

AGENDA
FORSYTH COUNTY BOARD OF COMMISSIONERS
THURSDAY, APRIL 17, 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 20, 2025
- (2) Work Session and Executive Session of March 25, 2025
- (3) Work Session and Executive Session of April 8, 2025

VII. Consent Agenda

- (1) Acceptance of Right of Way as County Maintained with a speed limit of 25 MPH on Wayt Farm Overlook, Nap Ridge and all other property and property rights as shown on subdivision plat for Silverwood Phase 1, recorded in Plat Book 217, Pages 29-48, Forsyth County, Georgia Records - District 3 - Director, Department of Engineering
- (2) Acceptance of Right of Way as County Maintained with a speed limit of 25 MPH on Santiago Blvd, Tabeshaw Trail, Ernst Lane, Molo Lane, Ole Anderson Way, Pinin Place and all other property and property rights as shown on subdivision plat for Hemingway Farm Phase 1B, recorded in Plat Book 215, Pages 187-202, Forsyth County, Georgia Records - District 4 - Director, Department of Engineering
- (3) Acceptance of Right of Way as County Maintained with a speed limit of 25 MPH on Heirloom Overlook, Momento Trace, Keepsake Court and all other property and property rights as shown on subdivision plat for Heirloom Phase 2, recorded in Plat Book 215, Pages 256-272, Forsyth County, Georgia Records - District 1 - Director, Department of Engineering
- (4) Board ratification of Final Order and Judgment in the condemnation action for Old Atlanta Road, Phase V, Parcel 44 (Parcel Owner: El Nissi Management, LLC) in the amount of \$14,100.00 - County Attorney

- (5) Board Ratification of the following items were discussed and voted on at the Work Session held on March 25, 2025 (as anticipated by Board Rule 1.07.01):
- (A) Board approval of additional funding in the amount of \$40,000.00 for the Victim Witness Assistance Program for witness fees for the remainder of Fiscal Year 2025 with approval of a Budget Resolution - Director, Victim Witness Assistance Program
 - (B) Board approval of a Professional Design Services Agreement with Jericho Design Group, LLC, in the amount of \$2,100,000.00 for the Forsyth County Court Buildings Renovations - Vertical Capital Projects Manager, Department of Capital Projects
 - (C) Board approval of Task Order #03 to the As-Needed Services Agreement (contract #1202300024) with Comprehensive Program Management Services Inc., in the amount of \$651,000.00 for the Forsyth County Court Buildings Renovations - Vertical Capital Projects Manager, Department of Capital Projects
 - (D) Board approval of Amendment No. 2 to the Amended and Restated Services Agreement (ARS) in the amount of \$11,755.96 with Pond and Company to provide design during construction services for the State Route 9 at Jewell Bennett Road Intersection Improvements (GDOT PI 0016066) with authorization for County Manager to execute documents in furtherance of the same - Transportation Project Manager, Department of Capital Projects
 - (E) Board approval of the appropriate Service Delivery Strategy Forms required to modify the funding source for Water and Wastewater service delivery – County Attorney
 - (F) Board approval of Mary Alice Park Lease assignment documentation from the US Army Corps of Engineers. If consummated, ground lease for Mary Alice Park will transfer from the City of Cumming to Forsyth County. This is a byproduct of LOST negotiations - County Attorney
 - (G) Board approval of the postponement to Work Session Agenda in 18 months of a Board generated rezoning for ZA4083, GVR Realty LLC. In accordance with UDC 8-5.5(I), if an application for a land disturbance permit has not been submitted within 18 months of zoning approval, the Board may consider rezoning to a constitutional zoning designation - District 1 - Comprehensive Planning Manager, Department of Planning and Community Development
(Postponed from the September 24, 2024 Agenda)
 - (H) Board approval of the ratification of Right of Entry Agreement granted to Georgia Transmission Corporation associated with the SR 9 widening project - County Attorney
 - (I) Board authorization for staff to commence with the Public Hearing process regarding a request by Century Communities for a county-initiated zoning

condition amendment and associated lot size variances related to property that was the subject of ZA4001 – based upon an ongoing dispute with a neighboring property owner regarding a fence location that was a product of zoning conditions – County Attorney

- (J) Board authorization for staff to commence the Public Hearing process regarding amendments to the Comprehensive Plan related to appropriate zoning classifications within the North Georgia 400 character area - Hill / Moore
 - (K) Board approval of a Resolution creating an Opioid Funds Recommending Body - County Manager
- (6) Board Ratification of the following items were discussed and voted on at the Work Session held on April 8, 2025 (as anticipated by Board Rule 1.07.01):
- (A) Board authorization to accept a donation from Age Well Forsyth in the amount of \$10,000.00 with approval of a budget resolution to modify a food service vehicle for Senior Services – Senior Support Services Manager, Department of Senior Services
 - (B) Board approval to award Quote 25-35-5212 to K&K Towing and Recovery LLC for the As-Needed Non-consensual Towing of Vehicles Parked Illegally on County Property for the Department of Parks and Recreation with approval of the associated General Services Agreement – Director, Department of Parks and Recreation
 - (C) Board approval of the new Non-Disclosure Agreement (NDA) to access the detailed Department of Revenue (DOR) reports for the 911 Center - Director, Emergency Management Agency
 - (D) Board approval for the implementation of the proposed Forsyth County Hazardous Materials and Waste Management Policy and Procedure - Director, Department of Fleet Services
 - (E) Board approval of Change Order #2 with Surface Masters, Inc. (Contract 24-29-1620) in the amount of \$12,450.00 for a concrete ramp and backfill at Mary Alice Park - Director, Department of Public Facilities
 - (F) Board approval for Digitizing of Physical Records for Departments of Engineering and Planning and Community Development in the amount of \$604,492.26 (\$270,352.73 for Engineering and \$334,139.53 for Planning and Community Development) for scanning of paper documents into digital format - Director, Department of Information Systems and Technology
 - (G) Board approval of the postponement to a Work Session in 18 months of a Board generated rezoning for ZA4108, Vijay Garlapati. In accordance with UDC 8-5.5(I), if an application for a land disturbance permit has not been submitted within 18 months of zoning approval, the Board may consider

rezoning to a constitutional zoning designation - District 1 – Comprehensive Planning Manager, Department of Planning and Community Development

- (H) Board approval of the postponement to the April 22, 2025 Work Session of a Board generated rezoning for ZA4091, SkyLand Homes, LLC. In accordance with UDC 8-5.5(I), if an application for a land disturbance permit has not been submitted within 18 months of zoning approval, the Board may consider rezoning to a constitutional zoning designation - District 2 - Comprehensive Planning Manager, Department of Planning and Community Development
(Postponed from the September 24, 2024 and October 8, 2024 Work Session Agendas)
- (I) Board approval of the postponement to the April 22, 2025 Work Session of a Board generated rezoning for ZA4109, Everett Management, LLC. In accordance with UDC 8-5.5(I), if an application for a land disturbance permit has not been submitted within 18 months of zoning approval, the Board may consider rezoning to a constitutional zoning designation - District 4 – Comprehensive Planning Manager, Department of Planning and Community Development
- (J) Board authorization to commence the Public Hearing process to remove the Conditional Use Permits but retain the CBD designation of a Board generated rezoning for ZA4104, Richard Munson. In accordance with UDC 8-5.5(I), if an application for a land disturbance permit has not been submitted within 18 months of zoning approval, the Board may consider rezoning to a constitutional zoning designation - District 5 – Comprehensive Planning Manager, Department of Planning and Community Development
- (K) Board approval of the postponement to a Work Session in 18 months of a Board generated rezoning for ZA4105, AoA Properties Holding, Inc. and AoA Parish Real Estate Trust. In accordance with UDC 8-5.5(I), if an application for a land disturbance permit has not been submitted within 18 months of zoning approval, the Board may consider rezoning to a constitutional zoning designation - District 5 – Comprehensive Planning Manager, Department of Planning and Community Development
- (L) Board authorization to commence the Public Hearing process to remove the Conditional Use Permit but retain the CBD designation of a Board generated rezoning for ZA4111, Pet Paradise – South Forsyth County, LLC. In accordance with UDC 8-5.5(I), if an application for a land disturbance permit has not been submitted within 18 months of zoning approval, the Board may consider rezoning to a constitutional zoning designation - District 5 – Comprehensive Planning Manager, Department of Planning and Community Development
- (M) Board approval of Amendment No. 3 to Task Order No. 17 with Brown and Caldwell under the Standard Services Agreement for Water and Sewer Engineering Services As-Needed (RFP 12-114) in the amount of \$152,538.00 for Design and Bid Phase Services for the Shakerag WRF Upgrade and Expansion Project - Director, Department of Water and Sewer

- (N) Board approval of Task Order 3 with Atlanta Premier Tree Solutions, LLC d/b/a Premier Tree Solutions, in the amount of \$154,687.50 to perform tree cutting and removal services to support the Sanitary Sewer Residential Easement Clearing Program (22-025-3300) - Deputy Director, Department of Water and Sewer
- (O) Board approval of one private cul-de-sac street in Still Creek, a new subdivision - District 1 - Director, Department of Engineering
- (P) Board approval of a Task Order with Curbco, Inc. in the amount of \$68,750.00 to provide services under the Concrete Repairs As-Needed Agreement (Contract 1202300026) for the Longstreet Church Road Curb Project - Director, Department of Engineering
- (Q) Board authorization for staff to apply for the State of Georgia FY2025 Local Road Assistance Administration funds for resurfacing of county roads for an amount not to exceed \$3,840,390.49 with no match required - Director, Department of Engineering
- (R) Board authorization for staff to commence the Public Hearing Process regarding a County-Initiated Conditional Use Permit for a telecommunication tower – Parcel 264-054 – District 4 – Assistant County Manager (Tarnacki)
- (S) Board authorization for staff to commence the Public Hearing process regarding a County-Initiated request to rezone 62 acres from LR to A1 – Parcels 239-027 and 240-042 – District 4 – Moore / John
- (T) Board approval of the postponement to the April 22, 2025 Work Session of a Board appointment of an at-large Development Authority member to fill the remainder term for Development Authority member Rhoads - Board of Commissioners
- (U) Board approval of the postponement to the April 22, 2025 Work Session of a Board appointment of an at-large Development Authority member to fill the remainder term for Development Authority member Schmeelk - County Manager
- (7) Board adoption of a Resolution authorizing Affidavit concerning the Executive Session of March 25, 2025 - County Manager
- (8) Board adoption of a Resolution authorizing Affidavit concerning the Executive Session of April 8, 2025 - County Manager

VIII. Public Hearings

- (1) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA3368 (Ransom Financial Group, Inc.) by Amy Brown with a variance to: 1. Reduce the exterior setback for Lot 8 from 50 ft. to 47 ft. (UDC Table 11.2(b)) - Parcel 077-337 - AZ250004 - 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 ZA2386 (Griffith & Associates) by ECK-CUMMING, LLC with a variance to: 1. Reduce the front setbacks abutting Canton Highway and Bethelview Road from 40 ft. to 0 ft. (UDC Table 12.2); 2. Reduce the landscape strip abutting Canton Highway from 25 ft. to 0 ft. (UDC 21-11.5(H)(3)); 3. Reduce the common area from 5% to 0% (UDC 21-11.6(A)(8)); 4. Reduce the landscape strips along internal lot or lease lines from 10 ft. to 0 ft. as shown on the site plan (UDC 12-10.15); 5. Reduce the rear setback on Tract 3 from 25 ft. to 20 ft. as shown on the site plan (UDC Table 12.2); 6. Reduce the landscape strip abutting Bethelview Road from 10 ft. to 0 ft. (UDC Table 12.2) - Parcels 076-134, 076-133 and 076-011 - AZ250006 - District 1 - Director, Department of Planning and Community Development
- (3) Public Hearing and possible vote regarding the approval of a Sketch Plat for Rahull Chikyala with the following variance to: 1. Reduce the required number of parking spaces from 188 to 116 (UDC Table 17.1); 2. Reduce the landscape strip abutting Buford Highway from 35 ft. to 25 ft. (UDC 21-11.5(H)(3)); 3. Increase the maximum retaining wall height from 20 ft. to 40 ft. (UDC 12-13.17(B)); 4. Reduce the required number of off-street loading spaces from 5 to 3 (UDC 17-3.3) - Parcel 228-016 - SP240018 - District 2 - Director, Department of Planning and Community Development
(Postponed from the March 6, 2025 Agenda)
- (4) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA2431 (Vickery Land Co., LLC) by ReThink Pre-C, LLC - Parcels 058-601 and 058-600 - AZ250005 - District 3 - Director, Department of Planning and Community Development
- (5) Public Hearing and possible vote regarding the County-Initiated Conditional Use Permit to operate a pawn shop on property zoned Commercial Business District (CBD) - Parcel 108-562 - CP250008 - District 5 - Director, Department of Planning and Community Development
- (6) Public Hearing and possible vote regarding the request for a variance to Chapter 18, Section 18-12.1(A) (1) and (2), and Forsyth County Ordinance 73, Section IV.C.20 by Sean Courtney of Lipscomb and Johnson, LLP – Parcels 109-005 (1550 Stoney Point Rd), 109-004 (1560 Stoney Point Rd), and 109-221 (1570 Stoney Point Rd) – VA250005 – District 5 – Director, Department of Planning and Community Development
- (7) Public Hearing and possible vote regarding the approval of a Sketch Plat for HREP Acquisitions, LLC - Parcels 086-120 and 063-205 - SP240025 - District 5 - Director, Department of Planning and Community Development
- (8) Public Hearing and possible vote regarding the approval of a County-Initiated Sketch Plat for Forsyth County Board of Commissioners - Parcel 152-114 - SP250003 - District 5 - Director, Department of Planning and Community Development

- (9) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on CP200014 (QuikTrip Corporation) by QuikTrip Corporation with a variance to: 1. Reduce the front setback abutting McGinnis Ferry Road from 50 ft. to 20 ft. (UDC Table 14.2); 2. Reduce the landscape strips abutting McGinnis Ferry Road and Windward Concourse from 25 ft. to 0 ft. as shown on the site plan (UDC Table 14.2); 3. Reduce the buffer abutting Georgia Highway 400 from 40 ft. to 30 ft. as shown on the site plan (UDC 10-1.10(A)(1)) - Parcels 022-009, 022-008 and 022-001 - AZ250001 - District 5 - Director, Department of Planning and Community Development
- (10) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA1794 (Peachtree Development Group, Inc.) by James Ward with a variance to: 1. Reduce the rear setback for lot 146 from 25 ft. to 9 ft. (UDC Table 11.2(a)) - Parcel 160-441 - AZ250003 - District 5 - Director, Department of Planning and Community Development
- (11) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA3047 (Cousins Properties Incorporated) by Fuqua Acquisitions II, LLC with a variance to: 1. Reduce the minimum lot width from 60 ft. to 30 ft. (UDC 18-4.5); 2. Reduce the landscape strip abutting Peachtree Parkway from 25 ft. to 0 ft. (UDC 21-8.5(D)(3)); 3. Reduce the landscape strip abutting Peachtree Parkway from 10 ft. to 0 ft. (UDC Table 12.2) - Parcels 107-027 and 107-060 - AZ250007 - District 5 - Director, Department of Planning and Community Development
- (12) Public hearing and possible vote 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
(The first Public Hearing was held at the Board of Commissioners Regular Meeting on March 20, 2025)
- (13) Public Hearing regarding a proposed modification to Ordinance 101 (County Code 78-4) updating the County's Ordinance and Regulations regarding Turn Lanes, Driveways, and Encroachment Control, to incorporate future GDOT amendments - Director, Department of Engineering / County Attorney
- (14) Public hearing and possible vote regarding amendments to the Unified Development Code related to LR Zoning Districts and Oversized Garages - Planning Manager, Department of Planning and Community Development
(The first Public Hearing was held before the Planning Commission on March 25, 2025)
- (15) Public hearing and possible vote regarding amendments to the Comprehensive Plan related to Appropriate Zoning Classifications Tables and the Matt Node boundary - Planning Manager, Department of Planning and Community Development
(The first Public Hearing was held before the Planning Commission on February 25, 2025)
- (16) Public hearing regarding an amendment to the Forsyth County Impact Fee Ordinance, otherwise known as Forsyth County Ordinance 125 or Chapter 47 of the Forsyth County Code of Ordinances, that will (i) assess road impact fees for commercial, office, medical, industrial, warehouse, manufacturing, institutional, and private school/day care uses, (ii) authorize payment of such fees within 18 months of building permit issuance or receipt of a certificate of occupancy; (iii) to authorize certain penalties and remedies for non-payment of impact fees, and (iv) to repeal

conflicting ordinances; and (v) for other purposes – Chief Financial Officer / County Attorney
(The first Public Hearing was held at the Board of Commissioners Regular Meeting on March 6, 2025)

IX. Public Comments

X. Old Business

- (1) 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
(Postponed from the March 20, 2025 Agenda)

XI. New Business

- (1) 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, March 6, 2025 and March 20, 2025 Agendas)
- (2) 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, March 6, 2025 and March 20, 2025 Agendas)
- (3) Shiloh Pallet Co LLC - ZA4184 - to rezone from Agricultural District (A1) to Restricted Industrial District (M1) on 5.011 acres with a Conditional Use Permit (CUP) for an open storage yard with an overall site including wood products manufacturing in existing buildings totaling 3,662 sq. ft. with 2 parking spaces and an existing 2,022 sq. ft. dwelling for a caretaker 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 along the northern property boundary adjacent to the existing structure only from 50 ft. to 41 ft. (UDC Table 14.2) - Parcel 062-030 - District 3 - Director, Department of Planning and Community Development
- (4) 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
(Postponed from the March 20, 2025 Agenda)
- (5) 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

(Postponed from the March 20, 2025 Agenda)

XII. Recess Regular Meeting

XIII. Executive Session (if needed)

XIV. Adjournment