

**FORSYTH COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING / PUBLIC HEARINGS
OCTOBER 16, 2025**

On Thursday, October 16, 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.

**AGENDA
FORSYTH COUNTY BOARD OF COMMISSIONERS
THURSDAY, OCTOBER 16, 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 of October 2, 2025*
 - (2) Work Session and Executive Session of October 7, 2025*
- VII. Consent Agenda*
 - (1) Board acceptance of Right of Way as County-maintained with a speed limit of 25MPH on Cottages Trail, Provenance Trail and all other property and property rights as shown on the Subdivision Plat for Courtyards At Post Road, recorded in Plat Book 218, Pages 106-125, Forsyth County, Georgia Records - District 1 - Director, Department of Engineering*
 - (2) Board acceptance of Right of Way as County-maintained with a speed limit of 25MPH on Tillman Lane, Manning Drive, Coburn Path and all other property and property rights as shown on the Subdivision Plat for Estates at Yellow Creek, recorded in Plat Book 218, Pages 223-245, Forsyth County, Georgia Records - District 1 - Director, Department of Engineering*
 - (3) Board adoption of a Resolution authorizing Affidavit concerning the Executive Session of October 7, 2025 - County Clerk*
 - (4) Approval by the Board of Commissioners, pursuant to Section 3.02.01, to amend something previously approved. On September 4, 2025, the Board of Commissioners approved VA250039 following a public hearing. VA250039 was a request 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. It was the intention of the District Commissioner that approval of VA250039 be accompanied by (i) the following variance condition: Variance approval is limited to the area depicted on the variance exhibit, attached as Exhibit A, and identified as “AREA OF PROPOSED OPEN SPACE DISTURBANCE - TO BE RESTORED WITH PERIMETER BUFFER PLANTINGS AND TRAIL: 73,958 SF = 1.7 AC.”, and (ii) that a site plan, labeled Exhibit A, by Atwell, dated June 30, 2025, accompany the VA250039 approval. The present consent agenda item approval shall incorporate the variance condition and the site plan such that both items become a part of the VA250039 approval. Upon approval of this agenda item, the Forsyth County Clerk is authorized to manually affix an “***” on the September 4, 2025 minutes next to the approval of VA250039, cross referencing to this consent agenda item to alert individuals that these minutes should be consulted for supplements to the VA250039 approval. – County Attorney*

- (5) Board Resolution authorizing the demolition of a structure or structures at Tax Parcel 274-010, otherwise known as Hearthstone Lodge - County Attorney*
- (6) Board Ratification of the following items that were discussed and voted on at the Work Session held on October 7, 2025 (as anticipated by Board Rule 1.07.01):*
 - (A) Board approval to purchase Paratech Rescue Strut system equipment, with the trade-in of various existing strut system equipment in the amount of \$68,271.59 through Team Equipment, Inc. as a sole source provider for the Fire Department – Fire Chief, Fire Department*
 - (B) Board authorization to table and bring back the Item for further discussion regarding State Court Judicial Salary Adjustment - Court Administrator, Office of Court Administration*
 - (C) Board authorization to table and bring back this Item regarding 2026 Solicitor General Salary — Director, Department of Employment Services*
 - (D) Board approval of a Memorandum of Understanding for contractors to provide treatment services, substance screening, and 4th Amendment waiver searches (Groover, Burks, Beck) with authorization for the Chairman to execute all related documents - Director, Accountability Courts*
 - (E) Board approval of Change Order #2 to Contract 1202500006 with Pencor Construction (Pencor, LLC) for the Matt Schoolhouse Renovation in the amount of \$155,456.85 - Director, Department of Public Facilities*
 - (F) Board approval to award Bid 26-07-5211 to Steele & Associates, Inc. for Trail Repairs As-Needed for the Department of Parks and Recreation with approval of the associated General Services Agreement – Director, Department of Parks and Recreation*
 - (G) Board approval to award Quote 26-11-5211 to CMC, Inc. for Gravel Parking Lot Maintenance and Repairs As-Needed for the Department of Parks and Recreation with approval of the associated General Services Agreement – Director, Department of Parks and Recreation*

- (H) *Board approval of Task Order No. 05.C to the Roadway Connectivity/Pedestrian CEI Services Agreement with BCC Engineering, LLC dba Heath & Lineback Engineers, Inc. in the amount of \$103,488.00 for CEI services for the Coal Mountain Connector Project (P18CM) - Transportation Project Manager, Department of Capital Projects*
- (I) *Board approval of Task Order No. 06.C to the Roadway Connectivity/Pedestrian CEI Services Agreement with BCC Engineering, LLC dba Heath & Lineback Engineers, Inc. in the amount of \$154,462.00 for CEI and engineering services for the SR 369 Widening/GA 400 Interchange Project (PEW29) - Transportation Project Manager, Department of Capital Projects*
- (J) *Board approval of Task Order No. 03 to the Project Management Roadway Connectivity and Pedestrian Services As-Needed Agreement with Atlas Technical Consultants, LLC. in the amount of \$336,870.00 for design services for the McGinnis Ferry Phase II Project (PEW07) - Transportation Project Manager, Department of Capital Projects*
- (K) *Board approval of Change Order #001 to Contract 1202500013 with Jericho Design Group, LLC, for the new Sheriff's Office Headquarters renovation design in the amount of \$455,920.00 - Vertical Capital Projects Manager, Department of Capital Projects*
- (L) *Board approval of Change Order #002 to Purchase Order 20212541 with Jericho Design Group, LLC for the Freedom Park Administration building additional design services in the amount of \$237,844.00 - Vertical Capital Projects Manager, Department of Capital Projects*
- (M) *Board approval of Change Order #003 to Purchase Order 20221107 with Jericho Design Group, LLC for the Freedom Park Employee Center additional design services in the amount of \$49,390.00 - Vertical Capital Projects Manager, Department of Capital Projects*
- (N) *Board approval of Change Order #001 to Purchase Order 20251122 with Nova Engineering and Environmental LLC, for water testing of storefront glazing at Freedom Park Campus in the amount of \$135,200.00 - Vertical Capital Projects Manager, Department of Capital Projects*
- (O) *Board approval of Change Order #001 to Contract #23-044-1514 with Carroll Daniel Construction Co. for the Freedom Park Campus project in the amount of \$1,818,646.51 - Vertical Capital Projects Manager, Department of Capital Projects*
- (P) *Board approval of Change Order #001 to Contract 1202400036 with Albion General Contractors, Inc. for the Water & Sewer Maintenance Warehouse project in the amount of \$520,806.17 - Vertical Capital Projects Manager, Department of Capital Projects*
- (Q) *Board approval of IDQ-015 with Sol Construction LLC under the Indefinite Quantity Mechanical Contractor Contract (Contract No. 1202500015) in the amount of \$74,250.06 for Construction Services for the Fowler WRF Septage*

Receiving Containment Improvements Project - Deputy Director, Department of Water and Sewer

- (R) *Board approval of IDQ-030 with R2T, Inc. under the Indefinite Quantity Mechanical Contractor Contract (Contract No. 1202500014) in the amount of \$323,264.76 for Construction Services for the James Creek WRF Chemical Improvements project - Deputy Director, Department of Water and Sewer*
- (S) *Board approval of IDQ-052 with R2T, Inc. under the Indefinite Quantity Mechanical Contractor Contract (Contract No. 1202500014) in the amount of \$89,177.99 for Construction Services for the Shakerag WRF Odor Control Mist Eliminator - Deputy Director, Department of Water and Sewer*
- (T) *Board approval of Task Order 3 with Southeast Pipe Survey, Inc. under the CIPP Lining of Sewer Pipes and Laterals As-Needed Agreement (Contract No. 1202500008) in the amount of \$90,886.43 for rehabilitation of 998 linear feet of sanitary sewer - Deputy Director, Department of Water and Sewer*
- (U) *Board authorization to bring back the City of Cumming annexation of parcel C21-037 (+/- 1.71 acres of land) to the Work Session of October 21, 2025 for further discussion - County Attorney*

VIII. Public Hearings

- (1) *Public Hearing and possible vote regarding an Alternate Design for Pallavi Pesaru - Parcels 099-104 and 076-020 - AD250002 - District 1 - Director, Department of Planning and Community Development*
- (2) *Public Hearing and possible vote regarding the revocation of existing Conditional Use Permit (CUP) CP220023 - Parcel 010-013 - District 1 - Director, Department of Planning and Community Development
(Postponed from the August 15, 2024 and August 21, 2025 Agendas)*
- (3) *Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA1333 (W.E. and Jeanette Burger) by Cliq Consulting LLC - Parcel 106-251 - AZ250031 - District 3 - Director, Department of Planning and Community Development*
- (4) *Public Hearing and possible vote regarding the request 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 - ZA4236 (John R. Wright, Jr.) - District 3 - Director, Department of Planning and Community Development
(Postponed from the September 18, 2025 Agenda for an additional Public Hearing; the first Public Hearing was held before the Planning Commission on August 26, 2025)*
- (5) *Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA1992 (Dogwood Partners, LLC) by Gochin Real Properties, LLC. with a variance to: 1. Increase the maximum building height from 40 ft. to 50 ft. for parcel 109-094 (UDC Table 12.2); 2. Reduce the sides of the building exterior that parking is distributed on from 2 sides to 1 side for parcel 109-094 (UDC 21-8.5(A)) –*

Parcel 109-094 - AZ250030 - District 5 - Director, Department of Planning and Community Development

- (6) *Public Hearing and possible vote regarding the County-Initiated request for an Amendment of Zoning Conditions on CP040065 (Small Dog Rescue & Humane Society, Inc.) by Forsyth County Board of Commissioners - Parcel 044-013 - AZ250033 - District 5 - Director, Department of Planning and Community Development*

IX. Public Comments

X. Old Business

- (1) *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, August 7, 2025 and August 21, 2025 Agendas)*

XI. New Business

- (1) *Pallavi Pesaru - ZA4226 - to rezone from Single Family Residential District (R1) to Commercial Business District (CBD) on 3.46 acres for 23,598 sq. ft. retail/office with 95 parking spaces with a Conditional Use Permit (CUP) for a 3,000 sq. ft. retail package liquor store with 12 parking spaces with the following variance to: 1. Reduce the zoning buffer along the eastern and western property boundaries from 40 ft. to 10 ft. (UDC Table 12.2); 2. Reduce the zoning buffer along the southern property boundary from 40 ft. to 25 ft. as shown on the site plan (UDC Table 12.2); 3. Reduce the zoning setback along the eastern and western property boundaries from 50 ft. to 10 ft. (UDC Table 12.2) - Parcel 099-104, 076-020 - District 1 - Director, Department of Planning and Community Development*
- (2) *Luxe Vacay Stays LLC - CP250029 - to operate a 1,178 sq. ft. short-term rental in an existing building with 3 parking spaces on 1.144 acres zoned Agricultural District (A1) with the following variance to: 1. Reduce the setback abutting Hightower Circle adjacent to the existing structure only from 50 ft. to 40 ft. (UDC Table 15.2) - Parcel 070-099 - District 1 - Director, Department of Planning and Community Development*
- (3) *Tony Brown Custom Homes, LLC - ZA4245 - to rezone from Lake Residential District (LR) and Single Family Residential Restricted District (R2R) to Agricultural District (A1) on 4.262 acres for 4 residential lots with a density of 0.94 units per acre with the following variance to: 1. Reduce the minimum road frontage for lot 3 only from 60 ft. to 37 ft. (UDC 18-2.4(A)); 2. Reduce the minimum lot width for lot 3 only from 60 ft. to 37 ft. (UDC 18-4.5); 3. Reduce the minimum flag staff width for lot 3 only from 60 ft. to 37 ft. (UDC 18-7.1) - Parcel 198-223 - District 2 - Director, Department of Planning and Community Development*
- (4) *Cliq Consulting LLC - CP250021 - to operate an open storage yard with 52 parking spaces on 2.20 acres zoned Restricted Industrial District (M1) with the following variance to: 1. Reduce the landscape strip along the eastern property boundary from 6 ft. to 0 ft. (UDC 14-4.13); 2. Reduce the side and rear landscape strips adjacent to or located within the existing access easement and existing stormwater pond only*

from 6 ft. to 0 ft. as shown on the site plan (UDC 14-4.13) - Parcel 106-251 - District 3 - Director, Department of Planning and Community Development

- (5) *Lake Lanier Storage Partners, LLC - ZA4243 - to rezone from Agricultural District (A1) and Single Family Residential District (R1) to Restricted Industrial District (M1) on 11.28 acres for warehouse and storage in buildings totaling 100,430 sq. ft. with 101 parking spaces with the following variance to: 1. Reduce the zoning setback abutting tax map/parcel 018-048 only from 50 ft. to 15 ft. (UDC Table 14.2); 2. Reduce the zoning buffer abutting tax map/parcel 018-048 only from 40 ft. to 0 ft. (UDC Table 14.2) - Parcels 018-051 and 018-049 - District 3 - Director, Department of Planning and Community Development*
- (6) *Board consideration of the request by Cristie Phillips for a Public Hearing regarding an appeal of the Zoning Board of Appeals' decision on VA250045. All four variances were denied on September 9, 2025 – AV250004 – District 3 – Director, Department of Planning and Community Development*
- (7) *Jeffrey Alan Brown - CP250025 - to operate a 1,494 sq. ft. short-term rental in an existing building with 4 parking spaces with an overall site including existing accessory structures totaling 2,795 sq. ft. on 16.308 acres zoned Agricultural District (A1) - Parcel 164-016, 164-039 - District 4 - Director, Department of Planning and Community Development*
- (8) *Oakley Capital Partners, LLC - ZA4244 - to rezone from Agricultural District (A1) to Restricted Industrial District (M1) on 7.93 acres for a 95,280 sq. ft. warehouse with 117 parking spaces with the following variance to: 1. Reduce the zoning buffer along the southern property boundary adjacent to the existing easements only from 20 ft. to 0 ft. as shown on the site plan (UDC Table 14.2); 2. Reduce the landscape strip along the southern and western property boundaries adjacent to the existing easements only from 6 ft. to 0 ft. as shown on the site plan (UDC 14-4.13) - Parcel 132-059 - District 5 - Director, Department of Planning and Community Development*
- (9) *Board consideration of a resolution of the Forsyth County Board of Commissioners authorizing the redemption of its Refunding General Obligation Bonds, Series 2015, to defease and redeem a portion of the Series 2017 Bonds maturing in 2035 with approval of Escrow Deposit Agreement Forsyth GO 2017 Defeasance and SLG Authorization Letter Forsyth GO 2017 Defeasance as well as the ratification of the conditional call notice - Chief Financial Officer, Department of Finance*

XII. Administrative Hearings

- (1) *Administrative Hearing in reference to violations of Ordinance 127 and the Forsyth County Alcohol Ordinance for Papas Food Mart LLC - Named Licensee is Kiran Komallapalli - AL04594 - District 3 - Director, Department of Building and Licensing*
- (2) *Administrative Hearing in reference to violations of Ordinance 127 and the Forsyth County Alcohol Ordinance for Hyzin LLC - Named Licensee is Hussain Samnani - AL2505367 - District 4 - Director, Department of Building and Licensing*
- (3) *Administrative Hearing in reference to violations of the Forsyth County Alcohol Ordinance for Peachpie Investments LLC dba Your Pie Pizza - Named Licensee is Naga Puneet Chandu - AL03446 - District 5 - Director, Department of Building and Licensing*

XIII. Recess Regular Meeting

XIV. Executive Session (if needed)

XV. Adjournment

Chairman John called the meeting to order at 5:00 p.m. with all Board members present.

The Invocation and Pledge of Allegiance were led by Kate Hoffman, Executive Assistant, Department of Administration.

ADOPTION OF AGENDA

There was a motion by Commissioner Levent and a second by Commissioner Semanson to postpone Old Business, Item # 1 (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) to the Regular Meeting / Public Hearings of December 18, 2025. Motion carried unanimously.

There was a motion by Commissioner Levent and a second by Commissioner Hill to move New Business, Item #4 (Cliq Consulting LLC - CP250021 - to operate an open storage yard with 52 parking spaces on 2.20 acres zoned Restricted Industrial District (M1) with the following variance to:

1. Reduce the landscape strip along the eastern property boundary from 6 ft. to 0 ft. (UDC 14-4.13);
2. Reduce the side and rear landscape strips adjacent to or located within the existing access easement and existing stormwater pond only from 6 ft. to 0 ft. as shown on the site plan (UDC 14-4.13) - Parcel 106-251 - District 3) to follow Public Hearing, Item #3. Motion carried unanimously.

There was a motion by Commissioner Hill and a second by Commissioner Semanson to consolidate New Business, Item #1 (Pallavi Pesaru - ZA4226 - to rezone from Single Family Residential District (R1) to Commercial Business District (CBD) on 3.46 acres for 23,598 sq. ft. retail/office with 95 parking spaces with a Conditional Use Permit (CUP) for a 3,000 sq. ft. retail package liquor store with 12 parking spaces with the following variance to: 1. Reduce the zoning buffer along the eastern and western property boundaries from 40 ft. to 10 ft. (UDC Table 12.2); 2. Reduce the zoning buffer along the southern property boundary from 40 ft. to 25 ft. as shown on the site plan (UDC Table 12.2); 3. Reduce the zoning setback along the eastern and western property boundaries from 50 ft. to 10 ft. (UDC Table 12.2) - Parcel 099-104, 076-020 - District 1) into Public Hearing, Item #1. Motion carried unanimously.

There was a motion by Commissioner Semanson and a second by Commissioner Levent to postpone Public Hearing, Item #5 (Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA1992 (Dogwood Partners, LLC) by Gochin Real Properties, LLC. with a variance to: 1. Increase the maximum building height from 40 ft. to 50 ft. for parcel 109-094 (UDC Table 12.2); 2. Reduce the sides of the building exterior that parking is distributed on from 2 sides to 1 side for parcel 109-094 (UDC 21-8.5(A)) - Parcel 109-094 - AZ250030 - District 5) to the Regular Meeting / Public Hearings of November 20, 2025. Motion carried unanimously.

There was motion by Commissioner Levent and a second by Commissioner Semanson to add New Business, Item #10 (Board consideration and approval of a Right of Entry, Indemnification and Maintenance Agreement between Forsyth County and the South Forsyth County Community Improvement District) at the request of the County Attorney. Motion carried unanimously.

There was a motion by Commissioner Semanson and a second by Commissioner Hill to adopt the Agenda as amended. Motion carried unanimously.

UNDER ANNOUNCEMENTS AND REPORTS THE FOLLOWING ACTIONS WERE TAKEN:

None

UNDER PUBLIC COMMENTS THE FOLLOWING PERSONS ADDRESSED THE BOARD:

Glenn Powell
Pieter Friedrich

UNDER ADOPTION OF MINUTES THE FOLLOWING ACTIONS WERE TAKEN:

(1) Regular Meeting / Public Hearings of October 2, 2025

There was a motion by Commissioner Semanson and a second by Commissioner Moore to adopt the Minutes of the Regular Meeting / Public Hearings of October 2, 2025. Motion carried unanimously.

(2) Work Session and Executive Session of October 7, 2025

There was a motion by Commissioner Semanson and a second by Commissioner Hill to adopt the Minutes of the Work Session and Executive Session of October 7, 2025. Motion carried unanimously.

UNDER CONSENT AGENDA THE FOLLOWING ACTIONS WERE TAKEN:

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

- (1) Board acceptance of Right of Way as County-maintained with a speed limit of 25MPH on Cottages Trail, Provenance Trail and all other property and property rights as shown on the Subdivision Plat for Courtyards At Post Road, recorded in Plat Book 218, Pages 106-125, Forsyth County, Georgia Records - District 1 - Director, Department of Engineering
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undisturbed area of separation from 50 ft. to 0 ft. (UDC 18-12.1(A)(1)) – Parcel 002-008. It was the intention of the District Commissioner that approval of VA250039 be accompanied by (i) the following variance condition: Variance approval is limited to the area depicted on the variance exhibit, attached as Exhibit A, and identified as “AREA OF PROPOSED OPEN SPACE DISTURBANCE - TO BE RESTORED WITH PERIMETER BUFFER PLANTINGS AND TRAIL: 73,958 SF = 1.7 AC.”, and (ii) that a site plan, labeled Exhibit A, by Atwell, dated June 30, 2025, accompany the VA250039 approval. The present consent agenda item approval shall incorporate the variance condition and the site plan such that both items become a part of the VA250039 approval. Upon approval of this agenda item, the Forsyth County Clerk is authorized to manually affix an “**” on the September 4, 2025 minutes next to the approval of VA250039, cross referencing to this consent agenda item to alert individuals that these minutes should be consulted for supplements to the VA250039 approval. – County Attorney

- (5) Board Resolution authorizing the demolition of a structure or structures at Tax Parcel 274-010, otherwise known as Hearthstone Lodge - County Attorney
- (6) Board Ratification of the following items that were discussed and voted on at the Work Session held on October 7, 2025 (as anticipated by Board Rule 1.07.01):
 - (A) Board approval to purchase Paratech Rescue Strut system equipment, with the trade-in of various existing strut system equipment in the amount of \$68,271.59 through Team Equipment, Inc. as a sole source provider for the Fire Department – Fire Chief, Fire Department
 - (B) Board authorization to table and bring back the Item for further discussion regarding State Court Judicial Salary Adjustment - Court Administrator, Office of Court Administration
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- (K) Board approval of Change Order #001 to Contract 1202500013 with Jericho Design Group, LLC, for the new Sheriff's Office Headquarters renovation design in the amount of \$455,920.00 - Vertical Capital Projects Manager, Department of Capital Projects
- (L) Board approval of Change Order #002 to Purchase Order 20212541 with Jericho Design Group, LLC for the Freedom Park Administration building additional design services in the amount of \$237,844.00 - Vertical Capital Projects Manager, Department of Capital Projects
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- (T) Board approval of Task Order 3 with Southeast Pipe Survey, Inc. under the CIPP Lining of Sewer Pipes and Laterals As-Needed Agreement (Contract No. 1202500008) in the amount of \$90,886.43 for rehabilitation of 998 linear feet of sanitary sewer - Deputy Director, Department of Water and Sewer
- (U) Board authorization to bring back the City of Cumming annexation of parcel C21-037 (+/- 1.71 acres of land) to the Work Session of October 21, 2025 for further discussion - County Attorney

Motion carried unanimously.

At this time, the Board considered Public Hearing, Item #1 and New Business, Item #1 which were consolidated during the adoption of the Agenda.

UNDER PUBLIC HEARINGS THE FOLLOWING ACTIONS WERE TAKEN:

- (1) Public Hearing and possible vote regarding an Alternate Design for Pallavi Pesaru - Parcels 099-104 and 076-020 - AD250002 - District 1 and New Business, Item #1 Pallavi Pesaru - ZA4226 - to rezone from Single Family Residential District (R1) to Commercial Business District (CBD) on 3.46 acres for 23,598 sq. ft. retail/office with 95 parking spaces with a Conditional Use Permit (CUP) for a 3,000 sq. ft. retail package liquor store with 12 parking spaces with the following variance to: 1. Reduce the zoning buffer along the eastern and western property boundaries from 40 ft. to 10 ft. (UDC Table 12.2); 2. Reduce the zoning buffer along the southern property boundary from 40 ft. to 25 ft. as shown on the site plan (UDC Table 12.2); 3. Reduce the zoning setback along the eastern and western property boundaries from 50 ft. to 10 ft. (UDC Table 12.2) - Parcel 099-104, 076-020 - District 1 – Items were consolidated during the adoption of the Agenda**

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

Chairman John declared the Public Hearing open.

Speaking in favor:
Christopher Light

Speaking in opposition:
None

Chairman John declared the Public Hearing closed.

Christopher Light, Attorney, addressed the Board at the request of Vice Chairman Hill.

There was a motion by Commissioner Hill and a second by Commissioner John to approve the request for an Alternate Design by Pallavi Pesaru - AD250002 – Parcels 099-104 and 076-020. Motion carried unanimously.

There was a motion by Commissioner Hill and a second by Commissioner Semanson to approve the request by Pallavi Pesaru – ZA4226 - to rezone from Single Family Residential District (R1) to Commercial Business District (CBD) on 3.46 acres for retail/office with 95 parking spaces without the Conditional Use Permit (CUP) - Parcel 099-104 & 076-020 - with the exhibits, variances and conditions as displayed. The variances and conditions read as follows:

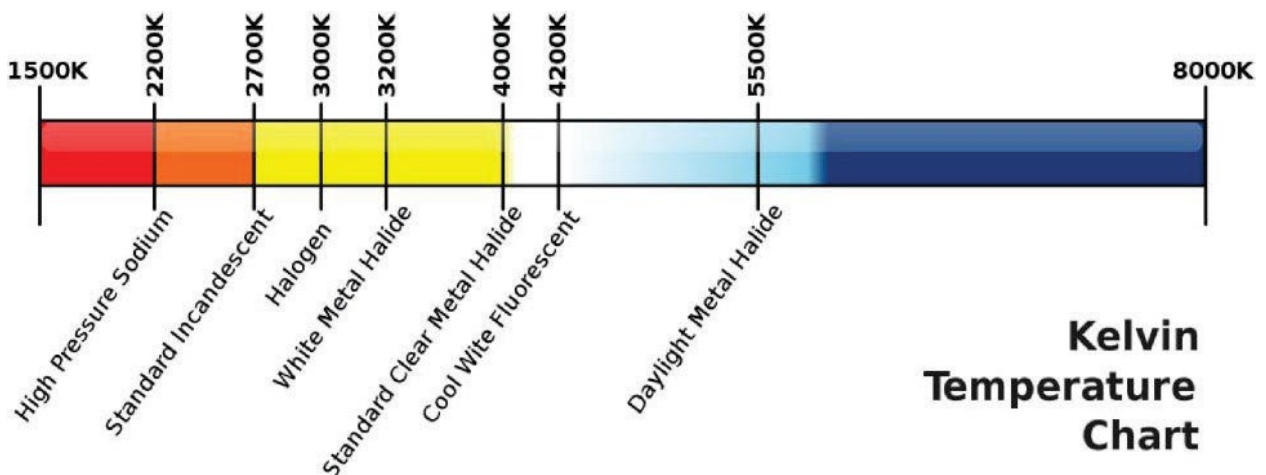
Variances:

1. Reduce the zoning buffer along the eastern and western property boundaries from 40 ft. to 10 ft. (UDC Table 12.2)
2. Reduce the zoning buffer along the southern property boundary from 40 ft. to 25 ft. as shown on the site plan (UDC Table 12.2)
3. Reduce the zoning setback along the eastern and western property boundaries from 50 ft. to 10 ft. (UDC Table 12.2)

Conditions:

1. Owner/Developer shall obtain approval directly from GDOT for any temporary or permanent entrance design that is planned on Canton Highway (State Route 20).
2. Development shall be substantially in accordance with the site plan attached as Exhibit "A", having 28,239 total building square footage.
3. Architectural elevations shall be substantially similar in materials and theme as the Taco Bell elevations and renderings shown in the attached Exhibit "B".
4. Approval of the landscape plan and elevations by the District Commissioner shall be required prior to submittal of any application for a Land Disturbance Permit (LDP).
5. There shall be a Property Owners' Association (POA) that shall be responsible for landscaping signage, security cameras, open space, common areas, buffer areas, fences and stormwater management areas. Membership in the POA shall be mandatory for each building or unit owner.
6. The POA shall maintain a point of contact with the Forsyth County Department of Planning & Development.
7. Lawns, buffers, and landscaped areas shall be continuously maintained, and deceased vegetation shall be replaced.
8. Burglar bars, fiberglass awnings, and steel roll-down curtains are prohibited.

9. Roof mounted equipment and other accessories shall be screened from view from 8' above grade viewpoint of State Route 20 adjacent to the site for the side facing State Route 20 and screened on the remaining sides from 8' above grade viewpoint from the highest point on the interior of the site.
10. Stormwater management facilities, such as detention and retention ponds, shall be screened from view from adjacent properties and shall include a diversity of plant material based on species recommendations referenced in the Georgia Stormwater Management Manual. The planting selection shall achieve adequate screening and shall promote natural mosquito control through providing appropriate habitat for various insects that feed on mosquitos throughout the mosquito life cycle.
11. All businesses on the property shall be closed between the hours of 11:00 p.m. and 5:00 a.m.
12. All exterior lights shall be turned off between the hours of 12:00 a.m. and 5:00 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.
13. Uplighting is prohibited.
14. All exterior lighting fixtures, excluding canopy luminaries, shall be full-cutoff or fully shielded.
15. All exterior lighting shall emit a low color temperature 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.



16. The POA shall be responsible for ensuring that a video surveillance system is 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 the darkness, commonly referred to as "night vision" video. 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 are not recorded, in order to avoid any invasion of neighbor's privacy.

17. Along the eastern and western boundary, and the southeastern portion along the septic area of the property there shall be a minimum of two staggered rows of evergreen trees and shrubs spaced in accordance with Forsyth County buffer standards, as indicated on the site plan. The interior row shall be a fast-growing species such as cryptomeria or green giant arborvitae. The exterior row along the property line shall be more decorative species such as southern magnolia and/or holly.
18. An additional row of overstory evergreen trees, that are full dense to the ground, shall be planted within the 75' impervious stream setback in the southwestern portion of the property. Species to be a decorative flowering type, such as southern magnolia or similar.

Motion carried unanimously.

(2) Public Hearing and possible vote regarding the revocation of existing Conditional Use Permit (CUP) CP220023 - Parcel 010-013 - 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.

Jake Hill, Director, Department of Building and Licensing, addressed the Board at the request of Vice Chairman Hill.

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 Levent not to revoke the existing Conditional Use Permit (CUP), but to alter the Conditional Use Permit (CUP) – CP220023 – Parcel 010-013 - with the new site plan and conditions as displayed. The conditions read as follows:

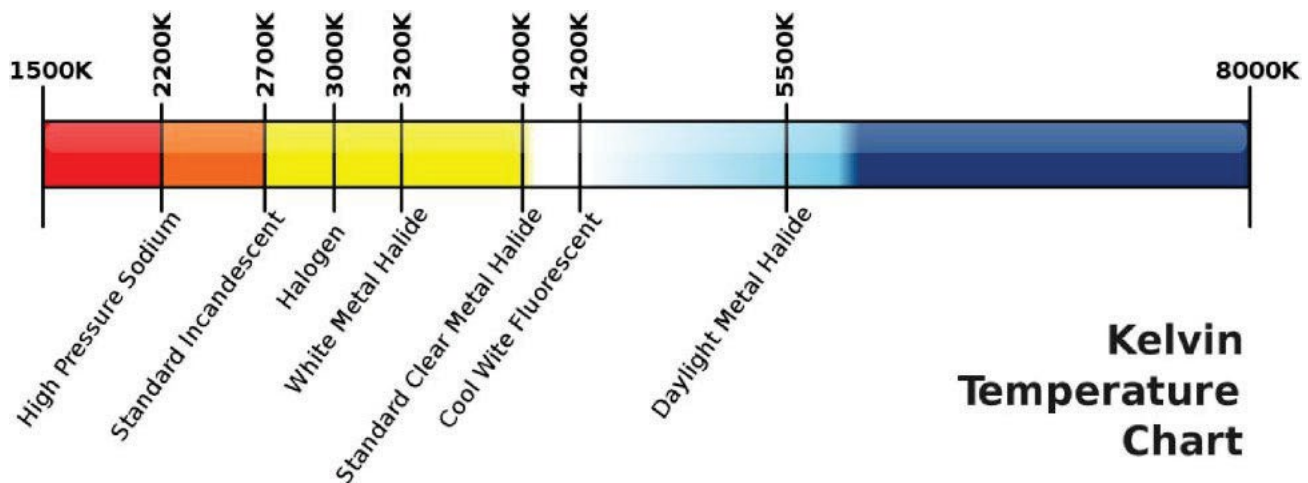
1. Development shall be substantially in accordance with the site plan, attached as Exhibit A.
2. Any improvements to the water or sewer systems required to meet fire flow or other requirements shall be done at developer's expense.
3. Sewer access must be provided to all upstream properties.

4. There shall be a ten (10) foot minimum setback from all utility easements to any building, unless otherwise approved by the Forsyth County Water and Sewer Department.
5. There shall be no trees planted within the right-of-way or in utility easements unless otherwise approved by the Forsyth County Water and Sewer Department.
6. There shall be no structure within one hundred (100) feet of the County Line Road boundary.
7. Developer shall maintain a twenty-five (25) foot exterior buffer, planted in accordance with Forsyth County Buffer Standards. Any fencing shall be interior to the buffer:
 - (a) All disturbed buffers must be comprised of one extra row of plantings in addition to the minimum requirements as indicated in the Forsyth County Buffer Standards prior to final site approval.
 - (b) The remaining ground area shall be sodded, seeded or hydroseeded with grass and/or planted with groundcover species.
8. Certification by a registered landscape architect verifying that landscaping meets the landscaping conditions of this Conditional Use Permit must be provided at the time of the landscape plan submittal. In addition, the contractor responsible for landscape installation must certify that all plant material has been installed per the approved plans. These certifications must be submitted prior to the approval of the as-built and/or final plat. The Property Owner shall be responsible for maintenance of required landscaping. All dead or damaged plant material within landscaped areas must be replaced with a similar species within one month. If weather conditions are not appropriate for replanting, the property owner may postpone replacement for up to six (6) months.
9. Only boats on trailers, personal watercraft on trailers, recreational vehicles (RVs) and campers, which are authorized tenants of the storage business, are permitted to be stored on the property and each shall be stored only in their assigned slip. Storage of anything other than boats on trailers, personal watercraft on trailers, recreational vehicles (RVs) and campers is prohibited. This prohibition includes, but is not limited to, junk, junk vehicles, construction equipment, shipping equipment, tractor trailers, tanker trucks, shipping containers, earth moving equipment and dumpsters (excluding the dumpster allowed for garbage service serving otherwise allowed uses).
10. Only storage is permitted. Washing, repairing, fueling, draining of fluids, refilling of fluids, servicing or any similar activity is prohibited on the premises.
11. No sewage discharge or disposal is permitted on the premises. Anything stored on premises that contains a wastewater tank must have the contents of the tank emptied prior to entering the premises. Wastewater, even within a tank designed for holding such, shall not be permitted on, nor stored on, the premises.
12. All persons using the storage facility shall receive written notice of the rules of the property which shall include, but not be limited to, applicable Conditional Use Permit conditions, rules prohibiting loitering on, living on or camping on the property. All

persons using the storage facility shall sign a written copy of said rules of the property and the owner/operator shall retain the signed written copy for not less than three (3) months after use of the storage facility by said person has ceased.

13. Owner/Operator shall maintain a dumpster for use by customers to deposit solid waste from authorized items stored on premises. Said dumpster shall be no larger than six (6) feet by seven (7) feet. Said dumpster shall be located where it is not visible from any adjacent property or right- of-way. Said dumpster shall be emptied weekly to avoid unpleasant odors and/or attracting insects and/or vermin.
14. The Open Storage area shall be fenced with a minimum six (6) foot high fence. Vegetation, including plantings at time of maturity, shall screen said fence from any and all viewpoints outside the site. Chain-link fencing is prohibited unless it is green or black and fully screened from view.
15. Developer shall design and construct the entrance/exit so that, in conjunction with any deceleration lane that may be installed, a vehicle authorized for storage on premises or a vehicle towing items authorized for storage on premises has sufficient space to safely park and turn around outside of the gate without touching the travel lanes of Howard Road.
16. Any entrance/exit shall be gated with a decorative gate having a height of no less than six (6) feet. Access through the gate shall be electronically controlled to only permit access by authorized customers and only during business hours.
17. Business hours shall be from 6:00 a.m. to 11:00 p.m. Customer gate access and any other customer access to the site during closed hours (11:00 p.m. to 6:00 a.m.) shall be prohibited. No customers or employees shall be on the premises during closed hours.
18. Signage displaying the hours of operation shall be posted in a visible area located near the entrance(s) of the storage facility.
19. If not otherwise prohibited by Forsyth County, owner developer may construct one (1) monument sign per the following:
 - (a) The structure shall be brick or stone.
 - (b) The sign face shall not be of the singular plastic insert or panel sheet variety. Channel letters are strongly encouraged.
 - (c) If internally illuminated, lettering shall be individually formed and lighted.
20. All lighting shall be individually motion activated and programmed to shut off not more than fifteen (15) minutes after last motion is detected.
21. Freestanding pole lights, if any, shall not exceed eighteen (18) feet in height and shall have a black metal finish.
22. Uplighting is prohibited, except for externally illuminated monument signage upon approval by District Commissioner.

23. All other fixtures shall be full-cutoff or fully shielded.
24. All lighting shall emit a low color temperature 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.



25. 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. 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, Forsyth County 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 are not recorded in order to avoid any invasion of neighbor's privacy.
26. The color of all structures, including roofing, shall be muted, subdued and earth tone.
27. Burglar bars, fiberglass awnings, exterior roof access ladders and steel roll down curtains are prohibited.
28. Except for facilities and structures constructed by GDOT or other governmental agencies, stormwater management facilities and structures shall be vegetatively screened from viewpoints outside the site.
29. All building endcaps for covered storage shall be faced with brick. Any buildings, other than covered storage, built on site shall have a brick or stone water table.
30. Storage buildings may be no larger than eight hundred (800) square feet, excluding restrooms.

31. Restrooms may not be located within one hundred (100) feet of the southern or eastern boundary lines of the subject property.

Motion carried unanimously.

(3) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA1333 (W.E. and Jeanette Burger) by Cliq Consulting LLC - Parcel 106-251 - AZ250031 - District 3

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 a motion by Commissioner Levent and a second by Commissioner Semanson to postpone the request for an Amendment of Zoning Conditions on ZA1333 (W.E. and Jeanette Burger) by Cliq Consulting LLC - Parcel 106-251 - AZ250031 – to the Regular Meeting / Public Hearings of November 6, 2025 at which time this Item will be placed under New Business for decision only. Motion carried unanimously.

At this time, the Board considered New Business, Item #4.

UNDER NEW BUSINESS THE FOLLOWING ACTION WAS TAKEN:

- (4) Cliq Consulting LLC - CP250021 - to operate an open storage yard with 52 parking spaces on 2.20 acres zoned Restricted Industrial District (M1) with the following variance to: 1. Reduce the landscape strip along the eastern property boundary from 6 ft. to 0 ft. (UDC 14-4.13); 2. Reduce the side and rear landscape strips adjacent to or located within the existing access easement and existing stormwater pond only from 6 ft. to 0 ft. as shown on the site plan (UDC 14-4.13) - Parcel 106-251 - District 3**

There was a motion by Commissioner Levent and a second by Commissioner Hill to postpone the request by Cliq Consulting LLC – CP250021 – to the Regular Meeting / Public Hearings of November 6, 2025 at which time this Item will be placed under New Business to follow AZ250031. Motion carried unanimously.

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

- (4) Public Hearing and possible vote regarding the request 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 - ZA4236 (John R. Wright, Jr.) - District 3

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

Chairman John declared the Public Hearing open.

Speaking in favor:
JR Wright

Speaking in opposition:
Kirk Wintersteen
David Scheppmann
Preston Mitchell

Chairman John declared the Public Hearing closed.

JR Wright, Strategic Real Estate Partners, addressed the Board at the request of Commissioner Levent.

Pam Tutton, Engineer, addressed the Board at the request of Commissioner Levent.

John Wise, Paul Mitchell Wise, addressed the Board at the request of Commissioner Levent.

There was a motion by Commissioner Levent and a second by Commissioner Semanson to postpone the request by John R. Wright, Jr. – ZA4236 – Parcels 019-054 and 019-052 to the Regular Meeting / Public Hearings of November 20, 2025. Motion carried unanimously.

- (5) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA1992 (Dogwood Partners, LLC) by Gochin Real Properties, LLC. with a variance to: 1. Increase the maximum building height from 40 ft. to 50 ft. for parcel 109-094 (UDC Table 12.2); 2. Reduce the sides of the building exterior that parking is distributed on from 2 sides to 1 side for parcel 109-094 (UDC 21-8.5(A)) - Parcel 109-094 - AZ250030 - District 5 - This Item was postponed [during adoption of the Agenda] to the Regular Meeting / Public Hearings of November 20, 2025**
- (6) Public Hearing and possible vote regarding the County-Initiated request for an Amendment of Zoning Conditions on CP040065 (Small Dog Rescue & Humane Society, Inc.) by Forsyth County Board of Commissioners - Parcel 044-013 - AZ250033 - District 5**

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

Vice Chairman Hill left at 6:07 p.m.

Chairman John declared the Public Hearing open.

Speaking in favor:
Derek Griffin

Vice Chairman Hill returned at 6:09 p.m.

Speaking in opposition:
None

Chairman John declared the Public Hearing closed.

There was a motion by Commissioner Semanson and a second by Commissioner Hill to approve the County-Initiated request for an Amendment of Zoning Conditions on CP040065 (Small Dog Rescue & Humane Society, Inc.) by the Forsyth County Board of Commissioners - Parcel 044-013 - AZ250033 - as discussed. Motion carried unanimously.

UNDER PUBLIC COMMENTS THE FOLLOWING PERSONS ADDRESSED THE BOARD:

Trianna McIntosh

There was a motion by Commissioner John and a second by Commissioner Semanson to allow one (1) additional minute of speaking time for Ms. McIntosh. Motion carried unanimously.

Sean Courtney

UNDER OLD BUSINESS THE FOLLOWING ACTION WAS TAKEN:

- (1) **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 – This Item was postponed [during adoption of the Agenda] to the Regular Meeting / Public Hearings of December 18, 2025**

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

- (1) **Pallavi Pesaru - ZA4226 - to rezone from Single Family Residential District (R1) to Commercial Business District (CBD) on 3.46 acres for 23,598 sq. ft. retail/office with 95 parking spaces with a Conditional Use Permit (CUP) for a 3,000 sq. ft. retail package liquor store with 12 parking spaces with the following variance to: 1. Reduce the zoning buffer along the eastern and western property boundaries from 40 ft. to 10 ft. (UDC Table 12.2); 2. Reduce the zoning buffer along the southern property boundary from 40 ft. to 25 ft. as shown on the site plan (UDC Table 12.2); 3. Reduce the zoning setback along the eastern and western property boundaries from 50 ft. to 10 ft. (UDC Table 12.2) - Parcel 099-104, 076-020 - District 1 – This item was consolidated [during adoption of the Agenda] with Public Hearing, Item #1 - See Page #11 for action taken**
- (2) **Luxe Vacay Stays LLC - CP250029 - to operate a 1,178 sq. ft. short-term rental in an existing building with 3 parking spaces on 1.144 acres zoned Agricultural District (A1) with the following variance to: 1. Reduce the setback abutting Hightower Circle adjacent to the existing structure only from 50 ft. to 40 ft. (UDC Table 15.2) - Parcel 070-099 - District 1**

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

Ken Jarrard, County 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 deny the request by Luxe Vacay Stays LLC – CP250029 – Parcel 070-099. Motion carried unanimously.

- (3) **Tony Brown Custom Homes, LLC - ZA4245 - to rezone from Lake Residential District (LR) and Single Family Residential Restricted District (R2R) to Agricultural District (A1) on 4.262 acres for 4 residential lots with a density of 0.94 units per acre with the following variance to: 1. Reduce the minimum road frontage for lot 3 only from 60 ft. to 37 ft. (UDC 18-2.4(A)); 2. Reduce the minimum lot width for lot 3 only from 60 ft. to 37 ft. (UDC 18-4.5); 3. Reduce the minimum flag staff width for lot 3 only from 60 ft. to 37 ft. (UDC 18-7.1) - Parcel 198-223 - District 2**

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

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

There was a motion by Commissioner John and a second by Commissioner Moore to approve the request by Tony Brown Custom Homes, LLC – ZA4245 - to rezone from Lake Residential District (LR) and Single Family Residential Restricted District (R2R) to Agricultural District (A1) on 4.262 acres for 4 residential lots with a density of 0.94 units per acre - Parcel 198-223 – with the site plan, variances and conditions as displayed. The variances and conditions read as follows:

Variances:

1. Reduce the minimum road frontage for Lot 3 only from 60 ft. to 37 ft. (UDC 18-2.4(A)).
2. Reduce the minimum lot width for Lot 3 only from 60 ft. to 37 ft. (UDC 18-4.5).
3. Reduce the minimum flag staff width for Lot 3 only from 60 ft. to 37 ft. (UDC 18-7.1).

Conditions:

1. Development shall be substantially in accordance with the site plan on file in the Department.
2. The property shall be limited to four (4) single-family detached dwellings.
3. The following uses are prohibited:
 - (a) Short-Term Rentals (STRs).
 - (b) Commercial poultry houses.
 - (c) All livestock, hogs, backyard chickens, and farm animals.
 - (d) Agritourism facilities, special events, and special event facilities.
 - (e) Bed & breakfast inns, boarding homes, and campgrounds.
 - (f) Manufactured/mobile homes.
4. Prior to issuance of a final plat, the developer must record covenants requiring that each homeowner shall:
 - (a) Prohibit short-term rentals.

- (b) Prohibit livestock, poultry, hogs, or farm animals.
 - (c) Require homeowners to maintain their lot's driveways and mow grass along adjoining public rights-of-way.
 - (d) Long-term rentals shall be limited to no more than 1 home at any one time.
- 5. Minimum house sizes:
 - (a) Single-story homes: 2,200 heated sq. ft. (excluding porches, garages, unfinished basements, upstairs bonus rooms).
 - (b) Two-story homes: 3,000 heated sq. ft. (excluding porches, garages, unfinished basements).
- 6. Garages:
 - (a) Except on Lot 3, each home must have a three-car garage capacity.
 - (b) At least two garage bays must be side-entry; the third may face the street if designed decoratively.
 - (c) Garage doors shall include carriage-style or decorative fixtures.
- 7. Roofing & Materials:
 - (a) Roofing shall be cedar shake, architectural/dimensional asphalt shingles (25-year minimum warranty), or appropriate metal.
 - (b) All homes shall have gutters (except on dormers/bay windows).
 - (c) All front-facing gables visible from public rights-of-way shall have a minimum 9/12 pitch (except porches/dormers/bay windows).
- 8. Entries: All homes shall include a covered porch or stoop at the main entrance.
- 9. Erosion and sedimentation controls shall be in place before land disturbance and maintained through construction. Developer shall utilize best management practices (BMPs) for erosion control, which shall include tree-save fencing, silt fencing, and oversized temporary erosion ponds as required by Forsyth County Engineering Department.
- 10. Lots with slopes greater than 2:1 shall be stabilized using sod and/or permanent plantings or as otherwise required by Forsyth County Department of Engineering.
- 11. Final landscape plan shall incorporate native species and tree preservation.
- 12. Construction Activity & Hours:

- (a) Outside construction hours are limited to 7:00 a.m.–7:00 p.m. (Monday–Friday) and 9:00 a.m.–4:00 p.m. (Saturday). No work on Sundays or County holidays.
 - (b) Truck routes: Trucks and equipment must use Buford Dam Road and Timber Lake Trail unless otherwise approved.
 - (c) On-site parking: Worker vehicles must park on-site only.
 - (d) Road maintenance: Developer must keep Timber Lake Trail clean and safe; dirt/debris must be promptly removed.
 - (e) Safety: Stabilized construction exits required.
 - (f) Noise: Construction must comply with the Noise Ordinance. Stationary high-decibel equipment shall be placed as far from nearby homes as practical.
 - (g) Lighting: Temporary construction lighting must be directed away from nearby homes and turned off outside approved hours, except minimal security lighting.
13. All developer-installed lighting, including streetlights if any, shall have a Kelvin temperature of 3,000K or less (warm white).
14. Developer shall install a row of hollies along the common boundary with the rear property line of tax map/parcel 198-203 and the north property line of tax map/parcel 198-673.
15. Final architectural plans to be reviewed and approved by the District Commissioner.

Motion carried unanimously.

- (4) **Cliq Consulting LLC - CP250021 - to operate an open storage yard with 52 parking spaces on 2.20 acres zoned Restricted Industrial District (M1) with the following variance to: 1. Reduce the landscape strip along the eastern property boundary from 6 ft. to 0 ft. (UDC 14-4.13); 2. Reduce the side and rear landscape strips adjacent to or located within the existing access easement and existing stormwater pond only from 6 ft. to 0 ft. as shown on the site plan (UDC 14-4.13) - Parcel 106-251 - District 3 – This Item was moved [during adoption of the Agenda] to follow Public Hearing, Item #3 - See Page #18 for action taken**
- (5) **Lake Lanier Storage Partners, LLC - ZA4243 - to rezone from Agricultural District (A1) and Single Family Residential District (R1) to Restricted Industrial District (M1) on 11.28 acres for warehouse and storage in buildings totaling 100,430 sq. ft. with 101 parking spaces with the following variance to: 1. Reduce the zoning setback abutting tax map/parcel 018-048 only from 50 ft. to 15 ft. (UDC Table 14.2); 2. Reduce the zoning buffer abutting tax map/parcel 018-048 only from 40 ft. to 0 ft. (UDC Table 14.2) - Parcels 018-051 and 018-049 - District 3**

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

Sean Courtney, Attorney, addressed the Board at the request of Commissioner Levent.

There was a motion by Commissioner Levent and a second by Commissioner John to approve the request by Lake Lanier Storage Partners, LLC – ZA4243 – to rezone from Agricultural District (A1) and Single Family Residential District (R1) to Restricted Industrial District (M1) on 11.28 acres for warehouse and storage in buildings totaling 100,430 sq. ft. with 101 parking spaces with the new site plan, variances and conditions as displayed. The variances and conditions read as follows:

Variances:

1. Reduce the zoning setback abutting tax map/parcel 018-048 only from 50 ft. to 20 ft. (UDC Table 14.2).
2. Reduce the zoning buffer abutting tax map/parcel 018-048 only from 40 ft. to 20 ft. (UDC Table 14.2).

Conditions:

1. Development shall be substantially in accordance with the site plan attached as Exhibit "B".
2. Architectural elevations visible from Atlanta Highway shall be substantially similar to the elevation and rendering shown in the attached Exhibit "A".
3. There shall be a 30 ft. buffer along the southern property line in the area as shown on Exhibit "B".
4. The uses shall be limited to individually or corporate owned warehouse and storage buildings.
5. Owner/Developer shall obtain a GDOT encroachment permit to tie to Atlanta Highway (aka S.R. 9).
6. Development shall tie onto Forsyth County sewer system by gravity unless otherwise approved by the Director of Water and Sewer.
7. Gravity sewer outfalls shall follow natural contours to minimize depth.
8. Sewer access must be provided to all upstream properties.
9. Any improvements to the water or sewer systems required to meet fire flow or other requirements shall be done at developer's expense.
10. There shall be a 10-foot minimum setback from all Utility Easements to any building, unless otherwise approved by Forsyth County W&S.
11. There shall be no trees planted within the right of way or in utility easements.
12. Development shall be managed by a Property Owners Association ("POA"), with covenants enforceable by the POA that will ensure the quality, cleanliness and appearance of the development as to landscaping, common areas, open space, trash collection and building maintenance. In addition, the development shall be subject to the Article 14 Use Restrictions attached hereto as Exhibit "C".

13. District Commissioner shall have final approval of the elevations.
14. Any doors or windows located on the front elevations shall be insulated storefront glass with two-inch (2") metal frames, frontage facing Route 9 shall not have garage doors.
15. Metal siding shall only be allowed on the side or rear elevations.
16. Buildings located on the subject property shall be one-story. This does not prohibit buildings from having mezzanine levels.
17. The maximum square footage of any individual tenant or ownership suite shall be limited to 5,000 square feet.
18. The following uses shall not be permitted on the subject property:
 - (a) Adult entertainment and adult materials establishments.
 - (b) Automobile services establishment, major.
 - (c) Automobile service establishments, major and minor (except for low intensity uses including but not limited to detailing and window tinting).
 - (d) Escort Services.
 - (e) Palm reading and fortune telling.
 - (f) Crematories.
 - (g) Open storage yards.
 - (h) Recycling and recovery facilities.
 - (i) Solid waste transfer stations.
 - (j) Tire retreading and recapping facilities.
 - (k) Convenience stores, with or without gasoline pumps.
 - (l) Gas stations.
 - (m) Bars, Lounges, or nightclubs provided this shall not preclude a restaurant from having a bar.
 - (n) Theaters.
 - (o) Dry cleaning plants.
 - (p) Fuel oil distributors.
 - (q) Fuel uses associated with production, management and harvesting of timber.
 - (r) Lumber yards, planing and sawmills.
 - (s) Open air business and open storage yards.
 - (t) Service stations.
 - (u) Truck terminals.
 - (v) Junk yards, wrecked motor vehicle compounds, and wrecker services.
 - (w) Salvage yards.
 - (x) Massage parlors.
 - (y) Electronic message board signs.
 - (z) The manufacturing, distributing, licensing, and/or selling of drug paraphernalia on the subject property is prohibited. For purposes of this condition, drug paraphernalia shall mean instrument designed to facilitate the smoking, consumption, preparation, or ingestion of tobacco, drugs, or nicotine in any form. The terms shall include, but is not limited to, items such as bongs, hookah pipes, grinders, drug/tobacco sales, faux jewelry, bracelets,

necklaces, or other devices or objects commonly associated with tobacco, vaping, or drug preparation or use.

19. There shall be no portion of the subject property utilized for outside storage of junk vehicles, boats, recreational vehicles, vehicles sales, vehicle service or vehicle detailing. The storage of trash, junk or refuse on the property is prohibited.
20. Tractor-trailer access, including loading bays, docking facilities, and parking areas, is strictly prohibited on the premises.
21. Lighting located in the parking areas shall be LED full cut off fixtures and shall not exceed 30 feet in height. Any decorative lighting shall be such fixtures that complement the architectural system of the buildings.
22. Building mounted lighting shall be Gooseneck style decorative and shall highlight architectural features and not illuminate the entire building facade.
23. Metal entry doors, awnings, canopies, gutters, gooseneck exterior lighting and other decorative elements that are non-structural, architectural details attached to a building facade shall be dark in color with a minimum of three such elements incorporated for every building. Metallic tones of silver, gold, light bronze, bright copper and painted effects that result in a non-muted or lightened appearance shall be prohibited.
24. Burglar bars, fiberglass awning, and steel-roll down curtains are prohibited.
25. Covered structures within parking lots are prohibited. This does not apply to dumpster enclosures.
26. During anytime a unit is vacant after its initial opening (a "Vacant Building") for a period of at least thirty (30) days ("Vacancy Period"), the owner of the building or POA shall:
 - (a) Clean and maintain the unit, including its exterior facing, and window treatments.
 - (b) Maintain all on-site parking areas and landscaping in the same condition as they had been maintained prior to vacancy.
 - (c) Operate all lighting in the parking lot and other external areas, exclusive of identification signs, in the same manner as they had been prior to the vacancy period.
 - (d) To minimize possible criminal activity associated with a vacant building the developer or POA shall ensure that no outdoor signage or like materials visible to the general public that emphasize the building is a Vacant Building be erected or posted.
 - (e) Keep the building free of graffiti.
 - (f) Repair all other acts of vandalism in a timely manner.

27. The owner of the building or POA, regardless of the building's occupancy status, shall be responsible for:
- (a) Maintaining cleanliness of the entire site by removing any trash, rubbish, or other debris from the premises.
 - (b) Maintaining landscaping and replacing dead or damaged plants.
 - (c) Repair or replace building elements that are damaged, dilapidated or in disrepair (such as, but not limited to, broken windows).

Motion carried unanimously.

(6) Board consideration of the request by Cristie Phillips for a Public Hearing regarding an appeal of the Zoning Board of Appeals' decision on VA250045. All four variances were denied on September 9, 2025 – AV250004 – District 3

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

There was a motion by Commissioner Levent and a second by Commissioner Semanson to postpone the request by Cristie Phillips for a Public Hearing regarding an appeal for the Zoning Board of Appeals' decision on VA250045 – AV250004 - to the Regular Meeting / Public Hearings of November 6, 2025. Motion carried unanimously.

(7) Jeffrey Alan Brown - CP250025 - to operate a 1,494 sq. ft. short-term rental in an existing building with 4 parking spaces with an overall site including existing accessory structures totaling 2,795 sq. ft. on 16.308 acres zoned Agricultural District (A1) - Parcel 164-016, 164-039 - District 4

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

There was a motion by Commissioner Moore and a second by Commissioner Semanson to approve the request by Jeffrey Alan Brown – CP250025 – to operate a 1,494 sq. ft. short-term rental in an existing building with 4 parking spaces with an overall site including existing accessory structures totaling 2,795 sq. ft. on 16.308 acres zoned Agricultural District (A1) – Parcel 164-016 and 164-039 – with the exhibit and conditions as presented. The conditions read as follows:

1. Development shall be substantially in accordance with the site plan on file in the Department.
2. Owner/Developer shall reserve right-of-way 40 feet from the centerline on Riley Road as part of site development or when needed for road improvement project as determined by Forsyth County Department of Engineering.
3. The property must maintain a clearly visible house number from the street for emergency services access. The address of the property should be added to the Posted Information Notice “conspicuously posted within the short-term rental on or adjacent to the front door”.

4. A 25-foot planted buffer, per Forsyth County Standards, will be maintained south of and along the southern and eastern boundary of Tax Parcel 164-015 (currently owned by Tim and Sonya Bush). This buffer should be kept free of toxic Bradford Pear trees.
5. Along the northern boundary of Tax Parcel 164-039 (currently owned by Jeffrey Alan Brown), and north of the buffer referenced in Zoning Condition #4, above, an existing 6-foot-high wooden privacy fence shall be maintained in good condition by the owner of the Tax Parcel 164-039. The fence shall be stained or painted an earth tone color and if access for painting or maintenance requires access on or across the property of Tim or Sonya Bush, the owners of Tax Parcel 164-015, prior permission for such access must be obtained from Tim or Sonya Bush.
6. There is a limit of 6 overnight guests. The limit is based on 2 people per bedroom.
7. The current owner of parcels 164-016 and 164-039, Jeffrey Alan Brown, shall provide the Forsyth County planning director 90 days advance notice in writing of his decision to (i) discontinue short-term rental operations on the property or to (ii) sell the property such that in either case the County shall have time to County-initiate removal of the conditional use permit authorized by CP250025 (short term rental authorization). Jeffrey Alan Brown's obligation under this condition is only to alert the Director in writing in accord with the time frame herein.

Motion carried unanimously.

- (8) **Oakley Capital Partners, LLC - ZA4244 - to rezone from Agricultural District (A1) to Restricted Industrial District (M1) on 7.93 acres for a 95,280 sq. ft. warehouse with 117 parking spaces with the following variance to: 1. Reduce the zoning buffer along the southern property boundary adjacent to the existing easements only from 20 ft. to 0 ft. as shown on the site plan (UDC Table 14.2); 2. Reduce the landscape strip along the southern and western property boundaries adjacent to the existing easements only from 6 ft. to 0 ft. as shown on the site plan (UDC 14-4.13) - Parcel 132-059 - District 5**

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

Ethan Underwood, Attorney, addressed the Board at the request of Commissioner Semanson.

Chairman John asked if anyone in the audience wished to speak regarding this Item. No speakers addressed the Board.

There was a motion by Commissioner Semanson and a second by Commissioner John to approve the request by Oakley Capital Partners, LLC – ZA4244 – to rezone from Agricultural District (A1) to Restricted Industrial District (M1) on 7.93 acres for a 95,280 sq. ft. warehouse with 117 parking spaces – Parcel 132-059 – with the variances and conditions as displayed. The variances and conditions read as follows:

Variances:

1. Reduce the zoning buffer along the southern property boundary adjacent to the existing easements only from 20 ft. to 0 ft. as shown on the site plan (UDC Table 14.2).

2. Reduce the landscape strip along the southern and western property boundaries adjacent to the existing easements only from 6 ft. to 0 ft. as shown on the site plan (UDC 14-4.13).

Conditions:

1. Development shall be substantially in accordance with the site plan on file in the Department.
2. The 25 ft. front landscape strip shall be planted in compliance with the Forsyth County Buffer Standards.
3. Development shall tie onto Forsyth County sewer system by gravity unless otherwise approved by Director of Water and Sewer.
4. Gravity sewer outfalls shall follow natural contours to minimize depth.
5. Sewer access must be provided to all upstream properties.
6. Any improvements to the water or sewer systems required to meet fire flow or other requirements shall be done at developer's expense.
7. There shall be a 10-foot minimum setback from all Utility Easements to any building, unless otherwise approved by Forsyth County W&S.
8. There shall be no trees planted within the right of way or in utility easements.
9. Developer shall install a manhole within 20 feet of the northern boundary line and easement to such manhole for the benefit of Fidelis Christian School (owner of Tax Parcel 132-071).
10. No overnight stays are allowed in the development.
11. Dumpster enclosures are required, shall be opaque and shall enclose the dumpster on three sides. Enclosures shall be constructed of materials and colors that match the building on site and shall be at least one (1) foot taller than the highest point of the dumpster or compactor. A gate is required and shall be composed of metal or other durable material which shall reach the height of the three-sided enclosure. Gate color shall be coordinated to match the design of the dumpster enclosure and gates shall be oriented towards the interior of the site. All dumpsters and compactors shall be equipped with lids.
12. No billboards, temporary or electronic message board signs shall be permitted.
13. Outdoor lighting shall be limited to twenty-five (25) feet in overall height.
14. Pole-mounted lights, if installed, shall be a consistent black metal finish.
15. Full cutoff light fixtures shall be required.

16. All exterior painted surfaces shall be painted in neutrals and/or earth tones. Neutrals refer to blacks, whites, beiges, and grays while earth tones refer to browns, umbers, sienna, terracotta, and brick tones. Fluorescent colors and those bright in intensity are prohibited.
17. The developer shall utilize a variety of techniques to break up the monolithic appearance of the building facade. Techniques should be distributed throughout the building facade to achieve pedestrian scale proportions. Techniques may include:
 - (a) Vertical and/or horizontal articulation such as columns, pilasters, offsets or recessed/offset panels
 - (b) Building material or texture variation
 - (c) Awnings
 - (d) Green wall systems on a portion of the facade such as climbing plants on trellises.
 - (e) Faux windows, or other architectural features that mimic windows.
18. District Commissioner approval of the landscape design, architectural design, and building materials must be obtained before issuance of an LDP.
19. Gabion retaining walls are prohibited. Retaining walls visible from Ronald Reagan Parkway must be faced with stone or brick.
20. Upon submittal of any hydrology study to Forsyth County, a copy of such submittal will be transmitted to Fidelis Christian School.
21. The following uses shall not be permitted on the subject property:
 - (a) Adult entertainment and adult materials establishments;
 - (b) Automobile service establishments, major and minor;
 - (c) Escort Services;
 - (d) Car Wash;
 - (e) Palm reading and fortune telling;
 - (f) Crematories;
 - (g) Open storage yards;
 - (h) Recycling and recovery facilities;
 - (i) Solid waste transfer stations;
 - (j) Tire retreading and recapping facilities;
 - (k) Convenience stores, with or without gasoline pumps;
 - (l) Gas stations;
 - (m) Dry cleaning plants;
 - (n) Fuel oil distributors;
 - (o) Fuel uses associated with production, management and harvesting of timber;
 - (p) Lumber yards, planing and sawmills;
 - (q) Open air business and open storage yards;
 - (r) Service stations;
 - (s) Junk yards, wrecked motor vehicle compounds, and wrecker services;

- (t) Salvage yards;
- (u) Shooting range, outdoor;
- (v) Explosives storage;
- (w) Massage parlors;
- (x) Electronic message board signs;
- (y) The manufacturing, distributing, licensing, and/or selling of drug paraphernalia on the subject property is prohibited. For purposes of this condition, "drug paraphernalia" shall mean instrument designed to facilitate the smoking, consumption, preparation, or ingestion of tobacco, drugs, or nicotine in any form. The terms shall include, but are not limited to, items such as bongs, hookah pipes, grinders, drug/tobacco sales, faux jewelry, bracelets, necklaces, or other devices or objects commonly associated with tobacco, vaping, or drug preparation or use.

Motion carried unanimously.

- (9) **Board consideration of a resolution of the Forsyth County Board of Commissioners authorizing the redemption of its Refunding General Obligation Bonds, Series 2015, to defease and redeem a portion of the Series 2017 Bonds maturing in 2035 with approval of Escrow Deposit Agreement Forsyth GO 2017 Defeasance and SLG Authorization Letter Forsyth GO 2017 Defeasance as well as the ratification of the conditional call notice**

Brian Clark, Chief Financial Officer, addressed the Board.

There was a motion by Commissioner John and a second by Commissioner Hill to approve the Resolution of the Forsyth County Board of Commissioners authorizing the redemption of its Refunding General Obligation Bonds, Series 2015, to defease and redeem a portion of the Series 2017 Bonds maturing in 2035 with approval of Escrow Deposit Agreement Forsyth GO 2017 Defeasance and SLG Authorization Forsyth GO 2017 Defeasance as well as the ratification of the conditional call notice. Motion carried unanimously.

- (10) **Board consideration and approval of Right of Entry, Indemnification and Maintenance Agreement between Forsyth County and the South Forsyth County Community Improvement District (CID)**

Ken Jarrard, County Attorney, addressed the Board. There was a motion by Commissioner Semanson and a second by Commissioner Levent to approve the Right of Entry, Indemnification and Maintenance Agreement between Forsyth County and the South Forsyth County Community Improvement District (CID). Motion carried unanimously.

There was a motion by Commissioner John and a second by Commissioner Semanson to take a ten (10) minute recess at 7:11 p.m. Motion carried unanimously.

There was a motion by Commissioner Semanson and a second by Commissioner Hill to reconvene the Regular Meeting / Public Hearings at 7:22 p.m. Motion carried unanimously.

UNDER ADMINISTRATIVE HEARINGS THE FOLLOWING ACTIONS WERE TAKEN:

- (1) **Administrative Hearing in reference to violations of Ordinance 127 and the Forsyth County Alcohol Ordinance for Papas Food Mart LLC - Named Licensee is Kiran Komallapalli - AL04594 - District 3**

Jake Hill, Director, Department of Building and Licensing, addressed the Board.

Kiran Komallapalli, Named Licensee, addressed the Board.

There was a motion by Commissioner Levent and a second by Commissioner Hill to suspend the Alcohol License for Papas Food Mart LLC – named Licensee Kiran Komallapalli – AL04594 – for three (3) days beginning October 20, 2025. Motion carried unanimously.

(2) Administrative Hearing in reference to violations of Ordinance 127 and the Forsyth County Alcohol Ordinance for Hyzin LLC - Named Licensee is Hussain Samnani - AL2505367

Jake Hill, Director, Department of Building and Licensing, addressed the Board.

Hussain Samnani, Named Licensee, addressed the Board.

There was a motion by Commissioner Moore and a second by Commissioner Hill to suspend the Alcohol License for Hyzin LLC – Named Licensee Hussain Samnani – AL2505367 – for fourteen (14) days beginning October 17, 2025. Motion carried unanimously.

(3) Administrative Hearing in reference to violations of the Forsyth County Alcohol Ordinance for Peachpie Investments LLC dba Your Pie Pizza - Named Licensee is Naga Puneet Chandu - AL03446

Jake Hill, Director, Department of Building and Licensing, addressed the Board.

Naga Puneet Chandu, Named Licensee, addressed the Board.

There was a motion by Commissioner Semanson and a second by Commissioner Levent to suspend the Alcohol License for Peachpie Investments LLC dba Your Pie Pizza – Named Licensee Naga Puneet Chandu – AL03446 – for three (3) days beginning October 17, 2025. Motion carried unanimously.

There was a motion by Commissioner Hill and a second by Commissioner Semanson to adjourn the Regular Meeting / Public Hearings at 7:54 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.