

AGENDA
FORSYTH COUNTY BOARD OF COMMISSIONERS
THURSDAY, JUNE 16, 2022 AT 5:00 PM
110 EAST MAIN STREET, SUITE 220
CUMMING, GEORGIA 30040

I. Call Meeting to Order

II. Invocation and Pledge of Allegiance

III. Adoption of Agenda

IV. Announcements and Reports

V. Public Comments

VI. Adoption of Minutes

(1) Regular Meeting / Public Hearings of June 2, 2022

(2) Work Session and Executive Session of June 7, 2022

VII. Consent Agenda

(1) Board adoption of a Resolution authorizing Affidavit concerning the Executive Session of June 7, 2022

(2) Board adoption of a Resolution recognizing Clara Hamilton, Ambassador Girl Scout Troop 11805 - Mills / Cooper

(3) Board consideration and approval of Memorandums of Understanding for contractors to provide treatment services, substance screening, and 4th Amendment waiver searches (Folk and Wakim) with authorization for the Chairman to execute all related documents - Director, Accountability Courts

(4) Board consideration and approval of a Resolution approving a Roundabout Lighting Agreement between Forsyth County and the Georgia Department of Transportation related to installation and ongoing maintenance and upkeep of lighting at SR9@CR3705 - Director, Department of Engineering

(5) Board consideration and approval of a Resolution approving a Roundabout Lighting Agreement between Forsyth County and the Georgia Department of Transportation related to installation and ongoing maintenance and upkeep of lighting at SR9@CR741 - Director, Department of Engineering

- (6) Board ratification of a Sewer Reservation Agreement for the City / Hammonds Crossing: Sahni's Holdings, LLC - 6,250 gpd - Director, Department of Water and Sewer
- (7) Board ratification of a Sewer Reservation Agreement for the Fowler Water Reclamation Facility: Pulte Home Company, LLC - 460 gpd; Taylor Morrison of Georgia, LLC - 25,110 gpd; and, Forsyth County Board of Education - 8,456 gpd- Director, Department of Water and Sewer
- (8) Board ratification of a Sewer Reservation Agreement for Fulton Big Creek: Branch Drive Properties, LLC - 850 gpd; Highlands 2 Holding Company - 2,876 gpd; and, FGAPW, LLC - 1,568 gpd - Director, Department of Water and Sewer
- (9) Board ratification of a Sewer Reservation Agreement for the James Creek Water Reclamation Facility: AMA Real Estate Holdings - 1,064 gpd - Director, Department of Water and Sewer
- (10) Board ratification of the following items that were discussed and voted on at the Work Session held on June 7, 2022 (as anticipated by Board Rule 1.07.01):
 - (A) Board authorization for the Department of Senior Services to apply to join the Atlanta Regional Commission's Aging and Independence Services Division - Director, Department of Senior Services
 - (B) Board approval of an Integrated Supply Agreement between Genuine Parts Company (d/b/a NAPA Auto Parts) and Forsyth County authorizing the Department of Fleet Services to be an in-house auto parts provider with authorization for the Chairman to execute documents in furtherance of the same as presented by the Department of Fleet Services Director - Director, Department of Fleet Services
 - (C) Board approval to award Bid 22-44-5211 to Steele & Associates, Inc. in the amount of \$371,800 for the Chattahoochee Pointe Lower Boardwalk Construction for the Department of Parks and Recreation with authorization for the County Manager to execute documents in furtherance of same - Director, Department of Parks and Recreation
 - (D) Board approval to award Bid 22-048-5211 to The Surface Masters, Inc. in the amount of \$68,835 for Resurfacing and Restriping at Midway Park for the Department of Parks and Recreation with authorization for the County Manager to execute documents in furtherance of same - Director, Department of Parks and Recreation
 - (E) Board approval to award quote to Delta Municipal Supply in the amount of \$89,434.49 for Manhole Riser Assemblies to adjust sewer manholes to grade for the 2022 County Road Resurfacing Projects as presented by staff - Director, Department of Water and Sewer

- (F) Board authorization for staff to proceed with the Public Hearing process regarding the draft 2021 Impact Fee Annual Update as presented - Chief Financial Officer

VIII. Public Hearings

- (1) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA2699 (Aaron J. Land) by Chris Cowart Properties, LLC with the following variances to: 1.) Reduce the zoning buffer along the northern property boundary adjacent to tax map/parcel 062-020 from 40 ft. to 0 ft. (UDC Table 14.2); 2.) Reduce the zoning setback along the northern property boundary adjacent to tax map/parcel 062-020 from 50 ft. to 0 ft. (UDC Table 14.2); 3.) Reduce the landscape strip along the side lot line adjacent to tax map/parcel 063-191 from 6 ft. to 0 ft. (UDC 14-4.13); 4.) Reduce the undisturbed buffer abutting Georgia Highway 400 from 40 ft. to 0 ft. to allow for utilities and existing structures within the required buffer and replanting the undisturbed buffer per the County Buffer Standards (UDC 10-1.10(A)(1)); 5.) Reduce the setback abutting Georgia Highway 400 from 60 ft. to 30 ft. (UDC 10-1.10(A)(1)); 6.) Reduce the side setback adjacent to tax map/parcel 063-191 from 15 ft. to 0 ft. (UDC Table 14.2); and, 7.) Reduce the front setback from 50 ft. to 38 ft. (UDC Table 14.2) - Parcel 063-057 - AZ210045 - District 3 - Director, Department of Planning and Community Development
(Postponed from the January 6, 2022, February 3, 2022, March 17, 2022, April 21, 2022, and May 19, 2022 Agendas)
- (2) Public Hearing and possible vote regarding an amendment to the Forsyth County Animal Control Ordinance, otherwise known as Forsyth County Ordinance Number 11 or Chapter 14 of the Forsyth County Code of Ordinances, concerning proposed modifications to definitions provided in the ordinance; to prohibit the retail sale of animals at pet shops; to establish requirements for offering animals for adoption at pet shops; to prohibit the outdoor sale of animals; to provide authority for the enforcement of the ordinance; to provide for violations; to repeal conflicting ordinances; and for other purposes - County Attorney

IX. Public Comments

X. Old Business

- (1) Board consideration and possible direction regarding a County-Initiated variance to: 1.) Reduce the exterior buffer from 40 ft. to 20 ft. adjacent to tax map/parcels 130-048 and 130-069 adjacent to the existing driveway only (UDC 16-4.6(C)) - Parcels 130-068 and 130-049 - VA220034 - District 3 - Director, Department of Planning and Community Development
(A Public Hearing was held before the Board of Commissioners on May 19, 2022; the Board voted unanimously to postpone, for decision only, to the June 16, 2022 Regular Meeting / Public Hearings.
- (2) Surya Realty LLC - ZA4034 - to rezone from Agricultural District (A1) to Single Family Residential District (RES3) on 18.30 acres for 26 residential lots with a density of 1.42 units per acre with the following variance to: 1.) Reduce the exterior buffer along the southern and western property boundaries from 25 ft. to 0 ft. (UDC

Table 11.2(b)) - Parcels 102-005, 102-075, 102-119, 102-076, and 102-062 - District 3 - Director, Department of Planning and Community Development
(Postponed from the April 21, 2022 and May 19, 2022 Agendas)

- (3) Toll Brothers, Inc. - ZA4037 - to rezone from Agricultural District (A1) and Single Family Residential Restricted District (R1R) to Single Family Residential District (RES2) Conservation Subdivision on 115.253 acres for 128 residential lots with a density of 1.11 units per acre with the following variances to: 1.) Reduce the minimum building setback from all primary conservation areas for lots 18, 19, 20, 36, 37, 38, 39, 40, 41, 64, 65, 66, 67, 101, 114, amenity area, and stormwater ponds 1 and 2 from 75 ft. to 0 ft. (UDC 19-5.1(D)); and, 2.) Reduce the minimum number of lots entirely abutted by open space on at least one side from 85% to 70% (UDC 19-5.1(C)) - Parcels 145-073 and 145-021 - District 4 - Director, Department of Planning and Community Development
(Postponed from the April 21, 2022 and May 19, 2022 Agendas)
- (4) Board consideration and possible direction regarding a County-Initiated request to rezone from Agricultural District (A1) to Restricted Industrial District (M1) for industrial buildings totaling approximately 383,281 sq. ft. on 36.761 acres - Parcels 236-029 and 236-093 - ZA4071 - District 4 - Director, Department of Planning and Community Development
(A Public Hearing was held before the Board of Commissioners on June 2, 2022; the Board voted unanimously to postpone, for decision only, to the June 16, 2022 Regular Meeting / Public Hearings.)
- (5) Board consideration of adopting an amendment to the Forsyth County enabling legislation to modify the qualifications for service as a commissioner such as would allow a BOC member to hold an official position in another municipality that is not within County limits or where the municipality does not share a border with Forsyth County - County Attorney

XI. New Business

- (1) Long Phan - CP210047 - to build a 2,000 sq. ft. detached accessory apartment on 0.72 acres zoned Single Family Residential Restricted District (R2R) with the following variances to: 1.) Increase the total floor area of all accessory buildings and structures on a lot from fifty percent (50%) to ninety percent (90%) of the total floor area of the primary building on that same lot (UDC 11-9.7(C)(6)(b)); and, 2.) Reduce the side setback adjacent to tax map/parcel 155-116 from 10 ft. to 5 ft. (UDC Table 11.2(a)) - Parcel 155-115 - District 2 - Director, Department of Planning and Community Development
- (2) New Heights Academy, Inc. - CP220009 - to operate a 3,465 sq. ft. private school in an existing building with 19 parking spaces on 5.90 acres currently zoned Commercial Business District (CBD) - Parcel 019-154 - District 3 - Director, Department of Planning and Community Development
- (3) Jamie Hobbs - ZA4048 - to rezone from Single Family Residential District (R1) to Commercial Business District (CBD) on 4.515 acres with Conditional Use Permits (CUPs) for an open air business and a contractor's establishment in buildings totaling 3,941 sq. ft. with 43 parking spaces with the following variances to: 1.)

Reduce the zoning buffer adjacent to tax map/parcel 191-063 from 40 ft. to 10 ft. for the existing structures and gravel driveway only (UDC Table 12.2); and, 2.) Reduce the zoning setback adjacent to tax map/parcel 191-063 from 50 ft. to 10 ft. for the existing structures only (UDC Table 12.2) - Parcel 191-062 - District 4 - Director, Department of Planning and Community Development

- (4) Board consideration and adoption of a Resolution regarding the appointment of Kathy Autry to serve as the District 2 Representative on the Forsyth County Board of Assessors - County Manager

XII. Recess Regular Meeting

XIII. Executive Session (if needed)

XIV. Adjournment