

**AGENDA**  
**FORSYTH COUNTY BOARD OF COMMISSIONERS**  
**THURSDAY, JULY 21, 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) Special Called Public Meeting / Hearing of July 7, 2022
- (2) Regular Meeting / Public Hearings of July 7, 2022
- (3) Special Called Joint Meeting of July 11, 2022
- (4) Work Session and Executive Session of July 12, 2022

**VII. Consent Agenda**

- (1) Board adoption of a Resolution authorizing Affidavit concerning the Executive Session of July 12, 2022
- (2) Board ratification/approval of the following item that was discussed and unanimously approved (by those in attendance) at a Work Session held on July 12, 2022. (NOTE: If four members of the Board unanimously voted to approve the item at the Work Session and the same four are the only Board members anticipated to be in attendance during the Regular Meeting when the Consent Agenda is considered for approval, no consent by the absent member shall be secured prior to placement of the item on the Consent Agenda. Otherwise, Board Rule 1.07.01 will be observed.)
  - (A) Board approval of a Budget Resolution regarding the transfer of available funds from the General Fund to the Capital Outlay Fund as authorized by the Board of Commissioners' Resolution with approval of an additional one-time transfer based on the General Fund's Unassigned Fund Balance in the December 31, 2021 Annual Comprehensive Financial Report as presented - Chief Financial Officer

- (B) Board approval of a Budget Resolution to rebudget encumbered and carryover items from 2021 as presented - Chief Financial Officer
- (C) Board approval of a Budget Resolution for the final Budget Amendment to close the 2021 Fiscal Year as presented by staff - Chief Financial Officer
- (D) Board approval to add the Emergency Services IP Network Pricing Schedule to the AT&T Master Agreement for the E-911 Center in the not to exceed amount of \$351,238 with authorization for the County Manager to sign the finalized Agreement with authorization for the County Manager to sign the finalized Agreement - Director, Emergency Management Agency
- (E) Board approval of a Development Agreement between Forsyth County, Frances Janette Robinson, and Joyce Croy - Director, Department of Public Facilities
- (F) Board approval to award Bid 22-53-3150 to Blount Construction in the amount of \$8,061,997 to provide all materials, equipment, and labor for the resurfacing of 51.48 miles of roads with authorization for the County Manager to execute documents in furtherance of the same as presented - Director, Department of Engineering
- (G) Board approval of a Sole Source Purchase from Aerzen USA Corporation for a Bioreactor Blower in the amount of \$208,253.00 for the Fowler Water Reclamation Facility Phase II Expansion for the Department of Water and Sewer - Director, Department of Water and Sewer
- (H) Board approval of a Sole Source Purchase from SUEZ Treatment Solutions, Inc. for a Membrane Treatment System in the amount of \$2,978,000.00 for the Fowler Water Reclamation Facility Phase II Expansion for the Department of Water and Sewer - Director, Department of Water and Sewer
- (I) Board approval of a Sole Source Purchase from Trojan Technologies for a UV Disinfection Unit in the amount of \$290,600.00 for the Fowler Water Reclamation Facility Phase II Expansion for the Department of Water and Sewer - Director, Department of Water and Sewer
- (J) Board approval of a Change Order with G.P.'s Enterprises, Inc. in the amount of \$548,902.50 regarding the Ronald Reagan Boulevard Project for the addition and revision of erosion control BMP's as presented - Director, Department of Capital Projects
- (K) Board authorization for staff to proceed with the Public Hearing process regarding amendments to the Unified Development Code related to the Comprehensive Plan Update within Chapter 12 - Planning Manager, Department of Planning and Community Development

- (L) Board authorization for staff to proceed with the Public Hearing process regarding a County-Initiated Conditional Use Permit (CUP) for an open storage yard at Highland Ridge 3 - Parcel 018-216, as displayed with Hughes Commercial Real Estate, Inc. (Tommy Hughes) to pay all applicable fees and hold a Public Participation Meeting - District 3 - Levent / Semanson
- (M) Board approval to approve to enter into a Master Consulting Agreement with Solutionbuilt Inc. in the amount of \$16,980 for professional services for the design and implementation of a mobile platform for County Employees with authorization to continue the annual software maintenance renewals (based upon business need) for the life of the software and with authorization for the County Manager to sign the finalized Agreement as presented - Assistant County Manager
- (N) Board authorization for the Chair to execute a Right-of-Way Permit issued by the United States Department of the Interior to authorize the continued location and insertion of the Shakerag underground pipe and outfall structure as presented - County Attorney / Director, Department of Water and Sewer
- (O) Board approval to postpone the discussion regarding City Annexation of parcels C32-047 (+/- 0.77 Acres of Land) and C32-048 (+/- 1.35 Acres of Land) to the July 26, 2022 Work Session - County Attorney

## 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, May 19, 2022, and June 16, 2022 Regular Meeting/Public Hearings Agendas)**
- (2) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA3756 (The Fields at Keith Bridge, LLC) by The Fields at Keith Bridge LLC - Parcel 267-103 - AZ220015 - District 4 - Director, Department of Planning and Community Development  
**(Postponed from the May 5, 2022 and June 16, 2022 Regular Meeting/Public Hearings Agendas)**

- (3) Public Hearing and possible vote regarding the County-Initiated request to rezone from Agricultural District (A1) to Restricted Industrial District (M1) on 55.395 acres for warehouse/office buildings totaling 636,050 sq. ft. with Conditional Use Permits (CUPs) for outdoor commercial recreational facilities, micro-distilleries, micro-breweries, office commercial multiple story (OCMS) zoning district uses and performance standards, open storage yards, not exceeding 20% of the total lot, research laboratories, and ancillary manufacturing, transportation, communication, and utility facilities, except truck terminals, kennels, animal hospitals, veterinary clinics, cold storage plants and frozen food lockers, and a bowling alley with any uses conducting around the clock business with the following variances to: 1.) Reduce the zoning buffer along the western property boundary from 40 ft. to 25 ft. (UDC Table 14.2); 2.) Reduce the zoning buffer along the eastern property boundary from 40 ft. to 0 ft. (UDC Table 14.2); 3.) Reduce the undisturbed stream buffer from 50 ft. to 0 ft. (UDC 18-11.2(A)); 4.) Reduce the impervious setback from 75 ft. to 0 ft. (UDC 18-11.2(B)); 5.) Reduce the landscape strips along all future side and rear lot lines from 6 ft. to 0 ft. (UDC 14-4.13); and, 6.) Reduce the percentage of bicycle parking for non-residential uses from 2.5% of the total number of automobile parking spaces provided to 0% (UDC 21-12.5(F)(1)) - Parcels 236-006, 216-024, 236-094, 236-044, and 215-037 - ZA4047 - District 4 - Director, Department of Planning and Community Development
- (4) Public Hearing and possible vote regarding proposed modifications to the Forsyth County Animal Control Ordinance - County Attorney

**IX. Time Set Public Hearing - 6:00 P.M.**

- (1) Public Hearing and possible vote regarding the tentatively adopted Millage Rates - Chief Financial Officer

**X. Public Comments**

**XI. Old Business**

- (1) Board consideration 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  
**(A Public Hearing was held before the Board of Commissioners on July 7, 2022; the Board voted 4-0-1 (Commissioner Cooper absent) to postpone, for decision only, to the July 21, 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, May 19, 2022, June 16, 2022, and July 7, 2022 Agendas)**

- (3) 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  
**(At the July 7, 2022 Regular Meeting / Public Hearings, the Board voted 2-2-1 (Commissioners Levent and Mills in favor; Commissioners John and Semanson opposed; and, Commissioner Cooper absent) to adopt a Resolution regarding the appointment of Brian Hudes to serve as the District 3 Representative on the Forsyth County Board of Assessors.)**

## **XII. New Business**

- (1) Southern Heritage Home Builders, LLC - ZA4066 - to rezone from Agricultural District (A1) to Single Family Residential District (RES2) on 52.821 acres for 53 residential lots with a density of 1.0 units per acre - Parcels 050-118 and 050-028 - District 1 - Director, Department of Planning and Community Development
- (2) Passport Experiences, LLC - CP220013 - to build an outdoor commercial recreational facility and a massage parlor associated with a personal service establishment in buildings totaling 76,811 sq. ft. with 261 parking spaces on 10.6357 acres currently zoned Commercial Business District (CBD) with the following variances to: 1.) Reduce the Pedestrian Landscape Zone on the south, east and west sides of the facility from 8 ft. to 0 ft. (UDC Table 12.3); 2.) Reduce the Sidewalk Zone on the south and west sides of the facility from 6 ft. to 0 ft. (UDC Table 12.3); and, 3.) Reduce the Façade Landscape Zone on the south, east and west sides of the facility from 6 ft. to 0 ft. (UDC Table 12.3) - Parcel 107-047 - District 2 - Director, Department of Planning and Community Development
- (3) Melissa Shipman - CP220014 - to operate a 10,952 sq. ft. private school in an existing building with 44 parking spaces on 1.89 acres currently zoned Commercial Business District (CBD) with the following variance to: 1.) Increase the maximum number of parking spaces from 18 to 44 (UDC Table 17.1) - Parcel 065-013 - District 2 - Director, Department of Planning and Community Development
- (4) Capkey Clifton Partners LLC - ZA4065 - to rezone from Commercial Business District (CBD) to Restricted Industrial District (M1) on 3.982 acres for a 32,025 sq. ft. office, warehouse, contractor's establishment, manufacturing, processing and assembling or wholesale trade establishment with 33 parking spaces - Parcels 139-132 AND 139-255 - District 2 - Director, Department of Planning and Community Development
- (5) Tire Discounters, Inc. - CP220007 - to build an 8,215 sq. ft. minor automobile service establishment with 40 parking spaces on 3.379 acres currently zoned Commercial Business District (CBD) with the following variances to: 1.) Increase the maximum number of parking spaces from 36 to 40 (UDC 21-6.5(D)(1)); and, 2.) Reduce the rear setback from 25 ft. to 10 ft. (UDC Table 12.2) - Parcel 042-271 - District 3 - Director, Department of Planning and Community Development
- (6) Northpoint Capital Investment Holdings LLC - ZA4017 - to rezone from Agricultural District (A1), Neighborhood Shopping District (NS) and Single Family Residential Restricted District (R2R) to Master Planned District (MPD) on 140.588 acres for 250 residential lots and 228 attached residential units with a density of 3.40 units per acre and commercial buildings totaling 63,650 sq. ft. with 294 parking spaces with

the following variances to: 1.) Reduce the commercial component from 15% to 5.38% (UDC Table 20B.1); and, 2.) Increase the percentage of total residential units for townhomes from 30% to 50% (UDC 20B-2.3(A)) - Parcels 041-535, 062-016, 062-014, 062-015, 041-203, 041-075 and 062-002 - District 3 - Director, Department of Planning and Community Development

- (7) Board adoption of 2022 Millage Rates - Maintenance & Operations (Net M&O Millage), Fire and Bonds - Chief Financial Officer  
**(Note: The 2022 Millage Rates will be considered for adoption at 6:30 p.m.)**

- (8) Board adoption of the Resolution to adopt the 2022 Millage Rate - Chief Financial Officer

**XIII. Recess Regular Meeting**

**XIV. Executive Session (if needed)**

**XV. Adjournment**