

AGENDA
FORSYTH COUNTY BOARD OF COMMISSIONERS
THURSDAY, SEPTEMBER 4, 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 presentation of a Proclamation recognizing September as *Childhood Cancer Awareness Month* in Forsyth County- John / Semanson

V. Public Comments

VI. Adoption of Minutes

- (1) Regular Meeting / Public Hearings of August 21, 2025
- (2) Work Session and Executive Session of August 26, 2025

VII. Consent Agenda

- (1) Board Ratification of the following item that was discussed and voted on at the Work Session held on August 26, 2025 (as anticipated by Board Rule 1.07.01):
 - (A) Board approval to enter into an agreement with Mansfield Oil Company of Gainesville, Inc. via Sourcewell Cooperative Contract 121522-MNF, for Fuel Deliveries and the purchase of Petroleum products – Director, Department of Fleet Services
 - (B) Board approval to award Bid 25-83-1620 to Vertical Earth, Inc. in the amount of \$1,413,436.32 for Barker Overlook and Tower Road Site Development for the Department of Public Facilities with approval of the associated Construction Services Agreement – Director, Department of Public Facilities
 - (C) Board authorization for Forsyth County to accept the Georgia Emergency Management and Homeland Security Agency's Hazard Mitigation Assistance Planning Grant, (project number HMGP-4830-0008), with the Federal amount of \$27,000.00 and a required match of \$9,000.00 to update the County's existing Hazard Mitigation Plan in the amount of \$36,000.00, with approval of a Budget Resolution - Director, Emergency Management Agency

- (D) Board approval of Amendment #5 to the Amended and Restated Services Agreement with TY Lin International for Post Road Widening - SR 9 to Kelly Mill - in the amount of \$456,995.67 - Director, Department of Capital Projects
- (E) Board approval of Change Order #11 to Contract #1202100013 with Vertical Earth for a time extension (no associated cost) for the Coal Mountain Connector (P18CM) - Transportation Project Manager, Department of Capital Projects
- (F) Board approval to purchase a crypt in the amount of \$10,959.63 from Sawnee View Gardens to transfer cremains currently held at the Forsyth County Coroner's office - Capital Projects Financial Manager, Finance Department
- (G) Board approval of the FY 2025 annual non-profit agreement of the Child Advocates of Forsyth County, Inc. dba Child Advocacy Center of Forsyth County, in the amount of \$70,000 with approval of Budget Resolution - Chief Financial Officer
- (H) Board approval of a Cell Tower Lease Agreement between Forsyth County, Georgia and Municipal Communications III, LLC. Property is located at 6115 Jot Em Down Road, Cumming, GA 30041; Parcel 264 054 - Assistant County Manager (Tarnacki)
- (2) Board adoption of a Proclamation recognizing September as *Childhood Cancer Awareness Month* in Forsyth County - John / Semanson
- (3) **Board consideration of something previously approved.** At the Board of Commissioners' regular meeting of August 21, 2025, the Board approved a limited lifting of the moratorium regarding zoning applications that, in pertinent part, allowed the property involved in Forsyth County ZBA appeal AP250003 to seek a rezoning subject to certain conditions. In the Resolution partially lifting the moratorium, the property involved in AP250003 was correctly identified by physical address and acreage, but certain tax parcel numbers were omitted. The included tax parcel was 145-001. However, the following additional tax parcels should have been included: 145-027, 145-077, 145-087, 145-071, and 145-028. **Inclusion of the additional tax parcels does not change the acreage involved or the physical address of the parcels.** By approval of this agenda item, the Clerk is authorized to affix a manual "*" on the August 21, 2025 minutes next to the agenda item regarding lifting the moratorium to cross-reference to this clarification - County Attorney
- (4) Board adoption of a Resolution authorizing Affidavit concerning the Executive Session of August 26, 2025 - County Clerk

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, May 15, 2025 and July 17, 2025 Agendas)

- (2) Public Hearing and possible vote regarding a request made by Rockhaven Homes, LLC for a variance to: 1. Reduce the minimum width as measured from the perimeter of each contiguous area of disturbance from 50 ft. to 0 ft. for the purpose of calculating minimum square footage for each undisturbed area of separation (UDC 18-12.1(A)(1)); and 2. Reduce the minimum width of each undisturbed area of separation from 50 ft. to 0 ft. (UDC 18-12.1(A)(1)) – Parcel 002-008 – VA250039 – District 1 – Director, Department of Planning and Community Development
- (3) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA4207 (OHI Tidwell Estates, LLC) by OHI Tidwell Estates, LLC - Parcels 021-045, 021-048 and 021-043 - AZ250026 - District 3 - Director, Department of Planning and Community Development
- (4) Public Hearing and possible vote regarding the approval of a Sketch Plat for Goldstone General Contractors, Inc. with the following variance to: 1. Reduce the zoning buffer along the southern property boundary from 40 ft. to 0 ft. adjacent to the access drive and utility easements only as shown on the site plan (UDC Table 12.2); 2. Reduce the distance from an access drive to a side property line from 40 ft. to 3 ft. (UDC 12-10.5) - Parcel 232-017 - SP250005 - District 4 - Director, Department of Planning and Community Development
- (5) Public Hearing and possible vote regarding the request made by Kevin Salisbury for an appeal of the Zoning Board of Appeals' decision on VA250020. This variance was conditionally approved. A side-setback variance of 7 feet was approved, and a front-setback variance of 25 feet was denied on June 3, 2025 – Parcel 259-022 (7490 Fields Dr, Cumming, GA, 30041) – AV250002 – District 4 – Director, Department of Planning and Community Development
- (6) Public Hearing and possible vote regarding an Alternate Design for Cameron Neary - Parcels 131-022 and 131-019 - AD250004 - District 5 - Director, Department of Planning and Community Development

IX. Public Comments

X. Old Business

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, May 15, 2025 and July 17, 2025 Agendas)

- (2) Board consideration and approval of Boundary modifications to 07-Cumming, 43-Lakeland and City of Cumming Municipal Voting Precinct Lines due to annexations and pursuant to procedure in O.C.G.A. § 21-2-262(d) - Director, Department of Voter Registrations and Elections

- (3) Board consideration and authorization of a Resolution authorizing mass rezoning of parcels zoned R2R to Res2, R1R to Res1, and R1 to Res1 - County Attorney
R2R - 023 002, 027 071(Part of), 119 032, 123 226 (Part of), 149 003 , 151 211, 151 217, 078 545, 101 007, 101 054, 038 045, 105 009, 105 008, 020 021, 202 006, 300 024, 265 042, 304 061 (Part of), 324 034, 319 021 (Part of), 295 041 (Part of), 269 065, 269 064, 269 060, 307 058, 284 081, 297 016, 272 041, 274 006, 272 036, 258 094, 244 147, 244 091, 243 076, 243 112, 243 113, 221 501, 242 036, 42 022, 220 449, 240 002, 240 258
R1R - 164 087, 185 047, 164 061, 164 059, 211 025, 212 025, 211 024, 212 027, 212 028, 212 013, 212 024, 212 030, 213 023, 151 198, 151 204, 125 093, 008 141, 126 035, 126 034, 101 012, 126 040, 126 044, 126 231, 034 014, 035 001, 035 003, 035 020, 040 077, 174 021, 319 128, 295 022, 295 031, 295 027, 295 004, 294 064, 294 057, 295 072
R1 - 028 057, 170 046, 192 103, 192 101, 193 014 (Split between R1R and R1), C31 001, C32 001, C22 058, 151 128, 151 231, 151 129, 125 025, 100 123, 099 106, 099 041, 099 045, 076 042, 054 001, 017 037, 083 041 (Part of), 106 079, 131 070, 152 026, 173 264, 112 012, 202 026 (Part of), 229 002

XII. Recess Regular Meeting

XIII. Executive Session (if needed)

XIV. Adjournment