10.68 linear miles at original bid price
• Increase Item 653-1704 to 96 linear feet at original bid price

CHANGE IN CONTRACT PRICE:

Original Contract Price: \$1,075,038.85
Net change from previous Change Orders: \$0.00
Net Increase (Decrease) of this Change Order: \$649,933.50
Contract price with all approved Change Orders: \$1,724,972.35

CHANGE IN CONTRACT TIME:

Contract completion will remain 60 Days from Notice to Proceed

Accepted:

By: [Signature]
Contractor (Authorized Signature)



Date: \_\_\_\_\_

Approved:

By: \_\_\_\_\_
(Board of Commission Chairman)

Date: \_\_\_\_\_



# WHITE COUNTY

## *Board of Commissioners*

**Item Title:**

Station 4 Parking Lot Reconstruction

**For Meeting Date:** 4/29/2024

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

**Category (Select One):** SPLOST Request

**Submitted By:** Derick Canupp

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

1. Bid Tabulation
2. Site Plan View
3. \_\_\_\_\_

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**Purpose:**

The purpose of this agenda item is consider/approve contract award for reconstructing the parking lot at Fire Station No. 4

**Background / Summary:**

- The parking lot at Station 4 is in very poor condition and needs complete reconstruction
- Bids were advertised and received on March 29, 2024
- Project scope includes adding concrete aprons, grading, FDR, and asphalt paving
- The low bidder is MHB Paving out of Social Circle, GA
- Base bid amount is \$196,482.65
- Submitted CIP budget is \$245,000 (\$48,517 under budget)

**Department Recommendation:**

Staff recommends awarding contract to MHB Paving

**Options:**

- Award contract
- Do not award and readvertise
- Commission defined alternative
-

**Budget Information:** Applicable  Not Applicable

**Budgeted:** Yes  No

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

- 

**County Manager Comments:**

-



N.T.S  
A2

61 x 40  
Conc.  
Pad

38 x 23  
Conc.  
Pad



Bid Tabulation  
Project No.: CP340-911-1 (2024)  
Bid Opening: Friday, March 29, 2024 at 10:00 AM EST  
Project Description: Fire Station No. 4 Parking Lot Rehabilitation

Item	Description	Units	Quantity	MHB Paving, Inc.		Allied Paving Contractors, Inc.		All About Asphalt, Inc.		The Surface Masters, Inc.		Blount Construction Company, Inc.	
				Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
150-1000	Traffic Control	LS	1	\$ 5,000.00	\$ 5,000.00	\$ 7,500.00	\$ 7,500.00	\$ 12,080.00	\$ 12,080.00	\$ 12,000.00	\$ 12,000.00	\$ 30,424.88	\$ 30,424.88
210-0100	Grading Complete	LS	1	\$ 11,000.00	\$ 11,000.00	\$ 10,500.00	\$ 10,500.00	\$ 9,000.00	\$ 9,000.00	\$ 10,000.00	\$ 10,000.00	\$ 81,626.23	\$ 81,626.23
210-0250	Undercut Excavation of Unsuitable Soils for Truck Aprons or Other Areas, As Needed	CY	350	\$ 7.50	\$ 2,625.00	\$ 7.50	\$ 2,625.00	\$ 7.50	\$ 2,625.00	\$ 7.50	\$ 2,625.00	\$ 7.50	\$ 2,625.00
207-0203	Foundation Backfill Material, TP. 2, for Truck Aprons	CY	152	\$ 65.00	\$ 9,880.00	\$ 110.00	\$ 16,720.00	\$ 50.50	\$ 7,676.00	\$ 221.74	\$ 33,704.48	\$ 228.87	\$ 34,788.24
500	Class "D" Concrete, 4,000 PSI, Including Dowels, Rebar, Forming, Finishing, Complete in Place	CY	76	\$ 680.00	\$ 51,680.00	\$ 710.50	\$ 53,998.00	\$ 1,065.00	\$ 80,940.00	\$ 1,307.82	\$ 99,394.32	\$ 629.03	\$ 47,806.28
315-1000	Full Depth Reclamation with Portland Cement, Including Pulverization/Recycling of Existing Soil/Crushed Stone Base and Existing Asphalt Pavement Materials. Recycle Depth to be 10 Inches. Reconstruction to Include Hauling, Reshaping, Grading, Proper Compaction, and Curing	SY	2,432	\$ 10.20	\$ 24,806.40	\$ 16.50	\$ 40,128.00	\$ 36.50	\$ 88,768.00	\$ 31.86	\$ 77,483.52	\$ 12.57	\$ 30,570.24
315	Portland Cement TP II 60 Lbs./YD2 Portland Cement	TN	75	\$ 248.50	\$ 18,637.50	\$ 300.95	\$ 22,571.25	\$ 350.00	\$ 26,250.00	\$ 367.01	\$ 27,525.75	\$ 334.67	\$ 25,100.25
310-1101	GAB for Base Repairs, As Needed	TN	50	\$ 159.25	\$ 7,962.50	\$ 95.00	\$ 4,750.00	\$ 55.00	\$ 2,750.00	\$ 75.00	\$ 3,750.00	\$ 150.12	\$ 7,506.00
402-3130	Asphalt Concrete 12.5 MM Superpave, GP 2, Incl. Bitum. Matl. & H Lime/ 220 Lbs. / SY	EA	275	\$ 213.65	\$ 58,753.75	\$ 180.00	\$ 49,500.00	\$ 230.00	\$ 63,250.00	\$ 178.61	\$ 49,117.75	\$ 226.98	\$ 62,419.50
413-1000	Bitum Tack Coat for Asphalt Tie-Ins to Existing Asphalt	GL	25	\$ 5.50	\$ 137.50	\$ 5.00	\$ 125.00	\$ 5.00	\$ 125.00	\$ 31.04	\$ 776.00	\$ 5.47	\$ 136.75
652-2501	Solid Traffic Stripe, 4 IN., White, Including Installing Bump Stops in 4 Parkign Spaces	LS	1	\$ 2,500.00	\$ 2,500.00	\$ 1,850.00	\$ 1,850.00	\$ 2,000.00	\$ 2,000.00	\$ 1,100.00	\$ 1,100.00	\$ 2,548.00	\$ 2,548.00
668	Install Drop Inlet with Iron Grate, Complete in Place	LS	1	\$ 3,500.00	\$ 3,500.00	\$ 7,800.00	\$ 7,800.00	\$ 6,900.00	\$ 6,900.00	\$ 4,290.00	\$ 4,290.00	\$ 4,843.59	\$ 4,843.59
Total					\$ 196,482.65		\$ 218,067.25		\$ 302,364.00		\$ 321,766.82		\$ 330,394.96

Note: The base bid for surface Masters, Inc. was listed at \$321,785.00



# WHITE COUNTY

## *Board of Commissioners*

**Item Title:** Vehicle Surplus

**For Meeting Date:** 4/29/2024

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

**Category (Select One):** Resolution

**Submitted By:** Derick Canupp

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

1. Surplus Resolution
2. \_\_\_\_\_
3. \_\_\_\_\_

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**Purpose:**

The purpose of this agenda item is to consider approval of a surplus resolution for two vehicles

**Background / Summary:**

- It is recommended two county owned vehicles be sold at auction as they are no longer needed in the fleet
- One is a 1995 Ford Van which was once used by the Extension Agent for 4H
- One is a 1977 water truck that was used by the Road Department
- If approved, these vehicles will be entered into a public auction

**Department Recommendation:**

Staff recommends approving surplus resolution

**Options:**

- Approve Resolution
- No not approve
- Commission Defined Alternative

**Budget Information:** Applicable  Not Applicable

**Budgeted:** Yes  No

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

- 

**County Manager Comments:**

-

**WHITE COUNTY BOARD OF COMMISSIONERS**

**RESOLUTION NO. 2024 -**

**TO DECLARE CERTAIN PROPERTY OWNED BY WHITE COUNTY TO BE SURPLUS PROPERTY; TO PROVIDE FOR THE DISPOSAL OF SAID PROPERTY BY ON-LINE AUCTION THROUGH GOVDEALS; TO PROVIDE FOR ADVERTISING OF SAID DISPOSITION OF SAID PROPERTY; AND TO AUTHORIZE A REPRESENTATIVE OF WHITE COUNTY TO EXECUTE ANY TITLE TRANSFERS AND BILLS OF SALE ON THE PROPERTY**

**WHEREAS**, the Board of Commissioners of White County have determined that certain County-owned property is surplus; and

**WHEREAS**, the Board of Commissioners of White County desires to dispose of said property through the government on-line auction and to give public notice of said disposition;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of White County, Georgia, and it is hereby resolved by the authority of the same as follows:

-1-

The Board of Commissioners of White County hereby declares that the property described in Exhibit "A" attached hereto and incorporated herein by reference is surplus and shall be disposed of by the county by government on-line auction to the highest responsible bidder for each item. All surplus personal property will be sold "as is" and must be removed from the county property by the successful bidder within ten (10) days from the award of the bid, except as otherwise provided in Exhibit "A."

-2-

The Board of Commissioners of White County reserves the right to refuse any and all bids on said property.

-3-

The County Manager is hereby authorized to execute any title transfers and bills of sale to the successful bidders on the personal property.

**ADOPTED**, this \_\_\_\_\_ day of \_\_\_\_\_ 2024.

**WHITE COUNTY BOARD OF COMMISSIONERS**

**ATTEST:**

\_\_\_\_\_  
Travis C. Turner, Chairman

\_\_\_\_\_  
Shanda Murphy, County Clerk

**EXHIBIT A**

<b>Item</b>	<b>VIN</b>
<b>1977 GMC 6500 Water Truck</b>	<b>TCE667V578522</b>
<b>1995 Ford Van</b>	<b>1FBJS31H5SHA75161</b>