

WHITE COUNTY PLANNING COMMISSION MINUTES  
REGULAR SESSION

Monday, December 4<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, Linda Dixon, Brad Ash, and John Yarbrough. Staff members present were Tammy Carter, John Sell, and Mercedes Dodd.

Chairman Thomas called the meeting to order. Mr. Yarbrough gave the invocation. No changes made to the agenda. Motion to approve the minutes of October 30<sup>th</sup>, 2023, October 31<sup>st</sup>, 2023 and November 6<sup>th</sup>, 2023 made by Ms. Dixon and seconded by Ms. Burke. Motion was unanimous.

**Application of Craig Lascomb** to request a variance from Section 802 Lot Width and Size for a second dwelling. Property is located at 124 Singing Tree Lane, Cleveland, GA, 30528. Tax map and parcel is 006-042D. Total acreage is 5.54.

The applicant, Craig Lascomb of 124 Singing Tree Lane, was present. Ms. Carter gave a summary of the application. Mr. Lascomb said the home would be for family and located behind his.

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

**Application of Blakely Colt Stovall** to request a variance from Section 601 Access. Property is located at 1149 Black Road, Cleveland, GA, 30528. Tax map and parcel is 062-046. Total acreage is 1.08. The applicant, Colt Stovall of 310 Shuler Road in Cleveland, was present. Ms. Carter gave a summary of the application. Mr. Stovall stated the request is to split out one acre and may sell one day.

Motion to approve the variance made by Mr. Ash and seconded by Ms. Burke. Motion was unanimous. Ms. Carter advised the applicant to contact Environmental Health for plat approval.

**Application of Lonnie Furry** to request a variance from Section 601 Access. Property is located at 97 Lewis Drive, Cleveland, GA, 30528. Tax map and parcel is 073C-078. Total acreage is 3.64. The applicant, Lonnie Furry of 3320 Duncan Bridge Road, was present and gave permission for Jennifer and Taylor Hall of 76 Henry Street in Cleveland, GA, to speak on her behalf. Ms. Carter gave a summary of the application. Ms. Hall explained they are purchasing the property and are requesting access for Tract B. Mr. Hall explained Tract A and Tract B will be for affordable housing and Tract C will be for their son to keep. He said the lots are currently vacant.

Motion to approve the variance made by Mr. Ackerman and seconded by Ms. Dixon. Motion was unanimous. Ms. Carter advised the representatives to contact Environmental Health for plat approval.

**Application of Olmstead Properties LLC** to request a variance from Section 601 Access. Property is located at 0 York Cemetery Road, Sautee Nacoochee, GA, 30571. Tax map and parcel is 069-008. Total acreage is 8.50.

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A representative, Kevin Benson of PO Box 3290 in Cleveland, was present on behalf of the applicant. Ms. Carter gave a summary of the application. Mr. Benson explained he is purchasing the property and would like to split the parcel into three tracts for family.

Motion to approve the variance made by Ms. Burke and seconded by Ms. Dixon. Motion was unanimous. Ms. Carter advised the representative to bring additional copies to the Planning Department for plat approval.

**Application of Elizabeth Irvin** to request a variance from Section 14-133(d)(1) RV Park lot size. Property is located at 315 Stag Leap Drive, Cleveland, GA, 30528. Lot 2 Elkmont Resort. Tax map and parcel is 045D-062.

The applicant, Elizabeth Irvin of 315 Stag Leap Drive, was present. Ms. Carter gave a summary of the application. Ms. Irvin explained that she would like to sell the lots and needs to adjust the property line in order to have the properties meet setback regulations. She explained the current property line goes through one of the buildings and wants to prevent setback disputes between property owners.

Motion to approve the variance made by Ms. Burke and seconded by Mr. Yarbrough. Motion was unanimous. Ms. Carter advised the applicant that the next step is Planning Department stamp for approval.

**Application of Michael Shults** to request a variance from Section 601 Access. Property is located at 2425 Highway 75 South, Cleveland, GA, 30528. Tax map and parcel is 049-067. Total acreage is 3.50. The applicant, Michael Shults of 6118 West State Road 80 in Labelle, FL, was present. Ms. Carter gave a summary of the application. Mr. Shults confirmed the request is for a family division of property.

Motion to approve the variance made by Ms. Dixon and seconded by Mr. Yarbrough. Motion was unanimous. Ms. Carter advised the applicant to contact Environmental Health for plat approval.

**Application of Tina Arrowood** to request a variance from Section 601 Access. Property is located at 0 Pleasant Drive, Cleveland, GA, 30528. Tax map and parcel is 049A-060. Total acreage is 30.46. The applicant, Tina Arrowood and children Taylor Arrowood, and Chandler Arrowood for 0 Pleasant Drive, were present. Ms. Carter gave a summary of the application. Ms. Arrowood confirmed the request is for a family division of property.

Motion to approve the variance made by Mr. Ackerman and seconded by Ms. Burke. Motion was unanimous. Ms. Carter advised the representative to bring additional copies to the Planning Department for plat approval.

**Application of Nicole and Anthony Tucker** to request a variance from Section 601 Access for mortgage purposes. Property is located at 0 Tesnatee Gap Valley Road, Cleveland, GA, 30528. Tax map and parcel is 032-061. Total acreage is 17.17. The applicants, Nicole and Anthony Tucker of 2258 Tesnatee Gap Valley Road, were present. Ms. Tucker explained the variance request and confirmed she understands parcel will go back to the original tract once the mortgage is satisfied.

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Motion to approve the variance made by Mr. Ash and seconded by Ms. Dixon. Motion was unanimous. Ms. Carter advised the representative to bring additional copies to the Planning Department for plat approval.

**Application of Mason Olah** to request a variance from Section 601 Access. Property is located at 0 Wanderway Drive, Cleveland, GA, 30528. Tax map and parcel is 061-188. Total acreage is 3.09. A representative, Titan Trimble of 102 Wild Turkey Pass, city and state not provided, was present on behalf of the applicant. Ms. Carter gave a summary of the application. Mr. Trimble confirmed the request is for a family member to reside on one parcel and the applicant on the other while maintaining two separate tracts for the dwellings.

Motion to approve the variance made by Ms. Dixon and seconded by Mr. Freeman. Motion was unanimous.

**Application of Jonathan Curelar** to request a conditional use permit located at 7682 Highway 75 Alternate, Helen, Georgia, 30545. Tax map and parcel 042B-101. Total acreage is 1.04. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family. A representative, Adrian Locklear of 104B Fireside Drive in Cleveland, was present. Mr. Sell gave a summary of the application. Mr. Locklear explained the houses are spread out and secluded. He stated a local property management company would handle the management and maintenance.

Motion to recommend approval to the Board of Commissioners made by Ms. Burke and seconded by Ms. Dixon. Motion was unanimous. Mr. Sell advised the representative of the next meeting on December 11<sup>th</sup>, 2023.

**Application of Ella McCusker** to request a conditional use permit located at 223 The Pines Road, Cleveland, Georgia, 30528. Tax map and parcel 050-006. Total acreage is 4.73. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family. The applicant, Ella McCusker of 221 The Pines Road, was present. Mr. Sell gave a summary of the application. Ms. McCusker explained there are trees surrounding the property and the home is located in the middle of the acreage beside her home. She said she believes short-term rental would be safer than long-term rental with having three teenagers in her home.

Motion to recommend approval to the Board of Commissioners made by Mr. Ackerman and seconded by Ms. Burke. Motion was unanimous. Mr. Sell advised the applicant of the next meeting on December 11<sup>th</sup>, 2023.

**Application of James Hatcher, on behalf of Edward Hatcher**, to request a conditional use permit located at 99 Windy Acres Road, Cleveland, Georgia, 30528. Tax map and parcel 045B-023. Total acreage is 2.34. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

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The applicant, Jadie Hatcher of 565 Joe Black Road in Sautee Nacoochee, GA, was present. Mr. Sell gave a summary of the application. Ms. Burke asked if having three separate units was permitted in R-1, to which Mr. Sell replied yes. Mr. Hatcher did not have anything to add.

Motion to recommend approval to the Board of Commissioners made by Ms. Dixon and seconded by Mr. Ash. Motion was unanimous. Mr. Sell advised the applicant of the next meeting on December 11<sup>th</sup>, 2023.

**Application of Theresa Wilson** to request a conditional use permit located at 729 Monroe Ridge Road, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 069-570. Total acreage is 1.06. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

The applicant, Theresa Wilson of 3827 Savannah Square East in Atlanta, GA, was present. Mr. Sell gave a summary of the application. Ms. Wilson explained her property manager lives here and takes care of everything. She said there are quite a few rentals in the subdivision.

Motion to recommend approval to the Board of Commissioners made by Ms. Burke and seconded by Ms. Dixon. Motion was unanimous. Mr. Sell advised the applicant of the next meeting on December 11<sup>th</sup>, 2023.

**Application of Charles Carlino and Anna Bonet-Carlino** to request a conditional use permit located at 235 Clarice Lane, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 069-609. 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, Charles Carlino of 235 Clarice Lane, was present. Mr. Sell gave a summary of the application. Mr. Carlino did not have anything to add.

Motion to recommend approval to the Board of Commissioners made by Mr. Freeman and seconded by Ms. Burke. Motion was unanimous. Mr. Sell advised the applicant of the next meeting on December 11<sup>th</sup>, 2023.

**Application of Charles Carlino and Anna Bonet-Carlino** to request a conditional use permit located at 303 Clarice Lane, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 069-611. Total acreage is 1.02. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

The applicant, Charles Carlino of 303 Clarice Lane, was present. Mr. Sell gave a summary of the application. Mr. Carlino stated there is an independent lot between his two properties.

Motion to recommend approval to the Board of Commissioners made by Ms. Burke and seconded by Mr. Ackerman. Motion was unanimous. Mr. Sell advised the applicant of the next meeting on December 11<sup>th</sup>, 2023.

**Application of Mary Ellen Rand** to request a conditional use permit located at 2400 Lynch Mountain Road, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 083-008A. Total acreage is 24.667. Proposed use is to place in “Short Term Rental” program. Present zoning is A-1 Agricultural Forestry District.

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A representative, Eric Selene of 1073 Echota Road in Clarkesville, GA, was present. Mr. Sell 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. Dixon and seconded by Ms. Burke. Motion was unanimous. Mr. Sell advised the applicant of the next meeting on December 11<sup>th</sup>, 2023.

**Application of The Rental-Mart LLC (Dana and David Mullins)** to request a conditional use permit located at 7680 Highway 75 Alternate, Helen, Georgia, 30545. Tax map and parcel 042A-032A. Total acreage is 1.44. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

A representative, Adrian Locklear of 104B Fireside Drive in Cleveland, was present. Mr. Sell gave a summary of the application. Mr. Locklear explained the property is not part of a subdivision and is close to the previous Curelar application. He said the owners have been in the rental business for fourteen years, own seven rental properties, and Ms. Mullins is a licensed realtor. He said they would manage the property themselves and he would be their “boots on the ground.” Mr. Locklear added that they are employing several local businesses for maintenance for their properties.

Motion to recommend approval to the Board of Commissioners made by Ms. Burke and seconded by Mr. Ackerman. The motion carried with a 5-1 majority, with Mr. Ash in opposition. Mr. Sell advised the applicant of the next meeting on December 11<sup>th</sup>, 2023.

**Application of KAI WO LLC (Xin Lin)** to request a conditional use permit located at 585 Caldwell Drive, Cleveland, Georgia, 30528. Tax map and parcel 049-093. Total acreage is 22.93. Proposed use is to place in “Short Term Rental” program. Present zoning is A-1 Agricultural Forestry District. The applicant, Xin Lin of 585 Caldwell Drive, was present. Mr. Sell gave a summary of the application. Ms. Lin explained that she would limit the occupancy to ten people with no big parties or weddings. She said the house would first be open to friends and if the neighbors are okay with it, she would open to outside visitors via online booking platforms. She said her family live in the house on the weekends and holidays, adding that they come to take care of animals, plants, and the house. She said her local contact’s address is 868 S Main Street, Suite 1200 in Cleveland. She said the closest house is 1500 feet away and she has cameras set up that she can check on her phone. Ms. Burke stated that she believes if the board cannot understand the applicant, then they need to bring an interpreter because she has a hard time voting for something she cannot understand. Additionally, she asked if the removal of one of the signatures last week during the public hearing would affect the application. Mr. Sell explained the signatures allow the applicant to bring the application forward to the Planning Commission to vote, it does not give the property owners a vote or to say they approve it. He stated the subdivision has six lots; three letters were received in addition to the applicant, so she received fifty percent plus one.

Motion to recommend denial to the Board of Commissioners made by Mr. Ash because the request is not consistent with the established development pattern of Caldwell Drive. Ms. Dixon seconded the motion. The motion was unanimous. Mr. Sell advised the applicant of the next meeting on December 11<sup>th</sup>, 2023.

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**Application of Johnny and Charli Fain** to request to redistrict property located at 44 Twilight Dell Road, Sautee Nacoochee, Georgia, 30571 from C-1 Community Commercial District to R-3 Residential Season District. Tax map and parcel 055-030. Total acreage is 0.86. Proposed use is to place in “Short Term Rental” program. Present zoning is C-1 Community Commercial District.

The applicant, Charli Fain 490 Mauldin Road in Sautee Nacoochee, was present. Mr. Sell gave a summary of the application. When asked if she understood the restrictions for R-3 zoning, Ms. Fain stated yes and she does not imagine it would be used for full time living because it is a tiny home.

Motion to recommend approval to the Board of Commissioners made by Ms. Burke and seconded by Mr. Ash. Motion was unanimous. Mr. Sell advised the applicant of the next meeting on December 11<sup>th</sup>, 2023.

**Application of SBC Properties LLC (Shawn Hammond)** to request a conditional use permit located at 83 Elrod Road, Helen, Georgia, 30545. Tax map and parcel 042B-088. Total acreage is ±1.260. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

The applicant, Shawn Hammond of 83 Elrod Road, was present. Mr. Sell gave a summary of the application. Ms. Hammond explained there are several short-term rentals in the area and there have been no issues. She said she has security cameras and plenty of parking.

JS summary

Motion to recommend approval to the Board of Commissioners made by Ms. Dixon and seconded by Mr. Ackerman. Motion was unanimous. Mr. Sell advised the applicant of the next meeting on December 14<sup>th</sup>, 2023.

**Application of Quentin Carr, on behalf of Neal and Sally Berry**, to request a conditional use permit located at 176 Laurel Ridge Road, Cleveland, Georgia, 30528. Tax map and parcel 073C-067C. Total acreage is 2.50. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

A representative, Spencer Carr with the Carr Law Group of 471 South Main Street in Cleveland, was present on behalf of the applicant. Mr. Sell gave a summary of the application. Mr. Carr explained that when the property was transferred in 2005, the deed specifically allowed for one cabin and was on the deed when the current owners purchased the property.

Motion to recommend approval to the Board of Commissioners made by Mr. Ackerman and seconded by Ms. Dixon. Motion was unanimous. Mr. Sell advised the applicant of the next meeting on December 14<sup>th</sup>, 2023.

**Application of Jennifer Whaley** to request a conditional use permit located at 233 Ralph Vandiver Road, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 055-085. Total acreage is 8.30. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

A representative, Shaun Whaley 8710 South Mount Drive in Alpharetta, GA, was present. Mr. Sell gave a summary of the application. Mr. Whaley explained the original intention was not for an income property, but remodels went out of budget so they would like to rent the property while they are not using for a family getaway, which is the primary use.

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Motion to recommend approval to the Board of Commissioners made by Ms. Dixon and seconded by Ms. Burke. Motion was unanimous. Mr. Sell advised the applicant of the next meeting on December 14<sup>th</sup>, 2023.

**Application of Steven and Kathy Schmidt, on behalf of Ukani Group Inc.**, to request to redistrict property located at 43 Thornblade Trail, Cleveland, Georgia, 30528 from C-1 Community Commercial District to R-1 Single Family District and a conditional use permit. Tax map and parcel 017-094B. Total acreage is 1.33. Proposed use is to place in "Short Term Rental" program. Present zoning is C-1 Community Commercial District.

The applicants, Steven and Kathy Schmidt of 5050 Highway 129 North in Cleveland, were present. Mr. Sell gave a summary of the application and added that staff recommends a condition, if recommended for approval, to change the address to access through the winery to avoid confusion of people coming up Thornblade Trail. He said the access was approved by variance on November 6<sup>th</sup>, 2023. Mr. Schmidt added that the rental would be under direct supervision by the winery since it is on the same property.

Motion to recommend approval with the condition of changing the address to access through the winery and not the subdivision to the Board of Commissioners made by Ms. Burke and seconded by Mr. Ackerman. Motion carried with a 5-1 majority, with Mr. Ash in opposition. Mr. Sell advised the applicant of the next meeting on December 14<sup>th</sup>, 2023.

**Application of Jeremy and Nora Warner** to request a conditional use permit located at 0 Deer Trail, Cleveland, Georgia, 30528. Tax map and parcel 022-024. Total acreage is 1.85. Proposed use is to place in "Short Term Rental" program. Present zoning is R-1 Residential Single Family.

The applicant, Nora Warner of 195 Deer Trail, was present. Mr. Sell gave a summary of the application. Ms. Warner explained they try to keep neighbors in mind and read the description from their original rental listing, including items such as a quiet mountain getaway from the hustle and bustle, their farm animals, respecting the neighboring animals and privacy, test shots from gunsmiths, and rules such as no candles or drone flying and asking the guests not to exceed 20mph on the gravel roads.

Motion to recommend approval to the Board of Commissioners made by Mr. Freeman and seconded by Ms. Burke, for which she said was based on the fact the owners received fifty one percent of signatures. There were comments from the audience, to which Mr. Sell explained this is not a public hearing and there would be a citizen comment section at the end. He stated the signatures were checked and validated. Mr. Ackerman asked if this application was the one with discussions on covenants, to which Ms. Burke and Chairman Thomas said no. Chairman Thomas called for a show of hands from the board in favor of the motion. Motion died for lack of majority vote, with Mr. Freeman and Ms. Burke in favor and Mr. Ackerman, Ms. Dixon, Mr. Ash, and Mr. Yarbrough opposed.

Chairman Thomas asked if there was another motion.

Motion to recommend denial to the Board of Commissioners made by Mr. Ash because the request is not consistent with the established development pattern on that road. Ms. Dixon seconded the motion. The motion carried with a 4-2 majority, with Mr. Freeman and Ms. Burke in opposition. Mr. Sell advised the applicant of the next meeting on December 14<sup>th</sup>, 2023.

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**Application of Mike and Heather Shramek** to request a conditional use permit located at 2734 Town Creek Road, Cleveland, Georgia, 30528. Tax map and parcel 020-095A. Total acreage is 2.70. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family. The applicant, Mike Shramek of 2734 Town Creek Road, was present. Mr. Sell gave a summary of the application. Mr. Shramek explained the proposed short-term rental would have a maximum occupancy of six people. He said they run a small HVAC business in the community and will managed the rental themselves with the help from a broker for guidance. Mr. Shramek explained he is not an investor and the home was purchased for them to live in, but would like to help supplement income so they can move to their other property within 5 miles away. He detailed the rental policies, including an age minimum for the renters and no drones or shooting. He said of the 33 properties in Tailrage Subdivision, he received 22 with 6 others that would not sign but did not care about the short-term rental.

Motion to recommend approval to the Board of Commissioners made by Ms. Dixon and seconded by Ms. Burke. Motion was unanimous. Mr. Sell advised the applicant of the next meeting on December 14<sup>th</sup>, 2023.

**Application of Colin Morris** to request a conditional use permit located at 538 Highway 356, Helen, Georgia, 30545. Tax map and parcel 042B-045. Total acreage is 10.523. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family. The applicant, Collin Morris of 538 Highway 356, was present. Mr. Sell gave a summary of the application. Mr. Morris had nothing to add.

Motion to recommend approval to the Board of Commissioners made by Mr. Freeman and seconded by Ms. Burke. Motion was unanimous. Mr. Sell advised the applicant of the next meeting on December 14<sup>th</sup>, 2023.

Mr. Sell presented proposed amendments of the existing Official Code of White County. Work session and public hearing. He explained that estate subdivisions would have a separate definition, but does not have a provision that would exclude them from the subdivision map currently and explained the criteria for subdivisions to be placed on the map. Upon questions brought up by Chairman Thomas and Ms. Burke, discussed the appeal process for a subdivision to be removed from the map and discussed lot number requirements for a common development.

Mr. Freeman expressed concerns regarding subdivisions from the 60s and 70s that do not have covenants, to which Mr. Sell explained this board would only be making a recommendation on the land use portion of the proposed amendments, not the Chapter 16 amendments brought before the Board of Commissioners.

Mr. Ackerman said he is undecided and believes there will not be anything that is one hundred percent, but in his opinion, this streamlines the short-term rental process and takes care of the family estate issue. He stated he was concerned with not having hearings, but believed the explanation of the appeal process would provide the opportunity to appeal and speak to the Board of Commissioners.

Ms. Burke stated there is an issue with short-term rentals in the county, to which Mr. Sell stated there were 179 applications between June 2015 and July of this year, 15 of which would have been denied under current regulations and of those, 7 would be approved under the proposed regulations. He said the letters have caused a lot of confusion and some inconsistencies. Ms. Burke asked if hearings could be



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required if properties are not part of a subdivision. Mr. Sell said he was fairly certain that under Georgia Zoning Procedures Law (ZPL) that they could not require some to have hearings and not on others, but said he would need to check. He said they are not going to find a solution that would be perfect for everybody, but they are trying to find a way to be fair.

Chairman Thomas said he is a believer of personal property rights and likes the idea of subdivisions determining their destiny. He said he thinks there is a need for properties outside of subdivisions to have a say in the decision and asked Mr. Sell to research ZPL to see if it would be possible.

Ms. Dixon explained she agrees with the Chairman that subdivisions should be allowed to decide if they want short-term rentals, but people outside of subdivisions should have a hearing.

Mr. Ash said he agrees with Ms. Dixon and Chairman Thomas. He said no one wants short-term rentals and they are tearing this community apart, adding that there should be a cap. Mr. Sell said a cap was discussed at the Board of Commissioners hearing tonight.

Mr. Yarbrough asked if another public hearing would be required on the proposed ordinance changes if the Planning Board proposed an amendment, to which Mr. Sell said he did not believe so.

The board discussed the possibility of tabling the recommendation until research was conducted on ZPL requirements. The board decided to proceed with the recommendation.

Mr. Freeman, as a comment before the motion, stated they are an advisory board and do not have ability to rewrite the rules and customize them. Motion to recommend approval as written to the Board of Commissioners made by Mr. Freeman. Mr. Ackerman seconded the motion. Motion died for lack of majority vote, with Mr. Freeman and Mr. Ackerman in favor and Ms. Burke, Ms. Dixon, Mr. Ash, and Mr. Yarbrough opposed.

Chairman Thomas asked if there was another motion.

Motion made by Ms. Burke to recommend denial as written to the Board of Commissioners because there are too many ifs and not enough clarification. Mr. Ash seconded the motion. Motion carried with a 4-2 majority, with Mr. Freeman and Mr. Ackerman in opposition. Chairman Thomas stated they would like to have an answer on ZPL requirements. Mr. Sell said they would send that to the county attorney.

Chairman Thomas asked if there was any citizen comment.

Lilian Hall of 543 Leigh's Crossing said she was impressed and reassured by the Planning Commission with the way they worked and put thoughts into the proposed ordinance. She expressed concerns about not having public hearings and referenced the requirements for considerations for safety, health, morals, and general welfare in the county ordinances. She explained the burden of proof falls on the applicant but it seems like a lot of it gets put on the community. She said the public sentiment comment mentioned in a previous meeting conflict with issues that are mandated. She discussed events that transpired at the Board of Commissioners meeting, including a retired official that spoke about research conducted that determined there were over 1000 short-term rentals in the county including Helen. She expressed concerns with making a democratic decision on ordinances without data regarding the number of short-term rentals and the impact on traffic and safety.

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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.

Ellie Trinowski of 542 Luther Palmer said she is part of a subdivision and would be safe under the new regulations. She said short-term rentals are out of control and explained what she saw regarding short-term rentals when she worked for census in terms of how many are not on the radar. She expressed concerns with the staffing of police officers and code enforcement that would be required to enforce the amount of rentals. Ms. Trinowski explained that while the cap is 650, there could be 5 units per host license that could equate to 3250 rentals. She said a lot are spillovers from Helen being a tourist destination and questioned if the software used to find the short-term rentals are able to track them through the multiple online websites they are being advertised on. She explained there are good ideas being worked on and thanked the board for their service.

Brian Cohen, owner of Parcel 018-091 on High Meadow Trail, asked the board to re-evaluate the definition of a subdivision that would be clear and universal. He explained that subdivisions must have legal and enforceable covenants and a legal association, otherwise the properties function as unrestricted land. He said zoning and conditional use permits are not easy for a lot of people to navigate and proposed a requirement to provide information to surrounding property owners of short-term rentals on how to navigate the ordinance. He proposed that if the board cannot do a town hall, then they could do a parcel determination, some type of acreage break up, or house distance that would allow the administrative process to proceed. Mr. Cohen added that they could require support of abutting properties as part of the administrative process.

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