

AGENDA
FORSYTH COUNTY BOARD OF COMMISSIONERS
THURSDAY, JANUARY 9, 2025 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. Adoption of Rules and Procedures for 2025

VI. Election of Officers for 2025

VII. Public Comments

VIII. Adoption of Minutes

- (1) Regular Meeting / Public Hearings of December 19, 2024

IX. Consent Agenda

- (1) Board acceptance of Right of Way as County-maintained with a speed limit of 25 MPH on Rosario Drive, Briar Rose Trail, Red Rose Court and all other property and property rights as shown on subdivision plat for Rose Creek Phase 3, recorded in Plat Book 216, Pages 36-63, 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 Chesford Grove, Avonbrook Close and all other property and property rights as shown on the Subdivision Plat for Stratford Hills Phase 2B, recorded in Plat Book 215, Pages 154-168, 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 Pond View Drive, Hudson Point Lane, Glade Valley Way and all other property and property rights as shown on subdivision plat for Southbrooke Phase 2, recorded in Plat Book 214, Pages 264-278, Forsyth County, Georgia Records - District 4 - Director, Department of Engineering
- (4) Board acceptance of Right of Way as County-maintained with a speed limit of 25 MPH on Beechnut Circle and all other property and property rights as shown on the Subdivision Plat for Settingdown Farms Phase 2, recorded in Plat Book 217, Pages

66-76, Forsyth County Georgia Records - District 4 - Director, Department of Engineering

- (5) ZA 4191 - Pursuant to Rule of Procedure 3.02.01, the Board of Commissioners wishes to Amend Something Previously Adopted. At the Board of Commissioners' December 19, 2024 meeting, the Board approved *"ZA 4191, an application seeking rezoning from MINE to A1 on 32.16 acres with a conditional use permit (CUP) to build an 880 sq. ft. methane to energy conversion facility and associated utility substation located adjacent to or contiguous with a MSW waste reclamation facility – Parcel 001-004, with the conditions as displayed."* Two variances were associated with that application. Variance 1 was to "eliminate the 5,000 ft. sewer distance requirement to facilitate the use of an on-site septic disposal system (UDC 18-5.18); and Variance 2 was to "increase the maximum building height for the thermal oxidizer and flare only from 30 ft. to 65 ft. (UDC Table 15.2)." The approval motion inadvertently omitted references to the variances being approved. Pursuant to BOC Rule 3.02.01, the Board of Commissioners hereby amends that approval motion by clarifying that the variances were intended to be approved and by this action stand approved. The Forsyth County Clerk is hereby authorized to place a manual "***" on the December 19, 2024 minutes at the ZA4191 minute entry, providing a cross-reference to this action of the Board. – County Attorney
- (6) Pursuant to Rule of Procedure 3.02.01, the Board of Commissioners wishes to Amend Something Previously Adopted. At the Board of Commissioners' ("BOC") December 19, 2024 meeting, the BOC approved CP240034. The agenda header for CP240034 reflected that the application included a conditional use permit ("CUP") for a motel. However, the redlined conditions displayed and discussion at the December 19 meeting revealed that the Board did not approve the motel portion of the requested CUP. The minutes from the December 19 2024 are unclear or ambiguous on this. As such, the BOC hereby provides clarity that the approval of CP240034 on December 19, 2024, did not include a CUP for a motel. The County Clerk is hereby authorized to place a manual "***" on the December 19, 2024 minutes at CP240034 cross-referencing to this agenda item to clarify that no motel CUP was approved – County Attorney

X. Public Hearings

- (1) Public Hearing and possible vote regarding amendments to the Unified Development Code related to the Ronald Reagan/Union Hill Overlay District - Director, Department of Planning and Community Development
(The first Public Hearing was held before the Planning Commission on November 19, 2024.)
- (2) Public Hearing and possible vote regarding the request for County-Initiated request for an Amendment of Zoning Conditions on ZA2605 (Rouse-Forsyth LLC c/o The Rouse Company) by Forsyth County Board of Commissioners - Parcels 043-0732002, 043-073, 043-076, 043-069, 043-0731001, 043-065, 043-072, 044-016, 043-068, 043-071, 044-004, 043-079, 044-020, 043-080, 043-070, 043-075, 043-067, 043-066, 043-064, 043-078, 043-077 and 043-022 - AZ240041 - District 5 - Director, Department of Planning and Community Development
- (3) Public Hearing and possible vote regarding the request for County-Initiated request for an Amendment of Zoning Conditions on ZA3050 (Greenstone Properties, Inc. of

Georgia) by Forsyth County Board of Commissioners - Parcels 044-332, 044-343, 044-323, 044-318, 044-342, 044-118, 044-320, 044-321, 044-315, 044-322, 044-319, 044-020, 044-317, 044-116, 044-314, 044-337, 044-119, 044-329, 044-316, 044-338, 044-324, 044-339, 044-327, 044-400, 044-335, 044-344, 044-333, 044-334, 044-325, 044-336, 044-345, 044-340, 044-117, 044-330, 044-341, 044-328, 044-326, 044-331 and 044-164 - AZ240043 - District 5 - Director, Department of Planning and Community Development

- (4) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA3858 (Pilgrim Mill Family Partnership, LLLP) by Tipton Development LLC with a 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) - Parcels 071-031 and 071-026 - AZ240042 - District 1 - Director, Department of Planning and Community Development
(Postponed from the December 5, 2024 Agenda.)
- (5) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on CP190005 (Piedmont Properties, Inc.) and ZA3222 (HealthSouth Rehabilitation Hospital of Forsyth County, LLC) by Encompass Health Rehabilitation Hospital of Cumming, LLC - Parcel 173-021 - AZ240046 - District 2 - Director, Department of Planning and Community Development
- (6) Public Hearing and possible vote regarding an Alternate Design for Forsyth County Board of Commissioners – Parcel 185-060 - AD240024 - District 4 - Director, Department of Planning and Community Development
- (7) Public Hearing and possible vote regarding the approval of a Sketch Plat for Ronnie A. Pinson - Parcels 319-188, 307-177 and 307-082 - SP240016 - District 4 - Director, Department of Planning and Community Development
- (8) Public Hearing and possible vote regarding an Alternate Design for Toll Brothers, Inc. - Parcels 110-504, 110-516, 110-492, 110-517, 110-501, 110-497, 110-503, 110-522, 110-499, 110-468, 110-500, 110-523, 110-469, 110-470, 110-515, 110-467, 110-465, 110-496, 110-463, 110-512, 110-474, 110-491, 110-514, 110-502, 110-473, 110-493, 110-524, 110-518, 110-498, 110-466, 110-464, 110-513 and 110-010 - AD240020 - District 5 - Director, Department of Planning and Community Development
- (9) Public Hearing and possible vote regarding an Alternate Design for Toll Brothers, Inc. - Parcels 135-703, 135-701, 135-691, 135-693, 135-689, 135-692, 156-805, 135-682, 135-695, 135-688, 135-690, 135-687, 135-683, 135-696, 135-702, 135-697, 135-704, 135-698, 135-684, 135-700, 135-686, 135-694, 135-699, 135-705, 135-685 and 135-681 - AD240021 - District 5 - Director, Department of Planning and Community Development
- (10) Public Hearing and possible vote regarding amendments to the Unified Development Code related to Appeals of Zoning Board of Appeals' decisions and clerical edits - County Attorney
(The first Public Hearing was held before the Planning Commission on November 19, 2024.)

XI. Public Comments

XII. Old Business

- (1) Board Consideration and possible vote regarding an Alternate Design for Teresa Curry - Parcel 184-439 - AD240017 - District 2 - Director, Department of Planning and Community Development
(A Public Hearing was held before the Board of Commissioners on December 19, 2024; the Board voted unanimously to postpone, for decision only, to the January 9, 2025 Agenda.)

XIII. New Business

- (1) Teresa Curry - CP240040 - to build a 1,869 sq. ft. minor automobile service establishment with 7 parking spaces with an overall site including a 1,500 sq. ft. drive-through restaurant with 17 parking spaces on 0.974 acres zoned Commercial Business District (CBD) - Parcel 184-439 - District 2 - Director, Department of Planning and Community Development
(Postponed from the December 19, 2024 Agenda)
- (2) Board approval of a Resolution appointing Jarrard & Davis, LLP as County Attorneys - County Attorney
- (3) Board appointment of a Commissioner to serve on the Administrative Committee for a term to begin effective immediately and expire on December 31, 2028 - County Manager
- (4) Board appointment of two (2) Commissioners to serve on the Water and Sewer Committee for 2025 - County Manager
- (5) Board appointment of three (3) Commissioners to serve on the Finance Committee for 2025 - County Manager
- (6) Board reappointment of Matt McClure to serve as the District 1 Representative on the Parks and Recreation Board for a term to begin effective immediately and expire on December 31, 2028 - County Manager
- (7) Board reappointment of Matt McClure to the Development Authority for a term to begin effective immediately and expire on December 6, 2028 - District 1 - County Manager
- (8) Board consideration and adoption of a Resolution regarding the reappointment of Kathy Autry to serve as the District 2 Representative on the Forsyth County Board of Assessors - County Manager
- (9) Board appointment / reappointment of District 2 Representative to serve on the Parks and Recreation Board for a term to begin effective immediately and expire on December 31, 2028 - County Manager
- (10) Board appointment / reappointment of District 2 Representative to serve on the

Planning Commission for a term to begin effective immediately and expire on December 31, 2028 - County Manager

- (11) Board appointment / reappointment of District 2 Representative to serve on the Public Facilities Authority for a term to begin effective immediately and expire on December 31, 2028 - County Manager
- (12) Board appointment / reappointment of District 2 Representative to serve on the Zoning Board of Appeals for a term to begin effective immediately and expire on December 31, 2028 - County Manager
- (13) Board reappointment of Joanne Tolleson to the Development Authority for a term to begin effective immediately and expire on December 6, 2028 - District 3 - County Manager
- (14) Board appointment / reappointment of the Adult Resident to serve on the Animal Control Board for a term to begin effective immediately and expire on December 31, 2026 - County Manager
- (15) Board appointment of Tom Ayers to the Development Authority for a term to begin effective immediately and expire on December 6, 2028 - District 4 - County Manager
- (16) Board appointment of Mark Lively to serve as the District 4 Representative on the Planning Commission for a term to begin effective immediately and expire on December 31, 2028 - County Manager
- (17) Board appointment of Melissa Warbington to serve as the District 4 Representative to the Parks and Recreation Board for a term to begin effective immediately and expire on December 31, 2028 - County Manager
- (18) Board Appointment of Brian Martin to serve as the District 4 Representative to the Zoning Board of Appeals for a term to begin effective immediately and expire on December 31, 2028 - County Manager
- (19) Board reappointment of Charles Albert "Bert" Durand to serve as the District 4 Representative to the Public Facilities Authority for a term to begin effective immediately and expire December 31, 2028 - County Manager
- (20) Board appointment / reappointment of the Veterinarian to serve on the Animal Control Board for a term to begin effective immediately and expire on December 31, 2026 - County Manager
- (21) Board appointment of Scott Carroll to the Development Authority for a term to begin effective immediately and expire on December 6, 2028 - District 5 - County Manager
- (22) Board reappointment of Stacy Guy to serve as the District 5 representative to the Planning Commission for a term to begin effective immediately and expire on December 31, 2028 - County Manager

- (23) Board appointment / reappointment of District 5 Representative to serve on the Public Facilities Authority for a term to begin effective immediately and expire on December 31, 2028 - County Manager
- (24) Board appointment / reappointment of District 5 Representative to serve on the Zoning Board of Appeals for a term to begin effective immediately and expire on December 31, 2028 - County Manager
- (25) Board consideration and possible approval of Debbie Stair as the Democratic Party's appointment to the Forsyth County Board of Registrations and Elections to fill the remainder term of Daniel Thalimer, with said remainder term to conclude August 31, 2025 – County Attorney

XIV. Recess Regular Meeting

XV. Executive Session (if needed)

XVI. Adjournment