

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

Monday, June 26th, 2023
6:00 pm

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

Board members present were Larry Freeman, R.K. Ackerman, Dona K. Burke, Charlie Thomas, 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.

Application of Oleksandr Fedoruk to redistrict property located at 648 Will Hambrick Road, Cleveland, Georgia, 30528 from A-1 Agriculture Forestry District to R-3 Residential Seasonal District. Tax map and parcel 077-059. Total acreage is 11.31. Proposed use is to place in “Short Term Rental” program and rental cabin development. Present zoning is A-1 Agriculture Forestry District.

A representative, Mark Fedoruk of 648 Will Hambrick Road, was present on behalf of the applicant. Mr. Barton gave a summary of the application. Mr. Fedoruk explained the proposed rental cabins would be 400-500 square foot, one bedroom and one bathroom, with parking for each cabin as required. Mr. Barton explained the rental cabin development regulations and the minimum square footage requirements, adding that the development would not be a recorded plat and the cabins are not considered dwellings. Mr. Fedoruk stated this is the first phase, with a long-term plan to have a wedding venue that would accommodate 200-250 people. He said he was not aware of any neighbor concerns, that his father purchased the property over a year ago with the intentions of the rental cabins and wedding venue.

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.

Darryl Lovell of 1973 Holiness Campground Road expressed concerns of the long-term effect of short-term rentals in the county, traffic increases on Holiness Campground Road, the addition of a wedding venue when there is already a campground on the road and multiple other wedding venues throughout the county, the impact on the agricultural properties, and potential issues with renters. He said there has already been a dramatic increase in traffic and fatalities in the county and short-term rentals are not a benefit.

Melanie Lovell Partin of 480 Will Hambrick Road expressed concerns of the influx in traffic, noise, not knowing the renters, impact on the agricultural properties and livestock such as possible fireworks from the venue, safety of the children along the road, terrible access, and trash. She said it is not a commercial road.

Perry Stevens of 605 Will Hambrick Road expressed concerns with the new driveway and previous issues with lack of sight distance, security, transient traffic, and volume of traffic. He said the road is residential and agricultural, so it this is not in the spirit of the current land uses. Mr. Stevens stated he does not want to tell people how to use their land, but this affects the neighbors and these uses should be confined to certain areas.

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

Deena Cowart of 1899 Holiness Campground Road explained this is a farming community. She expressed concerns of safety for children and livestock, adding that there have already been issues that have affected the livestock, as well as noise, strangers, and traffic.

Jason Hogan of 1987 Highway 254, as well as owns multiple other properties in this area. He stated he owns the lumberyard, an agricultural use, across from this property that has trucks running and is not quiet for a wedding venue. He said he does not like to tell people how to use their land, but wanted to remind them that the lumberyard is there.

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

Mr. Fedoruk stated it is not their intent to hurt the county, neighbors or community and that he will pass the concerns along to his father. He said they did not consider the influx of traffic, but the cabins will be surrounded by trees and be private. He said his family lives in Cumming, Georgia, and do not have management planned out but it will be family run.

Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on July 3rd.

Application of Jonathan and Madison Riviere to request a conditional use permit located at 45 North Fern Cove Road, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 068-179. 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, Jonathan Riviere of 45 N Fern Cove, was present. Mr. Barton gave a summary of the application. He explained the proposed short-term rental would have a maximum occupancy of six with parking for up to five vehicles, though he does not anticipate that many vehicles. Mr. Riviere explained he has met with the neighbors and there are other short-term rentals nearby. He said he lives in Canton, Georgia, and plans to self-manage with the newly constructed home having features such as noise detectors and smoke detectors in place. He will have a local handyman and a neighbor contact in case of emergency.

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. Riviere did not have anything to add.

Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on July 3rd.

Application of Russell Chiodo to request a conditional use permit located at 480 Brown Road, Cleveland, Georgia, 30528. Tax map and parcel 022-142. 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, Russell Chiodo of 480 Brown Road, was present. Mr. Barton gave a summary of the application. Mr. Chiodo explained the proposed short-term rental would have a maximum occupancy of six people with parking for seven to eight vehicles on a private road. Mr. Chiodo stated that he and his wife are full-time RV’ers and plan to self-manage, but they have a neighbor that will do maintenance and in-laws close by as emergency contacts. He said he has previously rented the home short-term and was unaware of the licensing requirements, but he has not had any problems with the neighbors. He said there

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

are no other short-term rentals nearby that he is aware of and the closest residence is about 200 yards away.

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.

Ed Lee Day of 24 Crest View Drive asked if this zoning change would alter his zoning, to which Mr. Barton said no. Mr. Day said that this property is secluded and will not disturb anything.

Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on July 3rd.

Application of Eric and Jeannie Seleen to request a conditional use permit located at 142 Heavenly Ridge Road, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 068-075. Total acreage is 1.32. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

The applicant, Eric Seleen of 142 Heavenly Ridge, was present. Mr. Barton gave a summary of the application. Mr. Seleen explained the proposed short-term rental would have a maximum occupancy of three people and three vehicles on a private road that consists of asphalt, concrete, and gravel that he helps to maintain. Mr. Seleen stated he purchased the home in May and it was a short-term rental at one point, but the previous owner did not rent it. He said there are four other properties on the road and they are all short-term rentals. Mr. Seleen said his full time residence is in Habersham County.

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.

Helen Fincher Hardman of 993 Merck Road said she is not against this proposal. She stated that twenty years ago, she was involved with the historic preservation through the state and said new homes should have a historic look rather than contemporary.

Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on July 3rd.

Application of Loretta and James Chapman to request a conditional use permit located on Valley View Drive, Tract B, Cleveland, Georgia, 30528. Tax map and parcel 003-039C. Total acreage is 2.37. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

The applicant, James Chapman of 8935 Bay Lane in Gainesville, GA, was present. Mr. Barton gave a summary of the application. Mr. Chapman explained the proposed short-term rental would have a maximum occupancy of eight people and six vehicles. He said the vacant property is on a private gravel road that he is willing to help maintain and there are homes on both sides of this lot. He explained his intentions are to construct a 3000 square home with four bedrooms and three bathrooms that they plan to retire to. Mr. Chapman stated he has a rental management company and works in real estate.

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.

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

Shane Betterton of 347 Antioch Church Road expressed concerns of the effect of short-term rentals based on experience living in California, as well as concerns of the owners not living there full time. He said he loves Kellum Valley because it is beautiful and quiet. He presented a petition to the board and said he obtained at least 30 signatures from people that go by this property every day.

Steve Groober of 224 Valley View Drive expressed concerns of people he does not know exploring the roads and staying there. He said he plans to retire here to get out of the congestion in Suwanee.

Brenda Willis of 885 Kellum Valley Road expressed concerns of traffic, people running stop signs and speeding, and the pigtail driveway. She said she moved here to be away from short-term rentals and it is a beautiful area, so she does not want short-term rentals.

Nadine Wardenga of 996 Harkins Road expressed concerns of potential abuse to the orchard and chapel that she built in honor of her son. She explained she would like to see the Valley stay the way it is after she and the neighbors invested their livelihoods in their homes and properties. She said that neighbors are family and she does not want outsiders that will not be living there.

Nancy Dorsey of 48 Stover Road said she owns three properties on Valley View Drive. She asked where the driveway would be located because she owns both sides of Valley View Drive and pointed out that the zoning notice had a different address on it. She said neighbors are friends and wants to keep the community the same. She asked the board to be mindful of what the citizens are asking.

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

Mr. Chapman explained that he loves Kellum Valley, which is why he wants to move there. He said it would be a high end short-term rental and this would be a way for him to build a home to retire to. He explained they would use the home for family and pointed out that there is a wedding venue nearby, as well as a short-term rental at the end of Harkins Road. He said he is not wanting to have multiple rentals. He said the address is not issued yet because the home is not constructed, adding that it was a split from another property and borders Harkins Road. He stated that he does not intend to destroy the area and they plan to be neighbors eventually.

Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on July 3rd.

Application of John Carter, on behalf of A Lincoln LLC, to redistrict property located on Hulsey Mill Road, Cleveland, Georgia, 30528 from C-1 Community Commercial District to R-1 Residential Single Family. Tax map and parcel 064-058B. Total acreage is 1.01. Present zoning is C-1 Community Commercial District.

The applicant, John Carter of 3432 Cleveland Highway in Gainesville, GA, was present. Mr. Barton gave a summary of the application. Mr. Carter said he purchased the property three years ago, with three lots total. He said the intention is to place a home for resale on this tract, which he has already done for the other two tracts. Mr. Barton explained the zoning was classified C-1 through the tax assessor's file because of the grocery store.

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

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. Carter did not have anything to add.

Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on July 3rd.

Application of Stephen Kahle to request a conditional use permit located at 2374 Dean Mountain Road, Cleveland, Georgia, 30528. Tax map and parcel 087-006. Total acreage is 1.30. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

The applicant, Stephen Kahle of 2374 Dean Mountain Road, was present. Mr. Barton gave a summary of the application. Mr. Kahle explained the proposed short-term rental would have a maximum occupancy of six to eight with parking for four to six vehicles. He said he purchased the home in 1996, it has been his primary residence, and has never been rented short-term. He explained the closest neighbors are 50 yards away, roughly 70-80% of the properties on the road are short-term rentals, and he plans to use a local management company.

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

Adrian Locklear of 104B Fireside Road in Cleveland explained the property is not part of a subdivision and there are no covenants. He stated there are 25 houses, 70-80% of which are short-term rental. He said the property would be managed by Cabin Rentals of Helen and outlined the company’s management and rental policies, including noise, pets, and property maintenance. He said Cabin Rentals of Helen would be the emergency contact.

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

Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on July 3rd.

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