

WHITE COUNTY PLANNING COMMISSION AGENDA
PUBLIC HEARING: LAND USE REGULATION

Monday, November 28th, 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, Brad Ash, Linda Dixon, and John Yarbrough. Staff members present were Harry Barton, John Sell, and Mercedes Dodd.

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

Mr. Barton gave a summary of the proposed land use amendments. Chairman Thomas asked if anyone would like to speak for or against the proposed changes.

Mitchelle Johnston of 431 Gold Flume Way asked what the effective date would be for someone to apply for the conditional use permit. Mr. Barton explained that conditional use permits follow the land use application process and anything filed prior to the passing of the new ordinance would follow previous regulations that were in effect at the time of filing.

Mary Calzaretta of 466 Staton Road asked about the requirements for the conditional use permit, the posting requirements for changes made to the application extension, and the per person time limit proposed. Mr. Barton explained the land use application process, posting requirements for public hearings and Board of Commissioners meetings, and clarified the time limits per person for speaking for or against applications.

Chairman Thomas closed the hearing.

Application of Samuel Hayes to request a conditional use permit located at 422 Laurel Ridge Road in Sautee Nacoochee, Georgia, 30571. Tax map and parcel 059D-117. Total acreage is 1.00. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family. The applicant, Samuel Hayes of 422 Laurel Ridge Road, was present. Mr. Barton gave a summary of the application and added that a letter from the homeowner’s association stating short-term rentals are allowed was included in the application. Mr. Hayes explained the proposed short-term rental would have a maximum occupancy of 10 with a vehicle maximum of 6 with anticipation of only 4. He said he plans to use the property for friends and family when the property is not being rented out. He stated he would manage the property himself and that he has other rental properties that he manages in Atlanta. Mr. Hayes said he has a local person that could respond to calls or he would be at the property in the event it was needed. When asked if the property had been rented, he said he had rented it but paused during the hearing process. He explained the property was initially part of Yonah Mountain Scenic Estates subdivision, but the subdivision dropped that property and he pays road maintenance fees to Laurel Ridge subdivision.

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.

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Paul Pope of 689 Laurel Ridge Road and president of Laurel Ridge Property Owner's Association stated he was not against the short-term rental but expressed concerns of traffic, unsafe drivers, and trash in terms of wildlife. He said the covenants allow for short-term rental because the influx of rentals was not anticipated. He explained in order to change the covenants, a vote of almost 100% would be needed and 45% of the road is short-term rentals.

Sam Hersey of 433 Laurel Ridge Road stated he is not against the short-term rentals but expressed traffic and road concerns. He said he is also concerned with the maximum occupancy of ten because of the amount of trash and said he has seen large amounts of renters, including a bus, at this property.

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

Mr. Hayes explained he purchased a galvanized steel bear proof trash container that holds two cans. He said he would limit the vehicles to four and the mentioned bus was probably a wine tour bus. He suggested having the owners of the short-term rentals pay additional fees to the association for road maintenance.

Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on December 5th.

Application of Angus and Jackie Haig to request a conditional use permit located at 188 Gilleland Drive in Cleveland, Georgia, 30528. Tax map and parcel 018-042. Total acreage is 18.84. Proposed use is to place in "Short Term Rental" program. Present zoning is R-1 Residential Single Family. The applicants, Angus and Jackie Haig of 188 Gilleland Drive, were present. Mr. Barton gave a summary of the application. Mr. Haig explained the proposed short-term rental would have a maximum occupancy of 10-12 with ample parking on 18 acres. He said they have recently renovated the property and are developing it as a family oriented place to stay. Mr. Haig stated they have two other rentals, one on Lake Lanier and one in Atlanta, which they manage. He said the previous owner would be the property manager. When asked if the property had been on the rental market, he said no. Mr. Haig added that the adjoining property owner, who could not attend the meeting due to medical reasons, had expressed concerns of the access, so he gated off the Gilleland Drive portion for renters to use the other access to the property.

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.

Martha Senkbeil of 1207 Adair Mill Road said she is not in the Adair Mill community, but she abuts it. She expressed concerns of parties and does not feel they need a short-term rental in the area. She also expressed concerns of a business showing at this location for data installation.

Chris Dorsey of 164 Mill Lane expressed concerns of the lack of soil and erosion control plan during the owner's remodel process. Mr. Dorsey provided photos to the board to show runoff into creeks and damages to his property. He stated he has contacted Mr. Haig to discuss cost of repairs. He said a stop work order was placed after code enforcement was notified but contractors disregarded the notice.

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Roy Ficklin of 1551 Adair Mill Road stated he does not want short-term rentals in the area or to deal with the negative effects of rentals. He said it would be hard to draw a line if short-term rentals are allowed.

Ron Jackson of 1263 Adair Mill Road expressed concerns of four wheelers, guns, and drinking. He also expressed concerns of how to stop more rentals once one is approved.

Karen Spellman of 56 Toler Drive expressed concerns of parties and weddings due to the large house size and acreage. She said she agrees with the previous comments made.

Chairman Thomas asked Mr. and Mrs. Haig if they had anything to add.

Mr. Haig explained that he agreed to close the gate to Gilleland Drive to prevent the use of the road. He said there is not a business currently at the property. He said there is plenty of space for motorbikes and four wheelers but said he would be willing to add provisions. Concerning gunfire, he said that concern is already there because you can hear gunfire all of the time. He stated that mistakes were made during the projects on the property, but he added in additional measures to prevent erosion and has contacted Mr. Dorsey to try to mitigate the issues.

Mrs. Haig explained that they have a large family and it is hard to find places to accommodate them, so their goal is provide a place for families with a large outdoor area. She said they would add a condition in the rentals to use the access to the lower gate.

Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on December 5th.

Application of Don Russell to request a conditional use permit located at 892 Yonah Lake Drive in Sautee Nacoochee, Georgia, 30571. Tax map and parcel 059B-187. Total acreage is 1.00. Proposed use is to place in "Short Term Rental" program. Present zoning is R-1 Residential Single Family.

The applicant, Don Russell of 6448 SW 94th Circle in Ocala, FL, was present. Mr. Barton gave a summary of the application. Mr. Russell explained the home is under construction but will have a maximum occupancy of 10 with adequate parking. He said he would self-manage with a local contact and will use the home for friends and family gatherings, as well. He stated that he purchased the property because short-term rentals are allowed in the covenants.

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. He asked Mr. Russell if he had anything to add, he said no. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on December 5th.

Chairman Thomas asked if there was any citizen comment.

Gary Evans of 22 Asbury Landing Drive stated that the data business mentioned regarding 188 Gilleland Drive was the previous owner and is now located in Gainesville.

There was no other citizen comment. Motion to adjourn made by Ms. Dixon and seconded by Mr. Ackerman. Motion was unanimous.