

**FORSYTH COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING / PUBLIC HEARINGS
OCTOBER 2, 2025**

OFFICIAL MINUTES

On Thursday, October 2, 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, Todd Levent – Member, Laura Semanson – Member, Ken Jarrard – County Attorney, and Kiersten Law - County Clerk.

Commissioner Levent arrived at 5:04 p.m.

**AGENDA
FORSYTH COUNTY BOARD OF COMMISSIONERS
THURSDAY, OCTOBER 2, 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 Proclamation declaring October 5, 2025 - October 11, 2025 as 4-H Week in Forsyth County - John / Semanson*
- V. Public Comments*
- VI. Adoption of Minutes*
 - (1) Regular Meeting / Public Hearings of September 18, 2025*
 - (2) Work Session of September 23, 2025*
- VII. Consent Agenda*
 - (1) Board adoption of Proclamation declaring October 5, 2025 through October 11, 2025 as 4-H Week in Forsyth County - John / Semanson*
 - (2) Board of Commissioners Resolution consenting to the City of Cumming De-Annexing Mary Alice Park - County Attorney*
 - (3) Board authorization for Legal Counsel to commence nuisance abatement actions with respect to property located at 4311 Piney Grove Road; Parcel ID 104-205 - County Attorney*
 - (4) Board authorization for Legal Counsel to commence nuisance abatement actions with respect to property located at 7381 Heard Road; Parcel ID 259-225 - County Attorney*
 - (5) Board authorization for Legal Counsel to commence nuisance abatement actions with respect to property located at 1476 Canton Hwy; Parcel ID 099-045 - County Attorney*

- (6) *Board clarification of a previously approved item. CP240044. At the Board of Commissioner's September 4, 2025 meeting, the BOC approved CP240044. However, the motion approving that Item omitted certain detail that needs to be incorporated into the motion of approval. In the motion of approval, it should have been clarified that all nine (9) of the requested variances were approved and that the Planning Commission recommended conditions 2 and 3, only, were also approved. The Clerk is authorized to affix a manual "****" on the September 4, 2025 minutes next to CP240044, reflecting the clarification set forth in this Item - County Attorney*
- (7) *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 authorization for staff to commence the Public Hearing process regarding a County-Initiated Conditional Use Permit (CUP) at 1520 Union Hill Road, Alpharetta, GA 30005 – Parcel 044-013 – District 5 – Semanson / Moore*
- (8) *Board Ratification of the following items that were discussed and voted on at the Work Session held on September 23, 2025 (as anticipated by Board Rule 1.07.01):*
 - (A) *Board authorization for Forsyth County, on behalf of the Sheriff's Office, to apply for the Criminal Justice Coordinating Council (CJCC) Victims of Crime Act (VOCA) Grant Program in the amount of \$46,451.00 with no match required for the Victim Advocate Unit – Director of Business Operations, Sheriff's Office*
 - (B) *Board approval of a Professional Services Agreement for \$9,620 between Forsyth County IS&T and Tyler Technologies to deploy Enterprise Justice software aka Odyssey to a new hardware platform — Director, Department of Information Systems and Technology*
 - (C) *Board authorization for staff to commence the Public Hearing process regarding a rezoning for CP220034, Todd Hunter Holbrook. In accordance with UDC 8-5.5(l), 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 - Deputy Director, Department of Planning and Community Development
(Postponed from the September 24, 2024 Agenda)*
 - (D) *Board authorization for staff to commence the Public Hearing process regarding a rezoning of the RES6 portions of Parcels 201-150 and 201-073 to RES2 with conditions to include Southeast Forsyth Design Standards and Buford Highway Overlay - Planning Manager, Department of Planning and Community Development*
 - (E) *Board approval of Task Order No. 3 with Metals & Materials Engineers, LLC under the Manhole and Lift Station Wet Well Rehabilitation As-Needed Agreement (Contract No. 1202500010) in the amount of \$165,797.37 for the rehabilitation of seven (7) sanitary sewer manholes - Deputy Director, Department of Water and Sewer*
 - (F) *Board approval to award RFQ 25-66-1514 to Reeves Young, LLC in the amount of \$2,347,975.00 for Preconstruction Phase Services for Construction Manager at Risk Courts and Sheriffs Headquarters Renovations for the Department of Capital Projects with approval of the associated Construction*

*Manager at Risk Services Agreement - Vertical Capital Projects Manager,
Department of Capital Projects*

- (G) *Board authorization to postpone the consideration of the City of Cumming annexation of parcel C21-037 (+/- 1.71 acres of land) to the October 7, 2025 Work Session meeting - County Attorney*

VIII. Public Hearings

- (1) *Public Hearing and possible vote regarding the County-Initiated variance to: 1. Reduce the minimum lot area for zoning to Office and Institutional District (O&I) from 2 acres to 1.7 acres (UDC Table 12.2) - Parcel 191-079 - VA250054 - 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 ZA3687 (Lennar Georgia, LLC) by Mandy N. Turner - Parcel 101-192 - AZ250028 - District 3 - Director, Department of Planning and Community Development*
- (3) *Public Hearing and possible vote regarding an Alternate Design for HP CM Property, LLC - Parcels 215-037, 236-094, 236-006, 236-044 and 216-263 - AD250005 - District 4 - Director, Department of Planning and Community Development*
- (4) *Public Hearing and possible vote regarding the approval of a Sketch Plat for Euphoric Development LLC - Parcel 131-064 - SP250007 - District 5 - Director, Department of Planning and Community Development*
- (5) *Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA2583 (John Jamont) by Elizabeth Bannerman - Parcel 136-377 - AZ250032 - District 5 - Director, Department of Planning and Community Development*
- (6) *Public hearing and possible vote regarding amendments to the Unified Development Code related to performance standards, buffers, and landscaping in residential zoning districts - Planner II, Department of Planning and Community Development (The first Public Hearing was held before the Planning Commission on September 16, 2025)*

IX. Public Comments

X. Old Business

XI. New Business

- (1) *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, July 17, 2025 and August 7, 2025 Agendas)

- (2) *Board consideration and adoption of the 2024 annual update to the Impact Fee Program Capital Improvements Element (CIE) with approval of a Resolution of Adoption - Impact Fee Administrator, Department of Finance*

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 Cindy McBrayer, Executive Assistant, Department of Planning and Community Development.

ADOPTION OF AGENDA

There was a motion by Commissioner Hill and a second by Commissioner Semanson to move New Business, Item # 1 (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) prior to Public Hearing, Item #1. Motion carried unanimously.

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).

Commissioner Levent arrived at 5:04 p.m.

UNDER ANNOUNCEMENTS AND REPORTS THE FOLLOWING ACTIONS WERE TAKEN:

Commissioner Moore read aloud and presented a Proclamation declaring October 5, 2025 – October 11, 2025 as 4-H Week in Forsyth County. Members of the 4-H staff addressed the Board.

David McKee, County Manager, addressed the Federal Government shutdown and stated there was no effect on local services.

UNDER PUBLIC COMMENTS THE FOLLOWING PERSON ADDRESSED THE BOARD:

Kirk Wintersteen

UNDER ADOPTION OF MINUTES THE FOLLOWING ACTIONS WERE TAKEN:

(1) Regular Meeting / Public Hearings of September 18, 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 18, 2025. Motion carried unanimously.

(2) Work Session of September 23, 2025

There was a motion by Commissioner Moore and a second by Commissioner Semanson to adopt the Minutes of the Work Session of September 23, 2025. Motion carried unanimously.

UNDER CONSENT AGENDA THE FOLLOWING ACTIONS WERE TAKEN:

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

- (1) Board adoption of Proclamation declaring October 5, 2025 through October 11, 2025 as 4-H Week in Forsyth County - John / Semanson
- (2) Board of Commissioners Resolution consenting to the City of Cumming De-Annexing Mary Alice Park - County Attorney
- (3) Board authorization for Legal Counsel to commence nuisance abatement actions with respect to property located at 4311 Piney Grove Road; Parcel ID 104-205 - County Attorney
- (4) Board authorization for Legal Counsel to commence nuisance abatement actions with respect to property located at 7381 Heard Road; Parcel ID 259-225 - County Attorney
- (5) Board authorization for Legal Counsel to commence nuisance abatement actions with respect to property located at 1476 Canton Hwy; Parcel ID 099-045 - County Attorney
- (6) Board clarification of a previously approved item. CP240044. At the Board of Commissioner's September 4, 2025 meeting, the BOC approved CP240044. However, the motion approving that Item omitted certain detail that needs to be incorporated into the motion of approval. In the motion of approval, it should have been clarified that all nine (9) of the requested variances were approved and that the Planning Commission recommended conditions 2 and 3, only, were also approved. The Clerk is authorized to affix a manual "****" on the September 4, 2025 minutes next to CP240044, reflecting the clarification set forth in this Item - County Attorney
- (7) 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 authorization for staff to commence the Public Hearing process regarding a County-Initiated Conditional Use Permit (CUP) at 1520 Union Hill Road, Alpharetta, GA 30005 – Parcel 044-013 – District 5 – Semanson / Moore

- (8) Board Ratification of the following items that were discussed and voted on at the Work Session held on September 23, 2025 (as anticipated by Board Rule 1.07.01):
- (A) Board authorization for Forsyth County, on behalf of the Sheriff's Office, to apply for the Criminal Justice Coordinating Council (CJCC) Victims of Crime Act (VOCA) Grant Program in the amount of \$46,451.00 with no match required for the Victim Advocate Unit – Director of Business Operations, Sheriff's Office
 - (B) Board approval of a Professional Services Agreement for \$9,620 between Forsyth County IS&T and Tyler Technologies to deploy Enterprise Justice software aka Odyssey to a new hardware platform — Director, Department of Information Systems and Technology
 - (C) Board authorization for staff to commence the Public Hearing process regarding a rezoning for CP220034, Todd Hunter Holbrook. 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 - Deputy Director, Department of Planning and Community Development
(Postponed from the September 24, 2024 Agenda)
 - (D) Board authorization for staff to commence the Public Hearing process regarding a rezoning of the RES6 portions of Parcels 201-150 and 201-073 to RES2 with conditions to include Southeast Forsyth Design Standards and Buford Highway Overlay - Planning Manager, Department of Planning and Community Development
 - (E) Board approval of Task Order No. 3 with Metals & Materials Engineers, LLC under the Manhole and Lift Station Wet Well Rehabilitation As-Needed Agreement (Contract No. 1202500010) in the amount of \$165,797.37 for the rehabilitation of seven (7) sanitary sewer manholes - Deputy Director, Department of Water and Sewer
 - (F) Board approval to award RFQ 25-66-1514 to Reeves Young, LLC in the amount of \$2,347,975.00 for Preconstruction Phase Services for Construction Manager at Risk Courts and Sheriffs Headquarters Renovations for the Department of Capital Projects with approval of the associated Construction Manager at Risk Services Agreement - Vertical Capital Projects Manager, Department of Capital Projects
 - (G) Board authorization to postpone the consideration of the City of Cumming annexation of parcel C21-037 (+/- 1.71 acres of land) to the October 7, 2025 Work Session meeting - County Attorney

Motion carried unanimously.

At this time, the Board considered New Business, Item #1.

UNDER NEW BUSINESS THE FOLLOWING ACTIONS WERE TAKEN:

- (1) **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

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

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

There was a motion by Commissioner Hill and a second by Commissioner Semanson to consider Public Hearing, Item #1 (Public Hearing and possible vote regarding the County-Initiated variance to: 1. Reduce the minimum lot area for zoning to Office and Institutional District (O&I) from 2 acres to 1.7 acres (UDC Table 12.2) – Parcel 191-079 – VA250054 – District 1), prior to New Business, Item #1. Motion carried unanimously.

UNDER PUBLIC HEARINGS THE FOLLOWING ACTIONS WERE TAKEN:

- (1) Public Hearing and possible vote regarding the County-Initiated variance to: 1. Reduce the minimum lot area for zoning to Office and Institutional District (O&I) from 2 acres to 1.7 acres (UDC Table 12.2) - Parcel 191-079 - VA250054 - District 1**

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

Chairman John declared the Public Hearing open.

Speaking in favor:
Ethan Underwood

Speaking in opposition:
None

Chairman John declared the Public Hearing closed.

There was no action taken on Public Hearing, Item #1 at this time. See Page #9 for action taken.

At this time, New Business, Item #1 was considered.

UNDER NEW BUSINESS (CONTINUED) THE FOLLOWING ACTIONS WERE TAKEN:

- (1) 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

There was a motion by Commissioner Hill and a second by Commissioner Levent to approve the request by Coal Mountain Spot, LLC - ZA4223 - to rezone from Single Family Residential District (R1) to Office & Institutional (O&I) 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 - Parcel 191-079 - with the variances, conditions and Exhibit A as displayed. The variances and conditions read as follows:

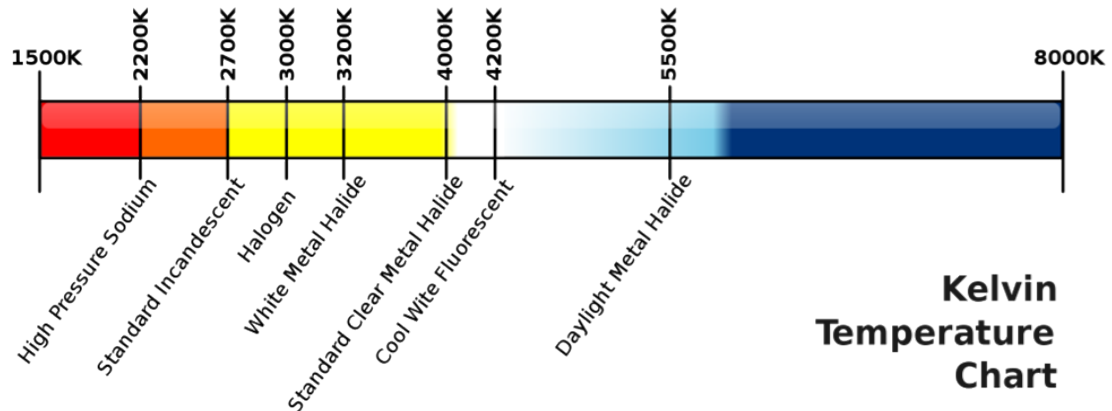
VARIANCES:

1. Reduce the landscape strip along existing or proposed rights-of-way 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 30 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 40 ft. to 0 ft. (UDC Table 12.2).
4. Eliminate the 5,000 ft. sewer distance requirement to facilitate the use of an on-site septic disposal system (UDC 18-5.18).
5. Reduce the landscape strip along the eastern property boundary adjacent to the existing structures, asphalt, parking and gravel only from 10 ft. to 0 ft. (UDC § 12-10.15).
6. Reduce the minimum lot size from 2.0 acres to 1.728 acres (UDC Table 12.2) (Approved per VA250054).

CONDITIONS:

1. Development shall be substantially in accordance with the site plan attached as Exhibit A.
2. Uplighting is prohibited.
3. All exterior lights shall be turned off between the hours of 10:00 p.m. and 6:00 a.m. unless activated by motion on the subject property and programmed to turn off no more than fifteen (15) minutes after last detecting motion on the subject property.
4. On any buildings, structures, or light poles constructed after the approval of ZA4223, canopy luminaires shall be fully recessed and utilize flat lenses. All other fixtures shall be full cutoff or fully shielded.

5. All lighting shall emit a low-colored light having a Kelvin temperature of no more than three-thousand (3,000). Thereby, light emitted from any source on site will be in the “warm” spectrum and light with a bluish color, sometimes referred to as “daylight” lights, which are in the “cool” spectrum are prohibited. See the chart below for guidance.



6. A video surveillance system shall be installed, maintained, and recording at all times. The video cameras shall be of a sufficient number to capture video of the entire perimeter and/or interior of the site. All video cameras shall be capable of capturing video images in darkness, commonly referred to as “night vision” video, with low lux capabilities. The video surveillance system shall record and store all video from all cameras for not less than thirty (30) days. Upon request from Law Enforcement, including, but not limited to, Code Compliance, recordings shall be preserved for not less than thirty (30) days, as measured from the date of request, to allow time for legal authorization to obtain said recordings. Cameras shall be positioned, or the system shall be programmed so that video or images of privately- owned external properties is not recorded in order to avoid any invasion of neighbor’s privacy. There shall be cameras positioned to capture the license plate of all vehicles entering and exiting the premises.
7. The District Commissioner approval of the architectural design and building materials must be obtained before issuance of a building permit for any new or refurbished structures requiring such permit.
8. The following uses shall be prohibited:
- (a) Drive-throughs

Motion carried unanimously.

At this time, the Board returned to Public Hearings.

UNDER PUBLIC HEARINGS (CONTINUED) THE FOLLOWING ACTIONS WERE TAKEN:

- (1) **Public Hearing and possible vote regarding the County-Initiated variance to: 1. Reduce the minimum lot area for zoning to Office and Institutional District (O&I) from 2 acres**

to 1.7 acres (UDC Table 12.2) - Parcel 191-079 - VA250054 - District 1

There was a motion by Commissioner Hill and a second by Commissioner Moore to approve the County-Initiated variance to: 1. Reduce the minimum lot area for zoning to Office and Institutional District (O&I) from 2 acres to 1.728 acres (UDC Table 12.2) – Parcel 191-079 – VA250054 – as presented. Motion carried unanimously.

(2) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA3687 (Lennar Georgia, LLC) by Mandy N. Turner - Parcel 101-192 - AZ250028 - District 3

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

Chairman John declared the Public Hearing open.

Speaking in favor:
Mandy Turner

Speaking in opposition:
None

Chairman John declared the Public Hearing closed.

Mandy Turner addressed the Board at the request of Commissioner Levent.

There was a motion by Commissioner Levent and a second by Commissioner Hill to approve the request for an Amendment of Zoning Conditions on ZA3687 (Lennar Georgia, LLC) by Mandy N. Turner – Parcel 101-192 – AZ250028 – including the conditions and site plan as displayed. The amended and added conditions read as follows:

Modify Condition #10 to read: Unless otherwise expressly set forth in these conditions, each residential pod within the project shall comply, at a minimum, with the applicable performance standards set forth in pages 26 through 31 of the Master Plan Development book dated April 4, 2014, and filed on June 20, 2014 as part of ZA3687 (hereinafter referred to as the “MPD Book”). An exception shall be made to Lot 70 of Mountain Crest subdivision, reducing the rear building setback from 20 ft. to 15 ft. An exception shall be made to Lot 44 of Mountain Crest Subdivision, reducing the rear building setback from 20 ft. to 5 ft. and increasing the side building setbacks from 5 ft. to 15 ft. to allow more efficient use of buildable space including installation of a Gunite pool, spa and decking as shown on Exhibit A.

Add Condition #11 to read: Owner shall install a flow well to mitigate storm water runoff. Deck will have permeable pavers.

Motion carried unanimously.

(3) Public Hearing and possible vote regarding an Alternate Design for HP CM Property, LLC - Parcels 215-037, 236-094, 236-006, 236-044 and 216-263 - AD250005 - District 4

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

Chairman John declared the Public Hearing open.

Speaking in favor:
Jeff Schaus

Speaking in opposition:
None

Chairman John declared the Public Hearing closed.

Jeff Schaus, Holder Properties, addressed the Board at the request of Commissioner Moore.

There was a motion by Commissioner Moore and a second by Commissioner Levent to approve the Alternate Design for HP CM Property, LLC – AD250005 - Parcels 215-037, 236-094, 236-006, 236-044 and 216-263 with the exhibits as displayed. Motion carried unanimously.

(4) Public Hearing and possible vote regarding the approval of a Sketch Plat for Euphoric Development LLC - Parcel 131-064 - SP250007 - District 5

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

Chairman John declared the Public Hearing open.

Speaking in favor:
Sean Courtney

Speaking in opposition:
None

Chairman John declared the Public Hearing closed.

There was a motion by Commissioner Semanson and a second by Commissioner John to approve the Sketch Plat for Euphoric Development LLC – SP250007 – Parcel 131-064 – as presented. The conditions read as follows:

1. Development shall be substantially in accordance with the site plan on file in the Department.
2. The undisturbed buffer abutting S.R. 400 shall be planted to meet the requirements of the Forsyth County Buffer standards. This buffer shall be planted and measured from the existing permanent easement upon expiration of the temporary easement, prior to the issuance of the Land Disturbance Permit (LDP).
3. The 6 ft. landscape strip abutting tax map/parcel 131-154 shall be planted and measured from the existing permanent easement upon expiration of the temporary easement, prior to the issuance of the Land Disturbance Permit (LDP).
4. Development shall tie onto Forsyth County sewer system by gravity unless otherwise approved by Director of W&S.
5. Gravity sewer outfalls shall follow natural contours to minimize depth.
6. Sewer access must be provided to all upstream and adjacent properties.

7. Any improvements to the water or sewer systems required to meet fire flow or other requirements shall be done at developer's expense.
8. There shall be a 10-foot minimum setback from all Utility Easements to any building, unless otherwise approved by Forsyth County W&S.
9. There shall be no trees planted within the right of way or in utility easements.

Motion carried unanimously.

(5) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA2583 (John Jamont) by Elizabeth Bannerman - Parcel 136-377 - AZ250032 - District 5

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

Chairman John declared the Public Hearing open.

Speaking in favor:
Murray Bannerman
Elizabeth Bannerman

Speaking in opposition:
None

Chairman John declared the Public Hearing closed.

Murray Bannerman addressed the Board at the request of Commissioner Semanson.

There was a motion by Commissioner Semanson and a second by Commissioner Moore to approve the request by Elizabeth Bannerman for an Amendment of Zoning Conditions on ZA2583 (John Jamont) – Parcel 136-377 – AZ250032 – to allow for the reconstruction of the covered patio as presented. Motion carried unanimously.

(6) Public hearing and possible vote regarding amendments to the Unified Development Code related to performance standards, buffers, and landscaping in residential zoning districts

Taylor Stickles, Planner II, Department of Planning and Community Development, addressed the Board and provided a PowerPoint presentation.

Chairman John declared the Public Hearing open.

Speaking in favor:
Kirk Wintersteen

Speaking in opposition:
Ethan Underwood

Chairman John declared the Public Hearing closed.

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

Commissioner Levent displayed a photo.

There was a motion by Commissioner Levent and a second by Commissioner Hill to postpone this Item for thirty (30) days. Motion carried unanimously.

Ken Jarrard, County Attorney, disclosed he had received a Constitutional Reservation letter from Wicker, LLC regarding this Item prior to the start of the Public Hearing.

UNDER PUBLIC COMMENTS THE FOLLOWING PERSONS ADDRESSED THE BOARD:

None

UNDER OLD BUSINESS THE FOLLOWING ACTIONS WERE TAKEN:

None

UNDER NEW BUSINESS THE FOLLOWING ACTIONS WERE TAKEN:

- (1) **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 - This Item was considered following Public Hearing, Item #1. See Page #7 for action taken.**
- (2) **Board consideration and adoption of the 2024 annual update to the Impact Fee Program Capital Improvements Element (CIE) with approval of a Resolution of Adoption**

Laura Calfee, Impact Fee Administrator, Department of Finance, addressed the Board.

There was a motion by Commissioner Semanson and a second by Commissioner Levent to adopt the 2024 annual update to the Impact Fee Program Capital Improvements Element (CIE) with approval of a Resolution of Adoption. Motion carried unanimously.

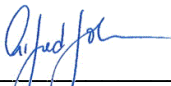
There was a motion by Commissioner Semanson and a second by Commissioner Moore to adjourn the Regular Meeting / Public Hearings at 6:10 p.m. Motion carried unanimously.

Kiersten M. Law



Clerk of Commission

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



Alfred John, Chairman



Kerry Hill, Vice Chairman



Mendy Moore, Secretary



Todd Levent, Member



Todd Levent, Member

Laura Semanson, Member

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