

AGENDA
FORSYTH COUNTY BOARD OF COMMISSIONERS
THURSDAY, MAY 15, 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

- (1) Board recognition of the Department of Recycling and Solid Waste and Department of Water and Sewer's Storm Drain Art Contest winners - Water Resources Manager, Department of Water and Sewer
- (2) Board recognition of the Department of Water and Sewer for receiving the Georgia Association of Water Professionals (GAWP) awards for: Gold Award for permit requirements in 2024 for the Fowler/James Creek Reuse Discharge, James Creek Water Reclamation Facility, Shakerag/Fowler Combined Discharge and Manor Water Reclamation Facility Reuse Discharge. Water Reclamation Facility of the Year in the non-discharging 1 MGD or less category - Manor Water Reclamation Facility and Water Reclamation Facility of the Year in the Advanced Treatment 3 - 5.9 MGD category - Fowler Water Reclamation Facility. Platinum Award for Water Distribution System Excellence (2024) and Platinum Award for Wastewater Collection System Excellence (2024). - Executive Director, Georgia Association of Water Professionals
- (3) Board Presentation of a proclamation declaring *Peace Officer Memorial Day* (May 15, 2025) - John / Semanson
- (4) Board presentation of a proclamation declaring May 18, 2025 through May 24, 2025 as *Public Works Week* in Forsyth County - Moore / Hill
- (5) Board Presentation of a proclamation declaring *Memorial Day* (May 26, 2025) - John / Hill

V. Public Comments

VI. Adoption of Minutes

- (1) Regular Meeting / Public Hearings of May 1, 2025
- (2) Work Session and Executive Session of May 6, 2025

VII. Consent Agenda

- (1) Board adoption of a Proclamation recognizing May 15, 2025 as *Peace Officer Memorial Day*.
- (2) Board adoption of a Proclamation declaring May 18, 2025 through May 24, 2025 as *Public Works Week* in Forsyth County.
- (3) Board adoption of a Proclamation recognizing May 26, 2025 as *Memorial Day*.
- (4) Board acceptance of Right of Way as County-maintained with a speed limit of 25MPH on Shoalwood Drive, Medford Drive and all other property and property rights as shown on the Subdivision Plat for Sterling Pointe Phase 2B, recorded in Plat Book 215, Pages 207-236, Forsyth County, Georgia Records - District 5 - Director, Department of Engineering
- (5) Board acceptance of Right of Way as County-maintained with a speed limit of 25MPH on Herrington Drive, Florence Street, Medford Drive and all other property and property rights as shown on the Subdivision Plat for Sterling Pointe Phase 2A, recorded in Plat Book 217, Pages 147-176, Forsyth County, Georgia Records - District 5 - Director, Department of Engineering
- (6) Board ratification of a Sewer Reservation Agreement for the City/North basin: Cumming Leasing, LLC - 100 gpd - Director, Department of Water and Sewer
- (7) Board ratification of a Sewer Reservation Agreement for the Fowler Water Reclamation Facility: Nivesh Construction, LLC - 1,080 gpd - Director, Department of Water and Sewer
- (8) Board ratification of a Sewer Reservation Agreement for the Fowler Water Reclamation Facility: Taylor Morrison of Georgia, LLC - 13,500 gpd - Director, Department of Water and Sewer
- (9) Board ratification of a Sewer Reservation Agreement for the Fowler Water Reclamation Facility: FD Forsyth Owner, LLC - 8,271 gpd - Director, Department of Water and Sewer
- (10) Board ratification of a Sewer Reservation Agreement for the Fowler Water Reclamation Facility: Rockhaven Homes, LLC - 43,740 gpd - Director, Department of Water and Sewer
- (11) Board ratification of a Sewer Reservation Agreement for the Fowler Water Reclamation Facility: Toll Southeast LP Company, Inc. - 30,780 gpd - Director, Department of Water and Sewer
- (12) Board ratification of a Sewer Reservation Agreement for the Fowler Water Reclamation Facility: Weekley Homes, LLC - 12,420 gpd - Director, Department of Water and Sewer

- (13) Board ratification of a Sewer Reservation Agreement for the James Creek Water Reclamation Facility: Lahari Estates III, LLC - 5,130 gpd - Director, Department of Water and Sewer
- (14) Board ratification of a Sewer Reservation Agreement for the Manor Water Reclamation Facility: EC New Vision Georgia, LLC - 440 gpd - Director, Department of Water and Sewer
- (15) Board Ratification of the following items that were discussed and voted on at the Work Session held on May 6, 2025 (as anticipated by Board Rule 1.07.01):
 - (A) Board appointment of William Bean as the County-Appointed Representative to serve on the Northeast Georgia Region 2 EMS Advisory Council to replace Rick Hamilton and to fill his unexpired term of July 1, 2024 to June 30, 2027 - Fire Chief, Fire Department
 - (B) Board approval to accept the U.S. Department of Transportation FY 2023-2026 Federal Lands Access Program (FLAP) grant in the amount of \$5,000,000.00 with no required match, for design and construction of a multi-use trail along Shady Grove Road and Shadburn Ferry Road, with approval of a Budget Resolution – Grants Manager, Department of Finance
 - (C) Board approval for staff to declare a presented list of items as surplus with authorization for the Department of Procurement to dispose of accordingly - Director, Department of Procurement
 - (D) Board approval to award Bid 25-62-3320 to RWRS- East, LLC for Large Water Meter Testing, Repair and Calibration Services for the Department of Water and Sewer with approval of the associated Services Agreement – Director, Department of Water and Sewer
 - (E) Board approval of Task Order HS-15 with Hazen and Sawyer under the Standard Services Agreement for Water and Sewer Engineering Services As-Needed (Contract No. 1202300002) in the amount of \$67,928.00 for professional engineering services to update the Shakerag Basin Sewer Model - Director, Department of Water and Sewer
 - (F) Board approval of a Land Donation Agreement for the County to accept real property which is intended to be used for a park. On July 8, 2021, at their regular meeting, the Forsyth County Board of Commissioners amended the development's zoning conditions (AZ210024) and added zoning condition number 20, which requires Toll Southeast LP Company, Inc. to dedicate to the County a portion of the development property located on the western side of Cheatam Creek for use as a park. Toll Southeast LP Company, Inc. is developing a residential subdivision known as Northfield Trail. The Land Donation Agreement memorializes the terms and conditions for the park dedication.- County Attorney

- (G) Board reappointment of Rupal Vaishnav to the Board of Tax Assessors - District 3 - County Manager
- (H) Board reappointment of David Mancuso to the Board of Tax Assessors - District 4 - County Manager
- (16) Board adoption of a Resolution authorizing Affidavit concerning the Executive Session of May 6, 2025 - County Manager
- (17) Board ratification of an executed Estoppel Certificate (executed by the County Manager, in day-to-day operation of the County) related to certain leased properties at 514 West Maple Street, Suites 102, 103, 104, 201, 202, 301, 302, 303, 304, 403, 404, 405, 503, 504, and 1201 and Building 800 Cumming GA. This certificate confirms the lease terms related to the identified properties and makes certain stipulations regarding the state of the property and the terms of the pertinent landlord/tenant relationship – 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
(Postponed from the March 20, 2025 Agenda)
- (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
(Postponed from the April 17, 2025 Agenda)
- (3) Public Hearing and possible vote regarding the County-Initiated request to rezone from Lake Residential District (LR) to Agricultural District (A1) on 62 acres - Parcels 239-027 and 240-042 - ZA4232 - District 4 - Director, Department of Planning and Community Development
- (4) 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
(Postponed from the April 17, 2025 Agenda)

- (5) Public Hearing and possible vote regarding the County-Initiated request to revoke the existing Conditional Use Permit (CUP) for ZA4111 – Parcel 090-096 - District 5 - Director, Department of Planning and Community Development
- (6) Public Hearing and possible vote regarding the County-Initiated request to revoke the existing Conditional Use Permits (CUPs) for ZA4104 - Parcels 106-092 and 106-093 - District 5 - Director, Department of Planning and Community Development
- (7) 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
- (8) Board consideration of a Resolution authorizing enactment of and/or extension of a moratorium prohibiting the County from receiving applications for residential rezonings as defined in UDC Chapter 11 and 20(B), with such moratorium to run for one-hundred eighty (180) days, from May 15, 2025 through and including November 11, 2025 - County Attorney

IX. Public Comments

X. Old Business

- (1) Board consideration 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
(A Public Hearing was held before the Board of Commissioners on April 17, 2025; the Board voted unanimously to postpone, for decision only, to the May 1, 2025 Agenda. Postponed from the May 1, 2025 Agenda)
- (2) 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, April 17, 2025 and May 1, 2025 Agendas)

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
(Postponed from the March 20, 2025 Agenda)

- (2) Wendell Smith - CP240037 - to operate a 2,528 sq. ft. minor automobile service establishment in an existing building with 13 parking spaces on 2.0 acres zoned Commercial Business District (CBD) with the following variance to: 1. Reduce the landscape strip abutting Bethelview Road from 25 ft. to 0 ft. (UDC 21-8.5(D)(3)); 2. Reduce the landscape strip between the front property line and any vehicular use area from 10 ft. to 0 ft. (UDC 17-5.7); 3. Reduce the landscape strip along all side lot or lease lines from 10 ft. to 0 ft. (UDC 12-10.15) - Parcel 077-393 - District 1 - Director, Department of Planning and Community Development
- (3) Bryan W. Dunn - CP250002 - to operate a commercial horse stable in existing buildings totaling 4,427 sq. ft. with 7 parking spaces with an overall site including single-family dwellings in existing buildings totaling 4,727 sq. ft. on 21.015 acres zoned Agricultural District (A1) with the following variance to: 1. Reduce the rear setback adjacent to the existing structure only from 25 ft. to 24 ft. (UDC Table 15.2); 2. Reduce the side and rear buffers from 25 ft. to 0 ft. (UDC Table 15.2); 3. Remove the standard dust-free pavement requirement to allow for a gravel parking area (UDC 17-5.3); 4. Reduce the required number of parking spaces from 18 to 7 (UDC Table 17.1) - Parcels 006-024, 006-027 - District 1 - Director, Department of Planning and Community Development
- (4) Lori Lucas - ZA4211 - to rezone from Agricultural District (A1) to Commercial Business District (CBD) on 2.439 acres with a Conditional Use Permit (CUP) to build a 3,568 sq. ft. expansion of a contractor's establishment in addition to an existing 2,332 sq. ft. building with 20 parking spaces - Parcel 169-013 - District 1 - Director, Department of Planning and Community Development
- (5) Skyland Investment Group LLC - ZA4195 - to rezone from Single Family Residential Restricted District (R2R) to Office and Institutional District (O&I) on 2.4638 acres for offices in buildings totaling 15,100 sq. ft. with 51 parking spaces - Parcels 152-091, 152-090, 152-092, 152-089 - District 2 - Director, Department of Planning and Community Development
- (6) Skyland Investment Group LLC - ZA4196 - to rezone from Single Family Residential Restricted District (R2R) to Office and Institutional District (O&I) on 4.7816 acres for offices in buildings totaling 30,700 sq. ft. with 104 parking spaces - Parcels 152-088, 152-087, 152-086, 152-085 - District 2 - Director, Department of Planning and Community Development
- (7) Shree Real Estate Developers, LLC - ZA4213 - to rezone from Agricultural District (A1) to Single Family Residential District (RES1) on 42.623 acres for 29 residential

lots with a density of 0.68 units per acre - Parcel 180-071 - District 2 - Director,
Department of Planning and Community Development

- (8) 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, April 17, 2025 and May 1, 2025 Agendas)
- (9) Board consideration and approval of Slope Construction and Maintenance Easement for 0.404 acre of permanent easement at 5315 Shiloh Road, Alpharetta, GA from Coordinated Properties, Inc. for the Ronald Reagan Boulevard Extension Project, Parcel 31 - County Attorney
- (10) Board reappointment of Lisa Stortzum as the District 3 Representative on the Library Board of Trustees for a four-year term to begin on July 1, 2025 and end on June 30, 2029 - County Manager
- (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 **(Postponed from the March 20, 2025 Agenda)**
- (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 **(Postponed from the March 20, 2025 Agenda)**
- (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 **(Postponed from the March 20, 2025 Agenda)**

XII. Recess Regular Meeting

XIII. Executive Session (if needed)

XIV. Adjournment