

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

Monday, July 25th, 2022
6:00 pm

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

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

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

Application of Carl Volle, on behalf of Park Place Rentals LLC, to request a conditional use permit at 156 Clarice Lane in Sautee Nacoochee, Georgia, 30571. Tax map and parcel 069-618. Total acreage is 1.00. Proposed use is to place in “Short Term Rental” program. Present use is R-1 Residential Single Family District.

The landowner, Carl Volle of Montclair Circle in Gainesville, GA, was present. Mr. Barton gave a summary of the application. Mr. Volle explained the proposed use will be for short term rental with a maximum occupancy of six people and four vehicles. He said the road is private and maintained by the homeowner’s association. Mr. Volle stated the subdivision was developed for short-term rentals.

Chairman Thomas asked if anyone would like to speak for this application, there was no response. He asked if anyone would like to speak against this application, there was no response. Mr. Volle did not have anything else to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on Monday, August 1st.

Application of Dennis Elmore, on behalf of Megbelgus LLC, to request a conditional use permit at Monroe Ridge Road in Sautee Nacoochee, Georgia, 30571. Tax map and parcel 069-635. Total acreage is 1.02. Proposed use is to place in “Short Term Rental” program. Present use is R-1 Residential Single Family District.

The applicant was not present and no action taken. The application was tabled for the following month.

Application of Dustin Borth to request a conditional use permit at 10 Caffus Abernathy Road in Helen, Georgia, 30545. Tax map and parcel 029-001C. Total acreage is 1.107. Proposed use is to place in “Short Term Rental” program. Present use is R-1 Residential Single Family District.

A representative, Mark Chambers of 1535 Sweetwater Drive in Clarkesville, GA, was present on behalf of the landowner. Mr. Barton gave a summary of the application. Mr. Chambers stated the owner purchased the property two to three months ago and the maximum occupancy would be four with enough parking for four to six vehicles. He said the property is on a public dead end road that becomes private after this property, with the closest neighbor being several hundred yards away and not visible through the tree line. Mr. Chambers stated the property is not part of a subdivision and he was unaware of any other short-term rentals on the road.

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

Shaun Boettner of 16 Caffus Abernathy road expressed concerns with traffic, parking, trash attracting wildlife, and drunken parties. He said he purchased property that abutted national forest for the

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peacefulness, not a large tourist town, and explained that his house is 100 feet from the proposed home. Mr. Boettner explained that he has had issues previously with people using his driveway as a turnaround and that this property does not have parking for four or five vehicles. He said the proposed property has started clearing trees, which will remove his buffer.

Carrie Moore of 533 Caffus Abernathy Road said her main objection is the traffic increase, adding that they have asked for the road to be widened. Ms. Moore stated the road is about ½ mile long and the top portion is the only part publicly maintained. She said she is also concerned with having different neighbors every week, trash, and theft in the tight knit neighborhood that has children, livestock, and pets. Ms. Moore explained that approval of this property for short-term rental would bring more to the area.

Cassie Frasier of 322A Caffus Abernathy Road said the road is mostly family and she allows her autistic teenage son and his dog to walk down the road, stating that he feels safe and would not know the difference of a renter's vehicle. She expressed road safety concerns for the children and animals that walk along the road.

Mark Neilson of 124 Prospect Trail explained that he has had issues with short-term rentals on his road that include trash and noise brought in by the wedding venues. He said this road also has a hazardous exit onto Alternate 75. Mr. Neilson stated he found data online citing 30 short-term rentals in his area, which is about 100 renters with only a couple of renters per house.

Roy Abernathy of 322 Caffus Abernathy Road cited a previous issue of graffiti on a building from the previous owners of this home and said he was hit twice on that road. He said there is not a way to turn around at the proposed property.

Chairman Thomas asked Mr. Chambers if he had anything he would like to add.

Mr. Chambers stated a hazardous dead oak tree was removed and there is no clearing being done. He said this property is twenty feet off the highway so there will be no reason for renters to go further back to the neighboring properties. Regarding turn around space, Mr. Chambers stated he has turned around with a trailer and had plenty of room.

Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on Monday, August 1st.

Application of Kendyl Brock Hunter, on behalf of Thad B. Rudd, to request a conditional use permit at 540 Ascension Trail in Cleveland, Georgia, 30571. Tax map and parcel 005-006. Total acreage is 5.14. Proposed use is to place in "Short Term Rental" program. Present use is R-1 Residential Single Family District.

A representative and son of the owner, Butch Hunter of 348 Ascension Trail, was present on behalf of the landowner. Mr. Barton gave a summary of the application. Mr. Hunter stated his father purchased property in South Georgia as his primary residence and would like to rent this property short-term with a maximum occupancy of six people and adequate parking. He said it is single road access on a private road

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and the closest neighbor is his own property. He said there are three other short-term rentals on the Lumpkin County portion of the road and they have plans to manage the rental themselves.

Chairman Thomas asked if anyone would like to speak for this application, there was no response. He asked if anyone would like to speak against this application, there was no response. Mr. Hunter did not have anything else to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on Monday, August 1st.

Application of Margaret Guzinski and Carl Heck to request a conditional use permit at 349 Horton Creek Road, Helen, Georgia, 30545. Tax map and parcel H03A-007. Total acreage is 1.0. Proposed use is to place in “Short Term Rental” program. Present use is R-1 Residential Single Family District. The landowners, Margaret Guzinski and Carl Heck of 1187 Eggleston Drive in Deland, FL, were present. Mr. Barton gave a summary of the application. Ms. Guzinski stated the maximum occupancy would be four people with plenty of parking on a private, paved road. She said the property was not previously a short-term rental to her knowledge. Ms. Guzinski said they plan to manage the rental themselves and that they currently manage two other short-term rentals in White County.

Chairman Thomas asked if anyone would like to speak for this application, there was no response. He asked if anyone would like to speak against this application, there was no response. Ms. Guzinski did not have anything else to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on Monday, August 1st.

Application of Dave Wagoner to request a conditional use permit at 179 North Fern Cove Road in Sautee Nacoochee, Georgia, 30571. Tax map and parcel 068-161. Total acreage is 7.5. Proposed use is to place in “Short Term Rental” program. Present use is R-1 Residential Single Family District. The landowner, Dave Wagoner of 84 Nonquit Hills Drive, was present. Mr. Barton gave a summary of the application. Mr. Wagoner said the property sat vacant for six to seven years and has been remodeled since he purchased it in February. He explained the maximum occupancy would be six to eight with parking for four to five. Regarding the road, Mr. Wagoner explained it is a private gravel road maintained by a neighbor and is in good condition. He added there is no maintenance agreement, only voluntary contribution to the neighbor. Mr. Wagoner said the neighbor is a short-term rental and there may be one more. He stated he would use a rental agency.

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

Adrian Locklear of 8 Sweet Birch Drive in Cleveland stated he is the CFO and spokesperson for Cabin Rentals of Helen and confirmed that this property will be under their management. He explained the rental policies and said the company would be the 24-hour contact.

Chairman Thomas asked if anyone would like to speak against this application, there was no response. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on Monday, August 1st.

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Application of Jessica McClary, on behalf of LJ Grizzard Properties LLC, to request a conditional use permit at 3253 Hwy 75 Alternate in Cleveland, Georgia, 30528. Tax map and parcel 030D-061C. Total acreage is 1.58. Proposed use is to place in “Short Term Rental” program. Present use is R-1 Residential Single Family District.

The applicant, Jessica McClary of 196 Farmette Drive in Cleveland, was present. Mr. Barton gave a summary of the application. Ms. McClary stated the maximum occupancy would be six people and parking for four vehicles. She said one side of the property is a wedding venue with short-term rentals and the other side is short-term rentals, as well. She said the owners are the 24-hour contact and she is the cohost that handles guest communications. Ms. McClary stated the home is currently under construction, but the property is a deep lot that adjoins Turner Creek and the closest neighbor is 1000 feet away.

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

Bill Cull of 196 Farmette Drive stated that he and his stepson are purchasing the property and they manage other short-term rentals in the area. He said he lives next to this property and will be the 24-hour contact.

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

Bo Everett of 3284 Highway 75 Alternate stated he lives 400 hundred feet across the street. He said he already has noise from the wedding venue and other short-term rentals. He said the driveway is unsafe, adding there were four wrecks previously from people leaving the wedding venue. He said there are too many rental properties.

Shaun Boettner of 16 Caffus Abernathy Road said this property is in a bad curve with severe drop offs that cause issues for people that do not know the roads. He said other short-term rentals and the wedding venue bring people that are unfamiliar with the road and people speed on this road, as well. He said this is a residential area that should not become a large tourist town.

Carol Falk of 124 Prospect Trail said visitors do not have the same investment in the area as full timers. She said she lives in Springcrest next to a short-term rental that exceeds guest limits and policies are not always enforced.

Mark Neilson of 124 Prospect Trail asked the board how many more short-term rentals and if there is a threshold. He said the database he looked at online said there are 1000 short-term rentals in the county and 30 near him. He said he has concerns with traffic, trash, off leash animals, unenforced policies, and visitors not investing in the area.

Chairman Thomas asked Ms. McClary if she had anything she would like to add.

Ms. McClary stated that short-term rentals support the economy in addition to the wedding venues, wineries, and restaurants. She said there are ways on rental management sites to anonymously report short-term rentals that are not enforcing policies. She added that this property does not share a driveway with Springcrest.

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Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on Monday, August 1st.

Application of Regina Berg to request a conditional use permit at 60 Smokerise Drive in Sautee Nacoochee, Georgia, 30571. Tax map and parcel 058C-033. Total acreage is 2.22. Proposed use is to place in “Short Term Rental” program. Present use is R-1 Residential Single Family District. The landowner, Regina Berg of 237 Smokerise Drive, and her representative, Adrian Locklear of 8 Sweetbirch Drive, were present. Mr. Barton gave a summary of the application. Mr. Locklear stated there is no homeowner’s association or road fees and it is on a private road. He said the ultimate goal is to have guests from Bigfoot Lodge stay at this property for events at the lodge. He said the maximum occupancy is four and there is adequate parking. Ms. Berg explained that she lives on the road and contributes to road maintenance costs. She said there is one other short-term rental on Smokerise Drive and the closest residence is twenty yards across the road.

Chairman Thomas asked if anyone would like to speak for this application, there was no response. He asked if anyone would like to speak against this application, there was no response. Ms. Berg did not have anything else to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on Monday, August 1st.

Application of Daniel Carr to redistrict property located at 2370 Westmoreland Road in Cleveland, Georgia, 30528 from C-1 Community Commercial District to R-1 Single Family Residential District. Tax map and parcel 049-075. Total acreage is 4.89. Present use is R-1 Single Family Residential. A representative, Jeramiah Osterman of 29 Wheeler Ridge Drive in Sautee Nacoochee, was present on behalf of the landowner. Mr. Barton gave a summary of the application. Mr. Osterman said he is the property manager and explained the purpose was to bring to conforming use so the owner could make an addition to the home.

Chairman Thomas asked if anyone would like to speak for this application, there was no response. He asked if anyone would like to speak against this application, there was no response. Mr. Osterman did not have anything else to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on Monday, August 1st.

There was no citizen comment.

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