

White County Planning Commission
Public Hearing Minutes
August 26, 2019
1239 Helen Hwy, Cleveland, Ga. 30528

Those present were Larry Freeman, R. K. Ackerman, Donna K. Burke, Charlie Thomas, Linda Dixon, Brad Ash, and John Yarbrough.

Staff: John Sell and Mercedes Toolan

- I. Call to Order: Chairman Thomas called meeting to order.
- II. Review of Agenda: Chairman Thomas asked if there were any changes to the agenda. Chairman Thomas said there were no changes to the agenda. Chairman Thomas opened the public hearing.
- III. Public Hearing/Land Use Change
 - a. **Application of Community Baptist Church** to request a variance to Appendix C/Article IX/Section 901/6 for building setback located at 1745 Sky Lake Road, Sautee Nacoochee, Ga., 30571. Total acreage is 0.76. Tax parcel is 069-146. Present use is A-1 Agriculture Forest District.

Mr. Brent Penland of 715 Partin Rd., Cleveland, Ga., 30528, was present to represent the church. Mr. Penland stated that the church is requesting to build a 20x30 shelter. He stated that the previous one is not accessible.

Mr. Sell gave a summary of the application. Mr. Sell said that this application is to request a variance from the building setback.

Mr. Sell asked how close Mr. Penland wants to put the shelter.

Mr. Penland said 20-25 feet.

Mr. Sell said that this application meets the requirements for a variance.

Chairman Thomas asked if this is currently A1?

Mr. Sell said that's correct.

Chairman Thomas asked if this was a zoning issue or conditional use.

Mr. Sell said it is a land use issue because the requirement for A1 is to be 100ft from any other zoning. They are asking to be within that set back. It is land use because it has to do with the required set back on A1.

Chairman Thomas said it is basically a conditional use.

Mr. Sell said yes.

Chairman Thomas asked if there are any issues with the neighbors.

Mr. Penland said not that we are aware of.

Chairman Thomas asked if the board has any other questions. Hearing none, he asked Mr. Penland if he has anything to add.

Mr. Penland said no.

Chairman Thomas asked if anyone would like to speak for or against; no response.
Chairman Thomas closed the hearing.

- b. **Application of Gregory Chastain** to redistrict property located at 8343 Duncan Bridge Road, Cleveland, Ga., 30528, from A-1 Agriculture Forestry District to C-2 Highway Business District. Total acreage to be changed is 4.33. Tax parcel is 076-338. Present use if A-1 Agriculture Forestry District.

The land owner Mr. Gregory Chastain of 4454 Flagship Drive, Gainesville, Ga., 30506, was present. Mr. Chastain currently owns property on 2 sides of this parcel.

Mr. Sell said that the application is considered redistricting. Mr. Sell gave a summary of the application.

Chairman Thomas asked if there was a proposed use for the property.

Mr. Chastain said it is tentative for estate planning. There is nothing in the works currently, but maybe in the future.

Chairman Thomas asked if the board had any questions.

Mr. Ackerman asked if the second application is on the same land or next to this property.

Mr. Chastain said it is the same land to the south of this section.

Chairman Thomas asked if any other questions. No response, so Chairman Thomas asked if anyone was for or against; no response.

Chairman Thomas said to move to next property for Mr. Chastain.

- c. **Application of Gregory Chastain** to redistrict property located at 8343 Duncan Bridge Road, Cleveland, Ga., 30528, from A-1 Agriculture Forestry District to R-1 Residential, Single Family District. Total acreage to be changed is 4.68. Tax parcel is 076-338.
Present use if A-1 Agriculture Forestry District.

The land owner Mr. Gregory Chastain of 4454 Flagship Drive, Gainesville, Ga., 30506, was present. Mr. Chastain said they are estate planning and want to get the property split properly.

Mr. Sell said that the application is considered redistricting. Mr. Sell gave a summary of the application. Single family low density.

Ms. Burke asked for clarification on where the property is located and if this was his mother's property.

Mr. Chastain said it was family property located on Duncan Bridge Road South of Hwy 115 East.

Chairman Thomas asked the board if they had any other questions. No response, so Chairman Thomas asked if Mr. Chastain had anything else to add.

Mr. Chastain said that they just want to get the property in order for when he passes.

Chairman Thomas asked if there were any further questions. No response, so Chairman Thomas asked if there were any for or against. No response, so Chairman Thomas closed the hearing.

- d. **Application of Dennis Greene** to redistrict property located at 610 Industrial Blvd., Cleveland, Ga., 30528 from A-1 Agriculture Forestry District to I-1 Industrial District. Total acreage to be changed is 8.0. Tax parcel 050-143. Present use is A-1 Agriculture Forestry District.

The land owner, Mr. Dennis Greene of 4416 Shirley Road, Gainesville, Ga., 30506 was present. Mr. Greene stated that he has owned the property for about 10 years. Mr. Greene would like to redistrict from A-1 to I-1, which was what he originally thought it was.

Mr. Sell said that the application is considered redistricting. Mr. Sell gave a summary of the application. Mr. Sell stated that it most likely was lumped in by the tax assessor as A-1 due to surrounding A-1 land. Mr. Sell stated that Mr. Greene has a new tenant that would like to apply for a business license.

Chairman Thomas asked about the new tenant.

Mr. Greene stated that tenant has been there.

Mr. Sell stated that districting issue came up when tenant went to apply for a business license.

Chairman Thomas asked if any questions from the board. No response.

Chairman Thomas asked if Mr. Greene had anything to add. No response.

Chairman Thomas asked if anyone was for or against. No response.

Chairman Thomas closed the hearing.

- e. **Application of Susan Fleck** to request a conditional use permit at 3214 Paradise Valley Road, Cleveland, Ga., 30528. Tax map and parcel 006-016. Total acres 1.0. Proposed use is to place in "Short Term Rental" program. Present use is R-1 Residential, Single-Family District.

The land owner, Ms. Susan Fleck of 3214 Paradise Valley Road, Cleveland, Ga., 30528 was present. Ms. Fleck stated that this property is her primary residence and would like to use it as a Short Term Rental.

Mr. Sell said that the application is for a conditional use permit. Mr. Sell gave a summary of the application. He stated that the subdivision does not have any covenants. Mr. Sell stated that the Ms. Fleck surpassed the 50% requirement to receive signatures from her neighbors, as well as land owners across the street from her. Mr. Sell stated that the land owner met the requirement to fill out the application in article 7 of White County code.

Chairman Thomas asked how many signatures Ms. Fleck had to get.

Ms. Fleck said she sent out 20 hand stamped letters and received back encouraging notes and letters.

Chairman Thomas asked how many negatives Ms. Fleck received back.

Ms. Fleck said no negatives. Ms. Fleck said she has completely renovated the property.

Chairman Thomas asked if Ms. Fleck will still live here.

Ms. Fleck said yes, she will live there except while being rented. Her hopes are to save up enough money to purchase another property to be her primary residence. She strictly uses Airbnb due to the high standards they go by.

Chairman Thomas asked if she had already been renting it.

Ms. Fleck said yes, as she was unaware of the requirements by the county. She said that as soon as she was made aware, she started the application process.

Chairman Thomas asked if the property was rented out on Airbnb only the entire time.

Ms. Fleck said yes, she prefers over Airbnb over other options. Ms. Fleck stated that she has had authors and artists stay and that her property attracts upscale guests.

Ms. Fleck gave out her contact information to all of her neighbors so they could contact her with any disturbance or concerns. Ms. Fleck is there most of the week, as the property is mostly a weekend getaway.

Chairman Thomas asked if there were any questions from the board, no response.

Chairman Thomas asked Ms. Fleck if she had anything to add.

Ms. Fleck said thank you for the consideration.

Chairman Thomas asked if there was anyone for or against, no response. Chairman Thomas closed the hearing.

IV. Citizens Comments- None

V. Adjournment - Motion made to adjourn by Ms. Burke, seconded by Mr. Ackerman. Motion was unanimously approved.