



WHITE COUNTY BOARD OF COMMISSIONERS

CALLED MEETING

MONDAY, MAY 20, 2024 AT 4:30 P.M.

AGENDA

1. Call to Order.
2. Consider the land use application filed by Todd Campbell to redistrict property located at 0 Partin Road Cleveland, Georgia from A-1, Agriculture Forestry District to R-1, Residential Single-Family District. Tax map and parcel 049C-026A. Total acreage is 28.00.
3. Consider the land use application filed by Karen Thomas to redistrict property located at 100 Cannon Road Cleveland, Georgia from, C-1 Community Commercial District to R-1, Residential Single-Family District. Tax map and parcel 076-130. Total acreage is 3.50.
4. Consider the appeal filed by Jordan Bruner requesting the removal of 2105 Adair Mill Road Cleveland, Georgia – Tax Map & Parcel 018 164 / 2.91 acres - from the White County Short-Term Rental Subdivision Map.
5. Announcements:
 - Monday, May 27, 2024 – County Offices Closed in Observance of Memorial Day
 - Monday, June 3, 2024 – Board of Commissioners Meeting @ 4:30 p.m.
 - Thursday, June 6, 2024 - White County and City of Cleveland Public Meeting on the revised Bike Pedestrian and Paddle Plan from 6-7:30 p.m. at the White County Sr. Center 1239 Helen Highway
6. Adjourn.



WHITE COUNTY

Board of Commissioners

Item Title: Rezoning from A-1 to R-1 for Todd Campbell at 0 Partin Road, Cleveland

For Meeting Date: 5/20/2024

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. 20732
2. Public Hearing Minutes 4/29/2024
3. Regular Meeting Minutes 5/6/2024

Purpose:

Consider the application of Todd Campbell to redistrict property located at 0 Partin Road, Cleveland, Georgia, 30528 from A-1 Agriculture Forestry District to R-1 Residential Single Family District. Tax map and parcel 049C-026A. Total acreage is 28.00. Present zoning is A-1 Agriculture Forestry District.

Background / Summary:

- Applicant is requesting to rezone property at 0 Partin Road, Cleveland in order to have a 4-parcel subdivision. Two of the four lots will be less than 10 acres which requires the rezoning from A-1 Agricultural to R-1 Residential. Harry Barton with HB2 Consulting represented Mr. Campbell and stated that there is some Mountain Protection on the west side of the property and there is public street access and the properties will be supplied by well and septic. No one spoke for or against the application. The Planning Commission recommended approval because residential is a good fit for the area and the large lots. The motion passed by unanimous vote.

Department Recommendation:

Planning Commission recommended approval by unanimous vote.

Options:

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

Budget Information: Applicable Not Applicable

Budgeted: Yes No

Finance Director's Comments (if applicable):

-

County Manager Comments:

-

WHITE COUNTY CHANGE OF LAND USE DISTRICT APPLICATION

OFFICE USE ONLY	Land Use Application #: <u>20732</u>
Public Hearing Date: <u>4/29/2024</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>7525</u>

APPLICANT INFORMATION	
Status: <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Authorized Agent <input type="checkbox"/> Lessee <input type="checkbox"/> Option to Purchase	
Printed Name(s): <u>Todd Campbell</u>	
Address: <u>P.O. Box 272 Cleveland GA 30528</u>	
Phone Number: [REDACTED]	Alternate Contact Number:
Email: [REDACTED]	
Owner Information (if different from Applicant/Agent):	
Name:	Phone #:
PROPERTY INFORMATION	
Parcel ID: <u>049C-026A</u>	Total acreage being changed: <u>28.00</u>
Address: <u>0 Partin Road Cleveland GA 30528</u>	
Directions to Property:	
<u>Hwy 129 S To Tommy Cowart Road</u>	
<u>Turn Right on to Partin Road, Property on</u>	
<u>Right 1/4 mile</u>	
Current Use/Zoning of Property: <u>A1</u>	Type of Road Surface: <u>PAVED</u>
Any prior redistricting requests for property: <u>No</u> If yes, provide redistricting application #:	
SURROUNDING PROPERTY LAND USE CLASSIFICATION:	
North: <u>A1+R1</u>	South: <u>A1+R1</u>
East: <u>A1</u>	West: <u>A1+R1</u>
REQUESTED ACTION AND DETAILS OF PROPOSED USE (check all that apply)	
Redistrict from district: <u>A1</u>	Redistrict to district: <u>R-1</u>
Conditional Use - specify:	
Special Use - specify:	
Land Use Variance from Code Section:	
Proposed use if not listed above:	
Existing Utilities (check all that apply):	
<input type="checkbox"/> County or City Water	<input type="checkbox"/> Well <input type="checkbox"/> Septic <input type="checkbox"/> Gas <input type="checkbox"/> Electric <input type="checkbox"/> Broadband
Proposed Utilities (check all that apply):	
<input type="checkbox"/> County or City Water	<input checked="" type="checkbox"/> Well <input checked="" type="checkbox"/> Septic <input type="checkbox"/> Gas <input checked="" type="checkbox"/> Electric <input checked="" type="checkbox"/> Broadband

COMMERCIAL AND INDUSTRIAL REDISTRICT INFORMATION

Building Area: _____ No. of Parking Spaces: _____

RESIDENTIAL REDISTRICT INFORMATION

No. of Lots: A Minimum Lot Size in acres: 1.0 No. of Units: ~~4~~ A

Minimum Heated Floor Area (ft²): TBD Density/Acre: 2.557

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

Apartments Condominiums Townhomes Single Family

Rental Cabins Recreational Vehicle Park Other- Specify: _____

LIST OF ADJACENT PROPERTY OWNERS

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

PARCEL	PROPERTY OWNER NAME	MAILING ADDRESS
1 <u>049A</u> <u>005</u>	<u>BARBARA Wheeler</u>	<u>152 DAVIS DRIVE</u> <u>Cleveland GA 30528</u>
2 <u>049A</u> <u>001</u>	<u>Betty Davis</u>	<u>P.O. Box 1600</u> <u>Cleveland GA, 30528</u>
3 <u>049C</u> <u>028</u>	<u>Jonathan DAVIS</u>	<u>1167 Pantin RD</u> <u>Cleveland GA 30528</u>
4 <u>049C</u> <u>029</u>	<u>Roy Freeman</u>	<u>P.O. Box 1191</u> <u>Cleveland GA 30528</u>
5 <u>049C</u> <u>026A</u>	<u>Shirley Freeman</u>	<u>P.O. Box 1191</u> <u>Cleveland GA 30528</u>
6 049C <u>026</u>	<u>Doug Freeman</u>	<u>P.O. Box 80</u> <u>Cleveland GA 30528</u>
7 <u>049C</u> <u>025</u>	<u>Emily Satterfield</u>	<u>P.O. Box 571</u> <u>Cleveland GA 30528</u>
8 <u>035</u> <u>054B</u>	<u>LWRL M LLC.</u>	<u>2235 THOMPSON BRIDGE ROAD</u> <u>GAINESVILLE GA 30501</u>
9 <u>035</u> <u>056</u>	<u>KAY SCOTT</u>	<u>1372 Long MTN Road</u> <u>Cleveland GA. 30528</u>

OVER

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:** 2-23-2024 X

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	TBA
Wednesday, April 10, 2024	Tuesday, May 28, 2024	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	Tuesday, September 3, 2024	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

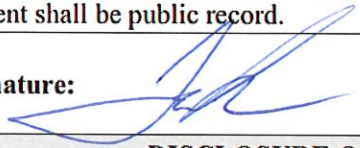
**BOLDED DATES ARE RESCHEDULED MEETINGS DUE TO HOLIDAYS

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: 2-23-2024

X

**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.

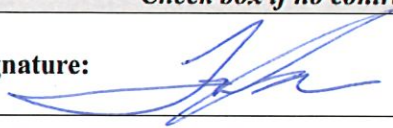
Amount \$:

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: 2-23-2024

X

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

Property Address and/or Parcel ID: 049C-026A

PROPERTY OWNER INFORMATION

Printed Name of Owner(s):
Todd Campbell

Mailing Address: P.O. Box 272 Cleveland Ga 30528

Phone Number: [REDACTED]

Alternate Contact Number:

Email: [REDACTED]

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

Printed Name of applicant or agent(s): HARRY BARTON

Signature of Owner(s): _____ Date Signed: _____

[Handwritten Signature]

X

PROPERTY OWNER AUTHORIZATION DOCUMENT: NOTARY ACKNOWLEDGEMENT

Sworn to (or affirmed) and subscribed before me this 23 day of February, 2024 by _____ (name of signer(s)). The named signer(s) is/are personally known by me or produced the identification type of Driver's License.

[Handwritten Signature]
(Signature of Notary)

Latisha Austin
(Name of Notary Typed, Stamped, or Printed)



APPLICANT ACKNOWLEDGEMENT OF MEETING DATES

I, HARRY BARTON (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): 4/29/2024

Regular Meeting Date (Planning Commission): 5/6/2024

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

Board of Commissioners Meeting Date: TBA

**Meeting dates are subject to change*

AK
Signature of Applicant or Authorized Agent

3/12/2024
Date

<u>OFFICE USE ONLY</u>
Copy given to applicant: <u>3/12/24</u> (date)
Staff Initials: <u>MP</u>
Flag (circle): <u>(X)</u> N

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

This property is located on Partin Road, consisting of 28.0 acres. I am requesting to rezone property from A 1 to R 1 for single family housing. Plans are to divide into four lots. Property is in the Mountain Hillside protection area and will not be problem meeting regulation.

W/2
3/12/2024



Public Health
Prevent. Promote. Protect.

White County Environmental Health

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

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

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

DATE: 02/08/2024

APPLICANT NAME: HARRY BARTON FOR TODD CAMPBELL

PROPERTY ADDRESS: PARTIN RD
CLEVELAND, GA 30528
049C 026A (VACANT LAND)

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.

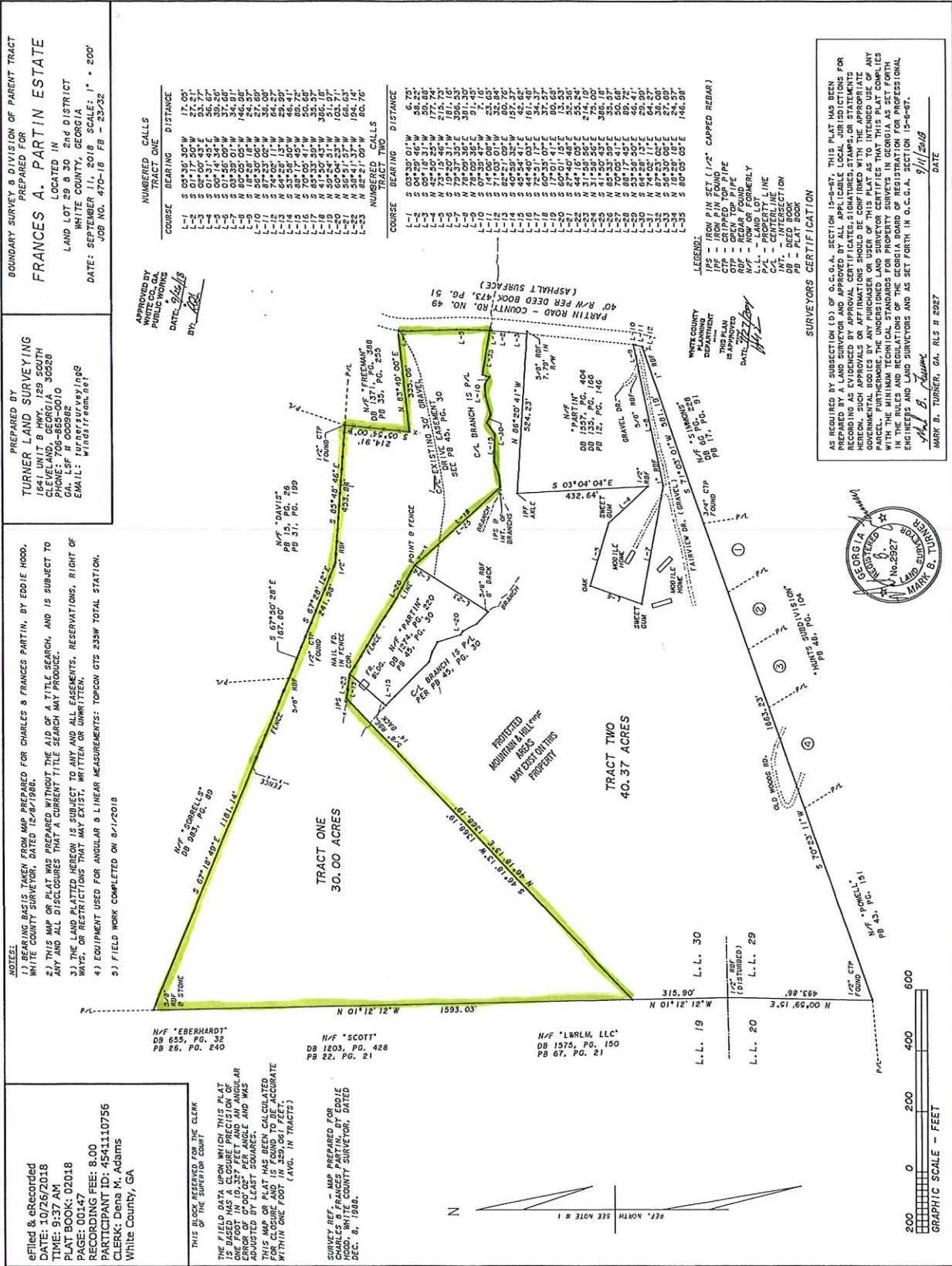
White County Environmental Health
District 2 Public Health

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

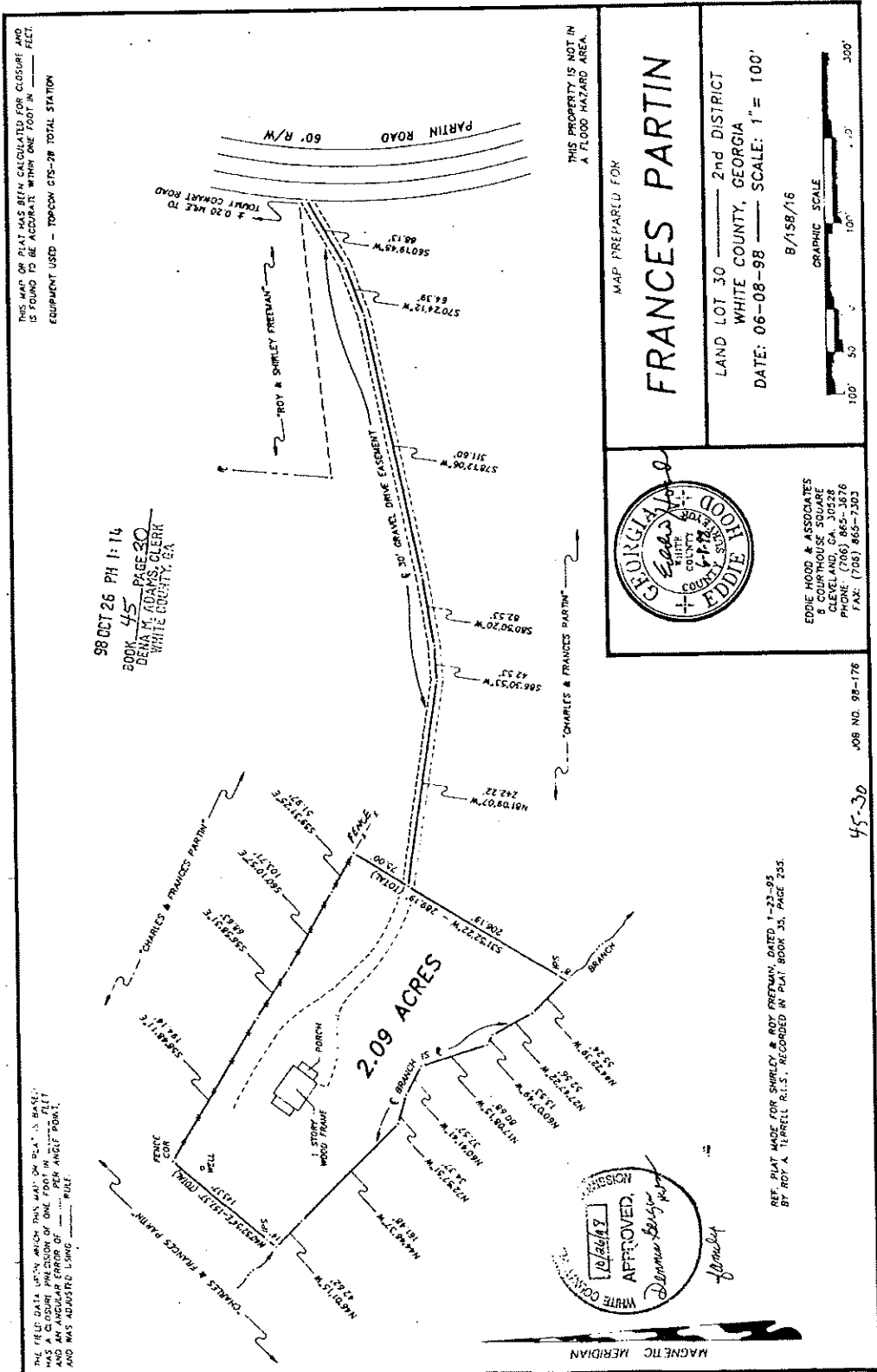


Applicant Signature

2018



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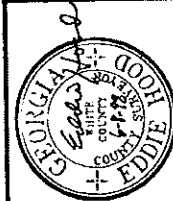
THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN _____ FEET.
EQUIPMENT USED - TOPCON GTS-28 TOTAL STATION

98 OCT 26 PM 1:14
BOOK 45 PAGE 30
DENA M. ADAMS, CLERK
WHITE COUNTY, GA

THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PERCENTAGE OF ONE FOOT IN _____ FEET. THIS MAP OR PLAT WAS PREPARED USING _____ RULE AND WAS ADJUSTED USING _____ RULE.

THIS PROPERTY IS NOT IN A FLOOD HAZARD AREA.

MAP PREPARED FOR
FRANCES PARTIN
LAND LOT 30 2nd DISTRICT
WHITE COUNTY, GEORGIA
DATE: 06-08-98 SCALE: 1" = 100'
B/158/16
GRAPHIC SCALE
100' 50' 0' 100' 300'



EDDIE HOOD & ASSOCIATES
8 COURTHOUSE SQUARE
COLUMBUS, GA 31908
PHONE: (706) 865-3876
FAX: (706) 865-7303

APPROVED
Dena M. Adams
Clerk
White County, Georgia

REF. PLAT MADE FOR SHIRLEY & ROY FRETMAN, DATED 1-23-95, BY ROY A. TERRELL R.L.S., RECORDED IN PLAT BOOK 35, PAGE 253.

45-30 JOB NO. 98-176

MAGNETIC MERIDIAN

Handwritten initials/signature in the top right corner.

95 JUL 27 AM 11:38
BOOK 25 PAGE 243
CAROL J. JACKSON, CLERK
WHITE COUNTY, GA.

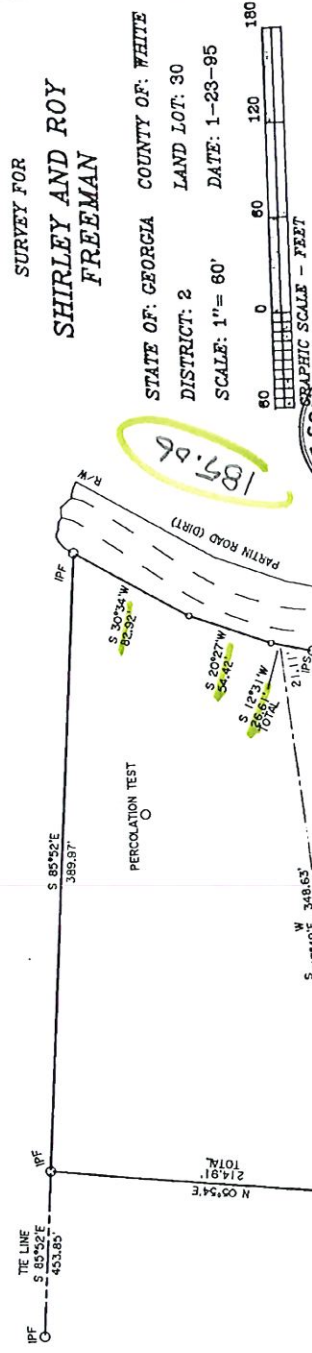
ACRES
1.500

IN MY OPINION THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD ZONE.

REFERENCE PLAT FOR CHARLES AND FRANCES PARTIN BY EDDIE HOOD, DATED 12-8-88.

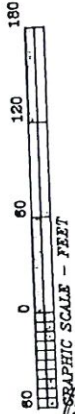
NOTE THE RIGHT OF WAY SHOWN ON THIS PLAT IS ACCORDING TO THE REFERENCE PLAT MENTIONED ABOVE.

THIS TRAVERSE WAS CALCULATED BY LATITUDE AND DEPARTURE, AND FOUND TO CONTAIN AN ERROR OF CLOSURE OF ONE PART IN 27,202'.
IN MY OPINION THIS IS A CORRECT SURVEY.
IN MY OPINION THIS IS THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LE 177 TOTAL STATION EQUIPMENT USED IN FIELD/SET
C.M.F.'S - CONCRETE MONUMENT FOUND
XXX - FENCE LINE R/W, RIGHT OF WAY
THIS SURVEY IS SUBJECT TO ALL EXISTING EASEMENTS, ENCROACHMENTS, NOT APPEARING ON THE GROUND, AND NOT OF LOCAL KNOWLEDGE.



SURVEY FOR
SHIRLEY AND ROY
FREEMAN

STATE OF GEORGIA COUNTY OF WHITE
DISTRICT: 2 LAND LOT: 30
SCALE: 1" = 60' DATE: 1-23-95



Handwritten signatures and notes: 'APPROVED FOR RECORDING', 'HEALTH DEPT.', 'ROY A. TERRELL', 'ENR 0706-865-3325'.



JOB #542FP
FILE #542FP1

ROY A. TERRELL GA. R.L.S. #1700
LULA GEORGIA 404-869-3843 OR 706-865-3325

NORTH CENTRAL LAND SURVEYING



OFFICIAL TAX RECEIPT

White County Tax Commissioner

Cindy Cannon

P. O. Box 970

Cleveland GA 30528

Phone 17068652225 - Fax 17062190078

Email: wctc@whitecounty.net

OWNER

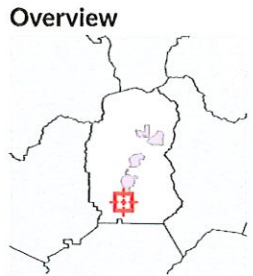
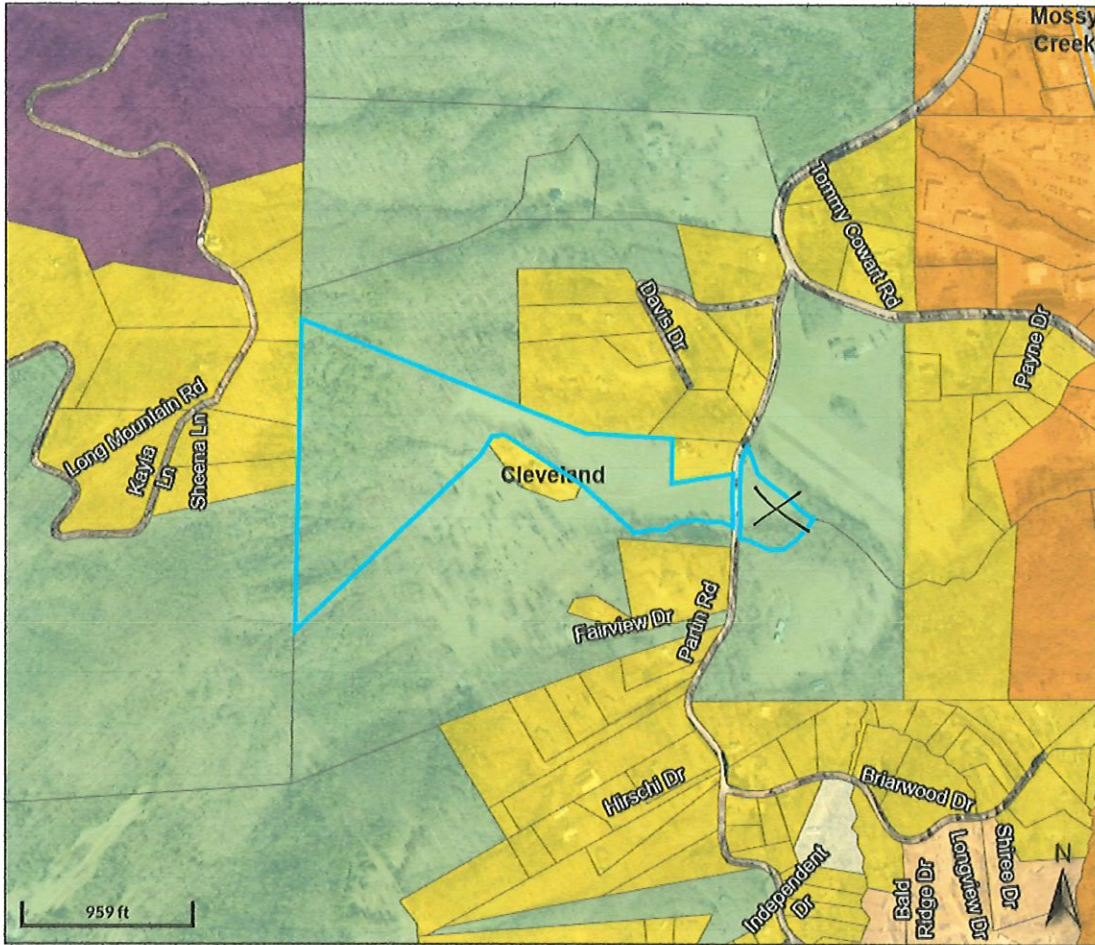
FREEMAN SHIRLEY

P O BOX 1191













CLEVELAND, GA 30528

PAID DATE			9/26/2023
RECEIPT PRINTED			2/14/2024 10:48:38 AM
CASH AMOUNT	CHECK AMOUNT	CHARGE AMOUNT	CHECK NUMBER(S) CHARGE APPROVAL CODE
\$323.25	\$0.00	\$0.00	
REFUND AMOUNT			\$0.00
OVERPAY AMOUNT			\$0.00
CHANGE AMOUNT			\$0.11
REGISTER			3
CASHIER			
TOTAL PAID			\$323.14

Tax Year- Bill Number FMV Property ID	Property Description Property Address District Serial Number Decal Number	Due Date Original Due	Interest Penalty Other Fees	Previous Paid Amount	Current Amount Due	Amount Paid	Tax Bill New Balance	
2023-6127 FMV: 236450.00 049C 026A	LL.0 LD2 TR1 PARTIN RD DISTRICT: 001 SERIAL NUMBER: DECAL NUMBER: 0	11/15/2023 \$323.14	\$0.00 \$0.00 \$0.00	\$0.00	\$323.14	\$323.25	\$0.00	
Paid By: SHIRLEY FREEMAN 706-263-1161				Overpayment Amount: 0.00				
Transaction(s): 45849 - 45849		Total(s):	\$323.14	\$0.00	\$0.00	\$323.14	\$323.14	\$0.00



Legend

-  Parcels
- Zoning**
-  Agriculture Forestry District (A-1)
-  Residential Single Family District (R-1)
-  Residential Multi-Family District (R-2)
-  Residential Seasonal District (R-3)
-  Community Commercial District (C-1)
-  Highway Business District (C-2)
-  Industrial District (I-1)
- Roads**
-  Railroads
-  Lakes
-  Streams and Rivers
-  City Labels

Parcel ID 049C 026A
 Sec/Twp/Rng n/a
 Property Address PARTIN RD
 01

Alternate ID 5426647
 Class V
 Acreage 32.84

Owner Address FREEMAN SHIRLEY
 P O BOX 1191
 CLEVELAND GA 30528

District 01
 Brief Tax Description LL.0 LD2 TR1

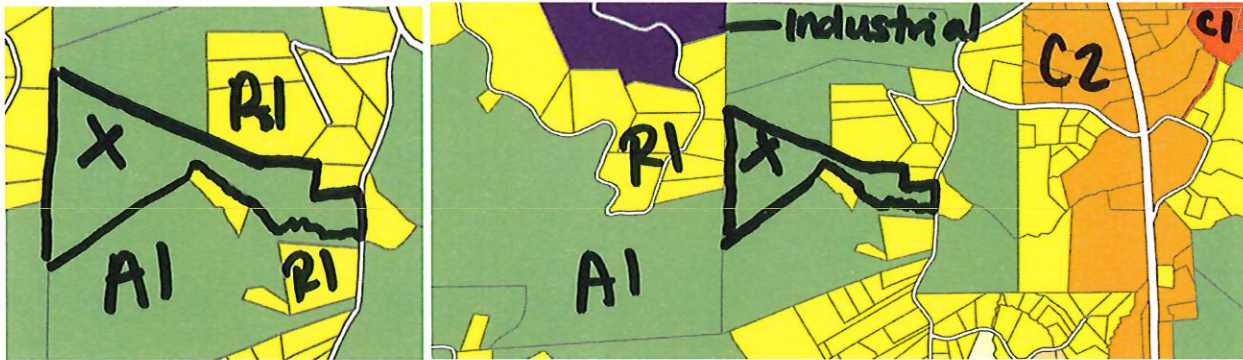
(Note: Not to be used on legal documents)

Date created: 2/14/2024
 Last Data Uploaded: 2/14/2024 5:37:45 AM

**WHITE COUNTY PLANNING DEPARTMENT
STAFF COMMENT**

- Application #20734 – Todd Campbell for property located at 0 Partin Road in Cleveland.
- Request is to redistrict from A-1 Agriculture Forestry District to R-1 Single Family Residential District.
- Property adjoins:
 - A-1 Agriculture Forestry District to the North, South, East, and West
 - R-1 Single Family Residential District to the North, South, and West
 - C-1 Community Commercial District to the East and South
- The White County Comprehensive Plan Future Land Use Map indicates Agriculture Forestry.
- Total acreage is 28.00.
- Property will be supplied by well 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 Partin Road are primarily designated as A1-Agriculture and R1-Residential. The R1 designation will not adversely affect nearby properties and will be in conformity with the Comprehensive Plan and the intent as set forth within the Land Use Regulations.
2. The extent to which property values are diminished by the particular zoning restrictions.
The acreage requirement for an A1 parcel is 10-acre minimum per division with the allowance of a Single Family Residence. Properties within this zoning designation (Family Divisions-1 acre min.) would be required to adhere to the A1 zoning requirements. 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.
No apparent property value destruction. 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.
R1 –Residential maintains uniformity as one of the primary zoning designations along Partin Rd. The R1 designation will allow the property owner to gain 2 lots, the remaining 2 lots will maintain a 10 ac. minimum lot size.
5. The physical suitability of the subject property for development as presently districted land under the proposed land use district.
The acreage requirement for an A1 parcel is 10 acres minimum. The property has limited road frontage, narrow configuration, location of a branch adjacent and Mountain Protection. These conditions limit the usability of the property.
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.
The proposed R1 designation is in conformity with the Comprehensive Plan and the intent as set forth within the Land Use Regulations.
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.

**WHITE COUNTY PLANNING DEPARTMENT
STAFF COMMENT**

R1 zoning will not cause excessive or burdensome use of existing infrastructure. The proposal will be required to adhere to Land Use and Subdivision Requirements.

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

R1 Designation is in conformity with the Comprehensive Plan and Land Use Regulations.

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

Monday, April 29th, 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, and Brad Ash. Staff members present were Tammy Carter, John Sell, and Mercedes Dodd.

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

Application of Todd Campbell to redistrict property located at 0 Partin Road, Cleveland, Georgia, 30528 from A-1 Agriculture Forestry District to R-1 Residential Single Family District. Tax map and parcel 049C-026A. Total acreage is 28.00. Present zoning is A-1 Agriculture Forestry District.

A representative, Harry Barton of 1617 Highway 115 East, was present. Ms. Carter gave a summary of the application. Mr. Barton explained the request is due to two of the four lots on the proposed division being less than ten acres, which requires an R-1 zoning. He said there is Mountain Protection on the northern portion, there is public street access, and there will be well and septic added. He said the four-lot subdivision will be residential.

Chairman Thomas asked if anyone would like to speak for the application, there was no response. He asked if anyone would like to speak against the application, there was no response. Chairman Thomas closed the hearing. Mr. Barton clarified that his next meeting would be on May 6th.

Application of Karen Thomas to redistrict property located at 100 Cannon Road, Cleveland, Georgia, 30528 from C-1 Community Commercial District to R-1 Residential Single Family District. Tax map and parcel 076-130. Total acreage is 3.50. Present zoning is C-1 Community Commercial District.

The applicant, Karen Thomas of 23 Autumn Lane in Cleveland, was present. Ms. Carter gave a summary of the application. Ms. Thomas explained she purchased the property last year and it was previously rezoned to commercial. She said she has a long-term tenant currently who has been there for eight years and plans to stay there until Ms. Thomas is ready to renovate the home. She stated she does not see the need to keep the property commercial.

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

Cindy Hayes of 235 Cannon Road expressed support of the application for residential.

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

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

WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

Monday, May 6th, 2024
6:00 pm

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

Those present were Larry Freeman, R.K. Ackerman, Charlie Thomas, Linda Dixon, Brad Ash, and John Yarbrough. Staff members present were Tammy Carter, John Sell, 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 March 25th, 2024 and April 1st, 2024 made by Mr. Yarbrough and seconded by Ms. Dixon. Motion was unanimous.

Application of Gerald Sims to request a variance from Section 802 Lot Width and Size for a second dwelling. Property is located at 3607 Albert Reid Road, Sautee Nacoochee, GA, 30571. Tax map and parcel is 030D-053. Total acreage is 2.41.

The applicant, Gerald Sims of 3225 Albert Reid Road, was present. Ms. Carter gave a summary of the application, noting the previous approval in 2009. Mr. Sims explained he plans to purchase a mobile home to move to the property for his nephew to live there for an undetermined amount of time.

Motion to approve the variance made by Mr. Ash and seconded by Mr. Ackerman. Motion was unanimous.

Application of Todd Campbell to request a variance from Section 601 Access. Property is located at 0 Wauka Mountain Road, Cleveland, GA, 30528. Tax map and parcel is 023-093. Total acreage for variance is 1.004, Tract I.

A representative, Harry Barton of 1617 Highway 115 East, was present. Ms. Carter gave a summary of the application. Mr. Barton explained this property had previously been granted a variance with access through Lumpkin, but the developer has since updated to access off Ransom Free Road to Wauka Mountain Road.

Motion to approve the variance made by Ms. Dixon and seconded by Mr. Ash. Motion was unanimous. Ms. Carter advised the representative that the next step is to obtain Environmental Health approval.

Application of Michael and Julie Sunderman to request a variance from Section 802 Lot Width and Size for a second dwelling. Property is located at 1710 Roy Powers Road, Cleveland, GA, 30528. Tax map and parcel is 074-046E. Total acreage for variance is 18.34.

The applicant, Michael Sunderman of 1710 Roy Powers Road, was present. Ms. Carter gave a summary of the applicant. Mr. Sunderman explained when they purchased the property in 2007, the recession hit while they were in the process of building their barn so they opted to add two bedrooms to the barn rather than build a separate dwelling. He said the family has since expanded and would like to build a larger home and noted the majority of barn would still be used for his equipment but that he would like to keep septic and water for a slop tank.

Motion to approve the variance made by Mr. Freeman and seconded by Mr. Ackerman. Motion was unanimous.

Application of Larry Freeman to request a variance from Section 601 for Access. Property is located 71 Hard Rock Road, GA, 30528. Tax map and parcel is 089-041. Total acreage for variance is 1.01, Tract II. Mr. Freeman recused himself due to being the applicant.

The applicant, Larry Freeman of 987 River Road in Cleveland, was present. Ms. Carter gave a summary of the application. Mr. Freeman explained the property was previously approved a year and three months ago but he let the variance lapse. He said he would eventually have a mobile home moved onto the property.

WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

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

Application of Carl Atkinson to request a variance from Section 802 Lot Width and Size for a second dwelling. Property is located at 0 Highway 75 North, Cleveland, GA, 30528. Tax map and parcel is 040-003A. Total acreage for variance is 7.675.

A representative, Kyle Sims of 5891 Hubert Stephens Road in Gainesville, GA, was present. Ms. Carter gave a summary of the application. Mr. Sims explained the owner lives in Orlando and the second dwelling is for family to stay in when they visit.

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

Application of Philip Moreau to request a variance for Section 14-133(k) RV Park Square Footage for a total of 752 square feet. Property is located at 76 Stag Leap Drive, Cleveland, GA, 30528. Lot 165 in Elkmont. Tax map and parcel is 045D-225.

The applicant, Philip Moreau of 76 Stag Leap Drive, was present. Ms. Carter gave a summary of the application. Mr. Moreau explained he added a deck and would like to add a roof over for sun and rain protection. He said there is a 12-foot-by-12-foot shed currently on the property and there is not a setback issue.

Motion to approve variance made by Ms. Dixon and seconded by Mr. Ackerman. Motion was unanimous. Ms. Carter advised the applicant that since the building permit application was already submitted, it should be ready for pickup by tomorrow afternoon.

Application of Shoal Creek Baptist to request a variance from Section 58-20 for Height of Ground Signs and Section 58-26 for Maximum Area of Sign. Sign is located at 142 Shoal Creek Church Road, Cleveland, GA, 30528. Tax map and parcel is 022-038.

The applicant nor a representative was present. Chairman Thomas moved the item to the end of the agenda.

Application of Elizabeth Ferguson to request a variance from Section 601 Access. Property is located at 0 Highway 115 West, Cleveland, GA, 30528. Tax map and parcel is 035-017. Total acreage for variance is 3.46, Tracts I & II.

A representative, Andrew Ferguson of 2995 Highway 75 South in Cleveland, was present. Ms. Carter gave a summary of the application. Mr. Ferguson explained he and his wife plan to build their forever home behind his father-in-law's home.

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

Application of James Allison to request a variance from Section 601 Access. Property is located at 0 Wanderway Drive, Cleveland, GA, 30528. Tax map and parcel is 061-189. Total acreage for variance is 1.00.

A representative, Harry Barton of 538 E Kytle Street in Cleveland, was present. Ms. Carter gave a summary of the application. Mr. Barton explained the property was purchased with the plat attached as an exhibit through the deed but did not have plat approval. Initially, he said the deed goes back to 2015 as recording the lot as a "less and except". He said the issue was found while trying to get soils on the property and that he is trying to get it cleared up so the plat can be approved and recorded correctly in a plat book in order for a building permit to be issued. Mr. Barton explained there is no Part V criteria on the property and the access will be off Alexander Drive.

WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

Motion to approve the variance made by Mr. Ash and seconded by Ms. Dixon. Motion was unanimous. Ms. Carter advised the representative to contact Environmental Health for plat approval.

Application of Brelyn Spohn to request a variance from Section 601 Access. Property is located at 6 Twinleaf Drive, Cleveland, GA, 30528. Tax map and parcel is 034C-011. Total acreage for variance is 1.05.

The applicant, Brelyn Spohn of 6 Twinleaf Drive, was present. Ms. Carter gave a summary of the application. Ms. Spohn explained would like to replace the existing mobile home with a new mobile home for their permanent residence.

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

Application of Todd Campbell to redistrict property located at 0 Partin Road, Cleveland, Georgia, 30528 from A-1 Agriculture Forestry District to R-1 Residential Single Family District. Tax map and parcel 049C-026A. Total acreage is 28.00. Present zoning is A-1 Agriculture Forestry District. A representative, Harry Barton of 1617 Highway 115 East, was present. Ms. Carter gave a summary of the application. Mr. Barton explained the property is a 28-acre tract on Partin Road that will be split into four tracts, two of which will be less than 10 acres. He said there is Mountain Protection on the west side of the property.

Motion to recommend approval to the Board of Commissioners was made by Mr. Ash and seconded by Ms. Dixon. Motion was unanimous. Chairman Thomas asked for a reason for approval. Mr. Ash said based on being a good fit for the community and large lot sizes. Ms. Carter advised the representative of the next meeting May 20th.

Application of Karen Thomas to redistrict property located at 100 Cannon Road, Cleveland, Georgia, 30528 from C-1 Community Commercial District to R-1 Residential Single Family District. Tax map and parcel 076-130. Total acreage is 3.50. Present zoning is C-1 Community Commercial District. The applicant, Karen Thomas of 23 Autumn Lane in Cleveland, was present. Ms. Carter gave a summary of the application. Ms. Thomas explained the previous owner originally intended for this tract to be an expansion of the storage buildings, but she has no intent for commercial. She said she would prefer the property be residential since she plans to live there full time in the future.

Motion to recommend approval to the Board of Commissioners was made by Mr. Freeman. He said the reason for his recommendation is the mini-storage business has changed hands a few times and this piece is a house that is residence so there is no reason for it to be anything other than residential. Ms. Dixon seconded the motion. Motion was unanimous. Ms. Carter advised the applicant of the next meeting May 20th.

Application of Shoal Creek Baptist to request a variance from Section 58-20 for Height of Ground Signs and Section 58-26 for Maximum Area of Sign. Sign is located at 142 Shoal Creek Church Road, Cleveland, GA, 30528. Tax map and parcel is 022-038.

A representative, James Allison of 175 Eagle Ridge Trail in Cleveland, was present. Mr. Allison said he obtained verbal approval from Mr. Roger London to represent the application. Mr. Sell allowed the representation but said approval would need to be sent to his office stating the representation tomorrow. Ms. Carter gave a summary of the application. Mr. Allison said the sign would be between McGee Lane and Highway 284, with dimensions of 6-foot tall by 12-foot wide. Ms. Carter explained the frame and all parts of the construction go into the calculation. She said the tallest point is 19 feet, in a style similar to a house frame peak, with a height of only 6 feet being allowed in the A-1 zoning district. She stated the proposed location is on the same road, but a different location on the church property. Ms. Carter said the

WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

sign is larger than the previous sign and is located outside of the Georgia Department of Transportation (GDOT) right-of-way. Chairman Thomas asked if it creates any kind of issue with visibility and if a site visit had been conducted by the Planning Department. Mr. Sell said a sight visit had not been conducted and Ms. Carter believed the location should be fine but topography of road is hard to determine where the framework comes up, but does not anticipate it being an issue. Ms. Carter said an issue may be with vehicles coming out of McGee Road. Chairman Thomas explained a condition could be placed on the approval that the sign not cause a safety issue.

Motion to approve the variance with the condition of the sign being safe made by Mr. Yarbrough. Mr. Sell asked the board if they want to require a letter from GDOT. Mr. Yarbrough revised his motion to approve the variance pending a safety letter from GDOT. Mr. Ackerman seconded the motion. Motion was unanimous.

There was no citizen comment.

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

DRAFT



WHITE COUNTY

Board of Commissioners

Item Title: Rezoning from C-1 to R-1 for Karen Thomas at 100 Cannon Lane, Cleveland

For Meeting Date: 5/20/2024

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. 20734
2. Public Hearing Minutes 4/29/2024
3. Regular Meeting Minutes 5/6/2024

Purpose:

Consider the application of Karen Thomas to redistrict property located at 100 Cannon Road, Cleveland, Georgia, 30528 from C-1 Community Commercial District to R-1 Residential Single Family District. Tax map and parcel 076-130. Total acreage is 3.50. Present zoning is C-1 Community Commercial District.

Background / Summary:

- Applicant is requesting to rezone property at 100 Cannon Lane, Cleveland. Mrs. Thomas explained that this parcel was connected to the mini-storage units that front Duncan Bridge Road and that is why it was zoned commercial. This is a house which has been used for residential purposes and currently has a long-term renter that has been there for 8 years and will stay until Ms. Thomas starts to remodel. Ms. Thomas intends for this to be their retirement home. A neighbor, Ms. Cindy Hayes of Cannon Road expressed support for Mrs. Thomas to live there. No one spoke against the application. The Planning Commission recommended approval because this has always been a house and it is residential. The motion passed by unanimous vote.

Department Recommendation:

Planning Commission recommended approval by unanimous vote.

Options:

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

Budget Information: Applicable Not Applicable

Budgeted: Yes No

Finance Director's Comments (if applicable):

-

County Manager Comments:

-

WHITE COUNTY CHANGE OF LAND USE DISTRICT APPLICATION

OFFICE USE ONLY	Land Use Application #: <u>20734</u>
Public Hearing Date: <u>4/29/2024</u>	Commission District: <u>2</u>
Fees Assessed: <u>\$250</u>	Paid via: <input type="checkbox"/> cash <input type="checkbox"/> credit card <input checked="" type="checkbox"/> check# <u>7211</u>

APPLICANT INFORMATION	
Status: <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Authorized Agent <input type="checkbox"/> Lessee <input type="checkbox"/> Option to Purchase	
Printed Name(s): <u>Karen Thomas / Karen Thomas Properties LLC</u>	
Address: <u>23 Autumn Lane Cleveland GA 30528</u>	
Phone Number: [REDACTED]	Alternate Contact Number: [REDACTED]
Email: [REDACTED]	
Owner Information (if different from Applicant/Agent):	
Name:	Phone #:
PROPERTY INFORMATION	
Parcel ID: <u>076 130</u>	Total acreage being changed: <u>3.5 acres</u>
Address: <u>100 Cannon Rd Cleveland GA 30528</u>	
Directions to Property:	
<u>From Cleveland, take Hwy 115 East, turn left on Duncan Bridge, Cannon Rd 1st Rd on right</u>	
Current Use/Zoning of Property: <u>C1</u>	Type of Road Surface: <u>dirt</u>
Any prior redistricting requests for property: <input checked="" type="checkbox"/> If yes, provide redistricting application #: <u>15079</u>	
SURROUNDING PROPERTY LAND USE CLASSIFICATION:	
North: <u>A1</u>	South: <u>C1</u>
East: <u>C1 + A1</u>	West: <u>C1 + A1</u>
REQUESTED ACTION AND DETAILS OF PROPOSED USE (check all that apply)	
<input checked="" type="checkbox"/> Redistrict from district: <u>C1</u>	Redistrict to district: <u>R1</u>
Conditional Use - specify:	
Special Use - specify:	
Land Use Variance from Code Section:	
Proposed use if not listed above:	
Existing Utilities (check all that apply):	
<input type="checkbox"/> County or City Water	<input checked="" type="checkbox"/> Well <input checked="" type="checkbox"/> Septic <input type="checkbox"/> Gas <input checked="" type="checkbox"/> Electric <input type="checkbox"/> Broadband
Proposed Utilities (check all that apply):	
<input type="checkbox"/> County or City Water	<input type="checkbox"/> Well <input type="checkbox"/> Septic <input type="checkbox"/> Gas <input type="checkbox"/> Electric <input type="checkbox"/> Broadband

COMMERCIAL AND INDUSTRIAL REDISTRICKT INFORMATION

Building Area: _____ No. of Parking Spaces: _____

RESIDENTIAL REDISTRICKT INFORMATION

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

Minimum Heated Floor Area (ft²): _____ Density/Acre: _____

Is an Amenity area proposed (specify if yes)?

Apartments Condominiums Townhomes Single Family

Rental Cabins Recreational Vehicle Park Other- Specify: _____

LIST OF ADJACENT PROPERTY OWNERS

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

PARCEL	PROPERTY OWNER NAME	MAILING ADDRESS
1	076 130A CIG SSD LLC	150 Boush St. Suite 300 Norfolk VA 23517
2	076 127 Steve Cannon	2635 Briarfield Way Lawrenceville, GA 30043
3	076 131 Kenneth Thomas	PO Box 898 7785 Duncan Bridge Rd Cleveland GA 30528
4		
5		
6		
7		
8		
9		

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: *Kyle James* Date: *3-11-24*
Kyle James *3-11-24*

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	TBA
Wednesday, April 10, 2024	Tuesday, May 28, 2024	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	Tuesday, September 3, 2024	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

**BOLDED 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:

Ken James

Date:

3-11-24

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:

Ken James

Date:

3-11-24

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

Property Address and/or Parcel ID:	
PROPERTY OWNER INFORMATION	
Printed Name of Owner(s):	<u>Karen Thomas Properties LLC</u>
Mailing Address:	<u>23 Autumn Lane Cleveland, GA 30528</u>
Phone Number:	[REDACTED]
Alternate Contact Number:	[REDACTED]
Email:	[REDACTED]
I/we hereby authorize the person named below to act as the applicant or agent in the pursuit of the requested action on this property. I/we understand that any action granted and/or conditions or stipulations placed on the property will be binding upon the property regardless of ownership. The person named below is authorized to make this application. The person named below is aware that no application or re-application affecting the same land shall be acted upon within six (6) months from the date of the last action by the White County Board of Commissioners.	
Printed Name of applicant or agent(s):	<u>Karen Thomas</u>
Signature of Owner(s):	Date Signed:
<u>Karen Thomas</u>	<u>3-11-24</u>

PROPERTY OWNER AUTHORIZATION DOCUMENT: NOTARY ACKNOWLEDGEMENT

Sworn to (or affirmed) and subscribed before me this 11th day of March, 2024 by Karen Belinda Thomas (name of signer(s)). The named signer(s) is/are personally known by me or produced the identification type of Drivers license

{Seal}

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

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

APPLICANT ACKNOWLEDGEMENT OF MEETING DATES

I, Karen Thomas (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): 4/29/2024

Regular Meeting Date (Planning Commission): 5/6/2024

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

Board of Commissioners Meeting Date: TBA

**Meeting dates are subject to change*

Karen Thomas
Signature of Applicant or Authorized Agent

3-12-24
Date

<u>OFFICE USE ONLY</u>
Copy given to applicant: <u>3/12/24</u> (date)
Staff Initials: <u>MD</u>
Flag (circle): <u>Y</u> N

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

White County Planning Department

Rezoning Request from C1 to R1

Parcel No. 076 130
100 Cannon Rd
Cleveland, GA. 30528

To whom it may concern:

I am requesting that 100 Cannon Rd currently zoned C1 be rezoned to R1. The previous owners on this parcel also at one time owned the storage buildings to the front. He petitioned to have the property re-zoned Commercial with the intent to expand the Storage Buildings located directly in front of this home. His plans changed – he sold the storage buildings and then offered the home to our family. This parcel connects to the back portion of my Father-In-Laws property. When we purchased the property, the home was rented as a long-term lease with a tenant who has resided there for over 8 years. We have maintained that lease. Our future goal of the property is to one day renovate the home and live there on a full-time basis. We do not see a reason to keep the current zoning of Commercial and therefore request to be switched back to Residential in hopes that it will allow for taxes to adjusted to Residential.

Thank you,
Karen Thomas
Karen Thomas Properties LLC



Public Health
Prevent. Promote. Protect.

White County Environmental Health

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

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

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

DATE: 03/12/2024
APPLICANT NAME: KAREN THOMAS
PROPERTY ADDRESS: 100 CANNON RD
CLEVELAND, GA 30528

White County Planning Department:

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


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

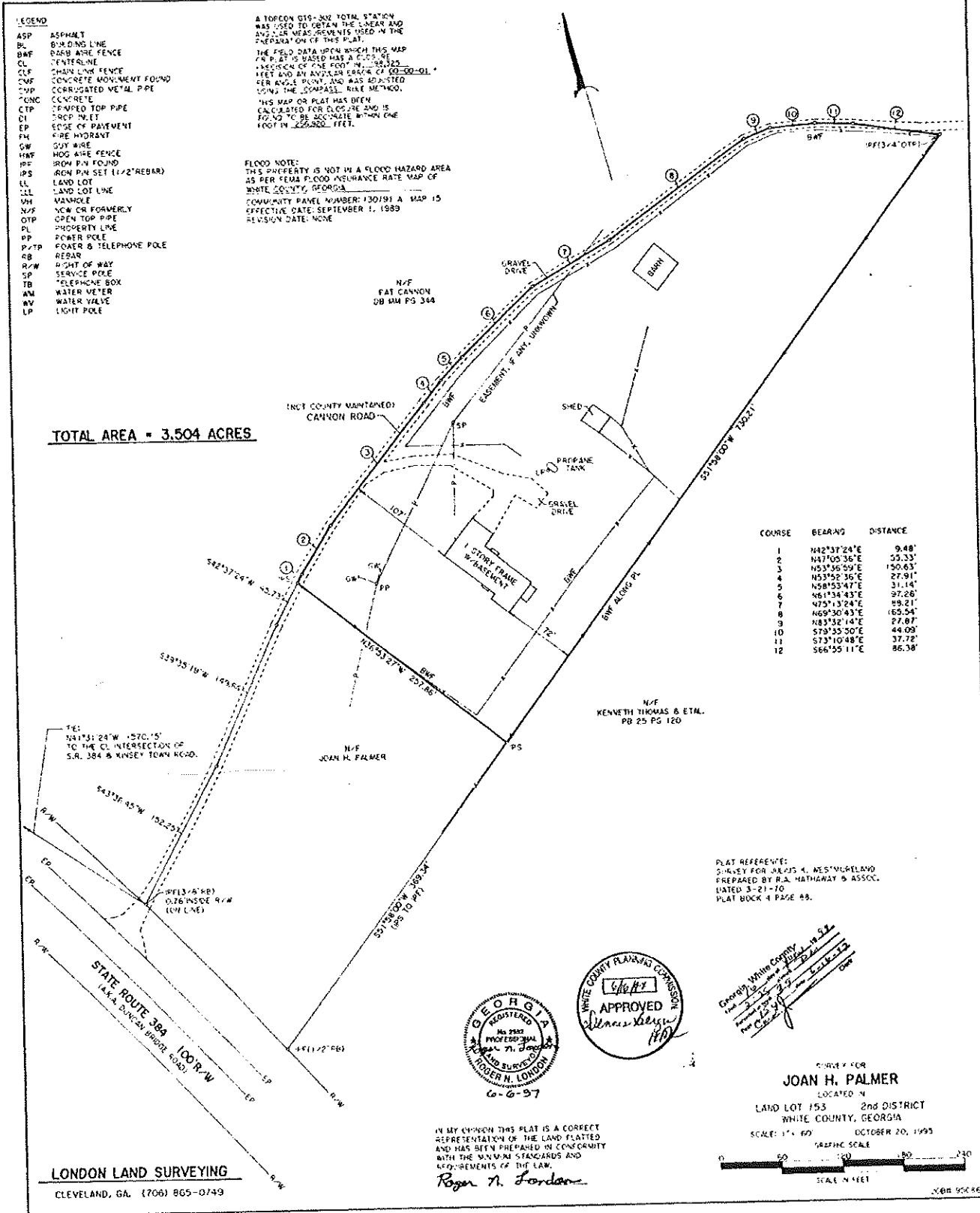
Please note that this is NOT an all-inclusive list. Based upon the information submitted and/or the outcome of the evaluation, it may be determined that a septic system needs additional capacity or upgrade. If so, the appropriate permit will need to be obtained and the work completed before an approval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

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

White County Environmental Health
District 2 Public Health

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

 *Karen Thomas*
Applicant Signature



- LEGEND**
- ASP ASPHALT
 - BL BUILDING LINE
 - BWF BARBED WIRE FENCE
 - CL CENTERLINE
 - CLF CHAIN LINK FENCE
 - CMF CONCRETE MONUMENT FOUND
 - CMR CORRUGATED METAL PIPE
 - CNC CONCRETE
 - CTP TRIMMED TOP PIPE
 - DI 2" DIA. IRON PIPE
 - EP EDGE OF PAVEMENT
 - FM FIRE HYDRANT
 - GW GUY WIRE
 - HWF HOOD WIRE FENCE
 - IRF IRON PIN FOUND
 - IPS IRON PIN SET (1/2" REBAR)
 - LL LAND LOT
 - LLL LAND LOT LINE
 - VM VEHICLE
 - W/S YCM OR FORMERLY
 - OTP OPEN TOP PIPE
 - PL PROPERTY LINE
 - PP POWER POLE
 - P/P/P POLE & TELEPHONE POLE
 - RB REBAR
 - R/W RIGHT OF WAY
 - SP SERVICE POLE
 - TB TELEPHONE BOX
 - WM WATER METER
 - WV WATER VALVE
 - LP LIGHT POLE

A TOPCON GTS-302 TOTAL STATION WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT. THE FIELD DATA UPON WHICH THIS MAP WAS MADE IS BASED ON A CLOSURE OF 1/100,000 OF ONE FOOT IN 100,000 FEET AND AN ANGLE ERROR OF 0.00001 PER ANGLE POINT, AND WAS ADJUSTED USING THE COMPASS RISE METHOD. THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 220,000 FEET.

FLOOD NOTE:
 THIS PROPERTY IS NOT IN A FLOOD HAZARD AREA AS PER FEMA FLOOD INSURANCE RATE MAP OF WHITE COUNTY, GEORGIA. COMMUNITY PANEL NUMBER: 130191 A MAP 15 EFFECTIVE DATE: SEPTEMBER 1, 1989 REVISION DATE: NONE

TOTAL AREA = 3.504 ACRES

COURSE	BEARING	DISTANCE
1	N42°37'24"E	9.48'
2	N47°05'36"E	55.33'
3	N53°56'59"E	150.63'
4	N53°52'36"E	27.91'
5	N58°53'47"E	31.14'
6	N61°34'43"E	97.26'
7	N75°13'24"E	89.21'
8	N69°30'43"E	165.54'
9	N83°32'14"E	27.67'
10	S79°55'50"E	44.09'
11	S73°10'48"E	37.72'
12	S66°55'11"E	86.38'

LONDON LAND SURVEYING
 CLEVELAND, GA. (706) 865-0749

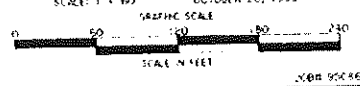
IN MY OPINION THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW.
Roger A. Jordan



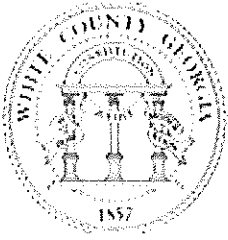
PLAT REFERRED TO:
 2-4-67 FOR JULIUS L. WESTWELAND
 PREPARED BY R.A. HATHAWAY & ASSOC.
 DATED 3-21-70
 PLAT BOOK 4 PAGE 88.

White County
 State of Georgia
 Approved
 Date: 10/20/99
 For: Roger A. Jordan

ORDER FOR
JOAN H. PALMER
 LOCATED IN
 LAND LOT 153 2nd DISTRICT
 WHITE COUNTY, GEORGIA



JOB 90046



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
2023-2646	076 130	LL 153 LD 2	\$2,536.44	\$0.00 Fees: \$0.00	\$0.00	\$2,536.44	\$0.00
Totals:			\$2,536.44	\$0.00	\$0.00	\$2,536.44	\$0.00

Paid Date: 09/28/2023

Charge Amount: \$2,536.44

KAREN THOMAS PROPERTIES LLC
23 AUTUMN LN
CLEVELAND, GA 30528-5281



Scan this code with your mobile phone to view this bill



Overview



Legend

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

Parcel ID	076 130	Alternate ID	5397738	Owner Address	KAREN THOMAS PROPERTIES LLC
Sec/Twp/Rng	n/a	Class	A		23 AUTUMN LN
Property Address	100 CANNON RD	Acres	3.5		CLEVELAND GA 30528-5281
	01				

District 01
 Brief Tax Description LL 153 LD 2

(Note: Not to be used on legal documents)

Date created: 3/11/2024
 Last Data Uploaded: 3/11/2024 9:55:48 AM

Developed by 

**WHITE COUNTY PLANNING DEPARTMENT
STAFF COMMENT**

- Application #20734 – Karen Thomas for property located at 100 Cannon Road in Cleveland.
- Request is to redistrict from C-1 Community Commercial District to R-1 Single Family Residential District.
- Property adjoins:
 - A-1 Agriculture Forestry District to West and North
 - C-2 Highway Business District to the South
 - C-1 Community Commercial District to the East and South
- The White County Comprehensive Plan Future Land Use Map indicates Community Commercial.
- Total acreage is 3.50.
- Property supplied by well 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 Single Family Residence. Various zoning designations exist such as A1, R1, C1 and C2. This is an example of Agriculture and Rural Communities existing in conjunction with Commercial. Due to 2 State Highways (Duncan Bridge Rd and St. Hwy 115) and pre-existing uses, the growth in this area has become multifaceted. The R1 designation will not adversely affect nearby properties and will be in conformity with the Comprehensive Plan and the intent as set forth within the Land Use Regulations.
2. The extent to which property values are diminished by the particular zoning restrictions.
Property values are not diminished by the current zoning. This site is an established residence with related accessory structures. The current commercial designation does not reflect the use or potential use of this property as it currently exist. 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.
No apparent property value destruction. 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.
The proposed R1 designation maintains uniformity with the scope of the area as well as conformity with the Comprehensive Plan and the intent as set forth within the Land Use Regulations.
5. The physical suitability of the subject property for development as presently districted land under the proposed land use district.
This site is an established residence with related accessory structures. The current commercial designation does not reflect the use or potential use of this property as it currently exist. The physical suitability for a Commercial development would be based upon a Plan Review Process.
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.
The proposed R1 designation is in conformity with the Comprehensive Plan and the intent as set forth within the Land Use Regulations.
7. The zoning history of the subject property.
No zoning changes have occurred.

**WHITE COUNTY PLANNING DEPARTMENT
STAFF COMMENT**

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.

No adverse effects will be caused by the R1 designation.

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

R1 Designation is in conformity with the Comprehensive Plan and Land Use Regulations.

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

Monday, April 29th, 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, and Brad Ash. Staff members present were Tammy Carter, John Sell, and Mercedes Dodd.

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

Application of Todd Campbell to redistrict property located at 0 Partin Road, Cleveland, Georgia, 30528 from A-1 Agriculture Forestry District to R-1 Residential Single Family District. Tax map and parcel 049C-026A. Total acreage is 28.00. Present zoning is A-1 Agriculture Forestry District.

A representative, Harry Barton of 1617 Highway 115 East, was present. Ms. Carter gave a summary of the application. Mr. Barton explained the request is due to two of the four lots on the proposed division being less than ten acres, which requires an R-1 zoning. He said there is Mountain Protection on the northern portion, there is public street access, and there will be well and septic added. He said the four-lot subdivision will be residential.

Chairman Thomas asked if anyone would like to speak for the application, there was no response. He asked if anyone would like to speak against the application, there was no response. Chairman Thomas closed the hearing. Mr. Barton clarified that his next meeting would be on May 6th.

Application of Karen Thomas to redistrict property located at 100 Cannon Road, Cleveland, Georgia, 30528 from C-1 Community Commercial District to R-1 Residential Single Family District. Tax map and parcel 076-130. Total acreage is 3.50. Present zoning is C-1 Community Commercial District.

The applicant, Karen Thomas of 23 Autumn Lane in Cleveland, was present. Ms. Carter gave a summary of the application. Ms. Thomas explained she purchased the property last year and it was previously rezoned to commercial. She said she has a long-term tenant currently who has been there for eight years and plans to stay there until Ms. Thomas is ready to renovate the home. She stated she does not see the need to keep the property commercial.

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

Cindy Hayes of 235 Cannon Road expressed support of the application for residential.

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

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

WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

Monday, May 6th, 2024
6:00 pm

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

Those present were Larry Freeman, R.K. Ackerman, Charlie Thomas, Linda Dixon, Brad Ash, and John Yarbrough. Staff members present were Tammy Carter, John Sell, 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 March 25th, 2024 and April 1st, 2024 made by Mr. Yarbrough and seconded by Ms. Dixon. Motion was unanimous.

Application of Gerald Sims to request a variance from Section 802 Lot Width and Size for a second dwelling. Property is located at 3607 Albert Reid Road, Sautee Nacoochee, GA, 30571. Tax map and parcel is 030D-053. Total acreage is 2.41.

The applicant, Gerald Sims of 3225 Albert Reid Road, was present. Ms. Carter gave a summary of the application, noting the previous approval in 2009. Mr. Sims explained he plans to purchase a mobile home to move to the property for his nephew to live there for an undetermined amount of time.

Motion to approve the variance made by Mr. Ash and seconded by Mr. Ackerman. Motion was unanimous.

Application of Todd Campbell to request a variance from Section 601 Access. Property is located at 0 Wauka Mountain Road, Cleveland, GA, 30528. Tax map and parcel is 023-093. Total acreage for variance is 1.004, Tract I.

A representative, Harry Barton of 1617 Highway 115 East, was present. Ms. Carter gave a summary of the application. Mr. Barton explained this property had previously been granted a variance with access through Lumpkin, but the developer has since updated to access off Ransom Free Road to Wauka Mountain Road.

Motion to approve the variance made by Ms. Dixon and seconded by Mr. Ash. Motion was unanimous. Ms. Carter advised the representative that the next step is to obtain Environmental Health approval.

Application of Michael and Julie Sunderman to request a variance from Section 802 Lot Width and Size for a second dwelling. Property is located at 1710 Roy Powers Road, Cleveland, GA, 30528. Tax map and parcel is 074-046E. Total acreage for variance is 18.34.

The applicant, Michael Sunderman of 1710 Roy Powers Road, was present. Ms. Carter gave a summary of the applicant. Mr. Sunderman explained when they purchased the property in 2007, the recession hit while they were in the process of building their barn so they opted to add two bedrooms to the barn rather than build a separate dwelling. He said the family has since expanded and would like to build a larger home and noted the majority of barn would still be used for his equipment but that he would like to keep septic and water for a slop tank.

Motion to approve the variance made by Mr. Freeman and seconded by Mr. Ackerman. Motion was unanimous.

Application of Larry Freeman to request a variance from Section 601 for Access. Property is located 71 Hard Rock Road, GA, 30528. Tax map and parcel is 089-041. Total acreage for variance is 1.01, Tract II. Mr. Freeman recused himself due to being the applicant.

The applicant, Larry Freeman of 987 River Road in Cleveland, was present. Ms. Carter gave a summary of the application. Mr. Freeman explained the property was previously approved a year and three months ago but he let the variance lapse. He said he would eventually have a mobile home moved onto the property.

WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

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

Application of Carl Atkinson to request a variance from Section 802 Lot Width and Size for a second dwelling. Property is located at 0 Highway 75 North, Cleveland, GA, 30528. Tax map and parcel is 040-003A. Total acreage for variance is 7.675.

A representative, Kyle Sims of 5891 Hubert Stephens Road in Gainesville, GA, was present. Ms. Carter gave a summary of the application. Mr. Sims explained the owner lives in Orlando and the second dwelling is for family to stay in when they visit.

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

Application of Philip Moreau to request a variance for Section 14-133(k) RV Park Square Footage for a total of 752 square feet. Property is located at 76 Stag Leap Drive, Cleveland, GA, 30528. Lot 165 in Elkmont. Tax map and parcel is 045D-225.

The applicant, Philip Moreau of 76 Stag Leap Drive, was present. Ms. Carter gave a summary of the application. Mr. Moreau explained he added a deck and would like to add a roof over for sun and rain protection. He said there is a 12-foot-by-12-foot shed currently on the property and there is not a setback issue.

Motion to approve variance made by Ms. Dixon and seconded by Mr. Ackerman. Motion was unanimous. Ms. Carter advised the applicant that since the building permit application was already submitted, it should be ready for pickup by tomorrow afternoon.

Application of Shoal Creek Baptist to request a variance from Section 58-20 for Height of Ground Signs and Section 58-26 for Maximum Area of Sign. Sign is located at 142 Shoal Creek Church Road, Cleveland, GA, 30528. Tax map and parcel is 022-038.

The applicant nor a representative was present. Chairman Thomas moved the item to the end of the agenda.

Application of Elizabeth Ferguson to request a variance from Section 601 Access. Property is located at 0 Highway 115 West, Cleveland, GA, 30528. Tax map and parcel is 035-017. Total acreage for variance is 3.46, Tracts I & II.

A representative, Andrew Ferguson of 2995 Highway 75 South in Cleveland, was present. Ms. Carter gave a summary of the application. Mr. Ferguson explained he and his wife plan to build their forever home behind his father-in-law's home.

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

Application of James Allison to request a variance from Section 601 Access. Property is located at 0 Wanderway Drive, Cleveland, GA, 30528. Tax map and parcel is 061-189. Total acreage for variance is 1.00.

A representative, Harry Barton of 538 E Kytle Street in Cleveland, was present. Ms. Carter gave a summary of the application. Mr. Barton explained the property was purchased with the plat attached as an exhibit through the deed but did not have plat approval. Initially, he said the deed goes back to 2015 as recording the lot as a "less and except". He said the issue was found while trying to get soils on the property and that he is trying to get it cleared up so the plat can be approved and recorded correctly in a plat book in order for a building permit to be issued. Mr. Barton explained there is no Part V criteria on the property and the access will be off Alexander Drive.

WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

Motion to approve the variance made by Mr. Ash and seconded by Ms. Dixon. Motion was unanimous. Ms. Carter advised the representative to contact Environmental Health for plat approval.

Application of Brelyn Spohn to request a variance from Section 601 Access. Property is located at 6 Twinleaf Drive, Cleveland, GA, 30528. Tax map and parcel is 034C-011. Total acreage for variance is 1.05.

The applicant, Brelyn Spohn of 6 Twinleaf Drive, was present. Ms. Carter gave a summary of the application. Ms. Spohn explained would like to replace the existing mobile home with a new mobile home for their permanent residence.

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

Application of Todd Campbell to redistrict property located at 0 Partin Road, Cleveland, Georgia, 30528 from A-1 Agriculture Forestry District to R-1 Residential Single Family District. Tax map and parcel 049C-026A. Total acreage is 28.00. Present zoning is A-1 Agriculture Forestry District. A representative, Harry Barton of 1617 Highway 115 East, was present. Ms. Carter gave a summary of the application. Mr. Barton explained the property is a 28-acre tract on Partin Road that will be split into four tracts, two of which will be less than 10 acres. He said there is Mountain Protection on the west side of the property.

Motion to recommend approval to the Board of Commissioners was made by Mr. Ash and seconded by Ms. Dixon. Motion was unanimous. Chairman Thomas asked for a reason for approval. Mr. Ash said based on being a good fit for the community and large lot sizes. Ms. Carter advised the representative of the next meeting May 20th.

Application of Karen Thomas to redistrict property located at 100 Cannon Road, Cleveland, Georgia, 30528 from C-1 Community Commercial District to R-1 Residential Single Family District. Tax map and parcel 076-130. Total acreage is 3.50. Present zoning is C-1 Community Commercial District. The applicant, Karen Thomas of 23 Autumn Lane in Cleveland, was present. Ms. Carter gave a summary of the application. Ms. Thomas explained the previous owner originally intended for this tract to be an expansion of the storage buildings, but she has no intent for commercial. She said she would prefer the property be residential since she plans to live there full time in the future.

Motion to recommend approval to the Board of Commissioners was made by Mr. Freeman. He said the reason for his recommendation is the mini-storage business has changed hands a few times and this piece is a house that is residence so there is no reason for it to be anything other than residential. Ms. Dixon seconded the motion. Motion was unanimous. Ms. Carter advised the applicant of the next meeting May 20th.

Application of Shoal Creek Baptist to request a variance from Section 58-20 for Height of Ground Signs and Section 58-26 for Maximum Area of Sign. Sign is located at 142 Shoal Creek Church Road, Cleveland, GA, 30528. Tax map and parcel is 022-038. A representative, James Allison of 175 Eagle Ridge Trail in Cleveland, was present. Mr. Allison said he obtained verbal approval from Mr. Roger London to represent the application. Mr. Sell allowed the representation but said approval would need to be sent to his office stating the representation tomorrow. Ms. Carter gave a summary of the application. Mr. Allison said the sign would be between McGee Lane and Highway 284, with dimensions of 6-foot tall by 12-foot wide. Ms. Carter explained the frame and all parts of the construction go into the calculation. She said the tallest point is 19 feet, in a style similar to a house frame peak, with a height of only 6 feet being allowed in the A-1 zoning district. She stated the proposed location is on the same road, but a different location on the church property. Ms. Carter said the

WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

sign is larger than the previous sign and is located outside of the Georgia Department of Transportation (GDOT) right-of-way. Chairman Thomas asked if it creates any kind of issue with visibility and if a site visit had been conducted by the Planning Department. Mr. Sell said a sight visit had not been conducted and Ms. Carter believed the location should be fine but topography of road is hard to determine where the framework comes up, but does not anticipate it being an issue. Ms. Carter said an issue may be with vehicles coming out of McGee Road. Chairman Thomas explained a condition could be placed on the approval that the sign not cause a safety issue.

Motion to approve the variance with the condition of the sign being safe made by Mr. Yarbrough. Mr. Sell asked the board if they want to require a letter from GDOT. Mr. Yarbrough revised his motion to approve the variance pending a safety letter from GDOT. Mr. Ackerman seconded the motion. Motion was unanimous.

There was no citizen comment.

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

DRAFT



WHITE COUNTY

Board of Commissioners

Item Title: Consider an appeal of the White County Short Term Rental Subdivision Map for Jordan Bruner
2105 Adair Mill Road

For Meeting Date: 5/20/2024

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 Adair Mill Phase I (aka Logan's Ridge) Subdivision
3. QPublic Map with STR Subdivision Overlay

Purpose:

Consider removing 2105 Adair Mill Road, Map and Parcel Number 018 164 from the White County STR Subdivision Map.

Background / Summary:

- When Adair Mill Subdivision Phase I - also known as Logan's Ridge, was originally platted in 1985 and amended in 1991, lot 35, which is map and parcel number 018 164, was left as an out parcel. It is accessed off of Adair Mill and not Logan's Ridge. This lot was also not included in Adair Mill Phase IV which includes properties on both the north and south of the Logan's Ridge phase. When the STR subdivision map was created, the out parcels were colored in. In order to correct the map, this parcel should be removed from the colored in section of the subdivision.

Department Recommendation:

Community and Economic Development recommend removing parcel 018 164 from the White County STR subdivision map.

Options:

- Approve the removal of the parcel 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 Logan's Ridge/ Adair's Mill Date 04/16/2024

Subdivision Road Names Logan's Ridge Road/ Adair Mill Road

Affected properties (Map and Parcel #s) 018-164

Contact Jordan Bruner 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.

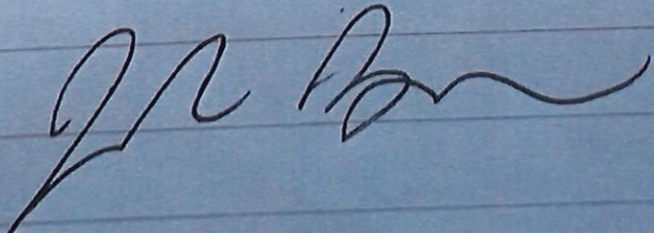
Applicants Signature

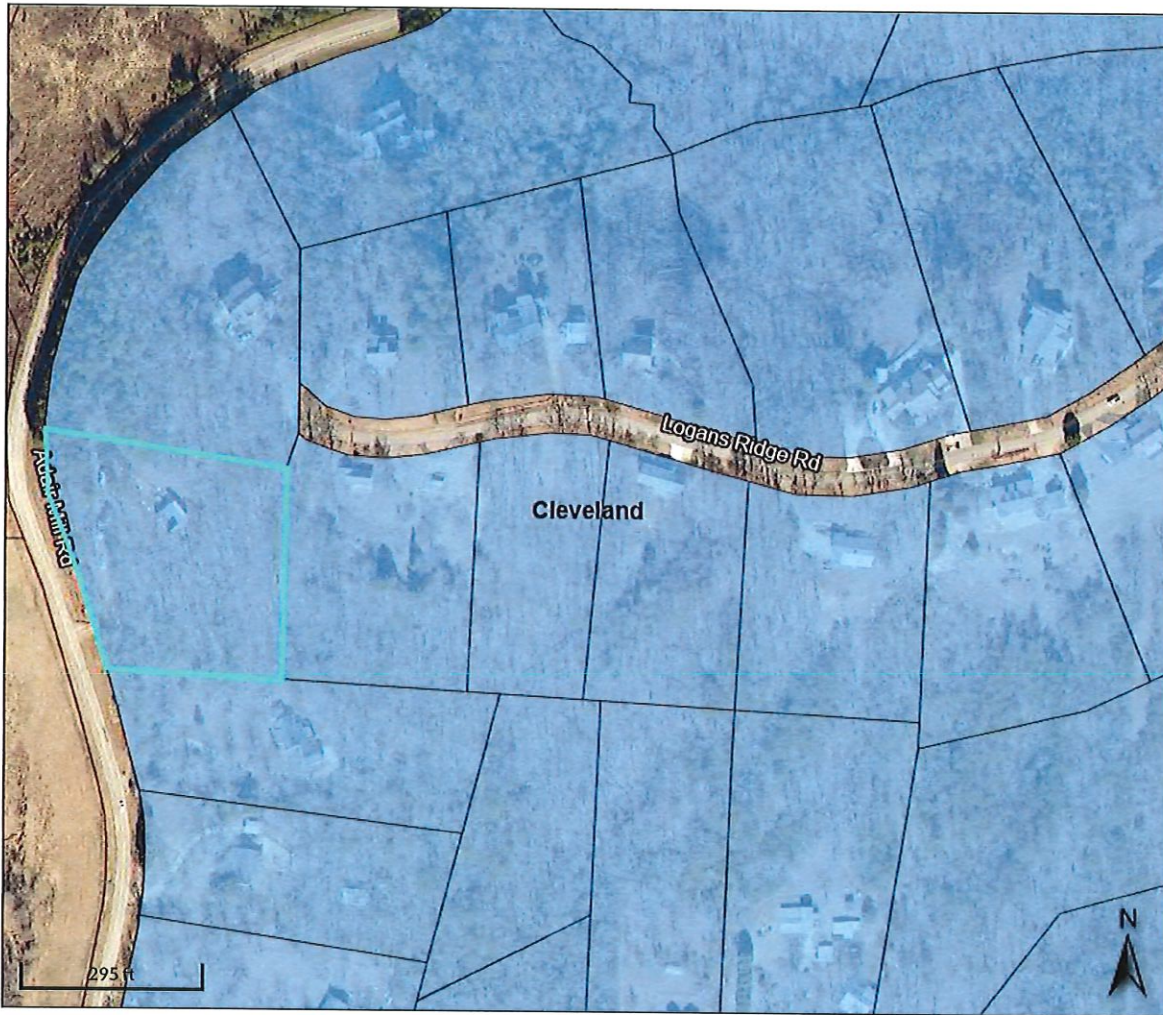
To whom it may concern,

I, Jordan Bruner, am requesting that my property at 2105 Adair Mill Road parcel number 018-164 lot 35, be removed from Logan's Ridge development neighborhood as an outparcel as the intention was not to be affiliated with the subdivision. Submission of the appeals form is included along with all proper documents.

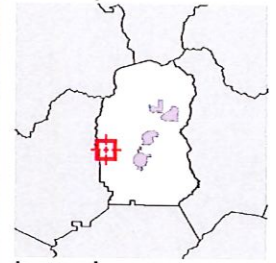
Thank you,

Jordan Bruner 4/16/24

 4/16/24



Overview



Legend

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

Parcel ID	018 164	Alternate ID	5551932	Owner Address	BRUNER CHRISTINE
Sec/Twp/Rng	n/a	Class	R		BRUNER JORDAN
Property Address	2105 ADAIR MILL RD	Acreage	2.91		3865 GRANDVIEW MANOR DR
	01				CUMMING GA 30028

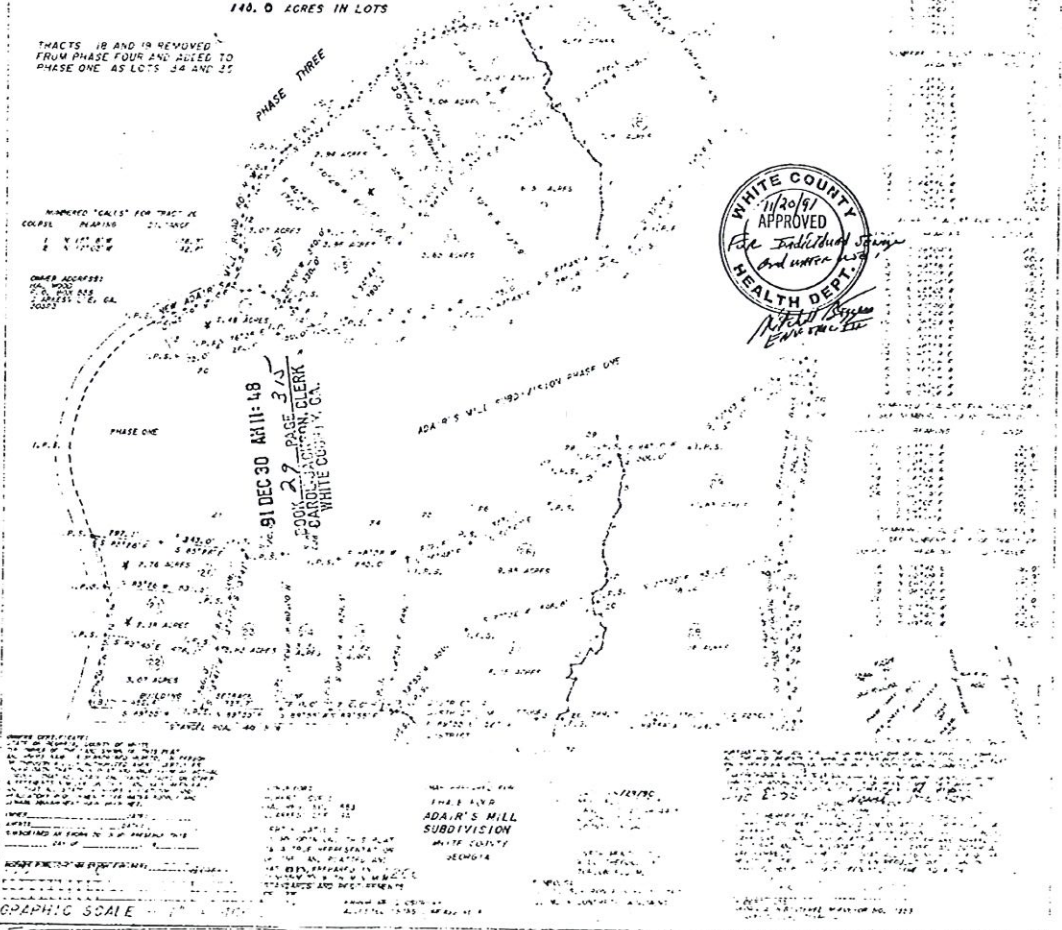
District 01
 Brief Tax Description LL49 LD4

(Note: Not to be used on legal documents)

Date created: 5/9/2024
 Last Data Uploaded: 5/9/2024 5:34:30 AM

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 GEOSPATIAL

NUMBERED 'CALC' FOR TRACT 1			NUMBER 'CALC' FOR TRACT 2			NUMBER 'CALC' FOR TRACT 3			NUMBER 'CALC' FOR TRACT 4			NUMBER 'CALC' FOR TRACT 5			NUMBER 'CALC' FOR TRACT 6			NUMBER 'CALC' FOR TRACT 7			NUMBER 'CALC' FOR TRACT 8			NUMBER 'CALC' FOR TRACT 9			NUMBER 'CALC' FOR TRACT 10								
COURSE	BEARING	DISTANCE	COURSE	BEARING	DISTANCE	COURSE	BEARING	DISTANCE	COURSE	BEARING	DISTANCE	COURSE	BEARING	DISTANCE	COURSE	BEARING	DISTANCE	COURSE	BEARING	DISTANCE	COURSE	BEARING	DISTANCE	COURSE	BEARING	DISTANCE	COURSE	BEARING	DISTANCE						
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WHITE COUNTY
 11/20/91
 APPROVED
For Individual Signatures and Seals
 HEALTH DEPT.
Robert B. Brown
 CLERK

91 DEC 30 AM 11:48
 BOOK 27 PAGE 3 AS
 CLERK OF THE
 WHITE COUNTY, GA.

GRAPHIC SCALE

ADA'S HILL SUBDIVISION

WHITE COUNTY, GEORGIA

APPROVED 11/20/91

Return to:
O'Kelley & Sorohan, Attorneys at Law, LLC
540 Lake Center Parkway, Suite 204
Cumming, GA 30040
File No.: 07-189422-REG

eFiled & eRecorded
DATE: 9/27/2021
TIME: 4:03 PM
DEED BOOK: 01827
PAGE: 00095 - 00096
RECORDING FEES: \$25.00
TRANSFER TAX: \$57.50
PARTICIPANT ID: 7790930708,7067927936
CLERK: Dena M. Adams
White County, GA
PT61: 154-2021-002843

STATE OF GEORGIA
COUNTY OF FORSYTH

LIMITED WARRANTY DEED

THIS INDENTURE, made on 23rd day of September, 2021, between

Maria H. Rainwater and Janalee R. Rainwater

(hereinafter referred to as "Grantor") and

Christina Bruner and Jordan Bruner, as joint tenants with rights of survivorship

(hereinafter referred to as "Grantee"), the words "Grantor" and "Grantee" to include the heirs, executors, legal representatives, successors and assigns of said parties where the context requires or permits; WITNESSETH:

THAT Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) AND OTHER GOOD AND VALUABLE CONSIDERATIONS, in hand paid, at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged by Grantor, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto Grantee,

All that tract or parcel of land lying and being in Land Lot 49 of the 4th Land District of White County, Georgia, containing 2.91 acres, more or less, and being all of Lot 35 of Adair's Mill, Phase One, a subdivision, as designated and delineated on plat of Survey dated July 17, 1996, prepared for Brenda J. Mannin, by Eddie Hood, county surveyor, White County, Georgia, recorded in Plat Book 39, Page 78, Office of Clerk, Superior Court White County, Georgia. Reference is hereby made to said plat of survey and the record thereof for a more complete description of said property. Subject to the prior reservation of a one hundred foot roadway and utility easement, the centerline of which being the centerline of the private roadway and cul-de-sac as delineated on the above referenced plat of survey and on the plat of survey of subject property dated December 6, 1985, revised January 31, 1986, revised March 7, 1986, revised June 1, 1987, revised November 1, 1991, prepared for Adair's Mill, Phase One, by Hubert Lovell, Georgia Registered Land Surveyor No. 1553, recorded in Plat Book 30, Page 253, said Clerk's Office. Also Conveyed herein is a non-exclusive right of ingress and egress over and through the private roadway as delineated on the above-referenced plats of survey, at such time as Grantee obtains an easement of access to said private roadway. Subject to the protective Covenants dated February 5, 1986, recorded in Deed Book 11, Pages 140-145, said Clerk's Office. Subject to the Amendment to Protective Covenants dated June 6, 1986, recorded in Deed Book 32, Pages 29-32, said Clerk's Office. Subject to the existing slope, fill and drainage easements appurtenant to the right-of-way of the Adair Mill Road (also known as Adair's Mill Road and County Road No. 274) shown on the first above-referenced Plat of Survey. Subject to the building setback line shown on the first above-referenced plat of Survey.

TOGETHER WITH all and singular the rights, members and appurtenances thereto (hereinafter collectively referred to as the "Premises"), the same being, belonging, or in anywise appertaining to the only proper use, benefit and behoof of Grantee.

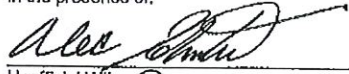
Subject to all easements, rights of way, and restrictive covenants of record (hereinafter referred to as the "Exceptions").

TO HAVE AND TO HOLD the Premises, subject to the Exceptions, to the only proper use, benefit and behoof of Grantee, forever, in FEE SIMPLE, and Grantor will, subject to the Exceptions, warrant and forever defend the right and title to the Premises unto Grantee against the claims of all person claiming by, through or under Grantor, but not otherwise.

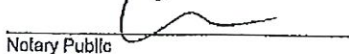
eFiled & eRecorded
DATE: 9/27/2021
TIME: 4:03 PM
DEED BOOK: 01827
PAGE: 00096

IN WITNESS WHEREOF, Grantor has executed this instrument under seal, as of the date first above written.

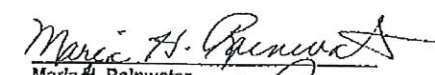
Signed, sealed and delivered
in the presence of:

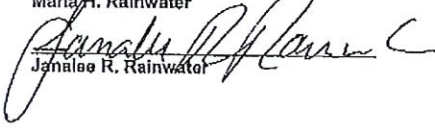


Unofficial Witness



Notary Public
Commission expires: _____



Marla H. Rainwater


Janalee R. Rainwater

