

WHITE COUNTY PLANNING COMMISSION MINUTES  
PUBLIC HEARING: LAND USE REGULATION

Monday, November 20<sup>th</sup>, 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 Billy Pittard, John Sell, Harry Barton, Tammy Carter, and Mercedes Dodd.

Chairman Thomas called the meeting to order. Mr. Yarbrough gave the invocation. No changes made to the agenda. Mr. Sell explained the public hearing procedures.

Mr. Sell presented the proposed amendments of the existing Official Code of White County, including an overview of permitted uses for short-term rentals in specific districts, the “grandfather” status qualifications, subdivision stipulations, and the administrative approval process. He stated the last section of the proposed amendments was added per the county attorney to come into compliance with state law updates for judicial review.

Brian Cohen, owner of Parcel 018-091 on High Meadow Trail, requested a modification be made to subdivision requirements and expressed concerns of situations where subdivisions such as his dissolve the homeowners associations. He said it is the homeowners’ right to nullify and dissolve, though it has left the subdivision with no method of self-governance and the proposed amendments would infringe on property rights of subdivisions that do not function as such without covenants or associations. He requested that for a group of properties to be considered a subdivision, there should be covenants and a homeowner’s association or property owner’s association, in addition to recording the subdivision plat.

Teresa Stansel of 2521 Adair Mill Road in Cleveland read documentation stating her opposition. She presented the documentation and attached literature to the board for the amendment file.

Chris Dorsey of 164 Adair Mill Road in Cleveland expressed concerns about previous meetings he spoke at and the votes by the Planning Commission, oaths of office for the Planning Commission and Board of Commissioners, ongoing issues with a neighboring short-term rental property, and a meeting with the planning staff and Board of Realtors to discuss the proposed amendments. When asked if he has reported the issues regarding the neighboring short-term rental property, he said there is no way to report.

Lilian Hall of 543 Leighs Crossing in Cleveland said there was not enough public information about the meeting or for people to read the proposed ordinance for comments. She asked if the Board of Commissioners would have a public hearing and if there is an Agriculture Residential zoning. She explained that she discussed her subdivision covenants with a lawyer due to questions about whether they are still active. She said she has not had time to go through the proposed amendments. Chairman Thomas explained that she could submit questions to planning department at any time. Regarding her questions, Mr. Sell stated the Board of Commissioners will hold a public hearing on December 4<sup>th</sup> to discuss amendments to Chapter 16 of the White County Code and this is the only public hearing for proposed amendments to Appendix C. He said the proposed amendments were posted for 30 days, adding that the Planning Commission will make their recommendation on December 4<sup>th</sup> and the Board of Commissioners are to make the final decision on January 8<sup>th</sup>, 2024.

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Cathy Chadwick of 81 Falling Creek in Sautee Nacoochee said she would appreciate more time to review and another opportunity to give more input. She asked about the proposed cap, asked how many short-term rentals there were currently, and if public hearings would continue.

Mr. Sell stated there are approximately 480 host licenses and noted that some host licenses have multiple cabins. He said the cap would be discussed at the Board of Commissioners public hearing on December 4<sup>th</sup>. He stated that under the proposed amendments, there would no longer be public hearings and that it would be an administrative approval process.

Ms. Chadwick voiced her opposition to removing public hearings.

Chairman Thomas closed the hearing.

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