

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

Monday, October 31st, 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, and Linda Dixon. Staff members present were Harry Barton, John Sell, and Mercedes Dodd.

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

Application of Cindy Gilbert to request a conditional use permit located at 277 Cantrell Road, Cleveland, Georgia, 30528. Tax map and parcel 046C-065. Total acreage is 0.42 acres. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family. The landowner, Cindy Gilbert of 277 Cantrell Road, was present. Mr. Barton gave a summary of the application. Ms. Gilbert explained the proposed short-term rental would have a maximum occupancy of four people with ample parking. She said the properties on that road are on small lots but are not close together. She added that this home was used as a full time residence. Ms. Gilbert stated she would use a local rental management company.

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. Gilbert did not have anything else to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on Monday, November 7th.

Application of Christopher Kent to request a conditional use permit located at 402 Running Deer Road, Cleveland, Georgia, 30528. Tax map and parcel 005D-041. Total acreage is 1.91 acres. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family. The landowner, Christopher Kent of 402 Running Deer Road, was present. Mr. Barton gave a summary of the application. Mr. Kent explained the proposed short-term rental would have a maximum occupancy of six, depending on number of children, with parking for up to three vehicles. He said there have been two other properties in the subdivision, consisting of 58-59 lots in Paradise Falls, which were approved for short-term rental in the past year and an additional property that is grandfathered in. Mr. Kent stated he received 32-33 letters of approval from subdivision lot owners. He explained that he will not be able to spend as much time there and would like to rent it short-term so he does not lose it. Mr. Kent provided two additional signed letters to planning staff.

Chairman Thomas asked if anyone would like to speak for the application. Nita Decker of Georgia Mountain Rentals stated there is plenty of parking on the long driveway and there are no neighbors close.

Chairman Thomas asked if anyone would like to speak against the application. Elissa England of 540 Running Deer Road expressed concerns of noise, renters using the creek and trespassing on their properties, and renter negligence that led to a rental burning down. Ms. England asked if there was any verification done on the letters provided for the application, to which Mr. Barton

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explained that notarized signatures are not required and staff looks at the name and parcel numbers on the letters.

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

Mr. Kent stated the letters were received via direct mailings or in person. He encouraged the board to contact each person that signed.

Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on Monday, November 7th.

Application of Xinyu Qui to request a conditional use permit located on Yonah Lake Drive in Sautee Nacoochee, Georgia, 30571. Lot 69 in Yonah Mountain Lake Subdivision. Tax map and parcel 059B-218. Total acreage is 1.00. Proposed use is to place in "Short Term Rental" program. Present zoning is R-1 Residential Single Family.

The landowner, Xinyu Qui of Yonah Lake Drive, was present. Mr. Barton gave a summary of the application. Mr. Qui explained the proposed rental has not been built yet, but he plans to build a three to four bedroom home with parking for three to four vehicles. He said Yonah Mountain Lakes Subdivision, which has approximately 93 lots and less than 10 homes constructed, has covenants that list specific regulations related to short-term rentals that require a minimum of a three-night stay. Mr. Qui stated the home would be a good distance away from neighbors since the minimum lot size is one acre and he will probably use a local management company. He said he lives in North Atlanta and has been the only owner of this lot.

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

Adrian Locklear of 8 Sweetbirch Drive in Cleveland stated Mr. Qui has a letter from White County Water Authority and Environmental Health through which utility services will be provided. Mr. Locklear explained that Mr. Qui has spoken to a local management company that would have a local 24-hour contact and rental policies that are enforced.

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

Jim Harris, owner of Lot 170 in Yonah Mountain Lake, expressed concerns with any rentals for reasons such as noise level, not knowing the renters and safety of his grandchildren. He said he was provided a copy of the covenants when he purchased the property, but did not think a rental would be next to him.

Randi Krasnoff of 989 Yonah Lake Drive expressed concerns of noise, trash, property destruction, property devaluation, the distribution of the gate code, and trespassers based on her previous experience of owning a short-term rental. She said Section 3.20 of the covenants relating to no business/commercial enterprise conflicts with the rental clause and explained that the developer had transferred the POA over to the landowners. Ms. Burke asked for the POA President's phone number.

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

Mr. Locklear stated that Mr. Qui would be using Cabin Rentals of Helen that is well established and has a 24-hour contact for security. Mr. Locklear explained the screening process for renters. He said the owner had gone through the notification process to the association, as outlined in the covenants. Mr. Qui stated

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he received a response back from the association president stating that short-term rentals are allowed in the covenants.

Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on Monday, November 7th.

Application of Tim Pflieger to request a conditional use permit located at 65 Curtis Road, Helen, Georgia, 30545. Tax map and parcel 042B-072. Total acreage is 0.50. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

The landowner, Tim Pflieger of 65 Curtis Road, was present. Mr. Barton gave a summary of the application. Mr. Pflieger explained the proposed rental would have a maximum of six to eight with parking for four vehicles. He said he manages properties in Atlanta and has experience with short-term and long-term. Mr. Pflieger said he loves the area and the home would primarily be used for family vacations, so he would only rent one to two weekends. He stated there are two other short-term rentals in the neighborhood that have not had issues and said the nearest home is about seventy yards away.

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. Pflieger did not have anything else to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on Monday, November 7th.

Application of John Alexander to request a conditional use permit located at 172 Elrod Road, Helen, Georgia, 30545. Tax map and parcel 042B-126. Total acreage is 1.30. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

The landowner, John Alexander of 172 Elrod Road, was present. Mr. Barton gave a summary of the application. Mr. Alexander explained he recently upgraded and renovated the home and plans to rent the property one to two weeks a month to help supplement income. He noted that he has a short-term rental in Calhoun, Georgia through VRBO and said that undesirable rentals can be avoided by not using “instant booking” in order to screen renters. He said there are other short-term rentals near this property and the closest neighbor, less than three hundred yards away, is okay with the rental.

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. Alexander did not have anything else to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on Monday, November 7th.

There was no citizen comment.

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