

AGENDA
FORSYTH COUNTY BOARD OF COMMISSIONERS
THURSDAY, AUGUST 7, 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 and Executive Session of July 17, 2025
- (2) Work Session and Executive Session of July 22, 2025
- (3) Special Called Meeting / Public Hearing of July 22, 2025

VII. Consent Agenda

- (1) Board adoption of a Resolution authorizing Affidavit concerning the Executive Session of July 17, 2025 - County Manager
- (2) Board adoption of a Resolution authorizing Affidavit concerning the Executive Session of July 22, 2025 - County Manager
- (3) Board acceptance of Right of Way as County-maintained with a speed limit of 25MPH on Waggamon Way, Quinn Court and all other property and property rights as shown on the Subdivision Plat for Ellorie Estates Phase 3, recorded in Plat Book 220, Pages 214-224, 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 25MPH on Creekside Overlook Drive, Shoal Court, Rocky Branch Court and all other property and property rights as shown on the Subdivision Plat for Creekside Overlook, recorded in Plat Book 217, Pages 91-97, Forsyth County, Georgia Records - District 4 - Director, Department of Engineering
- (5) Board acceptance of Right of Way as County-maintained with a speed limit of 25MPH on Mustang Way, Reins Ridge and all other property and property rights as shown on the Subdivision Plat for Bridlefield Phase 1B, recorded in Plat Book 220,

Pages 200-213, Forsyth County, Georgia Records - District 3 - Director, Department of Engineering

- (6) Board of Commissioners ratification of a Lease Agreement between Forsyth County, Georgia and Municipal Communications III, LLC for a communications tower lease agreement on Forsyth County property tax parcel 177-335. This ratification of an agreement otherwise approved by the Board of Commissioners on July 17, 2025 - County Attorney
- (7) Board Ratification of the following item that was discussed and voted on at the Work Session held on July 8, 2025 (as anticipated by Board Rule 1.07.01):
 - (A) Board approval of a postponement to the July 22, 2025 Work Session agenda for a Board generated rezoning for ZA4034, Surya 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 3 - Director, Department of Planning and Community Development
- (8) Board Ratification of the following items that were discussed and voted on at the Work Session held on July 22, 2025 (as anticipated by Board Rule 1.07.01):
 - (A) Board authorization for staff to commence the Public Hearing process regarding actions for old zoning districts following review of unit inventory as related to the residential moratoria - Director, Department of Planning and Community Development
 - (B) Board approval of the postponement to the second Work Session Agenda in January 2026 of a Board generated rezoning for ZA4141, SSL Ventures, 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 – Director, Department of Planning and Community Development
 - (C) Board approval of the postponement to the second Work Session Agenda in January 2026 of a Board generated rezoning for ZA4135, Athena Learning 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 – Director, Department of Planning and Community Development
 - (D) Board approval to withdraw the Board generated rezoning for ZA4034, Surya 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 3 - Director, Department of Planning and Community Development
 - (E) Board approval of the postponement to the second Work Session Agenda in January 2026 of a Board generated rezoning for ZA4128, R.D. Links

Investments, 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 – Director, Department of Planning and Community Development

- (F) Board approval of a 12-month postponement of a Board generated rezoning for ZA4136, Emory Lagree, 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 – Director, Department of Planning and Community Development
- (G) Board approval of a 3-month extension of a Board generated rezoning for ZA4127, G.E. Industrial Solutions, Inc. 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 – Director, Department of Planning and Community Development
- (H) Board approval of a Single Source purchase from Cole Technology Incorporated in the amount of \$36,302.48 for the repair of a 145 HP Ebara Submersible Pump for the James Creek Influent Pump Station - Deputy Director, Department of Water and Sewer
- (I) Board approval to award Bid 25-67-1620 to Meer Electrical Contractors, Inc. in the amount of \$42,775.52 for the installation of LED lighting at the Midway Park batting cages for the Department of Public Facilities with approval of the associated general services agreement – Director, Department of Public Facilities
- (J) Board approval of Change Order #30 with Vertical Earth (Contract #1202000029) in the amount of \$31,678.67 for the installation of an underdrain to divert underground water flow on the 369 Widening project - Director, Department of Capital Projects
- (K) Board approval of Change Order #3 with Vertical Earth (Contract #1202400013) in the amount of \$23,272.50 for Surge Stone and Geogrid on the Coal Mountain Connector - Director, Department of Capital Projects
- (L) Board approval of Change Order #4 with Vertical Earth (Contract #1202400013) in the amount of \$18,461.22 for Rumble Strip Installation on the Coal Mountain Connector - Director, Department of Capital Projects
- (M) Board approval of Change Order #5 with Vertical Earth (Contract #1202400013) in the amount of \$33,059.32 for additional 8 inch Water Main on the Coal Mountain Connector - Director, Department of Capital Projects
- (N) Board approval of Change Order #10 with Vertical Earth (Contract #1202400013) in the amount of \$20,960.21 for Plan Quantity Adjustments on

the Coal Mountain Connector - Director, Department of Capital Projects

- (O) Board approval of the Certification of Local Government Officials and State of Georgia Grant Certification forms regarding the Georgia Transportation Infrastructure Bank (GTIB) for the Coal Mountain Connector grant - Grant Manager, Department of Finance
- (P) Board approval of the annual update to the Financial Policies of Forsyth County, Georgia. By approval, the Board Financial Policy Adopted May 30, 2001, as well as any other County Policies in conflict with the attached "Financial Policy" are hereby repealed and are ineffective and unenforceable - Director, Department of Finance
- (Q) Board approval for staff to commence the Public Hearing process of the proposed changes to the Forsyth County Pawnshop Ordinance to account for certain hybrid businesses in Forsyth County - County Attorney / Director of Building and Licensing

VIII. Public Hearings

- (1) Public Hearing and possible vote regarding the revocation of the existing Conditional Use Permit (CUP) for ZA3848 – Parcels 001-012 and 001-013 - 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 ZA1421 (Technology Park/Atlanta, Inc.) by Carmel Holding Co., LLC with a variance to: 1. Reduce the side setbacks along internal lot or lease lines for Tracts 1 & 2 from 15 ft. to 12 ft. (UDC Table 14.2); 2. Reduce the landscape strip abutting McGinnis Ferry Road from 25 ft. to 0 ft. (UDC Table 14.2); 3. Reduce the landscape strip along internal lot or lease lines for Tracts 1 & 2 from 6 ft. to 0 ft. (UDC Table 14.2); 4. Increase the maximum number of parking spaces for Tract 1 from 18 to 36 (UDC 17-2.7); 5. Reduce the required number of parking spaces for Tract 2 from 31 to 26 (UDC Table 17.1); 6. Reduce the side landscape strip for Tract 2 only from 6 ft. to 0 ft. as shown on the site plan (UDC 14-4.13) - Parcel 141-002 - AZ250022 - District 2 - Director, Department of Planning and Community Development
- (3) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA2573 (New Haven Development, LLC) by Aqua Design Pools & Spas, LLC - Parcel 079-355 - AZ250021 - District 3 - Director, Department of Planning and Community Development
- (4) Public Hearing of the FY2026 Proposed Budget, the 2026-2030 Capital Improvement Program (CIP) and Occupation Tax - Chief Financial Officer
- (5) Public Hearing regarding a proposed modification to Chapter 10 of the UDC regarding legal non-conforming uses, by adding Section 10-2.4 - Termination of Nonconforming Uses in certain situations - County Attorney
(The 1st Public Hearing was held at the June 24, 2025 Planning Commission Meeting and the 2nd Public Hearing was held at the July 22, 2025 Planning Commission Meeting)

IX. Time Set Public Hearing - 6:00 p.m.

- (1) Public Hearing regarding proposed Fiscal Year 2025 Millage Rates - Chief Financial Officer

X. Public Comments

XI. Old Business

- (1) Board consideration 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
(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 March 6, 2025, April 17, 2025, May 1, 2025, June 5, 2025, June 19, 2025 and July 17, 2025 Agendas)

XII. New Business

- (1) Board consideration and adoption of the 2025 Millage Rates Resolution - Maintenance & Operations (Net M&O Millage), Fire, and Bonds. Staff requests this item be considered on a "*Time Sensitive*" basis - Chief Financial Officer, Department of Finance
(Note: the 2025 Millage Rates will be considered for Adoption at 6:30 p.m.)
- (2) Coal Mountain Spot, LLC - ZA4223 - to rezone from Single Family Residential District (R1) to Commercial Business District (CBD) on 1.728 acres for a 2,400 sq. ft. office in an existing building with 8 parking spaces with an overall site including an existing 1,492 sq. ft. attached accessory structure and an existing 980 sq. ft. detached accessory structure with the following variance to: 1. Reduce the landscape strip abutting Spot Road from 20 ft. to 0 ft. (UDC 21-12.5(B)(2)); 2. Reduce the zoning buffer along the eastern property boundary adjacent to the existing structures, asphalt, parking and gravel only from 40 ft. to 0 ft. (UDC Table 12.2); 3. Reduce the zoning setback along the eastern property boundary adjacent to the existing structures only from 50 ft. to 0 ft. (UDC Table 12.2); 4. Reduce the zoning setback along the western property boundary adjacent to the existing structure only from 50 ft. to 47 ft. (UDC Table 12.2); 5. Eliminate the 5,000 ft. sewer distance requirement to facilitate the use of an on-site septic disposal system (UDC 18-5.18); 6. Reduce the landscape strip along the eastern property boundary adjacent to the existing structure, asphalt, and gravel only from 10 ft. to 0 ft. (UDC 12-10.15) - Parcel 191-079 - District 1 - Director, Department of Planning and Community Development
(Postponed from the June 19, 2025 and July 17, 2025 Agendas)
- (3) Rishi Gankidi - ZA4230 - to rezone from Single Family Residential Restricted District

(R2R) and Agricultural District (A1) to Single Family Residential District (RES2) on 4.414 acres for 6 residential lots with a density of 1.36 units per acre with the following variance to: 1. Increase the maximum number of lots accessed by an easement from 3 to 4 (UDC 18-7.2) - Parcel 037-011 - District 3 - Director, Department of Planning and Community Development

(Postponed from the July 17, 2025 Agenda)

- (4) Board consideration for appointment to the Forsyth County Library Board of Trustees to fill the unexpired term August 29, 2025 - June 30, 2026 - District 4 - County Manager
- (5) Board consideration and possible approval of an Amended Resolution related to the previous January 9, 2025 Resolution authorizing minor plat approval (MP240281) at tax parcel 105-004, with the Amendment authorizing certain land permitting to occur on such created lots - County Manager / County Attorney
- (6) Per Forsyth Code 38-37, Board of Commissioner's preliminary review of appeal by Olde Towne Cutlery (Lee and Melissa Tigner) regarding the June 5, 2025 decision of the Forsyth County Fire Chief regarding a request for variance to Fire Hydrant requirement (Code 38-38). Under this agenda item, the Board has three options. The Board may: (1) decline to consider the matter, thereby constituting an affirmation of the Fire Chief's written determination; (2) consider the matter based entirely upon the record prepared and submitted by the Fire Chief; or (3) schedule a hearing wherein the individual requesting Board review and the Fire Chief- or his designee may present information supporting their respective positions. In the event the Board of Commissioners utilizes options two or three, the Board shall render its decision within 30 days of the hearing or meeting where the matter is considered - County Attorney
(Postponed from the July 17, 2025 Agenda)

XIII. Recess Regular Meeting

XIV. Executive Session

XV. Open Session following Executive Session

- (1) Board consideration and possible approval of County Manager contract with David McKee for a 3-year contract extension - County Attorney

XVI. Adjournment