

White County Planning Commission  
Regular Session  
February 4, 2019  
1239 Helen Hwy, Cleveland, Ga. 30528

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

Staff Harry Barton

- I. Call to Order  
Chairman Thomas called meeting to order.
- II. Invocation  
Chairman Thomas gave the invocation.
- III. Review of Agenda  
No changes were made to the agenda.
- IV. Review of January 3, 2019 and January 7, 2019 minutes.  
Motion made by Ms. Dixon to approve minutes of January 3, 2019 and January 7, 2019, seconded by Mr. Yarbrough. Motion was unanimously approved.
- V. Variance
  - a. **Robert Efferson, Section 601 Access**  
Application of Robert Efferson to request a variance for access. Property located at 244 Piney Lane, Cleveland, Ga 30528. Map and parcel 022-031c. Total acres is 1.55.  
Mr. Robert Efferson, 244 Piney Lane, Cleveland, Ga. 30528, the property owner was present.  
Harry Barton gave a summary of application. Harry Barton said this application is for access. Harry Barton said that Mr. Efferson is giving his son 1.55 acres.  
  
Mr. Efferson said that he did not have anything to add.  
  
Ms. Burke asked if Piney Lane is a county road?  
  
Mr. Efferson said that the County maintained up to right before his driveway.

Motion made to approve application made by Mr. Freeman, seconded by Mr. Ash. Motion was unanimously approved.

**b. Ritluan Cai, Section 804 Building lines**

Application of Ritluan Cai to request a variance for building within the setback. Property located at 211 Morning Side Drive, Cleveland. Ga 30528. Map and Parcel 048c-104. Total Acres is 1.04.

Chairman Thomas asked if Mr. Cai was present, seeing no one, Chairman Thomas said they would table the application.

**c. Jay Mitchell, Section 601 Access**

Application of Jay Mitchell to request a variance for access. Property is located on Little Hawk Road, Tract A - Map 72 Parcel 324, 6.52 acres, Tract B - Map 72, Parcel 325, for a total of 6.97 acres.

Mr. Mark Turner, 154 Country Walk, Cleveland, Ga. 30528, was present to represent the land owner.

Harry Barton gave a summary of application. Harry Barton said that this application is for access to two tracts located off of Little Hawk Road.

Mr. Turner said that because of the topography this is the best location to place a new driveway. Mr. Turner said there will be less disturbance and they will not have to cross the stream to do so and the lot lines will not change.

Ms. Burke asked if these lots can be accessed from the lower road?

Harry Barton said that the land owners do not have access to the lower road by deed.

Motion made to approve application made by Ms. Dixon, seconded by Ms. Burke. Motion as unanimously approved.

**d. Neil McLean, Section 30-264**

Application of Neal McLean to request a variance from road construction requirements in Mountain and Hillside Protection. Three additional lots to be added to an approved subdivision. Property is located on Lake View Drive. Map

034D Parcel 165. Mr. Neal McLean 1633 Day Break Road, Cleveland, GA. 30528, the property owner was present.

Harry Barton gave a summary of application. Harry Barton said that this application is for a variance to give three tracts to his children and the board approved his final plat in December 2017 for five lots that are in Mountain and Hillside Protection and Mr. McLean revised the plat from 34 lots to 5 lots. Harry Barton said this is a private road and will stay a private road. Harry Barton said that the request is to not pave the road. Harry Barton said the code requires the road to be paved if over six lots adjoin.

Chairman Thomas asked if they sell the property what would happen?

Harry Barton said that if someone wanted to subdivide this property again they would have to meet the code then.

Mr. McLean said that this is a gift of love.

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

## VI. **Land Use Recommendation**

- a. **Application of Sheetal Pawar** to request a conditional use permit at 4623 Hwy 254 , Cleveland, Georgia 30528. Tax map and parcel 064-054. Total acreage is 8.28 acres. Proposed use is for public, private and parochial schools and related education institutions not offered for profit. Present use is C-1 Community Commercial.

Mr. Marco Lackington, 11210 Brook Holder Trail Alpharetta Ga. 30022, was present to represent the applicant.

Harry Barton gave a summary of application. Harry Barton said that this application is a request for conditional use permit in the C-1 district proposed for public, private and parochial schools and related education institutions not offered for profit.

Mr. Lackington asked if the Board had any questions pertaining to the information that was sent to them?

Ms. Burke asked where are they located in North Georgia?

Mr. Lackington said they are not in a specific place, but some are in Shopping Centers in different areas.

Mr. Lackington said the teaching area will be 33 feet by 33 feet in size.

Motion made by Mr. Ash to recommend to the White Board of Commission to deny the request, seconded by Mr. Yarbrough. Motion was unanimously approved.

Mr. Lackington asked what does this mean?

Chairman Thomas said that this is a recommendation only and you will have another public hearing with the Board of Commission on February 25, 2019.

- b. **Application of Robert Sloane** to request a conditional use permit at 41 Nugget Ridge, Sautee, Georgia 30571. Tax Map and Parcel 072-171. Total acreage is 1.75 acres. Proposed use is to place in "For rent by Owner" program. Present use is R-1 Residential, Single-Family District.

Mr. Robert Sloane, 334 Alpine Drive , Sautee, Georgia 30571, the property owner was present.

Harry Barton gave a summary of application. Harry Barton said that this application is a conditional use permit and a R-1 district "For Rent by Owner" program located at 41 Nugget Ridge Sautee, Ga. 30528

Mr. Sloane said that this would be for a vacation rental and for himself.

Motion made by Mr. Freeman to recommend to the Board of Commissioners to not approve the application, seconded by Ms. Burke. Motion was unanimously approved.

- c. **Application of Robert Sloane** to request a conditional use permit at 334 Alpine Drive, Sautee, Georgia 30571. Tax Map and Parcel 058D-123. Total acreage is 3.87 acres. Proposed use is to place in "For Rent by Owner" program.

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

Mr. Robert Sloane, 334 Alpine Drive, Sautee, Ga. 30571, the property owner was present.

Harry Barton gave a summary. Harry Barton said that this application is for a conditional use permit in the R-1 district "For Rent by Owner" program located at 334 Alpine Drive, Sautee Ga. 30528.

Mr. Sloane said it is the same as stated earlier, and at a homeowners' board meeting in May 17, 2017 and a majority voted to allow weekend rentals. Mr. Sloane said that he thought they were taking a general consensus to see what the land owners wanted. Mr. Sloane said that just because someone is generating money that does not make it commercial. Mr. Sloane said that he handles all the booking dates himself.

Mr. Ash asked Mr. Sloane if he has looked at any of the criteria they have to follow?

Mr. Sloane said no that at this time and I pay the taxes. Mr. Sloane said that he has been collecting Hotel and Motel taxes for about two years. Mr. Sloane said that he purchased the house in December 2016 and met with the board before that. Mr. Sloane said that he started renting the house in December 2017.

Motion made by Ms. Dixon to recommend denying the request to the Board of Commissioners, seconded by Ms. Burke. Motion was unanimously approved.

**V. Citizen Comments:**

Mr. Bill Thomas 99 Northlake Drive. Sautee, Ga. 30528 asked if you are operating a VRBO and online does that require a business licenses?

Harry Barton said they have a Business Occupational Tax license.

Mr. John Burgess, 356 Alpine Drive, Sautee Ga. 30571, said that they are against the weekend rentals in the subdivision and we never heard of the HOA Board vote.

Chairman Thomas said that the county does not enforce private covenants.

**VI. Adjournment:** Motion made to adjourn by Ms. Dixon, seconded by Ms. Burke. Motion was unanimously approved.