

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

Monday, September 25th, 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 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 explained the public hearing procedures.

Application of Kelly Mills, on behalf of Cleveland Home Rentals, LLC, to redistrict property located on Highway 129 N, Cleveland, Georgia, 30528 from R-1 Single Family Residential District to A-1 Agriculture Forestry District. Tax map and parcel 016-081A. Total acreage is 10.16. Present zoning is R-1 Single Family Residential District.

The applicant, Kelly Mills of 457 Highway 255 South, was present. Mr. Barton gave a summary of the application. Ms. Mills explained that she purchased the property before land use and thought it was zoned agriculture. She stated the intention is to sell the property because they decided it was a lot to maintain in addition to their current property. Ms. Mills said the property is surround by agriculture and has had a conservation easement since she purchased it.

Mr. Barton explained that public comment is limited to three minutes per person.

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. Ms. Mills did not have anything to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on October 2nd.

Application of Eduardo Rodriguez to request a conditional use permit located at 1774 Joe Black Road, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 044D-019. Total acreage is 1.28. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

The applicant, Eduardo Rodriguez of 1774 Joe Black Road, was present. Mr. Barton gave a summary of the application. Mr. Rodriguez explained the proposed short-term rental has three bedrooms and two bathrooms with parking for three cars. He said he purchased in April of this year with plans for a retirement home and would like to rent part time to help with mortgage. He said he plans to spend some weekends there and that is why he would like to do short-term rental instead of full-time rental, which he currently has a full-time tenant staying in the home while he goes through the land use process. Mr. Rodriguez stated the property is part of Windy Acres subdivision, but is accessed off Joe Black Road rather than through the community. He received 13 signatures from homeowners and 1 signature from a lot owner, and there is a bed and breakfast nearby.

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.

Nick Nickerson of 50 Terry’s Place read opposition letters from neighbors. He submitted the letters to Mr. Barton for the application file.

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Sandy Holden of 47 Terry's Place explained the property was rented out last year with issues of loud music that she called the police about, but did not have the property address. She said Mr. Rodriguez came to see her about reconsidering short-term rental but she said no. She said it is a quiet community with children that ride bicycles and play in the streets, as well as pets.

Harold Stinson of 1657 Joe Black asked if changing zoning would change their property taxes. Chairman Thomas said it would be a question for Tax Commissioner. Mr. Stinson said he does not want his taxes to go up or have issues with selling his property.

Nancy Hurst of 73 Terry's Place expressed concerns of sound traveling through the hollow, the one-way driveway coming into Terry's Place, weekend rentals, parties, noise, people walking up the Georgia Power access trail, stepping into her driveway, and safety in the quiet neighborhood. When asked if subdivision has covenants, she said she never researched but assumed it does.

Robert Orr of 1901 Joe Black Road said he works in Helen and residents of the county do not like to deal with Helen, so the rest of the county should stay residential and rural. He said short-term rentals are trying to "change the flavor" of this county and he does not think it is a good fit. He added that he believes that someone doing short-term rental should live in the county so they would have a vested interest in the community.

Chairman Thomas asked Mr. Rodriguez if he had anything he would like to add.

Mr. Rodriguez said he believes the letters he sent out addressed many of the concerns, such as having a noise detector and not renting to people that are young but it is not 100% fool proof. When asked about the incident that occurred last year, Mr. Rodriguez said he just purchased the property in April and has not rented it out short-term since he has owned it. He said he has been renting it full time for about a month. When asked where he lives, Mr. Rodriguez said he lives in West Palm Beach, Florida and plans to hire a company to manage the rental.

Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on October 2nd.

Application of Juan Rodriguez Isacura and Valeria Carpico to request a conditional use permit located at 54 McConnell Court, Helen, Georgia, 30545. Tax map and parcel 042B-004. Total acreage is 1.21. Proposed use is to place in "Short Term Rental" program. Present zoning is R-1 Residential Single Family.

The applicant, Juan Isacura of 54 McConnell Court, was present. Mr. Barton gave a summary of the application. Mr. Isacura explained the proposed short-term rental has two bedrooms and two bathrooms with parking for three vehicles. He said he purchased the property in February and has been making improvements since then, but has not been renting it. Mr. Isacura said he lives in Atlanta and hired a local management company to help mitigate concerns. He said the previous owner of the property was a full time occupant but others on McConnell Court are vacation homes that are not part of the short-term rental program. When asked if there are other short-term rentals in the subdivision, he stated one was approved today at the Board of Commissioners meeting. When asked about the letters he received from the

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neighbors, he said there are fourteen lots and he received eight letters, all of which are homeowners instead of landowners.

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. Isacura did not have anything to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on October 2nd.

Application of Donald and Susan Gwaltney to request a conditional use permit located at 3588 Duncan Bridge Road, Cleveland, Georgia, 30528. Tax map and parcel 074-008B. Total acreage is 10.00. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

The applicant, Susan Gwaltney of 242 Lacount Lane in Clarkesville, GA, was present. Mr. Barton gave a summary of the application. Ms. Gwaltney explained the proposed short-term rental would have a maximum occupancy of six with parking for four vehicles, no firearms, and a minimum rental age of 22 or 24. She said she owns two other short-term rentals in White County, so she will self-manage and be the local contact with a company that will handle the marketing. She said she has owned the property for about a year and just built the home. She explained there is a short-term rental behind them and others on and near Satterfield Road. She said the closest neighbor is half a mile away.

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

Duane McCollum of 4314 Duncan Bridge Road said he is in support since he is wanting to do a short-term rental, as well. He said there are many other rentals on Satterfield and does not see anything wrong with this property being a rental, especially on that large of a tract.

Chairman Thomas asked if anyone would like to speak against the application, there was no response. Ms. Gwaltney did not have anything to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on October 2nd.

Application of Jacob Gardner to request a conditional use permit located at 2325 Highway 115 West, Cleveland, Georgia, 30528. Tax map and parcel 034B-029. Total acreage is 3.00. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

The applicant, Jake Gardner of 2325 Highway 115, was present. Mr. Barton gave a summary of the application. Mr. Gardner explained the proposed short-term rental is a basement apartment in his primary residence, it would have a maximum occupancy of four to six people with parking for two vehicles immediately outside of the apartment. He said the basement has two bedrooms and one bathroom with a separate entrance and is currently being rented out long term. He explained the closest neighbor is 80 to 100 yards away, but he has spoken with the property owner about his intentions. Mr. Gardner explained he plans to self-manage the rental.

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. Gardner did not

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have anything to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on October 2nd.

Application of Salvador Aceves, on behalf of Solterra Holdings, LLC, to redistrict property located at 151 Clarice Lane, Sautee Nacoochee, Georgia, 30571 from R-1 Single Family Residential District to R-3 Residential Seasonal District. Proposed use is to place in “Short Term Rental” program. Tax map and parcel 069-607. Total acreage is 1.24. Present zoning is R-1 Single Family Residential District. The applicant, Salvador Aceves of 425 Crestwood Court in Alpharetta, GA and 272 Clarice Lane in Sautee Nacoochee, was present. Ms. Dodd gave a summary of the application and said there have been other R3 zonings approved in this subdivision. Mr. Aceves explained the proposed short-term rental has two bedrooms and two bathrooms and is located in Highcrest Summit that allows short-term rentals in the subdivision. He said it is a new development and he owns five lots, three of which are in the building process. He said 269 Clarice Lane has plenty of parking and 150 Clarice Lane has an easement road. For the development, Mr. Aceves stated there are 30-40 homes, eight of which are on Clarice Lane. He said there is one full time resident that he is aware of and he believes the rest are short-term rentals. When asked if there have been any issues with existing short-term rentals, he said not that he is aware of. Mr. Aceves stated he will use a local company for maintenance but plans to self-manage since he owns other short-term rentals in Birmingham that he self-manages, as well. He added that he is in discussions with one of the neighbors to help with the rental also.

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

Gilbert Sandate, co-owner of 272 Clarice Lane and father in law of the applicant, explained that there have been no issues or concerns from short-term rentals along or near Clarice Lane and does not anticipate problems, but he is also available and lives in Alpharetta.

Chairman Thomas asked if anyone would like to speak against the application, there was no response. Mr. Aceves did not have anything to add. Chairman Thomas closed the hearing.

Application of Salvador Aceves, on behalf of Solterra Holdings, LLC, to redistrict property located at 269 Clarice Lane, Sautee Nacoochee, Georgia, 30571 from R-1 Single Family Residential District to R-3 Residential Seasonal District. Proposed use is to place in “Short Term Rental” program. Tax map and parcel 069-610. Total acreage is 1.00. Present zoning is R-1 Single Family Residential District. The applicant, Salvador Aceves of 425 Crestwood Court in Alpharetta, GA and 272 Clarice Lane in Sautee Nacoochee, was present. Mr. Aceves explained this home has two bedrooms and two bathrooms and the construction is 90% complete, with everything stated on the previous application applying to this one. He said his intention is to rezone three of his five lots to R-3. When asked if he knew about the R-1 conditional use permit for short-term rental, he said no and asked when he would need to decide. Mr. Sell explained the withdrawal process and the requirements for re-applying. Mr. Aceves said he would let Ms. Dodd know if he decides to go that route.

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. Aceves did not have anything to add. Chairman Thomas closed the hearing.

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Application of Salvador Aceves, on behalf of Solterra Holdings, LLC, to redistrict property located at 150 Clarice Lane, Sautee Nacoochee, Georgia, 30571 from R-1 Single Family Residential District to R-3 Residential Seasonal District. Proposed use is to place in “Short Term Rental” program. Tax map and parcel 069-619. Total acreage is 1.00. Present zoning is R-1 Single Family Residential District. The applicant, Salvador Aceves of 425 Crestwood Court in Alpharetta, GA and 272 Clarice Lane in Sautee Nacoochee, was present. Mr. Aceves said this property is the same as the other applications.

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. Aceves did not have anything to add. Chairman Thomas closed the hearing. Ms. Dodd advised the applicant of the next meeting on October 2nd.

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