

WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

Monday, May 1st, 2023
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 John Yarbrough. Staff members present were Mercedes Dodd, Harry Barton, and John Sell.

Chairman Thomas called the meeting to order. Mr. Yarbrough gave the invocation. No changes made to the agenda. Motion to approve the minutes of March 27th, 2023 and April 3rd, 2023 made by Ms. Dixon and seconded by Ms. Burke. Motion was unanimous.

Application of Stanley Barnes to request a variance from Section 601 Access. Property is located on James Drive, Cleveland, GA, 30528. Tax map and parcel is 023-089. Total acreage is 1.00.

The applicant, Stanley Barnes of 283 James Drive, was present. Ms. Dodd gave a summary of the application, adding that the request is for an intra-family land transfer. Mr. Barnes did not have anything to add.

Motion to approve the variance made by Ms. Dixon and seconded by Mr. Freeman. Motion was unanimous. Ms. Dodd advised the applicant to contact Environmental Health for plat approval.

Application of Craig Walker to request a variance from Section 804 Building Setback for building within a building setback. Property is located at 2048 Helen Hwy, GA, 30528. Tax and parcel is 046-034. Total acreage is 0.60.

The applicant, Craig Walker of 2048 Helen Highway, was present. Ms. Dodd gave a summary of the application. Mr. Walker explained the requested setback is 0 feet due to the layout of the lot and trying to keep the building as far back from the road as possible. Mr. Walker said he spoke with the adjoining property owner and has a signed letter stating approval to place the structure on the property line. He explained that only one corner of the building would be within the setback, but the rest of the building is turned away from the property line and would have a larger setback. Chairman Thomas asked the applicant if he understood that it could be a problem with a future neighbor should that property sell and Mr. Walker said he understood.

Motion to approve the variance with a 2-foot setback, because of the way the building sits and just the one point of the building being 2-feet from the property line, made by Mr. Ackerman and seconded by Ms. Dixon. Ms. Burke abstained from the vote due to her brother owning the adjoining property. Motion passed with four in favor and one abstention. Ms. Dodd advised the applicant to contact the Building Department for a building permit.

Application of Sean Campbell to request a variance from Section 802 for Second Dwelling. Property is located at 709 Gold Flume Way, Cleveland, GA, 30528. Tax map and parcel is 005D-096. Total acreage is 14.93.

The applicant, Sean Campbell of 709 Gold Flume Way, was present. Ms. Dodd gave a summary of the application, adding that the garage would not be rented out per the application. Mr. Campbell explained the proposed use is for a garage/"mancave" to store vehicles and other items in addition to having living quarters.

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Motion to approve the variance made by Ms. Burke and seconded by Mr. Freeman. Motion was unanimous. Ms. Dodd advised the applicant to contact the Building Department for a building permit.

Application of Webster Lake Investment Group to request a variance from Section 601 Access. Properties are located on Ransom Free Road, Cleveland, GA, 30528. Lot 1 and Lot 2. Tax map and parcel is 023-089. Total acreage is 2.008.

The applicant, Todd Campbell of 1617 Highway 115 East in Cleveland, was present. Ms. Dodd gave a summary of the application. Mr. Campbell explained the request is to be able to utilize a better access from the cul-de-sac. He said he had already spoken with Lumpkin County regarding their portion of the access and they were fine with it. When asked if he had approval from them in writing, he said he could get that.

Motion to approve the variance made by Ms. Dixon and seconded by Mr. Ackerman. Request to add an approval letter from Lumpkin County made by Ms. Burke.

Motion as amended to approve the variance contingent upon a letter from Lumpkin County made by Ms. Dixon and seconded by Mr. Ackerman. The amended motion was unanimous. Ms. Dodd advised the applicant to contact Environmental Health for plat approval.

Application of Project Treehouse, LLC to request a variance from Section 601 Access. Property is located on Myra Branch Road, Cleveland, GA, 30528. Tax map and parcel is 042B-002A. Total acreage is 1.33.

The applicant, Brandon Thompson of 104 Reserve Drive in Carrollton, GA, was present. Ms. Dodd gave a summary of the application. Mr. Thompson explained the request is for him and a friend to split the property to build their family vacation homes. When asked if he plans to rent them, he said he is contemplating a rental to supplement the mortgage but was unsure at this time. He said the property is on a gravel road off Myra Branch and Ms. Dodd stated it is on an easement.

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

Application of David Rucker to request a variance from Section 802 for Second Dwelling. Property is located at 874 Holiness Campground, Cleveland, GA, 30528. Tax and parcel is 076-011A. Total acreage is 6.005.

The applicant, David Rucker of 874 Holiness Campground Road, was present. Ms. Dodd gave a summary of the application, adding that the applicant updated the location for the second home and the new drawing had been made part of the application file. Mr. Rucker explained the request is to place a mobile home on his property to house the family that has been living in his basement.

Motion to approve the variance made by Ms. Burke and seconded by Mr. Yarbrough. Motion was unanimous. Ms. Dodd advised the applicant to contact the Building Department for a building permit.

Application of Jacob Daniel Wiley to redistrict property located at 0 Highway 254, Cleveland, Georgia, 30528 from R-1 Residential Single Family to C-2 Highway Business District. Tax map and parcel 051-133. Total acreage is 3.98. Present zoning is R-1 Residential Single-Family District.

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The applicant, Jacob Wiley of 615 Cooley Woods Road in Cleveland, was present. Ms. Dodd gave a summary of the application, including the list of conditions in the meeting minutes from the March 27th Board of Commissioners meeting. Mr. Wiley stated he is in agreement with the conditions. When asked what type of trucks are used, Mr. Wiley stated tandem axle trucks like a dump truck, not semi-truck or trailers. He stated there are 17 commercial properties on Highway 254 and he had obtained a permit for his access. Mr. Wiley explained, in addition to the greenery and fencing that will be placed, the building will block most of the view from Donald Alexander and said he does not plan to clear more of the property. He said the property owner on the other side does not want greenery placed along that property line.

Motion to recommend denial to the Board of Commissioners made by Ms. Dixon. The motion died for lack of a second.

A second motion to recommend approval to the Board of Commissioners with the conditions listed in the Board of Commissioners meeting minutes that Mr. Wiley already agreed to and an additional condition that the driveway be closed to Donald Alexander Road made by Mr. Ackerman and seconded by Ms. Burke. The motion carried by majority with four in favor and Ms. Dixon opposed. Ms. Dodd advised the applicant of the next meeting on June 5th.

Application of William Ferguson to redistrict property located 1622 Westmoreland Road, Cleveland, Georgia, 30528 from A-1 Agriculture Forestry District to R-1 Residential Single Family District. Tax map and parcel 063-112. Total acreage is 2.30. Present zoning is A-1 Agriculture Forestry District. The applicant, William Ferguson of 2975 Highway 75 South in Cleveland, was present. Ms. Dodd gave a summary of the application. Chairman Thomas asked Mr. Ferguson if the county had been in contact with him about purchasing the property and Mr. Ferguson said no.

Motion to recommend approval to the Board of Commissioners made by Mr. Yabrough and seconded by Ms. Dixon. Motion was unanimous. Ms. Dodd advised the applicant of the next meeting on June 5th.

Application of Alton Swann to redistrict property located at 254 Star Lake Lane, Sautee Nacoochee, Georgia, 30571 from R-1 Residential Single Family to R-3 Residential Seasonal District. Tax map and parcel 069-452. Total acreage is 0.70. Proposed use is to place in “Short Term Rental” program. Present use is R-1 Residential Single-Family District.

The applicant, Alton Swann of 254 Star Lake Lane, was present. Ms. Dodd gave a summary of the application. When asked if he understood the difference between rezoning to R-3 and a conditional use permit in R-1 for short-term rental, Mr. Swann said he did.

Motion to recommend approval to the Board of Commissioners made by Mr. Ackerman and seconded by Mr. Freeman. Motion was unanimous. Ms. Dodd advised the applicant of the next meeting on June 5th.

Application of Hetrip Unit LLC, on behalf of Kirt Koch, to redistrict property located at the intersection of Highway 255 South and Highway 115 East in Cleveland, Georgia, 30528 from A-1 Agriculture Forestry District to C-2 Highway Business District. Tax map and parcel 061-230. Total acreage is 2.03. Present zoning is A-1 Agriculture Forestry District.

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The owner, Kirt Koch of 42 Stone Wall Drive, was present. Ms. Dodd gave a summary of the application. Mr. Koch did not have anything to add. When asked if there is currently a contract on the property to sell contingent upon this application, Mr. Koch said yes and explained the address listed for the applicant on the application is the developer.

Motion to recommend denial to the Board of Commissioners based on the location being in a hole and not being able to get in and out of that road because of the curve made by Ms. Burke and seconded by Mr. Yarbrough. Mr. Ackerman added that the safety of the intersection, based on the data with 19 accidents at that intersection in the last 15 years, is part of the reason. Ms. Dixon added environmental concerns, as well. Motion was unanimous. Ms. Dodd advised the applicant of the next meeting on June 5th.

Application of Joseph Almengor to request a conditional use permit located at 2265 Dean Mountain Road, Cleveland, Georgia, 30528. Tax map and parcel 088-091. Total acreage is 2.00. Proposed use is to place in "Short Term Rental" program. Present zoning is R-1 Residential Single Family. The applicant, Joseph Almengor of 2265 Dean Mountain Road, was present. Ms. Dodd gave a summary of the application. Mr. Almengor did not have anything to add.

Motion to recommend approval to the Board of Commissioners made by Ms. Burke and seconded by Ms. Dixon. Motion was unanimous. Ms. Dodd advised the applicant of the next meeting on June 5th.

Application of Zachary Wilkerson to request a conditional use permit located at 255 Sandra Lane, Cleveland, Georgia, 30528. Tax map and parcel 073-206. Total acreage is 2.41. Proposed use is to place in "Short Term Rental" program. Present zoning is R-1 Residential Single Family. The applicant, Zachary Wilkerson of 255 Sandra Lane, was present. Ms. Dodd gave a summary of the application. When asked when he received the signatures for the application, Mr. Wilkerson said his wife got the signatures last summer around June. Ms. Burke stated she contacted the county and was informed there were no other short-term rentals on Sandra Lane. She asked if one of the signatures received was from a woman that had passed away, Mr. Wilkerson said yes. Ms. Burke asked if there was a time limit on signatures, Mr. Barton said applications are currently accepted within about a year timeframe. Ms. Dixon asked Mr. Wilkerson why one of the signatures spoke in opposition at the public hearing. Mr. Wilkerson said he could not speak for Mr. Eason, but he was able to speak with him last week and believes he did agree with it. Mr. Wilkerson stated that there is one property, 360 Sandra Lane, that is zoned R-3.

Motion to recommend approval to the Board of Commissioners made by Mr. Ackerman and seconded by Mr. Freeman. The motion carried by majority with three in favor and Ms. Dixon and Ms. Burke opposed. Ms. Dodd advised the applicant of the next meeting on June 5th.

There was no citizen comment.

Chairman Thomas stated that the next Public Hearing would be moved to May 30th due to the Memorial Day holiday.

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