

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

Tuesday, October 31st, 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 Jeff Nix, on behalf of Douglas Nix, to redistrict property located at 0 Hwy. 115 East, Cleveland, Georgia, 30528 from R-1 Residential Single Family District to C-2 Highway Business District. Tax map and parcel 047D-159. Total acreage is 7.42. Present zoning is R-1 Residential Single Family District.

The applicant, Jeff Nix of 856 Warwick Road in Cleveland, was present on behalf of his brother. Mr. Barton gave a summary of the application. Mr. Nix explained the property is currently vacant. He said they have plans to clean up and mulch the property to list it for sale. However, he said they would like to be able to list it as commercial property. He said C-2 provides more options than C-1. He stated the property does have a current driveway and culvert with highway frontage, has an old well that is still good but the septic is probably not good. When asked about county water, he said he has not looked into it to see if that would be an option.

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. Nix did not have anything to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on November 6th.

Application of Dahai “Ocean” Zhang to request a conditional use permit located at 2414 Duncan Bridge Road, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 073-056. Total acreage is 1.32. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

Mr. Barton explained requested asked to postpone to December. The Chairman agreed to table the application until the December public hearing.

Application of Robert Edmonds to request a conditional use permit located at 360 Miners Mountain Road, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 055D-024. Total acreage is 2.98. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

The applicant, Robert Edmonds of 360 Miners Mountain Road, was present. Mr. Barton gave a summary of the application. Mr. Edmonds explained the proposed short-term rental would have a maximum occupancy of eight and only two vehicles would be allowed. He said he has been renting the home short-term since 2017 and missed the tax notification, but he took the listing down once notified that he was not in compliance and paid all taxes. He explained that short-term rentals are allowed in the subdivision covenants, that the subdivision has fifty total lots, thirty homes developed, and ten homes that are currently in the rental program. He outlined his rental policies including a minimum age of 25, no parties, and that he makes the renters aware of the county’s short-term rental ordinances. He said there is an RV park nearby and his two adjacent property owners live in Florida, one of which rents their property out.

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He said he self-manages and is the main contact, but housekeepers, neighbors, and board members could be available in cases of emergencies since he is three and a half hours 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, there was no response. Mr. Edmonds did not have anything to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on November 6th.

Application of Diane Robertson to request a conditional use permit located at 1071 Myra Branch Road, Helen, Georgia, 30545. Tax map and parcel 042B-019. Total acreage is 0.70. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

The applicant, Diane Robertson of 1071 Myra Branch Road, was present. Mr. Barton gave a summary of the application. Ms. Robertson explained the short-term rental has a maximum occupancy of six with parking for two vehicles. She said she inherited the property and has had it on AirBnB for the last two years. She said she informs renters of limited parking and has taken care of fees that were not paid since she has been renting. She stated that she lives one and a half hours away, but her housekeeper lives in Cleveland and has agreed to be the emergency contact. She said she has had no complaints from neighbors, which are just the bears, and she has security cameras that she monitors.

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. Robertson did not have anything to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on November 6th.

Application of Paula Lembo and Loretta Martin to redistrict property located at 2229 Highway 17, Sautee Nacoochee, Georgia, 30571 from C-1 Community Commercial District to R-1 Residential Single Family District and to request a conditional use permit. Tax map and parcel 071-070. Total acreage is 0.93. Proposed use is to place in “Short Term Rental” program. Present zoning is C-1 Community Commercial District.

The applicant, Paula Lembo of 1421 Yonah Lake Road in Clarkesville in Georgia, was present. Mr. Barton gave a summary of the application. Ms. Lembo said the proposed short-term rental has one bedroom and one bathroom with parking for six vehicles shared between the two dwellings. She stated that her mother-in-law currently resides in this home but they would like to preserve short-term rental in the future since she understands that there may be a limit on them in the future. Ms. Lembo said she and her sister inherited the property and stated they plan to self-manage with use of online platforms. She stated that she lives a few miles away and her sister lives in Athens. When asked about the maximum occupancy for the other dwelling, Ms. Lembo explained that it has a studio apartment in the basement that is about 320 square feet and the top two floors, which have two bedrooms total, is roughly 2200 square feet. She said their desire is to rent to only one group of people, whether they only want part of the home or all of it.

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. Lembo 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 November 6th.

Application of Paula Lembo and Loretta Martin to redistrict property located at 2227 Highway 17, Sautee Nacoochee, Georgia, 30571 from C-1 Community Commercial District to R-1 Residential Single Family District and to request a conditional use permit. Tax map and parcel 071-070. Total acreage is 0.93. Proposed use is to place in “Short Term Rental” program. Present zoning is C-1 Community Commercial District.

The applicant, Paula Lembo of 1421 Yonah Lake Road in Clarkesville, GA, was present. Mr. Barton gave a summary of the application. She explained the proposed short-term rental would have a maximum occupancy of ten with the same six parking for six vehicles. Ms. Lembo explained that her sister visits Sautee Nacoochee often so part of the desire is short-term rental but to maintain as a separate residence for her sister, as well as family gatherings. Currently, she said the home is vacant and last use was to house her sister’s children or for friends to stay when they visit. She explained that they do not plan to rent both residences at the same time.

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. Lembo did not have anything to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on November 6th.

Application of Jay Westmoreland to request a conditional use permit located at 183 Patrick Lane, Helen, Georgia, 30545. Tax map and parcel 041-044. Total acreage is 3.01. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

Ms. Burke recused from the public hearing due to being family.

A representative, Kim Westmoreland of 1151 Helen Highway in Cleveland, was present. Mr. Barton gave a summary of the application. Ms. Westmoreland explained short-term rental has a maximum occupancy of six with parking for two to three vehicles. She said she is the local contact and there are no close neighbors. She stated the property has been on VRBO the last few years and she filed proof of taxes today for the application.

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. Westmoreland did not have anything to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on November 6th.

Application of Georgianna “Emma” Stoica to request a special use permit located at 4564 Highway 255 South, Cleveland, Georgia, 30528. Tax map and parcel 074-130. Total acreage is 5.29. Proposed use is for a personal care home/ group home. Present zoning is A-1 Agriculture Forestry District.

The applicant, Emma Stoica of 4564 Highway 255 South, was present. Mr. Barton gave a summary of the application. Ms. Stoica explained the proposed use is a group home for elderly people that will link personal care with hospice. She said she is licensed by the Department of Community Health and is currently remodeling the home. Ms. Stoica detailed her experience with group homes and possibility of expanding to multiple homes eventually. Currently, she said she lives in the home with her children but

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they will move out once converted. She explained that she will be the main caregiver and manager, but will have a caregiver that lives there and the maximum overnight occupancy would be the caregiver plus six residents. She detailed the process required by the state and said she is given a specific timeframe to complete any additional items they have after inspection. She said she has spoken to the neighbors and they are spread out due to large acreages. However, she said the only question she got from the neighbors was about ambulances at the property, but she said the residents would be mostly hospice and would not go through emergency transport. She stated preference would be that she work with a singular hospice company.

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

Stephanie Dubose 27 Pebble Lane in Cleveland, director of Willowbrook Hospice, explained that she has been in hospice for fifteen years and works with Northeast Georgia Senior Services, which is a group of people willing to bring care homes and assisted living to surrounding counties. She said partnering with small care homes gives the opportunity to speak with care homes instead of calling 911 and will have access to doctors and an RN case manager twenty four seven. Ms. Dubois said they would help with daily activities and provide the opportunity for residents to stay local and not go to Atlanta or Gwinnett.

Erik Bentley of 4320 Highway 255 South requested that the zoning stay A-1 or residential if there is an ownership change and said the preference would be not to have a large sign since this is in a small community. He said he does vote for this as a neighbor and sees the need for it.

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

Mr. Barton clarified that the application is to stay in A-1 with a conditional use permit, so the zoning would not change.

Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on November 6th.

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