

AGENDA
FORSYTH COUNTY BOARD OF COMMISSIONERS
THURSDAY, MARCH 20, 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. Public Comments

VI. Adoption of Minutes

(1) Regular Meeting / Public Hearings of March 6, 2025

(2) Work Session and Executive Session of March 11, 2025

VII. Consent Agenda

(1) Acceptance of Right of Way as County Maintained with a speed limit of 25 MPH on Austin Michael Lane, Addison Court, Ava Court and all other property and property rights as shown on subdivision plat for Jasons Walk recorded in Plat Book 215, Pages 46 - 62, Forsyth County, Georgia Records - District 1 - Director, Department of Engineering

(2) Board ratification of the following items that were discussed and voted on at the Work Session held on March 11, 2025 (as anticipated by Board Rule 1.07.01):

(A) Board approval to award RFP 25-14-3401 to Clean Earth Environmental Solutions, Inc. for Household Hazardous Waste Event Services for the Recycling and Solid Waste Department with approval of the associated Services Agreement – Manager of Environmental Programs, Recycling and Solid Waste Department

(B) Board approval of a Budget Resolution for replacement of total loss vehicles in the amount of \$51,025.00 for units #149 and #508 - Sheriff's Office, Director of Business Operations

(C) Board approval of a Lighting Services Agreement with Georgia Power to install two LED light pole fixtures to illuminate the expanded parking area at the Public Safety Complex at 3520 Settingdown Rd - Director, Department of Public Facilities

- (D) Board approval of Task Order #3 for Jericho Design Group under Contract 1202400022, RFP 24-23-1620, for A&E As Needed Services. This task order is for professional design services at Forsyth County Fire Stations #1 and #12 for the renovations to accommodate the HVAC systems replacement and structural modifications to the facilities in the amount of \$77,300.00 - Director, Department of Public Facilities
- (E) Board approval to award Bid 24-54-1620 to K-Team Engineering & Construction, Inc. in the amount of \$548,350.00 for Fleet Maintenance Interior Renovations for the Department of Public Facilities - Director, Department of Public Facilities
- (F) Board approval to award Bid 25-36-3300 to Metals & Materials Engineers, L.L.C. for Manhole and Lift Station Wet Well Rehabilitation As-Needed for the Department of Water and Sewer with approval of the associated Services Agreement – Deputy Director, Department of Water and Sewer
- (G) Board approval to award Bid 25-36-3300 to US Infra Rehab Services LLC for Manhole and Lift Station Wet Well Rehabilitation As-Needed for the Department of Water and Sewer with approval of the associated Services Agreement – Deputy Director, Department of Water and Sewer
- (H) Board authorization to apply for the Georgia Emergency Management Agency/Department of Homeland Security (GEMA/DHS) Hazard Mitigation Grant Program in an amount not to exceed \$4,875,000.00 with a required 25% match not to exceed \$1,625,000.00 for a total project cost not to exceed \$6,500,000.00 for a generator facility at the Forsyth County Water Treatment Plant – Director, Department of Water and Sewer
- (I) Board consideration of City of Cumming annexation of Parcels 128-068 and 128-071 (+/- 4.97 acres of land) - County Attorney
(Previously discussed at Work Sessions held on February 11 and February 25)
- (3) Board adoption of a Resolution authorizing Affidavit concerning the Executive Session of March 11, 2025 - County Manager
- (4) Board authorization for the County Attorney's office to commence a nuisance abatement action regarding property at 5455 Shady Grove Road - County Attorney
- (5) Board authorization for the County Attorney's office to commence a nuisance abatement action regarding property at 6650 Lawson Cir - County Attorney
- (6) Board authorization for the County Attorney's office to commence a nuisance abatement action regarding property at 3265 Dahlonega Hwy - County Attorney

VIII. Public Hearings

- (1) Public Hearing and possible vote regarding an Alternate Design for Mark Patterson - Parcel 009-063 - AD240018 - 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 ZA1929 (Silver Creek Development, LLC) by Mommies Properties, LLC with a variance to: 1.) Increase the maximum building height from 50 ft. to 85 ft. (UDC Table 12.2) - Parcel 229-017 - AZ230010 - District 2 - Director, Department of Planning and Community Development
(Postponed from the May 4, 2023, June 15, 2023, July 20, 2023, September 21, 2023, December 21, 2023, June 20, 2024 and September 19, 2024 Agendas)
- (3) Public Hearing regarding Amendment to the Forsyth County Speed Ordinance 78, for the purpose of revising the List of Roadways to which it applies. - Director, Department of Engineering
(This is the first of two required Public Hearings)
- (4) Public Hearing and possible vote regarding a Resolution abandoning that certain portion of County right-of-way (Old Shiloh Road a/k/a Pine Grove Road) lying within Tax Parcel Numbers 063 205 and 086 120 - County Attorney

IX. Public Comments

X. Old Business

- (1) Board consideration and possible vote regarding the approval of a Sketch Plat for Tellus Holdings LLC - Parcel 009-060 - SP240023 - District 1 - Director, Department of Planning and Community Development
(A Public Hearing was held before the Board of Commissioners on March 6, 2025; the Board voted unanimously to postpone, for decision only, to the March 20, 2025 Agenda.)
- (2) Board consideration and possible vote regarding the request for an Amendment of Zoning Conditions on ZA3327 (New Harmony, LLC) by Tellus Holdings LLC - Parcel 009-060 - AZ250002 - District 1 - Director, Department of Planning and Community Development
(A Public Hearing was held before the Board of Commissioners on March 6, 2025; the Board voted unanimously to postpone, for decision only, to the March 20, 2025 Agenda.)

XI. New Business

- (1) Mark Patterson - CP240044 - to operate a 6,432 sq. ft. manufacturing, processing and assembling facility in an existing building with 5 parking spaces on 0.64 acres zoned Highway Business District (HB) with the following variance to: 1. Reduce the zoning buffer along the northern property boundary adjacent to the existing gravel and septic area only from 40 ft. to 14 ft. (UDC Table 12.2); 2. Increase the percentage of parking that fronts the main building entrance from 60% to 100% (UDC 21-11.5(B)); 3. Reduce the sides of the building exterior that parking is distributed on from 2 sides to 1 side (UDC 21-11.5(B)); 4. Reduce the landscape strip between the front property line and any vehicular use area from 10 ft. to 0 ft. (UDC 17-5.7); 5. Reduce the landscape strip abutting Canton Highway adjacent to the existing concrete only from 25 ft. to 0 ft. (UDC 21-11.5(H)(3)); 6. Reduce the

required number of off-street loading spaces from 2 to 1 (UDC 17-3.3); 7. Reduce the side setbacks adjacent to the existing structures only from 15 ft. to 12 ft. (UDC Table 12.2); 8. Reduce the landscape strip along the western property boundary adjacent to the existing concrete only from 10 ft. to 0 ft. (UDC 12-10.15); 9. Reduce the common area from 5% to 0% (UDC 21-11.6(A)(8)) - Parcel 009-063 - District 1 - Director, Department of Planning and Community Development

- (2) M&N Beverage L.L.C. - CP240066 - to operate a 14,518 sq. ft. retail package liquor store in an existing building with 66 parking spaces on 1.548 acres zoned Commercial Business District (CBD) with the following variance to: 1. Reduce the landscape strip abutting Keith Bridge Road and Freedom Parkway adjacent to the existing monument sign and existing water meter vault only from 10 ft. to 3 ft. (UDC Table 12.2); 2. Reduce the landscape strip along all side and rear lot or lease lines from 10 ft. to 0 ft. (UDC 12-10.15) - Parcel 218-044 - District 1 - Director, Department of Planning and Community Development
- (3) Grand Communities, LLC - ZA4198 - to rezone from Agricultural District (A1) to Single Family Residential District (RES2) on 19.469 acres for 26 residential lots with a density of 1.34 units per acre - Parcel 097-056 - District 1 - Director, Department of Planning and Community Development
(Postponed from the February 20, 2025 and March 6, 2025 Agendas)
- (4) SKC Development, LLC - ZA4208 - to rezone from Agricultural District (A1) to Single Family Residential District (RES2) on 38.717 acres for 42 residential lots with a density of 1.08 units per acre - Parcels 144-082, 144-092, 144-091, 144-090, 144-078 - District 1 - Director, Department of Planning and Community Development
(Postponed from the February 20, 2025 and March 6, 2025 Agendas)
- (5) Daniel Chebeleu - ZA4204 - to rezone from Agricultural District (A1) to Single Family Residential District (RES2) on 1.408 acres for 2 residential lots with a density of 1.42 units per acre - Parcel 156-036 - District 2 - Director, Department of Planning and Community Development
- (6) OHI Tidwell Estates, LLC - ZA4207 - to rezone from Single Family Residential Restricted District (R2R) and Agricultural District (A1) to Single Family Residential District (RES3) on 12.463 acres for 20 residential lots with a density of 1.61 units per acre - Parcels 021-048, 021-045, 021-043 - District 3 - Director, Department of Planning and Community Development
- (7) William Joseph Courson - CP240045 - to build an 8,400 sq. ft. contractor's establishment with 25 parking spaces on 1.724 acres zoned Commercial Business District (CBD) with the following variance to: 1. Reduce the zoning buffer from 40 ft. to 10 ft. as shown on the site plan (UDC Table 12.2); 2. Reduce the required number of parking spaces from 28 to 25 (UDC Table 17.1) - Parcel 238-082 - District 4 - Director, Department of Planning and Community Development
- (8) GVR Realty LLC - CP240069 - to operate a special event facility in an existing 4,000 sq. ft. building with a 1,600 sq. ft. addition and a short-term rental in an existing 4,000 sq. ft. building with 77 parking spaces on 5.992 acres zoned Agricultural District (A1) with the following variance to: 1. Reduce the buffer along the western property boundary adjacent to the existing septic tank and field lines only from 25 ft.

to 0 ft. (UDC 15-3.3(F)); 2. Increase the maximum number of parking spaces from 48 to 77 (UDC 17-2.7) - Parcel 276-010 - District 4 - Director, Department of Planning and Community Development

- (9) Carson Tidwell - CP240038 - to operate a convenience store with fuel dispensing units conducting around the clock business in an existing 4,957 sq. ft. building with a 1,148 sq. ft. addition with 30 parking spaces on 3.873 acres zoned Commercial Business District (CBD) with the following variance to: 1. Reduce the setback abutting Georgia Highway 400 adjacent to the existing structure only from 60 ft. to 37 ft. (UDC 10-1.10(B)(1)); 2. Reduce the landscape strip abutting Georgia Highway 400 adjacent to the existing asphalt only from 25 ft. to 11 ft. (UDC 10-1.10(B)(2)); 3. Reduce the required number of parking spaces from 36 to 30 (UDC Table 17.1); 4. Reduce the landscape strip abutting Jot Em Down Road adjacent to the existing asphalt only from 10 ft. to 7 ft. (UDC Table 12.2); 5. Reduce the landscape strip between Jot Em Down Road and any vehicular use area adjacent to the existing asphalt only from 10 ft. to 7 ft. (UDC 17-5.7); 6. Reduce the setback abutting Jot Em Down Road adjacent to the existing underground fuel tank area and existing structure only from 40 ft. to 28 ft. (UDC Table 12.2) - Parcel 249-039 - District 4 - Director, Department of Planning and Community Development
(Postponed from the February 20, 2025 and March 6, 2025 Agendas)
- (10) Manors At Stoneypoint LLC - ZA4206 - to rezone from Agricultural District (A1) to Single Family Residential District (RES2) on 17.564 acres for 19 residential lots with a density of 1.09 units per acre - Parcels 086-022, 086-021 - District 5 - Director, Department of Planning and Community Development
- (11) Board consideration of "Claim, Request and Demand for [Tax] Refund" requested by Edward McCrimmon concerning ad valorem (property) taxes with regard to property located at 5775 Truman Mountain Road, Parcel Identification Number 322 012 for Tax Year 2023, in the amount of \$159.01 plus interest of \$13.68, plus future interest at the rate of 11.5% per annum - County Attorney
- (12) Board consideration of "Claim, Request and Demand for [Tax] Refund" requested by Edward McCrimmon concerning ad valorem (property) taxes with regard to property located at 5775 Truman Mountain Road, Parcel Identification Number 322 012 for Tax Year 2024, in the amount of \$1,585.66 plus interest of \$15.20, plus future interest at the rate of 11.5% per annum - County Attorney
- (13) Board consideration of "Claim, Request and Demand for [Tax] Refund" requested by Edward McCrimmon concerning ad valorem (property) taxes with regard to property located at 3930 Mathis Airport Road, Parcel Identification Number 137 020 for Tax Year 2020, in the amount of \$30.00 plus future interest at the rate of 11.5% per annum - County Attorney

XII. Recess Regular Meeting

XIII. Executive Session (if needed)

XIV. Adjournment

