

AGENDA
FORSYTH COUNTY BOARD OF COMMISSIONERS
THURSDAY, JUNE 6, 2024 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 recognition of the Fire Department's annual Safety Poster Contest winners - Fire Chief
- (2) Board recognition of the Department of Building and Licensing for winning the Building Officials Association of Georgia (BOAG) *Jurisdiction of the Year* for 2024 - Director, Department of Building and Licensing

V. Public Comments

VI. Adoption of Minutes

- (1) Regular Meeting / Public Hearings and Executive Session of May 16, 2024
- (2) Work Session and Executive Session of May 21, 2024

VII. Consent Agenda

- (1) Board ratification of the following Items that were discussed and voted on at the Work Session held on May 21, 2024 (as anticipated by Board Rule 1.07.01):
 - (A) Board approval of a Budget Resolution accounting for the donation of \$2,222.00 by Brookwood Elementary School for use by the Department of Parks and Recreation - Director, Department of Parks and Recreation
 - (B) Board approval of a Sole Source Purchase with Electro-Mech Scoreboard Co. in the amount of \$55,554.00 for scoreboards at Joint Venture and Midway Park for the Department of Parks and Recreation - Director, Department of Parks and Recreation
 - (C) Board approval of a Sole Source Purchase with Templeton & Associates Equipment Sales, Inc. in the amount of \$36,520.00, plus freight, for the purchase of a Vaughan Submersible Chopper Pump for the Fowler Water Reclamation Facility - Director, Department of Water and Sewer

- (D) Board approval of Change Order No. 22 with Vertical Earth (Contract #1202000029) in the amount of \$14,082.02 to provide signal headlight changes, overhead signage revisions, and additional rock embankment for the SR 369/400 Widening Project - Transportation Project Manager, Department of Capital Projects
 - (E) Board approval of Change Order No. 5 with Vertical Earth (Contract # 1202000030) in the amount of \$136,975.22 and twenty (20) additional work days to provide excavation for additional rock embankment to support Walls 9 and 10 for the SR 369/400 Interchange Project - Transportation Project Manager, Department of Capital Projects
 - (F) Board approval of Change Order #001 with Nova Engineering and Environmental LLC in the amount of \$9,500.00 for additional construction materials testing and inspections for the Central Park Recreation Center Expansion and Renovation Project - Vertical Project Manager, Department of Capital Projects
 - (G) Board approval of Change Order #04 with Lose & Associates, Inc., dba LOSE DESIGN in the amount of \$61,750.00 regarding additional design services for the Sharon Springs Park Redevelopment Project - Director, Department of Capital Projects
 - (H) Board authorization for staff to proceed with the Public Hearing process regarding a County-Initiated zoning condition amendment related to ZA3163, to remove condition 23, which seeks to establish a sewer tap on fee and a capital contribution fee for property located on the northeast side of Matt Highway (S.R. 369) approximately 450 feet northwest from the intersection with Gravitt Road - County Attorney
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- (2) Board acceptance of Right of Way as County-maintained with a speed limit of 25 MPH on Trescott Path, Linfield Court, and all other property and property rights as shown on the Subdivision Plat for Kennison Creek Phase 2, recorded in Plat Book 212, Pages 106-144, Forsyth County, Georgia Records - District 4 - Director, Department of Engineering
 - (3) Board ratification of a Sewer Reservation Agreement for the Fowler Water Reclamation Facility (WRF): DG McFarland, LLC - 2,250 gpd - Director, Department of Water and Sewer
 - (4) Board ratification of a Sewer Reservation Agreement for the Fowler Water Reclamation Facility (WRF): EC New Vision Georgia, LLC - 27,540 gpd - Director, Department of Water and Sewer
 - (5) Board ratification of a Sewer Reservation Agreement for the Fowler Water Reclamation Facility (WRF): Epic Property Services, LLC - 200 gpd - Director, Department of Water and Sewer

- (6) Board adoption of a Resolution authorizing Affidavit concerning the Executive Session of May 16, 2024 - County Clerk
- (7) Board adoption of a Resolution authorizing Affidavit concerning the Executive Session of May 21, 2024 - County Clerk

VIII. Public Hearings

- (1) Public Hearing and possible vote regarding an Alternate Design for Taco Bell of America, LLC with a variance to: 1.) Reduce the rear setback from 25 ft. to 20 ft. (UDC Table 12.2) - Parcel 031-182 - AD240002 - District 1 - Director, Department of Planning and Community Development
- (2) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on CP200025 (TRP, L.L.C.) by Boardwalk Storage-Sawnee, LLC - Parcel 053-057 - AZ230035 - District 1 - Director, Department of Planning and Community Development
- (3) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA3988 (TRP, L.L.C.) by Boardwalk Storage-Sawnee, LLC - Parcel 053-028, 053-030, 053-029, and 053-027 - AZ230036 - District 1 - Director, Department of Planning and Community Development
- (4) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA4119 (Martha Clarke) by Martha Clarke with a variance to: 1.) Reduce the zoning setback along the western property boundary from 50 ft. to 25 ft. (UDC Table 12.2); and, 2.) Reduce the zoning buffer along the western property boundary from 40 ft. to 25 ft. (UDC Table 12.2) - Parcel 194-021 - AZ240008 - District 1 - Director, Department of Planning and Community Development
- (5) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA3799 (4087 Post Sosebee, LLC) by Guru Bogi - Parcel 096-371 - AZ240012 - District 1 - Director, Department of Planning and Community Development
- (6) Public Hearing and possible vote regarding the County-Initiated Conditional Use Permit for Agritourism on property zoned Agricultural District (A1) - Parcel 097-202 - CP240024 - District 1 - Director, Department of Planning and Community Development
- (7) Public Hearing and possible vote regarding the approval of a Sketch Plat for Weekley Homes, LLC - Parcel 098-047, 099-025, and 099-026 - SP240005 - District 1 - Director, Department of Planning and Community Development
- (8) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA4068 (Pushpavathi Reddyvari Manikindi) by KR Real Estate Developers, LLC - Parcel 228-018 - AZ240009 - District 2 - Director, Department of Planning and Community Development
(Postponed from the May 2, 2024 Agenda)

- (9) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA2673 (Woodland Partners Limited Partnership) by Long Truong - Parcel 160-488 - AZ240011 - District 2 - Director, Department of Planning and Community Development
- (10) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA1421 (Technology Park/Atlanta, Inc.) by Edward Gougelmann - Parcel 140-044 - AZ240015 - District 2 - Director, Department of Planning and Community Development
- (11) Public Hearing and possible vote regarding an Alternate Design for Teresa Curry - Parcel 042-717 - AD240003 - District 3 - Director, Department of Planning and Community Development
- (12) Public Hearing and possible vote regarding an Alternate Design for Gopinathji Investments, LLC - Parcels 018-147 and 018-145 - AD240004 - District 3 - Director, Department of Planning and Community Development
- (13) Public Hearing and possible vote regarding an Alternate Design for BethelviewMD, LLC - Parcel 106-082 - AD240005 - District 3 - Director, Department of Planning and Community Development
- (14) Public Hearing and possible vote regarding the request for an appeal of the Zoning Board of Appeals' decision on VA230075 (David and Rebekah Wassmer) by Kevin and Kathleen Tyndall - Parcel 245-090 - AV240001 - District 4 - Director, Department of Planning and Community Development
- (15) 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 and October 19, 2023 Agendas; moved from the November 16, 2023 Public Hearing Agenda due to Meeting being cancelled for lack of a quorum; postponed from the December 21, 2023 and February 1, 2024 Agendas.)
- (16) Public Hearing and possible vote regarding the approval of a Sketch Plat for I-20 Investors, LLC - Parcel 138-575 - SP240002 - District 5 - Director, Department of Planning and Community Development
- (17) Public Hearing and possible vote regarding amendments to the Unified Development Code related to Expiration Periods for Land Disturbance Permits - Planner II, Department of Planning and Community Development
(The first Public Hearing was held before the Planning Commission on April 23, 2024.)
- (18) Public Hearing and possible vote regarding amendments to the Alcohol Ordinance, otherwise known as Forsyth County Ordinance 68, to amend language and definitions that pertain to alcohol beverage catering; limited liability company application procedures; bar seating; special event permits; collecting alcohol excise

taxes; and, for other purposes - County Attorney

IX. Public Comments

X. Old Business

- (1) Board consideration of a revised Memorandum of Agreement between the Federal Communications Commission, the Georgia State Historical Preservation Office, the Historical Society of Cumming/Forsyth County, Inc., Forsyth County, and Towercom V-B, LLC regarding the Lucille Tower on Old Federal Road - County Attorney

XI. New Business

- (1) Boardwalk Storage-Sawnee, LLC - CP230033 - to build a 160,000 sq. ft. climate controlled self-service storage building with 24 parking spaces on 2.8 acres zoned Commercial Business District (CBD) with the following variance to: 1.) Reduce the side landscape strip along the eastern property boundary only from 10 ft. to 0 ft. (UDC 12-10.15); and, 2.) Reduce the separation distance between self-service storage businesses from 3/4 of a mile to 0 miles (UDC 16-4.31(G)) - Parcels 053-057, 053-029, and 053-028 - District 1 - Director, Department of Planning and Community Development
- (2) 2637 Paradise LLC - ZA4155 - to rezone from Agricultural District (A1) to Commercial Business District (CBD) on 5.1875 acres for a retail/office/restaurant/day care center in buildings totaling 50,954 sq. ft. with 202 parking spaces with the following variance to: 1.) Increase the maximum building height from 30 ft. to 40 ft. (UDC Table 12.2); and, 2.) Reduce the zoning buffer along the northern property boundary from 40 ft. to 25 ft. (UDC Table 12.2) - Parcel 077-085 - District 1 - Director, Department of Planning and Community Development (Postponed from the April 18, 2024 and May 16, 2024 Agendas)
- (3) Board consideration of the request by Maycon Lopez Bonilla for a Public Hearing regarding an appeal of the Zoning Board of Appeals' decision on VA240005. The variance was denied on May 7, 2024 - AV240002 - District 4 - Director, Department of Planning and Community Development
- (4) Board consideration and authorization for staff to proceed with SPLOST IX Programming and Joint Meeting Notification between the County and the City of Cumming - County Manager

XII. Recess Regular Meeting

XIII. Executive Session (if needed)

XIV. Adjournment