

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

Tuesday, May 30th, 2023
6:00 pm

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

Board members present were Larry Freeman, R.K. Ackerman, Charlie Thomas, 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. Chairman Thomas outlined the public hearing procedures. No changes made to the agenda.

Application of Susan and Sangsoo Oh to request a conditional use permit located at 403 Yonah Valley Road, Cleveland, Georgia, 30528. Tax map and parcel 045C-034. Total acreage is 13.25. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

The applicant, Susan Oh of 403 Yonah Valley Road, was present. Mr. Barton gave a summary of the application. Mrs. Oh explained the proposed short-term rental would have a maximum occupancy of 12 people, parking for more than 10 vehicles on the 13 acres, and her next-door neighbor would be the emergency contact. She said she plans to utilize online platforms and has rented on and off due to not knowing she needed a license until the county notified her. Mrs. Oh said she has owned the property for ten years and began renting in the last year, but has had family and friends stay at the property. When asked if there were other short-term rentals nearby, she said no.

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.

Tammy Chambers of 250 Yonah Valley Road expressed concerns of the narrow road, traffic, potential for more rentals on the property due to its size, and noise. She said the owner has already been renting with three to six vehicles at a time and loud children.

Chairman Thomas asked Mrs. Oh if she had anything to add, she said no. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on Monday, June 5th.

Application of Jon Schwartz to redistrict property located at 1299 Hwy 17 in Sautee Nacoochee, Georgia, 30571 from C-1 Community Commercial District to R-1 Single Family Residential District and conditional use permit. Tax map and parcel 071-005. Total acreage is 3.98. Proposed use is for agri-tourism, wedding tourism, event facilities and attractions. Present use is C-1 Community Commercial District.

The applicant, Jon Schwartz of 1299 Highway 17, was present. Mr. Barton gave a summary of the application. Mr. Schwartz explained the proposed use would be small events that would start and end early, which is why he is requesting to move from C-1 Community Commercial to R-1 Residential Single Family. He said he hosted an indoor event in February with 24 people for the Sautee Nacoochee Cultural Center, which was a small gathering. He said his maximum occupancy would be 24-25 for the indoor space where he would host mystery dinners and has experience hosting events in Atlanta. Mr. Schwartz said he is not looking to host weddings, but would be able to have 50 people in an outdoor area for “boutique weddings” or other outdoor events. He said the majority of his events would be indoor and does not intend to host indoor and outdoor at the same time so he can keep the gatherings small. Mr. Schwartz explained the paved parking would hold 12-15 vehicles and the gravel road to the barn would

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

hold another 15 vehicles. He explained that indoor noise is not easily heard over highway traffic and outdoor events would end no later than 11pm.

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

Savannah Essigman, address not provided, said she is a wedding and event coordinator in Helen and the church keeper. She said the owners reached out to her with humble intentions, and she cannot see them being disruptive since they want to conserve the community.

JoAnn Sweeney of 320 Sal Mountain Way said she has known the owners for years, and they are good neighbors and people who she believes will do a good job.

Tommy Williams, who lives next door, said he has known the owner for years and has not noticed any of the events so far. He said they are good people with good intentions of keeping the events “low-key”.

Mel Whitehead, the Executive Director of the Sautee Nacoochee Cultural Center, said he has known the owner for years and his intention is for small groups with concerns about preserving the community and environment. He said the owner has offered to hold events for the cultural center and Mr. Whitehead believes this will be good for the community.

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

Jeff McCrew of 303 Richardson Road said he is not for or against, but wanted to know if the county does anything to preserve the residential area if approved and would hate to see it move more toward a business area.

Barbara Williams, address not provided, said she lives on the county line, said she wished to follow up to the previous speaker. She stated that the reason Mr. Schwartz wants to rezone to R-1 is to keep the property in the residential area and that if the property would be rezoned back to C-1 is when any issues about commercial could be addressed. She said C-1 to R-1 is great.

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

Mr. Schwartz said the property is zoned commercial now and the reason they wish for R-1 is because they plan to live there and the property has family history. He said this would be their home and where they plan to stay.

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

Application of Yonah Mountain Vineyards to request a conditional use permit located at 62 Small Pond Dr., Cleveland, Georgia, 30528. Tax map and parcel 060D-047. Total acreage is 2.0. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

A representative, Danny McIntosh of 1717 Highway 255 S, was present. Mr. Barton gave a summary of the application. Mr. McIntosh explained the proposed use is to rent in conjunction with events at the facility, managed through the vineyard, and it would have a maximum occupancy of eight to ten people and four vehicles. When asked if a road could be built from the vineyard to the home, he said the property is the first house from the highway and there would not be a good way to make access to the vineyard but it does have a small trail for mowing and utilities. Mr. McIntosh said he would be the emergency contact and would coordinate with the local person on duty to go to the home. He said there is one other short-term rental on the road, which is the property the vineyard just had approved and said the second access has already been cut.

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.

Linda Seabolt of 106 Small Pond Drive expressed concerns of the proximity of the proposed rental to her home, previous failed long-term rentals at this home, and said this home is on her private access. She said the vineyard is still using Small Pond Drive for access after being told to gate off that access and does not understand how so many short-term rentals in the county have been approved. She said she wants to keep White County beautiful.

Stacy Brown of 248 Small Pond Drive, next door to the other short-term rental, said she is not for or against, but had questions. She said the vineyard did what they were supposed to do with the fence and so far do not seem to be disruptive. Ms. Brown stated there is always a chance for bad neighbors and it is a good thing for them to be there, but wanted to know the end goal of how many rentals on Small Pond Drive does the vineyard plan to own.

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

Mr. McIntosh explained they do not have a master plan and were approached by the previous owner to purchase, but plan to improve the homes they purchase. He said the road to the other rental took longer to build so they did have to use Small Pond Drive but were not closing the gate unless people were in the home. However, he said the gate will now remain closed, even if not rented, after being approached by a neighbor with the request. He said they are trying to be good neighbors and spoke with the person that does most of the road maintenance to determine improvements, which are done once a year. He said a road could be built to this home, but he was not sure if it could be enforceable since it is the first house.

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

Application of Blake Boggs, on behalf of Christopher and Alissa Feaster, to request a conditional use permit located at 0 Sara Lane, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 055D-096. Total acreage is 0.927. Proposed use is to place in "Short Term Rental" program. Present zoning is R-1 Residential Single Family.

The applicant, Blake Boggs of 182 S Main Street in Cleveland, was present. Mr. Barton gave a summary of the application. Mr. Boggs explained the proposed short-term rental has not been built yet, so

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

maximum occupancy has not been determined. He said the covenants allow short-term rentals by their interpretation and he received a letter from the homeowner's association in support, which he gave to Mr. Barton for the application file. Mr. Boggs believed there was one other short-term rental in the subdivision and one property zoned R-3 Residential Seasonal. He said the property is under contract contingent upon approval of the conditional use permit.

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. Mr. Boggs did not have anything to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on Monday, June 5th.

Application of Jude M. Beckman to request a conditional use permit located at 2609 Post Road, Cleveland, Georgia, 30528. Tax map and parcel 063-038A. Total acreage is 1.50. Proposed use is to place in "Short Term Rental" program. Present zoning is R-1 Residential Single Family. The applicant, Jude Beckman of 2609 Post Road, was present. Mr. Barton gave a summary of the application. Mr. Beckman explained the proposed short-term rental would have a maximum occupancy of eight with parking for eight vehicles, though he doubted there would be that many. He said he plans to self-manage and lives 30 minutes away so he will be the emergency contact. Mr. Beckman stated he has been doing short-term rentals for ten years, is particular who he rents to, and does not allow parties.

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. Mr. Beckman did not have anything to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on Monday, June 5th.

Mr. Barton presented proposed amendments to the White County Land Use Ordinance pertaining to advertising requirements that are consistent with updates in the Georgia Zoning Procedures Law effective July 1st, 2023.

Chairman Thomas asked if there was any public comment, there was no response.

Mr. Sell presented updates made to the proposed Historic Preservation Overlay Ordinance, including changes to verbiage, withdrawal and opt in processes, and owner notification processes. Mr. Sell explained the compliance process in regard to steps to be taken by code enforcement should policy not be adhered to. He explained the buffer requirements for the affected properties and adjoining landowners. Chairman Thomas, Mr. Ackerman, and Mr. Freeman expressed concerns of the rights of the adjoining landowners. Mr. Sell stated the map would be finalized after the process for adoption if approved and properties are verified.

Chairman Thomas asked if there was any public comment.

John Erbele of 1037 Joe Black Road, Historic Committee Board Member, stated the intention for the ordinance was the least amount of government and some amount of protection. He said not much changed from last year, but the committee tried putting something together to keep White County a great place.

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

Mr. Erbele stated growth is coming and the county needs to be prepared for overflow from Helen and Gainesville.

Barbara Williams, address not provided, said the setbacks are not just residential places but are properties like Mossy Creek Church. She said that if the adjoining landowners decide to sell their properties to develop, then it would come with the caveat that they have to stay so many feet away from the church and she does not see anything wrong with that.

William Huff of 3605 Town Creek Road said he was opposed at the last meeting, but supports this revision with the new opt in and out processes. He said he does have concerns about view sheds and buffers.

Jonna Tuttle of 125 Wilderness End in Clarkesville, Georgia, said she has an appreciation for the community and is a fan of White County history and stories. She said this is what makes White County unique and it is important to hold onto not only for the economy but for families.

Spencer Robbie of 2220 Highway 17 said the community and beauty of the land in White County keeps him from moving away. He expressed support of historic preservation because it keeps the beauty and sense of life in Sautee as well as the rest of the county. He said as tourism increases, there will be growth so it is important to protect the area.

Ashley Harris of 3273 Post Road said it is important to do something to protect what makes the county beautiful and unique.

Linda Harris of 853 Laurelwood said it is important to educate people about historic areas and give them the opportunity to protect it.

Chairman Thomas asked everyone in support of the ordinance to raise their hand; the majority of the room did so. He asked everyone in opposition to raise their hands, there were none. Chairman Thomas closed the hearing.

After questions about further meetings on the historic preservation ordinance, Mr. Barton announce the Planning Commission would make a recommendation to the Board of Commissioners, who would make a decision on the ordinance at a later date to be determined. Chairman Thomas stated, due to two board members being out, that he would like the entire board to be present when the Planning Commission makes their recommendation.

There was no other citizen comments.

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