

Information regarding remote streaming is available at www.forsythco.com

REVISED

**AGENDA
FORSYTH COUNTY BOARD OF COMMISSIONERS
THURSDAY, OCTOBER 19, 2023 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) County Manager recognition of Milestone Service Awards - County Manager

V. Public Comments

VI. Adoption of Minutes

- (1) Regular Meeting / Public Hearings of October 5, 2023
- (2) Work Session of October 10, 2023

VII. Consent Agenda

- (1) Board ratification of the following Items that were discussed and voted on at a Work Session held on October 10, 2023 (to the extent that a Board Member was not present to vote on the Items presented below at the October 10, 2023 Work Session, the absent Board Member has indicated having no objections to placement of the Items on the Consent Agenda - at the request of County staff - as anticipated by Board Rule 1.07.01):
 - (A) Board authorization for staff to apply for the FY 2023 State and Local Cybersecurity Grant Program (SLCGP) with an 80/20 match requirement to be used to implement two-factor authentication using a hybrid MFA and passwordless authentication environment for all County employees and to install four FortiGate-100F firewalls within the network infrastructure for the Sheriff's Office - Chief Information Officer
 - (B) Board ratification of John Mullin as the County Employee Representative to the Civil Service Board to serve a four-year term to begin October 15, 2023 and expire on October 15, 2027 - Director, Department of Employment Services
 - (C) Board rejection of all Bids regarding 23-017-1514 for the McGinnis Ferry Road Widening Project for the Department of Capital Projects as presented - Director, Department of Capital Projects

- (D) Board approval of Change Order #004 with Astra Group, LLC in the amount of \$64,612.20 for additional work required to complete Lanierland Park Phase 2 - Vertical Capital Projects Manager, Department of Capital Projects
- (E) Board approval to increase Purchase Order #20221616 with NOVA Engineering and Environmental, LLC in the amount of \$32,000.00 for Construction Materials testing and Inspection Services for the construction of Fire Stations 9 and 15 - Vertical Capital Projects Manager, Department of Capital Projects
- (F) Board approval to increase Purchase Order #20221788 with NOVA Engineering and Environmental, LLC in the amount of \$14,500.00 for Construction Materials Testing and Inspection Services for the construction of the Central Park Recreation Center Addition - Vertical Capital Projects Manager, Department of Capital Projects
- (G) Board approval of a Memorandum of Understanding (MOU) between Georgia Emergency Management and Homeland Security Agency (GEMA/HS) and Forsyth County to allow the Forsyth County Grants Manager full user access to the Georgia Emergency Management Grants Manager System - Grants Manager, Department of Finance
- (H) Board authorization for staff to proceed with the Public Hearing process regarding a County-Initiated variance to Parcels 250-012 and 250-166 as presented by staff - District 4 - Mills / Levent
- (I) Board authorization for staff to proceed with developing the parameters of the updated Impact Fee Study to be put into process and completed for potential ordinance modification - Hill / Semanson
- (J) Board authorization to postpone the discussion regarding the consideration to award RFP 23-028-2410 to Central Emergency Medical Services, LLC in the amount of \$2,398,000.00 for Emergency Medical Care and Transport Services for the calendar year 2024 with approval of the associated Services Agreement, Budget Resolution, and authorization for the County Manager to execute documents in furtherance of same to the Work Session of October 24, 2023 - County Manager
- (K) Board authorization for staff to proceed with the Public Hearing process regarding the Animal Control Ordinance with the proposed Amendments highlighted in green - County Attorney

VIII. Public Hearings

- (1) Public Hearing and possible vote regarding the request for an Alcohol License to sell distilled spirits by the package for Main Street Spirits LLC dba Main Street Spirits located at 5550 Bethelview Road, Suite 100 - Named Licensee is Michael Servold - AL03825 - District 3 - Business License Manager, Department of Business License
- (2) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA2106 (FOX CREEK PROPERTIES, INC.) by Jamont Homes, Inc. with a variance to: 1.) Reduce the minimum lot width from 100 ft. to 38 ft. (UDC Table 11.2(a)) - Parcel 251-138 - AZ230025 - District 4 - Director, Department of Planning and Community Development
(Postponed from the October 5, 2023 Agenda)

- (3) Public Hearing and possible vote regarding a proposed amendment to Ordinance 69, Flow Rate Restrictions on Plumbing Fixtures, to modify definitions; to amend the Georgia State Minimum Standard Plumbing Code as required by the Metropolitan North Georgia Water Planning District where new and replacement plumbing fixtures and equipment are required related to new construction or alterations, repairs, or additions to existing buildings or plumbing systems, or the installation or modification of an irrigation system requiring a permit; to revise maximum flow and water consumption requirements for plumbing fixtures and fittings; to incorporate standards for water efficiency and to avoid water waste; and, for other purposes - County Attorney / Director, Department of Building and Economic Development

IX. Public Comments

X. New Business

- (1) Browns Bridge Road One, LLC - CP220056 - to operate a 15,241 sq. ft. minor automobile service establishment and new and used vehicle sales dealership in an existing building with 18 parking spaces on 1.511 acres currently zoned Commercial Business District (CBD) with the following variance to: 1.) Increase the percentage of vehicles visible along the road frontage from 30% to 100% (UDC 12-10.9); 2.) Reduce the landscape strip adjacent to all side and rear lots or lease lines from 10 ft. to 0 ft. (UDC 12-10.15); 3.) Reduce the required paved surface for the display of used vehicles from 1 acre to 0.137 acres (UDC 16-4.37(G)(1)); 4.) Reduce the required number of parking spaces from 83 to 18 (UDC Table 17.1); 5.) Reduce the front landscape strip for existing parking only from 20 ft. to 11 ft. (UDC 21-12.5(B)(2)); and, 6.) Increase the maximum percentage of chain link fencing in a front yard from 25% to 39% (UDC 12-10.19(B)) - Parcel 256-147 - District 4 - Director, Department of Planning and Community Development
(Postponed from the September 7, 2023, September 21, 2023, and October 5, 2023 Agendas)
- (2) Board consideration of MOU between Browns Bridge Road One, LLC and Forsyth County regarding certain land use restrictions pertinent to that portion of a parcel adjacent to property subject CP220056 (that will not otherwise be governed by CP220056) - County Attorney

XI. Old Business

- (1) Board consideration and possible vote regarding the request for an Alternate Design for Browns Bridge Road One, LLC - Parcel 256-147 - AD230006 - District 4 - Director, Department of Planning and Community Development
(A Public Hearing was held before the Board of Commissioners on September 7, 2023; the Board voted unanimously to postpone, for decision only, to the September 21, 2023 Regular Meeting / Public Hearings. Postponed from the September 21, 2023 and October 5, 2023 Agendas.)

X. New Business (continued)

- (3) Athena Learning LLC - ZA4135 - to rezone from Agricultural District (A1) to Neighborhood Shopping District (NS) on 1.94 acres for a 10,029 sq. ft. day care center with 46 parking spaces with the following variance to: 1.) Reduce the zoning buffer along the northern property boundary from 20 ft. to 0 ft. (UDC Table 12.2); 2.) Reduce the zoning setback along the northern property boundary from 30 ft. to 0 ft. (UDC Table 12.2); 3.) Reduce the side setback along the southern property boundary from 10 ft. to 0 ft. (UDC Table 12.2); 4.) Reduce the side landscape strips along the northern and southern property boundaries from 10 ft. to 0 ft. (UDC 12-10.15); 5.)

Reduce the distance from an access drive to a side property line from 40 ft. to 18.66 ft. (UDC 12-10.5); and, 6.) Increase the maximum gross square footage per business establishment from 10,000 sq. ft. to 10,029 sq. ft. (UDC Table 12.2) - Parcels 184-010 and 184-009 - District 2 - Director, Department of Planning and Community Development

- (4) Ingenium Enterprises, Inc. - CP230021 - to conduct around the clock business in a 2,567 sq. ft. restaurant with 28 parking spaces on 1.05 acres currently zoned Commercial Business District (CBD) with the following variance to: 1.) Increase the maximum number of parking spaces from 21 to 28 (UDC 21-6.5(D)(1)) - Parcel 042-716 - District 3 - Director, Department of Planning and Community Development
- (5) R.D. Links Investments, LLC - ZA4128 - to rezone from Commercial Business District (CBD) to Restricted Industrial District (M1) on 1.964 acres for a 14,850 sq. ft. office/warehouse/contractor's establishment with 32 parking spaces with the following variance to: 1.) Eliminate the 5,000 ft. sewer distance requirement to facilitate the use of an on-site septic disposal system (UDC 18-5.18); 2.) Reduce the zoning setback from 30 ft. to 15 ft. (UDC Table 14.2); 3.) Reduce the zoning buffer from 20 ft. to 12 ft. (UDC Table 14.2); and, 4.) Reduce the setback abutting Sandy Court from 50 ft. to 32.5 ft. (UDC Table 14.2) - Parcel 250-013 - District 4 - Director, Department of Planning and Community Development
- (6) David Pearson Communities, Inc. - ZA4133 - to rezone from Agricultural District (A1) to Single Family Residential District (RES2) on 147.687 acres for 193 residential lots with a density of 1.31 units per acre - Parcel 165-013 - District 4 - Director, Department of Planning and Community Development
- (7) Emory Lagree, LLC - ZA4136 - to rezone from Agricultural District (A1) to Commercial Business District (CBD) on 8.45 acres for a 6,000 sq. ft. retail/office/restaurant building with 26 parking spaces with a Conditional Use Permit (CUP) for an open storage yard with 163 parking spaces with the following variance to: 1.) Eliminate the 5,000 ft. sewer distance requirement to facilitate the use of an on-site septic disposal system (UDC 18-5.18) - Parcel 238-009 - District 4 - Director, Department of Planning and Community Development

XI. Recess Regular Meeting

XII. Executive Session (if needed)

XIII. Adjournment