

**AGENDA**  
**FORSYTH COUNTY BOARD OF COMMISSIONERS**  
**THURSDAY, DECEMBER 1, 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**

- (1) Board presentation of a Resolution recognizing Kevin Tanner - Board of Commissioners

**V. Public Comments**

**VI. Adoption of Minutes**

- (1) Regular Meeting / Public Hearings and Executive Session of November 17, 2022
- (2) Work Session and Executive Session of November 22, 2022

**VII. Consent Agenda**

- (1) Board adoption of Resolutions authorizing Affidavits concerning the Executive Sessions of November 17, 2022 and November 22, 2022
- (2) Board adoption of a Resolution recognizing Kevin Tanner - Board of Commissioners
- (3) Board ratification of the following Items that were discussed and voted on at the Work Session held on November 22, 2022 (as anticipated by Board Rule 1.07.01):
  - (A) Board authorization for staff to proceed with the County's procurement process regarding demolition of the existing structure at the Polo Fields property with authorization for staff to bring back proposals to the Board during late winter or spring of 2023 for evaluation of funding - Director, Department of Parks and Recreation
  - (B) Board approval to award Bid 22-109-1620 to New World Restoration in the amount of \$72,873.00 for the painting of the restroom buildings at the passive parks and trailheads for the Department of Parks and Recreation - Director, Department of Parks and Recreation

- (C) Board approval of the Georgia 811 (Call Before You Dig) Annual Membership with Utilities Protection Center, Inc. in the amount of \$55,890.58 for the Department of Water and Sewer - Director, Department of Water and Sewer
- (D) Board approval of Amendment No. 2 to Task Order No. 22 with ESG Engineering in a not to exceed amount of \$235,000.00 with ESG Engineering for providing continued program management, engineering services, and construction oversight support on the Indefinite Quantities (IDQ) Program for the Department of Water and Sewer - Director, Department of Water and Sewer
- (E) Board approval of ZA4085, an application seeking to rezone from Agricultural District (A1) to Single Family Residential District (RES2) on 142.616 acres for 164 residential lots with a density of 1.15 units per acre - Parcels 186-087, 186-101, 186-007, 185-050, 165-009, 186-019, 186-001, and 165-201, with the conditions - Director, Department of Planning and Community Development
- (F) Board approval of a Resolution Adjusting D2 and D5 Appointments to the Forsyth County Planning Commission and the Forsyth County Zoning Board of Appeals - Semanson / John
- (G) Board adoption of the 2023 BOC Meeting Schedule with the removal of the April 6, 2023 meeting - County Manager
- (H) Board approval of a Utility Easement in favor of the Forsyth County Water & Sewerage Authority on Tax Parcel 215-017 related to the Martin Road-Church Road Sewer Outfall - County Attorney
- (I) Board approval of the conveyance of the assets of the Big Creek Utility Company to Utilities, Inc. of Georgia - County Attorney

## **VIII. Public Hearings**

- (1) Public Hearing and possible vote for approval of an Alternate Design for Gaskins + LeCraw, Inc. with the following variances to: 1.) Increase the maximum number of parking spaces from 18 to 30 (UDC Table 17.1); 2.) Reduce the rear setback from 25 feet to 15 feet (UDC Table 12.2); 3.) Increase the percentage of parking that fronts the main building entrance from 60% to 100% (UDC 21-11.5(B)); and, 4.) Reduce the sides of the building exterior that parking is distributed on from 2 sides to 1 side (UDC 21-11.5(B)) - Parcel 031-186 - AD220008 - District 1 - Director, Department of Planning and Community Development  
**(Postponed from the November 3, 2022 Agenda)**
- (2) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA3249 (Green Acres Development, Inc.) by Toll Brothers, Inc. -

Parcels 010-098 and 010-139 - AZ220038 - District 1 - Director, Department of Planning and Community Development  
**(Postponed from the November 3, 2022 Agenda)**

- (3) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA2770 (Bowen & Co., Inc.) by Jeremiah and Kasey Dickerson with the following variance to: 1.) Reduce the rear setback from 25 ft. to 10 ft. (UDC Table 11.2(a)) - Parcel 234-196 - AZ220036 - District 4 - Director, Department of Planning and Community Development  
**(Postponed from the November 3, 2022 Agenda)**
- (4) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA2106 (Fox Creek Properties, Inc.) by Jason Borbely with the following variance to: 1.) Reduce the rear setback from 25 ft. to 15 ft. (UDC Table 11.2(a)) - Parcel 251-195 - AZ220039 - District 4 - Director, Department of Planning and Community Development
- (5) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA3866 (PPNJS, LLC) by Prime Peach Little Mill, LLC - Parcels 280-026 and 280-016 - AZ220040 - District 4 - Director, Department of Planning and Community Development
- (6) Public Hearing and possible vote regarding the County-Initiated Conditional Use Permit to operate contractors' establishments on property currently zoned Highway Business District (HB) - Parcel 254-020 - CP220047 - District 4 - Director, Department of Planning and Community Development
- (7) Public Hearing and possible vote regarding proposed modifications related to the Forsyth County Sign Ordinance - Planning Manager, Department of Planning and Community Development  
**(First of two required Public Hearings; Postponed from the November 3, 2022 Agenda)**
- (8) Public Hearing and possible vote regarding amendments to the Unified Development Code related to MPD Requirements in the Haw Creek Community Node within Chapter 20B - Planning Manager, Department of Planning and Community Development  
**(The first Public Hearing was held before the Planning Commission on October 25, 2022)**

## **IX. Public Comments**

## **X. Old Business**

- (1) Board Consideration 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: 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, June 16, 2022, July 21, 2022, August 18, 2022, and September 15, 2022 Agendas. A Public Hearing was held before the Board of Commissioners on October 20, 2022 - the Board voted 4-0-1 (Chairman John absent) to postpone, for decision only, to the November 3, 2022 Agenda. Postponed from the November 3, 2022 and November 17, 2022 Agendas.)

#### **XI. New Business**

- (1) Board consideration of the request by Catherine Vega for a Public Hearing regarding an appeal of the Zoning Board of Appeals' (ZBA) decision to approve a variance on VA220084 (Ashish Grover); the variance was approved on November 1, 2022 - AV220003 - District 5 - Director, Department of Planning and Community Development
- (2) Board consideration of a First Amendment to that Acquisition Contract between Forsyth County and Stevenson Asset Management, Inc. regarding a 48.78-acre parcel otherwise referred to as tax parcel 196-002 - County Attorney
- (3) Board discussion of LOST strategy and negotiations - Mills / Levent

#### **XII. Recess Regular Meeting**

#### **XIII. Executive Session (if needed)**

#### **XIV. Adjournment**