

WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

Monday, July 3rd, 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, Brad Ash, and John Yarbrough. Staff members present were Harry Barton and Mercedes Dodd.

Chairman Thomas called the meeting to order. Mr. Yarbrough gave the invocation. Mr. Barton requested to remove item (d) “Application of Keith and Jody McCallister” from the agenda, stating it was added to the agenda in error and the application was on the previous month’s agenda. Chairman Thomas approved the amended agenda.

Motion to approve the minutes of May 30th, 2023 and June 5th, 2023 made by Mr. Ackerman and seconded by Mr. Yarbrough. Motion was unanimous.

Application of Elizabeth Carter to request a variance for Section 14-133(k) RV Park Square Footage for a total of 768 square feet. Property is located at 374 Hidden Valley Road, Cleveland, GA, 30528. Lot 150 in Paradise Valley Campground. Tax map and parcel is 005E-151.

The applicant, Elizabeth Carter of 374 Hidden Valley Road, was present. Mr. Barton gave a summary of the application. Ms. Carter explained the request was to add a pre-fabricated 8’x10’ shed.

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

Application of Donald Ellis to request a variance from Section 802 for Second Dwelling. Property is located on Sycamore Drive, Cleveland, GA, 30528. Tax map and parcel is 019-043. Total acreage is 3.45. A representative, Daniel Ellis of 492 Ellis Mountain Road, was present. Mr. Barton gave a summary of the application. Mr. Ellis explained the request is for a third dwelling because there are already two dwellings on the property. He said one house was started but not complete, it has a poured slab, plumbing, and electrical added, prior to purchasing and they would like to finish it for rental. He stated the other two homes are also rentals.

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

Application of Steven and Kathy Schmidt to request a variance from Section 601 Access. Property is located on Highway 129 N, Cleveland, GA, 30528. Tax map and parcel is 017-094A. Total acreage is 1.00.

The applicants, Steve and Kathy Schmidt of 5152 Highway 129 North, were present. Mr. Barton gave a summary of the application, adding that the applicants will be requesting a rezoning to R-1 for Single Family Residential. The applicants did not have anything to add.

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

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Application of James Allison to request a variance from Section 601 Access and Section 804 Building Lines for building within a building setback. Property is located on Taxiway Lane, Cleveland, GA, 30528. Tax map and parcel is 063A-043. Total acreage is 0.19.

The applicant, James Allison of 175 Eagle Ridge Trail, was present. Mr. Barton gave a summary of the application. Mr. Allison explained this is a lot at the airport and the lot is offset, so he is requesting a 5-foot setback to allow for the size of a hangar. When asked if he has had conversations with adjoining landowners about the setback request, Mr. Allison said not about this lot. He said the plat was never recorded, but has been sold many times.

Motion to approve the setback request contingent upon receiving letters of approval from adjoining property owners made by Mr. Yarbrough and seconded by Ms. Burke. Motion was unanimous.

For the access request, Mr. Allison said the plat of the adjoining property was referenced in previous sales, so this was a retracement. He said the plat was included by deed in the sale. Mr. Barton explained this is not a retracement since the existing plat is for the adjoining property.

Motion to approve the plat made by Mr. Ackerman and seconded by Ms. Burke. Motion was unanimous. Mr. Barton advised the applicant to contact his office regarding next steps.

Application of James Allison to request a variance from Section 601 Access and Section 804 Building Lines for building within a building setback. Property is located at 202 Aviation Boulevard, Cleveland, GA, 30528. Tax map and parcel is 062-208C. Total acreage is 0.185.

The applicant, James Allison of 175 Eagle Ridge Trail, was present. Mr. Barton gave a summary of the application. Mr. Allison explained the setback request would probably be 5-feet but the building has been in existence. Mr. Barton explained the new property line to split the property is the side needing the variance due to the north side property line being grandfathered in. Mr. Barton also explained that by approving the variance for access, all access would be encompassed by the remaining tract. Mr. Allison stated he has an updated survey showing where there would be access to the new tract and showed it to the board. Mr. Allison said the one-acre lot is residential and has a home on it currently with a septic tank that provides for additional hangars.

Motion to approve the variances without a letter from adjoining property owners since Mr. Allison owns the adjoining tract made by Mr. Ash and seconded by Mr. Freeman. Motion was unanimous. Mr. Barton advised the applicant to contact his office regarding next steps.

Application of William Gilbert to request a variance from Section 601 Access. Property is located on Tracts 6 & 7 Asbury Mill Road, Cleveland, GA, 30528. Tax map and parcel is 021-049. Total acreage is 2.00.

The applicant, William Gilbert of 205 Williams Bridge Road in Toccoa, Georgia, was present. Mr. Barton gave a summary of the application. Mr. Gilbert explained the request is due to the topography of the land and it is easier to get soils with an easement rather than road frontage for tracts 6 and 7. Mr. Barton added that this approval does not mean plat approval because it will still need to go through the Plan Review Committee (PRC) process.

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Motion to approve the variance made by Mr. Freeman and seconded by Mr. Yarbrough. Motion was unanimous. Mr. Barton advised the application to contact his office to discuss the PRC process.

Request for Preliminary Plat Renewal by James Allison for Big Oak Subdivision on Holiness Campground Road. Tax map and parcel is 077-043. Total acreage is 37.00.

The applicant, James Allison of 175 Eagle Ridge Trail, was present. Mr. Barton gave a summary of the request, adding that a Land Disturbing Activity Permit has already been issued and there have been no changes made to the plat. Mr. Allison explained the reason for the renewal request is due to high infrastructure costs. When asked if he would start development in the next year, Mr. Allison said he was not sure.

Motion to approve the request made by Mr. Ackerman and seconded by Ms. Burke. Motion was unanimous. Mr. Barton advised the applicant that the renewal is good for 12 months.

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 4810 Spout Springs Road in Buford, Georgia, was present. Mr. Barton gave a summary of the application. Mr. Beckman explained the intention was to move to this property, but his father had health issues so that has stalled him and he would like to rent it in the meantime. He said he lives thirty minutes away and would be the emergency contact.

Motion to recommend approval to the Board of Commissioners made by Mr. Freeman and seconded by Mr. Ackerman. Motion was unanimous. Mr. Barton advised the applicant of the next meeting on July 31st.

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. Mr. Barton gave a summary of the application. Mr. Fedoruk explained that he listened to the meeting recording and was able to capture three main concerns during the public hearing. The first concern was noise, to which he said the property is secluded and the cabins would be built along a wooded area. The second concern was traffic, so he said guests would have their own drive up and only one vehicle per cabin. He explained he did not expect too much traffic because he does not expect the cabins to be rented all of the time and that his family would generate more traffic with their vehicles. He stated the third concern was safety, so he said they plan to keep the rental as safe as possible by utilizing a light up driveway and cameras. Mr. Fedoruk stated that when his family is not available, they have friends nearby that could be. He stated the long-term vision is a wedding venue and plans to rent the cabins in conjunction with the venue.

Motion to recommend denial to the Board of Commissioners made by Mr. Ash and seconded by Mr. Yarbrough. Motion was unanimous. Chairman Thomas asked Mr. Ash if he had a reason for recommending denial, to which Mr. Ash said not at this point. Mr. Yarbrough said the reason for

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seconding the motion was because the use of the property does not fit into the community and the community's objection to it makes it even more non-fitting for the location.

Mr. Barton advised the applicant of the next meeting on July 31st.

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. Mr. Riviere did not have anything to add.

Motion to recommend approval to the Board of Commissioners made by Ms. Burke and seconded by Mr. Ash. Motion was unanimous. Mr. Barton advised the applicant of the next meeting on July 31st.

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 did not have anything to add.

Motion to recommend approval to the Board of Commissioners made by Mr. Ackerman and seconded by Mr. Freeman. Motion was unanimous. Mr. Barton advised the applicant of the next meeting on July 31st.

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 Road, was present. Mr. Barton gave a summary of the application. Mr. Seleen did not have anything to add.

Motion to recommend approval to the Board of Commissioners made by Ms. Burke and seconded by Mr. Freeman. Motion was unanimous. Mr. Barton advised the applicant of the next meeting on July 31st.

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, Mr. Chapman of 8935 Bay Lane in Gainesville, GA, was present. Mr. Barton gave a summary of the application. Mr. Chapman explained that he does not have access to Valley View Drive due to no recorded easement and is prepared to access from Harkins Road, to which he showed the board members his proposed access. He stated the access would be one mile off Highway 129 on a paved road, past a wedding venue, event center, and three RV pads as well as across from an orchard that has events. He said the property is over the one-acre requirement, not part of a subdivision, and does not have covenants. Mr. Chapman explained he thinks neighbors should be able to do as they see fit with their

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property within the laws. He plans to move to the property eventually but will use it for enjoyment in the meantime. When asked when he would move there full-time, he said after they retire or possibly as part-time residents before then. He said that most of the objections he heard from the neighbors was they do not want change or outsiders, but he said what they are trying to do is minimal. He added that, based on his research, AirBnB has a 60% occupancy rate in White County and long-term rentals may have more of an impact.

Motion to recommend denial to the Board of Commissioners made by Mr. Ash. The motion was seconded by Ms. Burke based on the residents that show they do not want it there and it impacts them. Motion carried by majority of 3-2, with Mr. Freeman and Mr. Yarbrough opposed. Mr. Barton advised the applicant of the next meeting on July 31st.

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, Georgia, was present. Mr. Barton gave a summary of the application. Mr. Carter explained that he originally purchased three lots, two of which he has already placed homes on for resale, and is requesting this lot be rezoned for the same purpose. He said he did not have any opposition at the public hearing.

Motion to recommend approval to the Board of Commissioners made by Ms. Burke and seconded by Mr. Yarbrough. Motion was unanimous. Mr. Barton advised the applicant of the next meeting on July 31st.

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 did not have anything to add.

Motion to recommend approval to the Board of Commissioners made by Mr. Ackerman and seconded by Mr. Ash. Motion was unanimous. Mr. Barton advised the applicant of the next meeting on July 31st.

Chairman Thomas asked if there was any citizen comment.

Brenda Willis of 885 Kellum Valley Road thanked the board for their recommendations.

There was no other citizen comment.

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