

White County Planning Commission
Regular Session: MINUTES

Monday, October 5th, 2020
6:00 pm

White County Senior Center
1239 Helen Highway, Cleveland, GA, 30528

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

Staff present: Harry Barton and John Sell

- I. Call to Order: Chairman Thomas called the meeting to order.
- II. Invocation: Mr. Ackerman gave the invocation.
- III. 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 regular meeting.
- IV. Review and approval of minutes of August 31st, 2020 and September 8th, 2020: Motion was made by Mrs. Burke to approve the minutes of August 31st, 2020 and September 8th, 2020; seconded by Mr. Ackerman. Motion was unanimous.

V. Preliminary Plat

a. **Chad Knott Renewal of Preliminary Plat Approval for Blue Creek Forest Subdivision**

To request renewal of preliminary plat approval for Blue Creek Forest Subdivision consisting of 29 lots. Tax map and parcel 074-053. Total acreage is 38.60.

The applicant, Chad Knott of 233 Mossy Creek Point in Cleveland, was present. Mr. Barton gave a summary of the application. Mr. Knott said he started clearing trees, this is the same plat that was approved previously, and he already has a DOT permit.

Motion to approve the preliminary plat renewal made by Mr. Yarbrough; seconded by Mr. Ash. Motion was unanimous.

VI. Variances

b. **Randall and April Asbury Section 601 Access**

Application of Randall and April Asbury to request a variance for access. Property is located on TS Drive in Cleveland, GA, 30528. Tax map and parcel 064A-009. Total acreage is 5.39.

The landowner, April Asbury of 1316 Crestview Point, was present. Mr. Barton gave a summary of the application. Mrs. Asbury stated that she bought 8.44 acres and wants to give about 3 acres to her parents for their home.

Motion to grant the variance made by Mr. Yarbrough; seconded by Mrs. Burke. Motion was unanimous.

c. **Kevin Stageberg Section 804 Building lines**

Application of Kevin Stageberg to request a variance for building setback. Property is located at 267 Scenic Drive, Sautee Nacoochee, GA, 30571. Tax map and parcel 059D-018. Total acreage is 5.0.

The landowner, Kevin Stageberg of 267 Scenic Drive, was present. Mr. Barton gave a summary of the application. Mr. Stageberg stated that his request is to build two feet from the property line. Mr. Stageberg stated that his property slopes away from the road since it is on top of the mountain and the area he is proposing placing the carport on is the only flat space available. He explained that his property is five acres, but the rest of the property is on a slope and he would need an easement for access. When asked if he could build the carport closer to the house, Mr. Stageberg stated that the lot drops twelve feet beside the house and is impossible to build on.

Motion made by Mr. Ackerman to grant the variance as requested contingent upon receiving a letter from the adjoining neighbor. Mrs. Burke seconded the motion but requested an amendment for a three

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foot setback and made a motion to amend the original motion; seconded by Mr. Ash. The motion for the amendment was passed by a majority of three to two, with Mr. Freeman and Mr. Yarbrough being in opposition. The amended motion to grant the variance for a three-foot setback contingent upon receiving a letter from the adjoining neighbor was passed by a majority of three to two, with Mr. Freeman and Mr. Yarbrough being opposed.

d. Richard Clarke Section 14-133-K Structure and Building

Application of Richard Clarke to request a variance for structures over 400 square feet. Property is located at 145 Magnificent Way, Cleveland, GA, 30528. Lot 51 in Mountain Lakes. Tax map and parcel 031E-086.

The landowner, Richard Clarke of 145 Magnificent Way, was present. Mr. Barton gave a summary of the application. Mr. Barton stated the total square footage is 784. Mr. Clarke stated that he would like to put a carport over his RV due to not wanting to have to do more repairs to his roof in the future. Motion to approve the variance as requested made by Mr. Freeman; seconded by Mr. Yarbrough. Motion was unanimous.

e. J.W. Samples Section 601 Access

Application of J.W. Samples to request a variance for access. Property is located at 234 Brookwood Village Lane in Cleveland, GA, 30528. Tax map and parcel 050-081. Total acreage is 1.72.

The landowner, J.W. Samples of Cumming, GA, was present. Mr. Barton gave a summary of the application. Mr. Samples stated that there an easement already going to lot 11 and that he owns lots 10A (1.72 acre) and 10B (1.00 acre). Mr. Samples said he wants to put a small house at the easement on the right hand side towards the woods.

Motion to approve the variance as requested made by Mr. Ackerman; seconded by Mrs. Burke. Motion was unanimous.

f. Ricky Freeman Section 601 Access

Application of Ricky Freeman to request a variance for access. Property is located on Tommy Cowart Drive in Cleveland, GA, 30528. Tax map and parcel 049A-007. Total acreage is 3.33.

The landowner, Ricky Freeman of 432 Tommy Cowart Road, was present. Mr. Barton gave a summary of the application. Mr. Freeman stated that he is giving property to his daughter.

Motion to approve the variance as is made by Mr. Ash; seconded by Mr. Yarbrough. Motion was unanimous.

g. Douglas Heykens Section 601 Access

Application of Douglas Heykens to request a variance for access. Property is located at 482 Highland Forest Road in Cleveland, GA, 30528. Tax map and parcel 061-045. Total acreage is 2.01.

The landowner, Douglas Heykens of 482 Highland Forest Road, was present. Mr. Barton gave a summary of the application. Mr. Heykens explained that he originally didn't have intentions of selling the property after combining the lots years ago, but he decided to sell to friends. He stated that the property is in mountain protection, so they had to go over 2.00 acres since the average slope is 30%.

Motion to approve the variance as requested made by Mr. Ackerman; seconded by Mr. Ash. Motion was unanimous.

h. John Allan Section 601 Access

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Application of John Allan to request a variance for access. Property is located at 3485 Tray Mountain Road in Cleveland, GA, 30528. Tax map and parcel 040-002. Total acreage is 2.86. A representative, Darin Cain of 167 E. Jarrard Street in Cleveland, was present. Mr. Barton gave a summary of the application and explained that it is considered a home mortgage variance. Motion to grant the variance as requested made by Mrs. Burke; seconded by Mr. Yarbrough. Motion was unanimous.

i. **Christine and Sean Hayes Section 601 Access**

Application of Christine and Sean Hayes to request a variance for access. Property is located at 274 Windy Knoll Lane, Cleveland, GA, 30528. Tax map and parcel 073-255A. Total acreage is 9.61.

The landowner, Sean Hayes of 274 Windy Knoll Lane, was present. Mr. Barton gave a summary of the application. Mr. Hayes explained that when he purchased the property, the address was Windy Knoll and that was the tax assessed address. He said it is a paved street and that he has contributed to the maintenance of the road through a road maintenance agreement with other homeowners in the amount of \$325-\$350. Mr. Barton stated that the purpose is to clean up the plat- that the northeast corner access is what was approved in 2001, but the southeast corner is what has been used. Mr. Hayes's realtor, Teresa Holtzclaw of 72 Greear Lane in Helen, was present. She detailed that the thirty foot easement off of Sandra lane is on paper only since there is not a driveway there and has not been maintained as a driveway. She said it was not relayed to the Hayes's that it was not legal access when they purchased the property and that previous owners had used the same Windy Knoll access. Mrs. Holtzclaw explained that they do not want it to be a title issue when they sell the property and that the deed references both easements. She said her clients are willing to get a new plat surveyed with the updated planning department stamp if approved. Motion to approve the variance as requested made by Mr. Freeman; seconded by Mrs. Burke. Motion was unanimous.

VII. Land Use

1. **Application of Caitlin Payne** to request a conditional use permit at 379 Howell Mill Drive in Sautee Nacoochee, Georgia, 30571. Tax map and parcel 069-594. Total acreage is 1.22. Proposed use is to place in "Short Term Rental" program. Present use is R-1 Residential Single-Family District.

The landowner, Caitlin Payne of 379 Howell Mill Drive, was present. Mr. Barton gave a summary of the application. Chairman Thomas asked the board if they had any questions; no response. Motion made by Mr. Ackerman to recommend to the Board of Commissioners to approve the request as submitted; seconded by Mrs. Burke. Motion was unanimous.

VIII. Citizens Comments: None.

IX. Adjournment: Motion to adjourn made by Mrs. Burke; seconded by Mr. Yarbrough. Motion was unanimous.