

**FORSYTH COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING / PUBLIC HEARINGS
SEPTEMBER 18, 2025**

OFFICIAL MINUTES

On Thursday, September 18, 2025, at 5:00 p.m. in the Commissioners' Meeting Room of the Forsyth County Administration Building, the Forsyth County Board of Commissioners held a Regular Meeting / Public Hearings with the following persons present: Alfred John – Chairman, Kerry Hill – Vice Chairman, Mendy Moore - Secretary, Laura Semanson – Member, Ken Jarrard – County Attorney, and Kiersten Law - County Clerk.

Commissioner Levent was absent.

**AGENDA
FORSYTH COUNTY BOARD OF COMMISSIONERS
THURSDAY, SEPTEMBER 18, 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 declaring September 2025 as Ovarian Cancer Awareness Month in Forsyth County- Moore / Hill*
 - (2) *Board presentation of a Proclamation declaring September 15, 2025–October 15, 2025 as Hispanic Heritage Month in Forsyth County - John /*
- V. *Public Comments*
- VI. *Adoption of Minutes*
 - (1) *Regular Meeting / Public Hearings of September 4, 2025*
 - (2) *Work Session and Executive Session of September 9, 2025*
- VII. *Consent Agenda*
 - (1) *Board adoption of a Proclamation declaring September 2025 as Ovarian Cancer Awareness Month in Forsyth County - Moore / Hill*
 - (2) *Board adoption of a Proclamation declaring September 15, 2025 through October 15, 2025 as Hispanic Heritage Month in Forsyth County - John / Moore*
 - (3) *Board adoption of a Resolution authorizing Affidavit concerning the Executive Session of September 9, 2025 - County Clerk*
 - (4) *Board acceptance of Right of Way as County—maintained with a speed limit of 25MPH on Magnolia Crest Lane, Willow Walk Lane and all other property and*

property rights as shown on the Subdivision Plat for Meadow Brook Farms, recorded in Plat Book 220, Pages 256-277, Forsyth County, Georgia Records - District 1 - Director, Department of Engineering

- (5) *Board Ratification of the following items that were discussed and voted on at the Work Session held on September 9, 2025 (as anticipated by Board Rule 1.07.01):*
- (A) *Board approval of a Budget Resolution for the replacement of total loss vehicles for the Sheriff's Office (Units #134, #147 and #207) and Solid Waste and Recycling (Unit #3411) - Director, Department of Finance*
 - (B) *Board approval of the Memorandum of Understanding between Forsyth County, Georgia and AVITA Community Partners in the amount of \$15,000.00 with approval of a Budget Resolution - Chief Financial Officer, Department of Finance*
 - (C) *Board approval of Quote #046364 in the amount of \$188,755.37 for switches for Courthouse and Jail with approval of a Budget Resolution - Director, Department of Infrastructure & Technology*
 - (D) *Board approval of a sole source purchase with Natural Enclosures Fence Co. in the amount of \$47,950.00 for SR 369 Widening Ornamental Fence Panel Replacement – Director, Department of Capital Projects*
 - (E) *Board approval of Change Order #33 with Vertical Earth, Inc. (Contract # 1202000029) in the amount of \$19,934.40 for signal work related to the signal at SR369 and Holtzclaw Road, associated with the SR 369 Road Widening Project - Director, Department of Capital Projects*
 - (F) *Board authorization for Forsyth County on behalf of the Parks and Recreation Department to accept a donation from Northside Hospital Sports Medicine in the amount of \$15,000.00 for renovations with approval of a Budget Resolution - Director, Department of Parks and Recreation*
 - (G) *Board approval of a Task Order with NOVA Engineering and Environmental, LLC in the amount of \$67,015.00 for Construction Materials Testing and Special Inspection Services for the Shakerag Water Reclamation Facility Phase II Expansion project – Director, Department of Water and Sewer*
 - (H) *Board approval to award RFP 26-01-3340 to Inframark, LLC in the amount of \$41,126,277.00 for Operations and Maintenance of Water Treatment Plant and Wastewater Treatment Plants for calendar years 2026 - 2030 with approval of the associated General Services Agreement – Director, Department of Water and Sewer*
 - (I) *Board approval of Amendment No. 1 to Task Order 25-03 with Precision Planning, Inc. under the Standard Services Agreement for Water and Sewer Engineering Services As-Needed (Contract No. 1202200045) in the amount of \$144,469.00 for Design and Construction Services for the North Water Distribution System Improvements Project - Director, Department of Water and Sewer*
 - (J) *Board approval of Change Order No. 002 for IDQ-024 Ozone Pipe Replacement with Lanier Contracting Company under the Indefinite Quantity*

Mechanical Contractor Contract (Contract No. 1202500002) in the amount of \$38,550.37 for the repair of leaking ozone sample lines at the Antioch WTP - Deputy Director, Department of Water and Sewer

- (K) *Board approval of a sole source purchase from Ovivo USA, LLC in the amount of \$42,614.80 for the purchase and replacement of fine screen panels at the Fowler Water Reclamation Facility - Deputy Director, Department of Water and Sewer*
- (L) *Board adoption of a Resolution by the Forsyth County Board of Commissioners Authorizing an Exemption to the Sketch Plat Requirement - District 3 - Premier Automation - Levent / Semanson*
- (M) *Board authorization for staff to commence the Public Hearing process regarding County-Initiated Variances to 1. Increase the allowed parking spaces from 14 to 23 spaces (UDC Table 17.1); 2. Reduce the required pedestrian landscape zone from 8 ft. to 0 ft. (UDC Table 12.3); 3. Reduce the required percentage of primary building materials from 75% to 50% per vertical wall plane. (UDC 21-8.6(A)(1)); 4. Increase the allowed percentage of accent wall materials from 25% to 50% per vertical wall plane. (UDC 21-8.6(A)(2)) - Parcel 139-098 - District 2 - John / Semanson*
- (N) *Board authorization for staff to commence the Public Hearing process regarding a County-Initiated Variance on SP250007 (Euphoric Development LLC) to reduce the buffer abutting Georgia Highway 400 from 40 ft. to 30 ft. (UDC 10-1.10(A)(1)) – Parcel 131-064 – District 5 – Semanson / John*
- (O) *Board approval of a Memorandum of Lease Agreement between Forsyth County, Georgia and Municipal Communications III, LLC. Property is located at 1222 Swallowtail Drive, Suwanee, GA 30024; Parcel 177 336 - Assistant County Manager (Tarnacki)*
- (P) *Board authorization for staff to commence the Public Hearing process regarding a proposed Crypto ATM Ordinance - John / Hill*
- (Q) *Board approval of a Retirement Policy to be included in the Forsyth County Employee Handbook - Director, Department of Employment Services (Postponed from the August 26, 2025 Work Session)*
- (R) *Board approval of the First Amendment to Services Agreement between Tuition.io, Inc. and Forsyth County to extend Student Loan Benefit Services for County Employees through October 9, 2026 - Director, Department of Employment Services*
- (S) *Board approval of revisions to Policy 5 - Recruitment of the Employee Handbook to align with the recently Board-approved updates to the Drug & Alcohol policy, the DOT Drug and Alcohol policy, and procedural changes - Director, Department of Employment Services*
- (T) *Board approval of Civil Service Handbook Revision to Policy 5 to clarify "Working Days" vs. "Business Days" in Appeal Timelines - Director, Department of Employment Services*
- (U) *Board 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
(Postponed from the September 4, 2025 Regular Meeting / Public Hearings Agenda)

VIII. *Public Hearings*

- (1) *Public Hearing regarding a proposed amendment to the Forsyth County Pawn Shop and Pawnbroker Ordinance, otherwise known as Forsyth County Ordinance 96 or Chapter 22, Article III of the Forsyth County Code of Ordinances. This proposed amendment will modify the definition of "pawnbroker" - County Attorney
(This is the second of two required Public Hearings; the first Public Hearing was held on August 21, 2025)*

IX. *Public Comments*

X. *Old Business*

XI. *New Business*

- (1) *Iconic Performance and Design LLC - CP240006 - to operate a 3,600 sq. ft. minor automobile service establishment in an existing building with 11 parking spaces on 0.765 acres zoned Commercial Business District (CBD) with the following variance to: 1. Reduce the front landscape strip from 10 ft. to 0 ft. (UDC Table 12.2); 2. Reduce the front setback adjacent to the existing structure only from 40 ft. to 25 ft. (UDC Table 12.2); 3. Reduce the zoning buffer along the western property boundary from 40 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 23 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 parking area setback from the right-of-way from 10 ft. to 0 ft. (UDC 12-10.8); 7. Reduce the landscape strip between the front property line and vehicular use area from 10 ft. to 0 ft. (UDC 17-5.7); 8. Reduce the side landscape strips from 10 ft. to 0 ft. (UDC 12-10.15) - Parcel 184-004 - District 2 - Director, Department of Planning and Community Development*
- (2) *Grand Communities, LLC - ZA4231 - to rezone from Agricultural District (A1) to Mixed Residential District (MRD) on 77.358 acres for 59 residential lots with a density of 0.77 units per acre with the following variance to: 1. Reduce the percentage that community parks must be bounded by streets from 50% to 20% (UDC Table 20B.3); 2. Eliminate the requirement for interconnection between the subject property and any adjoining properties (UDC 20B-3.3(A)(6)); 3. Eliminate the requirement for all streets, pedestrian paths and trails within the development to remain ungated for*

public access (UDC 20B-3.3(F)(4)) - Parcels 178-898, 178-034, 179-029, 178-027, 179-584, 179-052, 178-899 and 178-025 - District 2 - Director, Department of Planning and Community Development

- (3) *John R. Wright, Jr. - ZA4236 - to rezone from Agricultural District (A1) and Commercial Business District (CBD) to Restricted Industrial District (M1) on 21.239 acres for warehouses in buildings totaling 243,520 sq. ft. with 224 parking spaces with the following variance to: 1. Reduce the stream buffer from 50 ft. to 0 ft. (UDC 18-11.2(A)); 2. Reduce the impervious setback from 75 ft. to 0 ft. (UDC 18-11.2(B)); 3. Reduce the minimum number of parking spaces from 244 to 224 (UDC 21-6.5(D)(1)) - Parcels 019-054 and 019-052 - District 3 - Director, Department of Planning and Community Development*
- (4) *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 and the August 7, 2025 Agendas)*

XII. Recess Regular Meeting

XIII. Executive Session (if needed)

XIV. Adjournment

Chairman John called the meeting to order at 5:00 p.m. with four members present (John, Hill, Moore and Semanson) and one member absent (Levent).

The Invocation and Pledge of Allegiance were led by Tony Tarnacki, Assistant County Manager.

ADOPTION OF AGENDA

There was a motion by Commissioner Moore and a second by Commissioner Semanson to postpone New Business, Item #3 (John R. Wright, Jr. - ZA4236 - to rezone from Agricultural District (A1) and Commercial Business District (CBD) to Restricted Industrial District (M1) on 21.239 acres for warehouses in buildings totaling 243,520 sq. ft. with 224 parking spaces with the following variance to: 1. Reduce the stream buffer from 50 ft. to 0 ft. (UDC 18-11.2(A)); 2. Reduce the impervious setback from 75 ft. to 0 ft. (UDC 18-11.2(B)); 3. Reduce the minimum number of parking spaces from 244 to 224 (UDC 21-6.5(D)(1)) - Parcels 019-054 and 019-052 - District 3) to the Regular Meeting / Public Hearings of October 16, 2025 for an additional Public Hearing. Motion carried with four members in favor (John, Hill, Moore and Semanson) and one member absent (Levent).

There was a motion by Commissioner Semanson and a second by Commissioner John to withdraw New Business, Item # 4 (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) from the Agenda at the request of the County Attorney. Motion carried with four members in favor (John, Hill, Moore and Semanson) and one member absent (Levent).

There was a motion by Commissioner Semanson and a second by Commissioner Hill to adopt the Agenda as amended. Motion carried with four members in favor (John, Hill, Moore and Semanson) and one member absent (Levent).

UNDER ANNOUNCEMENTS AND REPORTS THE FOLLOWING ACTIONS WERE TAKEN:

Commissioner Moore read aloud and presented a Proclamation recognizing September as *Ovarian Cancer Awareness Month* in Forsyth County. Commissioner Moore recognized Kimberly Airhart, Alison Riley and Sandy Moore with Harts of Teal. Kimberly Airhart addressed the Board.

Chairman John read aloud and presented a Proclamation recognizing September 15, 2025 – October 15, 2025 as *Hispanic Heritage Month* in Forsyth County. Julie Brennan, Publisher of My Forsyth Magazine, Lynette Ramirez, Senior Project Manager – Forsyth County Department of Capital Projects and Mike Valdes, Chairman of the Forsyth County Board of Education, addressed the Board.

UNDER PUBLIC COMMENTS THE FOLLOWING PERSONS ADDRESSED THE BOARD:

Janice Sneed
Gary Nelson
Beverly Hegi
Diane Spencer
Jean O'Sullivan

There was a motion by Commissioner John and a second by Commissioner Semanson to allow an additional 3 (three) minutes for Ms. O'Sullivan to speak. Motion carried with four members in favor (John, Hill, Moore and Semanson) and one member absent (Levent).

Dawn Smiley

UNDER ADOPTION OF MINUTES THE FOLLOWING ACTIONS WERE TAKEN:

(1) Regular Meeting / Public Hearings of September 4, 2025

There was a motion by Commissioner Hill and a second by Commissioner Moore to adopt the Minutes of the Regular Meeting / Public Hearings of September 4, 2025. Motion carried with four members in favor (John, Hill, Moore and Semanson) and one member absent (Levent).

(2) Work Session and Executive Session of September 9, 2025

There was a motion by Commissioner Semanson and a second by Commissioner Moore to adopt the Minutes of the Work Session and Executive Session of September 9, 2025. Motion carried with four members in favor (John, Hill, Moore and Semanson) and one member absent (Levent).

UNDER CONSENT AGENDA THE FOLLOWING ACTIONS WERE TAKEN:

There was a motion by Commissioner Moore and a second by Commissioner Hill to adopt the Consent Agenda as presented:

- (1) Board adoption of a Proclamation declaring September 2025 as Ovarian Cancer Awareness Month in Forsyth County - Moore / Hill
- (2) Board adoption of a Proclamation declaring September 15, 2025 through October 15, 2025 as Hispanic Heritage Month in Forsyth County - John / Moore
- (3) Board adoption of a Resolution authorizing Affidavit concerning the Executive Session of September 9, 2025 - County Clerk
- (4) Board acceptance of Right of Way as County—maintained with a speed limit of 25MPH on Magnolia Crest Lane, Willow Walk Lane and all other property and property rights as shown on the Subdivision Plat for Meadow Brook Farms, recorded in Plat Book 220, Pages 256-277, Forsyth County, Georgia Records - District 1 - Director, Department of Engineering
- (5) Board Ratification of the following items that were discussed and voted on at the Work Session held on September 9, 2025 (as anticipated by Board Rule 1.07.01):
 - (A) Board approval of a Budget Resolution for the replacement of total loss vehicles for the Sheriff's Office (Units #134, #147 and #207) and Solid Waste and Recycling (Unit #3411) - Director, Department of Finance
 - (B) Board approval of the Memorandum of Understanding between Forsyth County, Georgia and AVITA Community Partners in the amount of \$15,000.00 with approval of a Budget Resolution - Chief Financial Officer, Department of Finance
 - (C) Board approval of Quote #046364 in the amount of \$188,755.37 for switches for Courthouse and Jail with approval of a Budget Resolution - Director, Department of Infrastructure & Technology
 - (D) Board approval of a sole source purchase with Natural Enclosures Fence Co. in the amount of \$47,950.00 for SR 369 Widening Ornamental Fence Panel Replacement – Director, Department of Capital Projects
 - (E) Board approval of Change Order #33 with Vertical Earth, Inc. (Contract # 1202000029) in the amount of \$19,934.40 for signal work related to the signal at SR369 and Holtzclaw Road, associated with the SR 369 Road Widening Project - Director, Department of Capital Projects
 - (F) Board authorization for Forsyth County on behalf of the Parks and Recreation Department to accept a donation from Northside Hospital Sports Medicine in the amount of \$15,000.00 for renovations with approval of a Budget Resolution - Director, Department of Parks and Recreation
 - (G) Board approval of a Task Order with NOVA Engineering and Environmental, LLC in the amount of \$67,015.00 for Construction Materials Testing and Special Inspection Services for the Shakerag Water Reclamation Facility Phase II Expansion project – Director, Department of Water and Sewer

- (H) Board approval to award RFP 26-01-3340 to Inframark, LLC in the amount of \$41,126,277.00 for Operations and Maintenance of Water Treatment Plant and Wastewater Treatment Plants for calendar years 2026 - 2030 with approval of the associated General Services Agreement – Director, Department of Water and Sewer
- (I) Board approval of Amendment No. 1 to Task Order 25-03 with Precision Planning, Inc. under the Standard Services Agreement for Water and Sewer Engineering Services As-Needed (Contract No. 1202200045) in the amount of \$144,469.00 for Design and Construction Services for the North Water Distribution System Improvements Project - Director, Department of Water and Sewer
- (J) Board approval of Change Order No. 002 for IDQ-024 Ozone Pipe Replacement with Lanier Contracting Company under the Indefinite Quantity Mechanical Contractor Contract (Contract No. 1202500002) in the amount of \$38,550.37 for the repair of leaking ozone sample lines at the Antioch WTP - Deputy Director, Department of Water and Sewer
- (K) Board approval of a sole source purchase from Ovivo USA, LLC in the amount of \$42,614.80 for the purchase and replacement of fine screen panels at the Fowler Water Reclamation Facility - Deputy Director, Department of Water and Sewer
- (L) Board adoption of a Resolution by the Forsyth County Board of Commissioners Authorizing an Exemption to the Sketch Plat Requirement - District 3 - Premier Automation - Levent / Semanson
- (M) Board authorization for staff to commence the Public Hearing process regarding County-Initiated Variances to 1. Increase the allowed parking spaces from 14 to 23 spaces (UDC Table 17.1); 2. Reduce the required pedestrian landscape zone from 8 ft. to 0 ft. (UDC Table 12.3); 3. Reduce the required percentage of primary building materials from 75% to 50% per vertical wall plane. (UDC 21-8.6(A)(1)); 4. Increase the allowed percentage of accent wall materials from 25% to 50% per vertical wall plane. (UDC 21-8.6(A)(2)) - Parcel 139-098 - District 2 - John / Semanson
- (N) Board authorization for staff to commence the Public Hearing process regarding a County-Initiated Variance on SP250007 (Euphoric Development LLC) to reduce the buffer abutting Georgia Highway 400 from 40 ft. to 30 ft. (UDC 10-1.10(A)(1)) – Parcel 131-064 – District 5 – Semanson / John
- (O) Board approval of a Memorandum of Lease Agreement between Forsyth County, Georgia and Municipal Communications III, LLC. Property is located at 1222 Swallowtail Drive, Suwanee, GA 30024; Parcel 177 336 - Assistant County Manager (Tarnacki)
- (P) Board authorization for staff to commence the Public Hearing process regarding a proposed Crypto ATM Ordinance - John / Hill
- (Q) Board approval of a Retirement Policy to be included in the Forsyth County Employee Handbook - Director, Department of Employment Services (Postponed from the August 26, 2025 Work Session)

- (R) Board approval of the First Amendment to Services Agreement between Tuition.io, Inc. and Forsyth County to extend Student Loan Benefit Services for County Employees through October 9, 2026 - Director, Department of Employment Services
- (S) Board approval of revisions to Policy 5 - Recruitment of the Employee Handbook to align with the recently Board-approved updates to the Drug & Alcohol policy, the DOT Drug and Alcohol policy, and procedural changes - Director, Department of Employment Services
- (T) Board approval of Civil Service Handbook Revision to Policy 5 to clarify "Working Days" vs. "Business Days" in Appeal Timelines - Director, Department of Employment Services
- (U) Board 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
(Postponed from the September 4, 2025 Regular Meeting / Public Hearings Agenda)

Motion carried with four members in favor (John, Hill, Moore and Semanson) and one member absent (Levent).

UNDER PUBLIC HEARINGS THE FOLLOWING ACTIONS WERE TAKEN:

- (1) **Public Hearing regarding a proposed amendment to the Forsyth County Pawn Shop and Pawnbroker Ordinance, otherwise known as Forsyth County Ordinance 96 or Chapter 22, Article III of the Forsyth County Code of Ordinances. This proposed amendment will modify the definition of "pawnbroker"**

Ken Jarrard, County Attorney, addressed the Board.

Chairman John declared the Public Hearing open.

Speaking in favor:
None

Speaking in opposition:
None

Chairman John declared the Public Hearing closed.

There was a motion by Commissioner John and a second by Commissioner Semanson to approve the amendment to the Forsyth County Pawn Shop and Pawnbroker Ordinance, otherwise known as Forsyth County Ordinance 96 or Chapter 22, Article III of the Forsyth County Code of Ordinances. Motion carried with four members in favor (John, Hill, Moore and Semanson) and one member absent (Levent).

UNDER PUBLIC COMMENTS THE FOLLOWING PERSON ADDRESSED THE BOARD:

None

UNDER OLD BUSINESS THE FOLLOWING ACTIONS WERE TAKEN:

None

UNDER NEW BUSINESS THE FOLLOWING ACTIONS WERE TAKEN:

- (1) **Iconic Performance and Design LLC - CP240006 - to operate a 3,600 sq. ft. minor automobile service establishment in an existing building with 11 parking spaces on 0.765 acres zoned Commercial Business District (CBD) with the following variance to:** 1. Reduce the front landscape strip from 10 ft. to 0 ft. (UDC Table 12.2); 2. Reduce the front setback adjacent to the existing structure only from 40 ft. to 25 ft. (UDC Table 12.2); 3. Reduce the zoning buffer along the western property boundary from 40 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 23 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 parking area setback from the right-of-way from 10 ft. to 0 ft. (UDC 12-10.8); 7. Reduce the landscape strip between the front property line and vehicular use area from 10 ft. to 0 ft. (UDC 17-5.7); 8. Reduce the side landscape strips from 10 ft. to 0 ft. (UDC 12-10.15) - Parcel 184-004 - District 2

Tom Brown, Director, Department of Planning and Community Development, addressed the Board.

There was a motion by Commissioner John and a second by Commissioner Semanson to deny the request by Iconic Performance and Design, LLC - CP240006 – to operate a 3,600 sq. ft. minor automobile service establishment in an existing building with 11 parking spaces on 0.765 acres zoned Commercial Business District (CBD) with following variance to: 1. Reduce the front landscape strip from 10 ft. to 0 ft. (UDC Table 12.2); 2. Reduce the front setback adjacent to the existing structure only from 40 ft. to 25 ft. (UDC Table 12.2); 3. Reduce the zoning buffer along the western property boundary from 40 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 23 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 parking area setback from the right-of-way from 10 ft. to 0 ft. (UDC 12-10.8); 7. Reduce the landscape strip between the front property line and vehicular use area from 10 ft. to 0 ft. (UDC 17-5.7); 8. Reduce the side landscape strips from 10 ft. to 0 ft. (UDC 12-10.15) - Parcel 184-004. Motion carried with four members in favor (John, Hill, Moore and Semanson) and one member absent (Levent).

- (2) **Grand Communities, LLC - ZA4231 - to rezone from Agricultural District (A1) to Mixed Residential District (MRD) on 77.358 acres for 59 residential lots with a density of 0.77 units per acre with the following variance to:** 1. Reduce the percentage that community parks must be bounded by streets from 50% to 20% (UDC Table 20B.3); 2. Eliminate the requirement for interconnection between the subject property and any

adjoining properties (UDC 20B-3.3(A)(6)); 3. Eliminate the requirement for all streets, pedestrian paths and trails within the development to remain ungated for public access (UDC 20B-3.3(F)(4)) - Parcels 178-898, 178-034, 179-029, 178-027, 179-584, 179-052, 178-899 and 178-025 - District 2

Tom Brown, Director, Department of Planning and Community Development, addressed the Board.

Josh Brockman, Market President of Fischer Homes, addressed the Board and provided a presentation at the request of Chairman John.

Ethan Underwood, Attorney, addressed the Board at the request of Chairman John.

Wes Young, Senior Land Planner of Fischer Homes, addressed the Board and provided a presentation at the request of Chairman John.

Chairman John asked if there were any speakers present who would like to address the Board regarding this Item.

Kirk Wintersteen addressed the Board and spoke in favor of Public Hearing, Item #2.

There was a motion by Commissioner John and a second by Commissioner Semanson to approve the request by Grand Communities, LLC – ZA4231 – to rezone from Agricultural District (A1) to Mixed Residential District (MRD) on 77.358 acres for 59 residential lots with a density of 0.77 units per acre - Parcels 178-898, 178-034, 179-029, 178-027, 179-584, 179-052, 178-899 and 178-025 with the variances and conditions as displayed and to include the MRD book. The variances and conditions read as follows:

Variances:

1. Reduce the percentage that community parks must be bounded by streets from 50% to 20% (UDC Table 20B.3).
2. Eliminate the requirement for interconnection between the subject property and any adjoining properties (UDC 20B-3.3(A)(6)).
3. Eliminate the requirement for all streets, pedestrian paths and trails within the development to remain ungated for public access (UDC 20B-3 . 3 (F)(4)).

Conditions:

1. Development shall be substantially in accordance with the site plan and elevations on file with the Forsyth County Department of Planning & Community Development, consistent with approved variances and conditions.
2. Total lots shall not exceed 59 detached single-family homes, with an overall density not to exceed 0.77 units per acre.
3. The entrances at Nichols Drive and James Burgess Road shall be upgraded to include enhanced landscaping with monument signs as depicted in the MRD Handbook associated with this application.

4. An additional 10 ft. enhanced buffer shall be required in addition to the 40 ft. buffer and 10 ft. landscape strip abutting James Burgess Road.
5. Each community park shall include at least one covered pavilion measuring at least 400 sf.
6. Playgrounds and active recreation features (such as pickleball courts) shall be constructed substantially as shown on the approved concept plan.
7. Development shall tie into the Forsyth County sewer system by gravity unless otherwise approved by the Director of Forsyth County Water & Sewer.
8. Gravity sewer outfalls shall follow natural contours to minimize depth.
9. Sewer access shall be provided to all upstream properties.
10. Any improvements to the water or sewer systems required to meet fire flow or other requirements shall be performed at the developer's expense.
11. A 10-ft minimum setback from all utility easements to any building is required, unless otherwise approved by the Director of Forsyth County Water & Sewer.
12. No trees shall be planted within right-of-way or utility easements unless approved by the Director of Forsyth County Water & Sewer or Forsyth County Engineering.
13. Owner/Developer shall construct roadway improvements at the James Burgess Road entrance, consisting of a right-turn or left-turn lane as required and approved by Forsyth County Engineering. At a minimum, a right-hand passing lane shall be provided to facilitate left-turn movements into the development.
14. A mandatory HOA is required to assume maintenance responsibility for the stormwater management system.
15. Lot Standards:
 - (a) Minimum Lot Size: 16,000 sq. ft. with a minimum average lot size of 22,000 sq. ft.
 - (b) Minimum Lot Width: 125 ft.
 - (c) Minimum Front Setback: 30 ft.
 - (d) Minimum Side Setback: 15 ft.
 - (e) Minimum Rear Setback: 25 ft.
 - (f) Minimum Building Separation: 30 ft. (based on provided side setbacks).
 - (g) Minimum Exterior Setback: 50 ft.
 - (h) Minimum Exterior Buffer: 30 ft.
 - (i) Minimum Exterior Buffer Adjacent to Right-of-Way: 40 ft.
 - (j) Minimum Exterior Landscape Strip Adjacent to Right-of-Way: 10 ft.
 - (k) Stream Buffers / Impervious Setbacks: 50 ft. (including 25-ft. State Buffer) / 75 ft.
 - (l) Maximum Building Height: 40 ft.
 - (m) Maximum Lot Coverage: 35%.
 - (n) Minimum Block Length: 130 ft.

- (o) Minimum Open Space: 15.47 acres (20% of site area).
 - (p) Minimum Active Community Space: 3.87 acres (25% of open space).
 - (q) Minimum Undisturbed Land Area: 3.87 acres (25% of open space).
 - (r) Maximum Retaining Wall Height: 12 ft.
 - (s) Minimum parking for Pickleball Courts: 4 on-street spaces per court.
 - (t) Maximum On-Street Parking Spaces Provided: 12 spaces.
16. All homes shall have metal gutters on all roofs except dormers and bay windows.
17. At least 80% of homes shall have side-entry garages accommodating a minimum of two cars.
18. All garage doors shall have carriage-style or other decorative fixtures.
19. Roofing shall be architectural/dimensional asphalt shingles with a minimum 25-year manufacturer's warranty.
20. All streets may be private and gated, subject to County approval per UDC §18-9.1. Gated entrances shall feature decorative entry features with enhanced landscaping at both Nichols Drive and James Burgess Road.
21. On-street parking is authorized on private streets, if private streets are approved by the Board of Commissioners
22. Grading, clearing, construction, or any other disturbance within the buffer areas is strictly prohibited, except as follows:
- (a) Dead, Diseased, or Hazardous Vegetation: Disturbance is permitted only with written documentation from a certified arborist verifying that the vegetation is dead, diseased, or poses a hazard to structures or surrounding vegetation. Such documentation shall be submitted to and approved by the County prior to any work.
 - (b) Installation and maintenance of utility crossings, water meter vaults, fire vaults, and fire hydrants.
 - (c) Installation and maintenance of entry monument signs and associated walls, approved access drives and gates, fencing, amenity trails, and amenity furniture.
 - (d) Routine Maintenance of Weeds and Overgrowth: The removal of weeds, invasive species, and general overgrowth that impedes the health of the buffer or obstructs access to signage, utilities, or approved stormwater facilities is permitted, provided such work is performed using hand tools or other low-impact methods and does not disturb existing trees, shrubs, or native vegetation. The HOA shall maintain records of such maintenance activities and make them available to the County upon request.
 - (e) Specimen Trees: Specimen trees located within buffer areas shall not be pruned or removed without written confirmation from the Georgia Forestry Commission or a certified arborist verifying that the tree is dead, diseased,

hazardous, or infested. Such documentation shall be submitted to and approved by the County prior to any work.

- (f) Replacement Requirements: Any permitted vegetation removal shall be replaced by the HOA in accordance with Forsyth County Buffer Standards, with all replanting completed within sixty (60) days unless otherwise authorized by the County.
 - (g) Purchaser Notification, HOA Bylaws, and Covenants: Purchasers of each lot shall receive written notification at or prior to closing that no disturbance of the exterior or stream buffers is permitted. This notice shall reference the posted signage, Tree Protection Area Map, and applicable recorded restrictions. Purchasers shall also be informed that any unauthorized disturbance may result in enforcement actions and fines imposed by the County against both the individual property owner and the HOA. All provisions of this condition, including maintenance requirements, replacement obligations, and restrictions on disturbance—shall be incorporated into the HOA bylaws and recorded covenants to ensure ongoing compliance and enforceability.
- 23. Along any lot abutting a 50-ft County Stream Buffer or exterior buffer, the boundary shall be marked with 4-ft posts connected by black metal chain or natural rope.
 - 24. Permanent “No Disturbance Beyond This Point” signage shall be installed every 100 feet along stream buffers and the interior boundary of all exteriors.
 - 25. Notwithstanding the requirements of Condition 22 above, where not visually impervious, buffers shall be augmented with plantings to meet Forsyth County Buffer Standards. The County Arborist shall have the authority to determine where plantings shall be located. In addition, the County Arborist shall have the authority to determine the need to replace existing vegetation based on one or more of the following criteria:
 - (a) Quality of existing vegetation, including species, health, age, size, structural integrity, and likelihood of long-term survival.
 - (b) Density and distribution of existing vegetation.
 - (c) Presence of invasive species.
 - 26. The stormwater ponds shall be landscaped to provide aesthetics complementary to the development’s common area and shall include a diversity of plant material based on species recommendations referenced in the Georgia Stormwater Management Manual. The planting selection shall promote natural mosquito control through providing appropriate habitat for various insects that feed on mosquitoes throughout the mosquito life cycle.
 - 27. Developer shall utilize best management practices (BMPs) for erosion control, including tree-save fencing, silt fencing, and oversized temporary erosion ponds.
 - 28. Clearing/grading shall be phased to minimize soil disturbance.

29. Lots with slopes greater than 3:1 shall be stabilized using sod and/or permanent plantings (except within stormwater management ponds).
30. Landscaping at each subdivision entrance shall be served by a permanent irrigation system. All entrance landscaping, and any other landscaping served by a permanent irrigation system, shall be installed and operational prior to the issuance of the first certificate of occupancy for any dwelling within the respective phase.
31. Prior to filing of the final plat, the developer shall provide an accurate scale map showing lot boundaries, common areas, tree groupings, tree protection areas, significant trees, wetlands, floodplains, stormwater facilities, conservation areas, exterior buffers, stream buffers, trails, amenities, and roads. Exterior and stream buffers shall be clearly marked as Tree Protection Areas with a notation stating: "Removal of any tree within any Tree Protection Area is prohibited by law."
32. A Tree Protection Area Map, sized 24" x 36", shall be prepared and maintained by the developer/HOA and prominently displayed in the primary amenity area at all times.
33. Copies of the Tree Protection Area Map shall be maintained at any sales office and furnished to lot owners upon request (reasonable charge allowed).
34. HOA responsibilities include but are not limited to:
 - (a) Maintain landscaped entrances, monument signs, road frontage fencing, and landscaping.
 - (b) Maintain all buffers, tree protection areas, stormwater facilities, amenities, and common areas.
 - (c) Maintain stream buffer boundary markers (posts/chains/ropes) and signage.
 - (d) Restrict rentals to no more than 10% of homes at any one time.
 - (e) Transition control to residents upon 100% build-out or earlier at developer discretion.
35. The HOA shall keep its current contact information on file with the Forsyth County Department of Planning & Community Development.
36. All developer-installed exterior lighting, including streetlights, shall use fully shielded (full cut-off) fixtures that direct light downward with no light emitted above the horizontal plane. All lighting shall have a color temperature of 3,000 Kelvin or lower. Lighting shall be designed and installed to minimize glare and limit illumination onto adjacent properties.
37. Landscaping design, signage design, home elevations, and grading plans shall be reviewed and approved by the District Commissioner prior to LDP.

Motion carried with four members in favor (John, Hill, Moore and Semanson) and one member absent (Levent).

- (3) **John R. Wright, Jr. - ZA4236 - to rezone from Agricultural District (A1) and Commercial Business District (CBD) to Restricted Industrial District (M1) on 21.239 acres for warehouses in buildings totaling 243,520 sq. ft. with 224 parking spaces with the following variance to: 1. Reduce the stream buffer from 50 ft. to 0 ft. (UDC 18-11.2(A)); 2. Reduce the impervious setback from 75 ft. to 0 ft. (UDC 18-11.2(B)); 3. Reduce the minimum number of parking spaces from 244 to 224 (UDC 21-6.5(D)(1)) - Parcels 019-054 and 019-052 - District 3 – This Item was postponed [during the Adoption of the Agenda] to the Regular Meeting / Public Hearings of October 16, 2025 for an additional Public Hearing**
- (4) **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 – This Item was withdrawn [during the Adoption of the Agenda]**

There was a motion by Commissioner Semanson and a second by Commissioner Hill to adjourn the Regular Meeting / Public Hearings at 6:09 p.m. Motion carried with four members in favor (John, Hill, Moore and Semanson) and one member absent (Levent).

Kiersten M. Law



Clerk of Commission

The above and foregoing Minutes are hereby certified as being correct and ordered as recorded.

Alfred John

Alfred John, Chairman

Kerry Hill

Kerry Hill, Vice Chairman

Mendy Moore

Mendy Moore, Secretary

Todd Levent

Todd Levent, Member

Laura Semanson

Laura Semanson, Member

Please reference the streaming video located on the Forsyth County website, www.forsythco.com, for detailed information concerning this Meeting.