

White County Planning Commission
Regular Session
August 5, 2019
1239 Helen Hwy, Cleveland, Ga. 30528

Location: White County Senior Center
Present: John Yarbrough, Larry Freeman, Charlie Thomas, Brad Ash,
R. K. Ackerman, Linda Dixon and Donna Burke

Staff John Sell and Harry Barton

- I. Call to Order
Chairman Thomas called meeting to order.
- II. Invocation
Mr. Ackerman gave the invocation.
- III. Review of Agenda
No changes were made to the agenda.
- IV. Review of July 1, 2019 minutes.
Motion made by Ms. Burke to approve minutes of July 1, 2019 seconded by Ms. Dixon. Motion was unanimously approved.
- V. Variance

- a. **George Lindsey Section 14-133 Structures and Building**
Application of George Lindsey to request a variance for structures over 400 square feet. Property is located at 289 Hidden Valley Road, Cleveland Ga. 30528. Map and parcel 005E-032. Lot 32 of Paradise Valley Campground.

The property owner, Mr. George Lindsey of 289 Hidden Valley Road, Cleveland Ga. 30528, was present.

Harry Barton gave a summary of the application. Harry Barton said that this request is for structures totaling more than 400 square feet. Harry Barton said that Mr. Lindsey owns a lot in Paradise Valley Campground. Harry Barton said that request is for 517.5 square feet including all structures.

Mr. Lindsey said that he did not have anything to add.

Motion made by Mr. Ackerman to approve the application as submitted, seconded by Mr. Ash. Motion was unanimously approved.

b. **John England Section 804 Building Lines**

Application of John England to request a variance to build in the building setback located at 540 Running Deer Road, Cleveland Ga. 30528. Map and parcel 006-144. Total acres 1.26.

The property owner, Mr. John England of 540 Running Deer Road, Cleveland Ga. 30528, was present.

Harry Barton gave a summary of the application. Harry Barton said that this application request is to build within the fifteen-foot building setback. Harry Barton said that proposal is to add a structure ten feet from their property line. Harry Barton said that this property is residential.

Chairman Thomas asked Mr. England if he has spoken with the adjoining property owner?

Mr. England said that he has not. Mr. England said that if they make the addition straight from the house, it will be on the property line. Mr. England said that by building the garage at this distance from the property line it will make it easier to pull in and out of the garage.

Ms. Dixon asked Mr. England if he could get a letter from his neighbors stating that it is ok to build within ten feet of property line?

Mr. England said yes.

Motion made by Ms. Burke to approve the variance contingent upon letter of approval from adjoining property owner, seconded Ms. Dixon. Motion was unanimously approved.

c. **Steven Parker Section 14-133 Structure and Building**

Application of Steven Parker to request a variance for structures over 400 square feet. Property located at 91 Tip Top Circle, Cleveland Ga. 30528. Map and parcel 005E-126. Lot 117 Paradise Valley Campground.

The property owner, Ms. Sue Parker of 91 Tip Top Circle, Cleveland Ga. 30528, was present.

Harry Barton gave a summary of the application. Harry Barton said that this application is for structures over 400 square feet on a RV lot. Harry Barton said that with this addition it will be a total of 584 square feet including all structures. Harry Barton asked if the loft area will be for someone to sit or stay in and if so, the loft area would have to be counted.

Mr. and Ms. Parker both said no, the loft is just for storage and the only reason for the ladder is safety.

Motion made by Mr. Freeman to approve 800 square feet including all structures, seconded by Mr. Ackerman. Motion was unanimously approved.

e. Phyllis Behrens Section 601 Access

Application of Phyllis Behrens to request a variance for access. Property located on Brewer Road, Cleveland Ga. Map and parcel 019-035. Total acres 10.00.

The property owner, Ms. Phyllis Behrens 275 Brewer Road, Cleveland Ga. 30528, was present. Ms. Behrens said that she is selling Mr. Sullens 10 acres of her property.

Harry Barton gave a summary of the application. Harry Barton said that this is a request for access because Brewer Road does not meet requirements to subdivide property. Harry Barton said that this property is in A-1 district.

Ms. Jennifer Thacker was present to represent Ms. Behrens. Ms. Thacker stated that Ms. Behrens plans to sell the 10 acres to Mr. Sullens and Mr. Sullens plans to farm the property and make it pasture land.

Motion made by Mr. Ash to approve the variance, seconded by Ms. Dixon. Motion was unanimously approved.

e. Tom Wright , Chapter 58 Table 58-1

Application of Tom Wright to request a variance for sign area. Property located at intersection of Hardman Farm Road and Ga. Hwy 17. Map and parcel W057-022D.

Mr. Tom Wright, 270 Carolina Spring Road, Sautee Ga. 30571, was present to represent the property owner.

Harry Barton said that this variance request is for sign size in the A-1 district. Harry Barton said that proposed sign location is on map and parcel 057-022D. Harry Barton said that maximum size in the A-1 district is eight square feet and the proposal is for 31.5 square feet.

Mr. Tom Wright said that they are working with Ga. DNR as far as signage at this location. The property with Hardman Farm Road is a joint venture with Habersham Winery's and DNR to create the road. Mr. Wright said that this sign is on Habersham Winery's property. Mr. Wright said that this sign is the same size as the Hardman Farm sign.

Ms. Burke asked if the church next door have anything to do with approval of this sign?

Harry Barton said no, this request for sign size only.

Motion made by Ms. Dixon to approve the variance, seconded by Ms. Burke. Motion was unanimously approved.

f. Tom Wright, Chapter 58 Table 58-1

Application of Tom Wright to request a variance for sign area. Property located at intersection of Hardman Farm Road and Ga. Hwy 17. Map and parcel W057-022D.

Mr. Tom Wright, 270 Carolina Springs Road, Sautee Ga. was present to represent the land owner.

Harry Barton said that this variance request is for sign size in the R-1 district. Harry Barton said that proposed sign is located across Hardman Farm Road from

previous application. Harry Barton said that this request is for sign size only. Harry Barton said that application is for 31.5 square feet sign. Harry Barton said that the maximum size sign in the R-1 district is four square feet.

Motion to approve the application made by Mr. Yarbrough, seconded by Mr. Ash.

Ms. Dixon asked if there are two signs.

Mr. Wright said yes, one on both sides of Hardman Farm Road

Motion was unanimously approved.

g. **Edward Alan Morris Section 601 Access**

Application of Edward Alan Morris to request a variance for access. Property located at 505 Eden Circle, Cleveland Ga. 30528. Map and parcel 006-076. Total acres 1.0.

The property owner, Mr. Edward Alan Morris of 5055 Jones Road, Austell Ga., was present.

Harry Barton said that this application is for access. Harry Barton said that this a one-acre tract that Mr. John Edward Morris is giving to his son, Edward Morris.

Mr. Edward Morris said that his farther is giving him to property so that he can build a home.

Motion made by Ms. Dixon to approve the variance, seconded by Mr. Ackerman. Motion was unanimously approved.

VI. Land Use Recommendation

- a. **Application of Michelle and Gary Fuchs** to request a conditional use permit at 57 Miway Lane, Sautee Georgia 30571. Tax map and parcel 068-082. Total acres 2.0. Proposed use is to place in "Short Term Rental" program. Present use is R-1 Residential, Single-Family District.

Ms. Cyndi Fargo, 2183 Chimney Mtn. Road, Sautee Ga., was present to represent the land owner.

Harry Barton gave a summary of the application. Harry said that this application is to request a conditional use permit for short term rental in the R-1 district. Harry Barton said that this application meets the requirements of section 700 in the land use code.

Ms. Fargo said that she did not have anything to add. Ms. Fargo asked where to apply for business license?

Mr. Sell said the White County Board of Commissioners' office.

Motion made by Mr. Ackerman to recommend to the Board of Commissioners to approve the application, seconded by Ms. Dixon.

Ms. Dixon asked Ms. Fargo if she understood that this is just a recommendation only?

Ms. Fargo said yes.

Motion was unanimously approved.

- b. Application of Cyndi Fargo** to request a conditional use permit at 2183 Chimney Mtn. Road, Sautee Georgia 30571. Tax map and parcel 068-035. Total acres 3.38. Proposed use is to place in "Short Term Rental" program. Present use is R-1 Residential, Single-Family District.

The property owner, Ms. Cyndi Fargo of 2183 Chimney Mtn. Road, Sautee Ga., was present.

Harry Barton gave a summary of the application. Harry Barton said that this application is to request a conditional use permit for short term rental in the R-1 district. Harry Barton said that this application is not in a subdivision. Harry Barton said that his application meets the requirements of section 700 in the land use code.

Motion made by Ms. Burke to recommend to the White County Board of Commissioners to approve the application, seconded by Mr. Ash. Motion was unanimously approved.

- c. Application of Cyndi Fargo** to request a conditional use permit at 114 Miway Lane, Sautee Georgia 30571. Tax map and parcel 068-084. Total acres 7.92. Proposed use is to place in "Short Term Rental" program.

Present use is R-1 Residential, Single-Family District.

The property owner, Ms. Cyndi Fargo of 114 Miway Lane, Sautee Ga. was present.

Harry Barton gave a summary of the application. Harry Barton said that this application is for a conditional use permit for short term rental in the R-1 district. Harry Barton said that this application is not in a subdivision. Harry Barton said that this application meets the requirements of section 700 in the land use code.

Motion made by Ms. Dixon to recommend to the White County Board of Commissioners to approve the application, seconded by Ms. Burke. Motion was unanimously approved.

- d. **Application of Kelly and Avery Clark** to request redistricting from R-1 Residential, Single-Family to A-1 Agriculture Forestry and a conditional use permit at 618 Joe Black Road, Sautee Georgia 30571. Tax map and parcel 045B-016. Total acres 10.92. Proposed use is to place in A-1 Agriculture Forestry District and in the "Short term rental program". Present use is R-1 Residential, Single-Family District.

The property owner, Ms. Kelly Clark of 502 Joe Black Road, Cleveland Ga., was present.

Harry Barton gave summary of the application. Harry Barton said that this application is a request to rezone property from R-1 to A-1 and request a conditional use permit for short term rental. Harry Barton said that this is not in a subdivision. Harry Barton said that the property meets the requirement of at least 10 acres to redistrict to A-1 and meets the requirement of section 700 for short term rentals.

Ms. Clark said that they own the property next door and plan to buy this property, farm it along with doing some short term rental and for family to come stay.

Mr. Ackerman asked if they will use an agency for short term rental?

Ms. Clark said yes.

Motion made Mr. Ackerman to recommend to the White County Board of Commissioners to approve the application for rezoning from R-1 to A-1 and for a conditional use permit for short term rental which was seconded by Mr. Ash. Motion was unanimously approved.

- e. **Application of Joan Englert** to request a conditional use permit at 28 Persimmon Dr., Sautee Georgia 30571. Tax map and parcel 068-046. Total acres 1.10. Proposed use is to place in “Short Term Rental” program. Present use is R-1 Residential, Single-Family District.

Ms. Cyndi Fargo, 114 Miway Lane, Sautee Ga., was present to represent the land owner.

Harry Barton gave a summary of the application. Harry Barton said that this application is to request a conditional use permit for short term rental in the R-1 district. Harry Barton said that this property is in a subdivision. Harry Barton said that this application meets the requirements of section 700 for short term rental.

Ms. Fargo said that Ms. Englert has permission from two of the land owners in the subdivision and the third lot is already short term rental.

Motion made by Ms. Burke to recommend to the White County Board of Commissioners to approve the application, seconded by Ms. Dixon. Motion was unanimously approved.

- f. **Application of Steve Milhollin** to request a conditional use permit at 2241 Lothridge Road, Cleveland, Georgia 30528. Tax map and parcel 077-027. Total acres 1.0. Proposed use is to place in “Short Term Rental” program. Present use is R-1 Residential, Single-Family District.

The property owner, Mr. Steve Milhollin 2241 Lothridge Road, Cleveland Ga., was present.

Harry Barton gave a summary of the application. Harry Barton said that this request is to request a conditional use permit for short term rental. Harry Barton said that this is not part of a subdivision. Harry Barton said that this application meets the requirements of section 700 short term rental.

Motion made by Mr. Ackerman to recommend to the White County Board of Commissioners to approve the application, seconded by Mr. Ash. Motion was unanimously approved.

- g. **Application of Teresa Leahy** to request a conditional use permit at 69 Greystone Drive, Cleveland, Georgia 30528. Tax map and parcel 074-090. Total acres 1.90. Proposed use is to place in "Short Term Rental" program. Present use is R-1 Residential, Single-Family District.

The property owner, Ms. Teresa Leahy of 69 Greystone Drive, Cleveland Ga., was present

Harry Barton gave a summary of the application. Harry Barton said that this application is to request a conditional use permit for short term rental in the R-1 district. Harry Barton said that this is part of a subdivision. Harry Barton said that the application meets the requirements of section 700.

Ms. Leahy said that they have done some short term rental in the past, but not very much and this will be for rental.

Motion made by Mr. Ash to recommend to the White County Board of Commissioners to approve the application, seconded by Ms. Dixon. Motion was unanimously approved.

Next Meeting:

After discussion, Chairman Thomas said that due to the Labor Day holiday the September meeting will be rescheduled to Monday September 9, 2019.

VI. Citizen Comments –

Mr. Scott Malinconico of 2870 Panarama Drive, Cleveland Ga. said that he would like to thank the board for all the hard work they have done for short term rentals.

VII. Adjournment

Motion to adjourn made by Ms. Burke, seconded by Ms. Dixon. Motion was unanimously approved.