

AGENDA
FORSYTH COUNTY BOARD OF COMMISSIONERS
THURSDAY, JULY 7, 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 16, 2022

(2) Work Session of June 21, 2022

VII. Consent Agenda

(1) Board acceptance of Right of Way as County-maintained with a speed limit of 25 MPH on Andover Street, Ferncliff Street, and all other property and property rights as shown on the Subdivision Plat for Holbrook Reserve, Phase 3, recorded in Plat Book 201, Pages 231-245, Forsyth County, Georgia Records - District 1 - Director, Department of Engineering

(2) Board acceptance of Right of Way as County-maintained with a speed limit of 25 MPH on Halford Way, Tennyson Trace, Shipton Circle, and all other property and property rights as shown on the Subdivision Plat for Stratford Hills, Phase 1B, recorded in Plat Book 202, Pages 57-72, Forsyth County, Georgia Records - District 1 - Director, Department of Engineering

(3) Board acceptance of Right of Way as County-maintained with a speed limit of 25 MPH on Tiberon Parkway and all other property and property rights as shown on the Subdivision Plat for Tiberon on the Etowah, Phase 2A, recorded in Plat Book 202, Pages 16-29, Forsyth County, Georgia Records - District 4 - Director, Department of Engineering

(4) Board appointment of D4 Commissioner Cindy Jones Mills to be the County's voting delegate to the 2022 NACo Annual Conference - County Manager

(5) Board adoption of a Proclamation declaring July 15, 2022 as *Park and Recreation*

Professionals Day in Forsyth County - County Manager

- (6) Board ratification of the following items that were discussed and voted on at the Work Session held on June 21, 2022 (as anticipated by Board Rule 1.07.01):
 - (A) Board authorization for staff to proceed with the Public Hearing process regarding a County-Initiated zoning for Parcels 112-004 and 112-008 for the proposed Winner's Circle Project - John / Semanson
 - (B) Board authorization for staff to proceed with the Public Hearing process regarding a County-Initiated Conditional Use Permit (CUP) on Parcels 107-018 and 107-027 for operation of a hotel with around-the-clock business - John / Semanson
 - (C) Board approval of the Public Transportation Agency Safety Plan with authorization to submit to the Atlanta Transit Link as presented by staff - Director, Department of Public Transportation
 - (D) Board approval of a Sub-Grant Agreement between the Atlanta Transit Link and Forsyth County for access to Federal Transportation Administration 5307 grant funds in an amount not to exceed \$645,000 for calendar year 2022 with approval of a corresponding Budget Resolution - Director, Department of Public Transportation
 - (E) Board approval of the list of items as surplus with authorization for the Department of Procurement to dispose of accordingly as presented - Director, Department of Procurement
 - (F) Board approval to award Bid 22-28-3300 to Atlanta Premier Tree Solutions and Casey Tree Experts in the not to exceed amount of \$200,000 for Easement Clearing Services for the Department of Water and Sewer with authorization for the County Manager to execute documents in furtherance of the same as presented - Director, Department of Water and Sewer
 - (G) Board approval of a Special Services Agreement with JAL Ice Vending LLC to sell ice and water at Shady Grove Campground as presented - Director, Department of Parks and Recreation
 - (H) Board authorization for staff to proceed with the Public Hearing process regarding a County-Initiated Conditional Use Permit (CUP) for a telecommunication tower on Parcel 025-003 - District 4 - Director, Department of Planning and Community Development
 - (I) Board authorization for staff to draft proposed amendment language regarding Parking Surface Requirements and return to the Board with recommendations at a future Work Session - Levent / Semanson

- (J) Board authorization of the discontinuance of remote participation options (i.e., Zoom) at BOC, PC, ZBA, and other County-affiliated entity meetings effective August 1, 2022 - Mills / John
- (K) Board approval of a Resolution authorizing the use/acceptance of electronic signatures and otherwise authorizing staff to implement policies regarding same (O.C.G.A. 10-12-18) - Assistant County Manager / County Attorney
- (L) Board approval of a Quitclaim Deed of Partial Release for the purpose of abandoning a portion of a Sewer Easement near Majors Road that is no longer needed - County Attorney
- (M) Board approval of a Conflict Waiver authorizing J&D to work on behalf of Alpharetta and Forsyth County regarding McGinnis Ferry condemnations and road widening project - County Attorney

VIII. Public Hearings

- (1) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA2541 (Eagle Land Group Inc) by Christina Balkcom - Parcel 034-193 - AZ220019 - District 1 - Director, Department of Planning and Community Development
(Postponed from the June 2, 2022 Agenda)
- (2) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA3830 (TRB Bethelview, LLC) by HB Development LLC - Parcels 073-038, 073-329, 051-027, and 073-018 - AZ220025 - District 1 - Director, Department of Planning and Community Development
- (3) Public Hearing and possible vote regarding an appeal of the Zoning Board of Appeals' (ZBA) decision to deny a variance on VA220020 (5152, LLC) for 5152, LLC; the variance was denied on April 12, 2022 - Parcel 041-003 - AV220002 - District 3 - Director, Department of Planning and Community Development
- (4) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA3282 (D7WBH, LLC) by Nathan Brown and Gina Stordahl - Parcel 021-892 - AZ220023 - District 3 - Director, Department of Planning and Community Development
- (5) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA3925 (Worthing Transportation Company LLC) by Ruslan and Saniya Chitadze - Parcel 018-062 - AZ220026 - District 3 - Director, Department of Planning and Community Development
- (6) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA3923 (Forsyth County Board of Commissioners) by R & V Cumming, LLC - Parcel 145-098 - AZ220024 - District 4 - Director, Department of Planning and Community Development

- (7) Public Hearing and possible vote regarding the revocation of existing CUP, CP190012, in accordance with UDC Section 8-5.5(l) - Parcel 225-105 - District 5 - Director, Department of Planning and Community Development
- (8) Public Hearing and possible vote regarding the request by Paramount Engineering, LLC (George Harper) to approve the Chattahoochee River Corridor Plan Certification of Compliance in accordance with the Metropolitan River Protection Act on 4.83 acres for construction of a commercial driveway - Parcel 228-016 - SD210054 - District 5 - Planner III, Department of Planning and Community Development
- (9) Public Hearing and possible vote regarding amendments to the Unified Development Code related to Site Development Permit Exemptions within Chapter 7 - Planner III, Department of Planning and Community Development
(The first Public Hearing was held before the Planning Commission on May 24, 2022)
- (10) Public hearing and possible vote regarding transmittal of the Comprehensive Plan partial update to the Atlanta Regional Commission for regional and state review - Amanda Hatton, Blue Cypress Consulting / Deputy Director, Department of Planning and Community Development
(The first Public Hearing was held before the Planning Commission on June 28, 2022)
- (11) Public Hearing and possible vote regarding the tentatively adopted Millage Rates - Chief Financial Officer
- (12) Public Hearing and possible vote regarding the 2021 Impact Fee Capital Improvements Element Update and Community Work Program Addendum with Board adoption of a Resolution to submit to the Atlanta Regional Commission - Chief Financial Officer

IX. Public Comments

X. Old Business

- (1) 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, May 19, 2022, and June 16, 2022 Agendas)
- (2) 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, May 19, 2022, and June 16, 2022 Agendas)

XI. New Business

- (1) Board consideration and authorization of the commencement for a County-Initiated variance to: 1.) Reduce the landscape strip for lots 6 and 7 only on tax map/parcel 251-005 from 10 ft. to 0 ft. (UDC 11-9.6(J)(1)) - District 4 - Mills / Levent
- (2) Board consideration and adoption of a Resolution regarding the appointment of Brian Hudes to serve as the District 3 Representative on the Forsyth County Board of Assessors - County Manager

XII. Recess Regular Meeting

XIII. Executive Session (if needed)

XIV. Adjournment