

**FORSYTH COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING / PUBLIC HEARINGS
NOVEMBER 20, 2025**

OFFICIAL MINUTES

On Thursday, November 20, 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, NOVEMBER 20, 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) *Recognition of 2025 Georgia Recreation and Parks Association (GRPA) 7th District Level and State Level Awards - John / Semanson*
- V. *Public Comments*
- VI. *Adoption of Minutes*
 - (1) *Regular Meeting / Public Hearings and Executive Session of November 6, 2025*
- VII. *Consent Agenda*
 - (1) *Board approval of Resolution requesting that the local delegation to the General Assembly sponsor a local act establishing term limits for Forsyth County Board of Commissioners members - County Attorney*
 - (2) *Board adoption of a Resolution authorizing Affidavit concerning the Executive Session of November 6, 2025 - County Clerk*
- VIII. *Public Hearings*
 - (1) *Public Hearing and possible vote regarding the County-Initiated request to rezone from Commercial Business District (CBD) with a Conditional Use Permit (CUP) to Commercial Business District (CBD) and for consideration of the revocation of the existing Conditional Use Permit (CUP) to build townhomes previously approved for ZA2645 - Parcels 038-014 and 038-245 - ZA4262 - District 3 - Director, Department of Planning and Community Development*
 - (2) *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 October 16, 2025 Agenda for an additional Public Hearing; the first Public Hearing was held before the Planning Commission on August 26, 2025; a second Public Hearing was held in front of the Board of Commissioners on October 16, 2025)

- (3) *Public Hearing and possible vote regarding the County-Initiated request to rezone from Planned Unit Development District (PUD) to Commercial Business District (CBD) - Parcels 039-029 and 039-081 - ZA4261 - District 3 - Director, Department of Planning and Community Development*
- (4) *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
(Postponed from the October 16, 2025 Agenda)*
- (5) *Public hearing and possible vote related to the county-initiated rezoning of multiple parcels from R2R to Res2, R1R to Res1, and R1 to Res1 - Planning Manager, Department of Planning and Community Development*
- (6) *Public hearing and possible vote related to the adoption of an updated Forsyth County Zoning Map to reflect rezoning of multiple parcels from R2R to Res2, R1R to Res1, and R1 to Res1 - Planning Manager, Department of Planning and Community Development*
- (7) *Public Hearing regarding a proposed Cryptocurrency Teller Machine and Automated Teller Machine Ordinance - County Attorney / Forsyth County Sheriff's Office*

IX. *Public Comments*

X. *Old Business*

- (1) *Board consideration and possible vote regarding the request for an Amendment of Zoning Conditions on ZA2936 (Riverbrooke Capital Partners LLC) by Hemanth Kumar Palla with a variance to: 1. Reduce the front setback from 25 ft. to 21 ft. as shown on the site plan (UDC Table 11.2(b)); 2. Reduce the side setback from 10 ft. to 3 ft. as shown on the site plan (UDC Table 11.2(b)); 3. Reduce the rear setback from 25 ft. to 17 ft. as shown on the site plan (UDC Table 11.2(b)) - Parcel 179-613 - AZ250029 - District 2 - Director, Department of Planning and Community Development
(A Public Hearing was held before the Board of Commissioners on November 6, 2025; the Board voted unanimously to postpone, for decision only, to the November 20, 2025 Agenda)*
- (2) *Board consideration and possible vote regarding amendments to the Unified Development Code related to performance standards, buffers, and landscaping in residential zoning districts - Planning Manager, Department of Planning and Community Development
(The first Public Hearing was held before the Planning Commission on September 16, 2025; The second Public Hearing was held before the Board of Commissioners on October 2, 2025;*

The third Public Hearing was held before the Board of Commissioners on November 6, 2025; The Board voted to postpone, for decision only, to the November 20, 2025 Agenda)

XI. New Business

- (1) *Wendell Smith - CP240037 - to operate a 2,528 sq. ft. minor automobile service establishment in an existing building with 13 parking spaces on 2.0 acres zoned Commercial Business District (CBD) with the following variance to: 1. Reduce the landscape strip abutting Bethelview Road from 25 ft. to 0 ft. (UDC 21-8.5(D)(3)); 2. Reduce the landscape strip between the front property line and any vehicular use area from 10 ft. to 0 ft. (UDC 17-5.7); 3. Reduce the landscape strip along all side lot or lease lines from 10 ft. to 0 ft. (UDC 12-10.15) - Parcel 077-393 - District 1 - Director, Department of Planning and Community Development (Postponed from the May 15, 2025, June 19, 2025, July 17, 2025 and August 21, 2025 Agendas)*
- (2) *Mejia Landscaping USA, LLC - CP250003 - to operate an open storage yard with an overall site including two existing single-family dwellings totaling 10,082 sq. ft. and an existing accessory structure totaling 1,056 sq. ft. with 2 parking spaces on 4.003 acres zoned Agricultural District (A1) with the following variance to: 1. Reduce the side buffer along the eastern property boundary adjacent to the existing structures and retaining wall only from 25 ft. to 8 ft. (UDC Table 15.2); 2. Reduce the rear buffer adjacent to the existing retaining wall and concrete only from 25 ft. to 9 ft. (UDC Table 15.2); 3. Reduce the side setback along the eastern property boundary adjacent to the existing structures only from 25 ft. to 8 ft. (UDC Table 15.2) - Parcel 149-078 - District 1 - Director, Department of Planning and Community Development*
- (3) *StonePoint Church, Inc. - CP250033 - to build a 12,120 sq. ft. place of worship with 145 parking spaces and a future expansion to include an additional 24,000 sq. ft. on 7.455 acres zoned Agricultural District (A1) with the following variance to: 1. Increase the required number of parking spaces from 79 to 145 (UDC Table 17.1) - Parcel 168-019 - District 1 - Director, Department of Planning and Community Development*
- (4) *SRS Distribution, Inc. - CP250030 - to operate an open storage yard and container yard with an overall site including an existing 27,200 sq. ft. office/warehouse with 32 parking spaces on 9.066 acres zoned Restricted Industrial District (M1) with the following variance to: 1. Reduce the minimum rear setback adjacent to the existing structure only from 25 ft. to 21 ft. (UDC Table 21.6) - Parcel 043-044 - District 3 - Director, Department of Planning and Community Development*
- (5) *Bryan D. Miles - CP250005 - to operate a special event facility in an existing 4,400 sq. ft. building with 91 parking spaces and short-term rentals in existing buildings totaling 11,480 sq. ft. with 10 parking spaces with an overall site including accessory structures in existing buildings totaling 6,870 sq. ft. on 35.43 acres zoned Agricultural District (A1) with the following variance to: 1. Reduce the side buffer along the southern and southeastern property boundaries adjacent to the existing utility easement and asphalt driveway only from 25 ft. to 0 ft. as shown on the site plan (UDC 15-3.3(F)); 2. Increase the maximum number of parking spaces from 38 to 91 (UDC 17-2.7); 3. Reduce the stream buffer from 50 ft. to 0 ft. as shown on the site plan (UDC 18-11.2(A)); 4. Reduce the impervious setback from 75 ft. to 0 ft. as shown on the site plan (UDC 18-11.2(B)) - Parcels 187-230, 187-226, 187-229, 187-021 - District 4 - Director, Department of Planning and Community Development*
- (6) *Bold Wealth Management Inc. - ZA4238 - to rezone from Agricultural District (A1) to Restricted Industrial District (M1) on 4.845 acres for a 57,950 sq. ft.*

*office/showroom/warehouse with 92 parking spaces - Parcel 218-019 - District 4 -
Director, Department of Planning and Community Development*

- (7) *Board consideration of a Tax Levy Resolution on behalf of the Forsyth County Board of Education - County Attorney*

XII. *Recess Regular Meeting*

XIII. *Executive Session (if needed)*

XIV. *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 Chaplain Ed Fuller.

ADOPTION OF AGENDA

There was a motion by Commissioner John and a second by Commissioner Semanson to move Public Hearing, Item #7 (Public Hearing regarding a proposed Cryptocurrency Teller Machine and Automated Teller Machine Ordinance - County Attorney / Forsyth County Sheriff's Office) to be heard prior to Public Hearing, Item #1. Motion carried unanimously.

There was a motion by Commissioner John and a second by Commissioner Semanson to postpone Old Business, Item #1 (Board consideration and possible vote regarding the request for an Amendment of Zoning Conditions on ZA2936 (Riverbrooke Capital Partners LLC) by Hemanth Kumar Palla with a variance to: 1. Reduce the front setback from 25 ft. to 21 ft. as shown on the site plan (UDC Table 11.2(b)); 2. Reduce the side setback from 10 ft. to 3 ft. as shown on the site plan (UDC Table 11.2(b)); 3. Reduce the rear setback from 25 ft. to 17 ft. as shown on the site plan (UDC Table 11.2(b)) - Parcel 179-613 - AZ250029 – District 2) to the Regular Meeting / Public Hearings of December 4, 2025. Motion carried unanimously.

There was a motion by Commissioner Levent and a second by Commissioner Semanson to move Consent Agenda, Item #2 (Board adoption of a Resolution authorizing Affidavit concerning the Executive Session of November 6, 2025) to New Business, Item #8. Motion carried unanimously.

There was a motion by Commissioner Hill and a second by Commissioner Semanson to postpone New Business, Item #2 (Mejia Landscaping USA, LLC - CP250003 - to operate an open storage yard with an overall site including two existing single-family dwellings totaling 10,082 sq. ft. and an existing accessory structure totaling 1,056 sq. ft. with 2 parking spaces on 4.003 acres zoned Agricultural District (A1) with the following variance to: 1. Reduce the side buffer along the eastern property boundary adjacent to the existing structures and retaining wall only from 25 ft. to 8 ft. (UDC Table 15.2); 2. Reduce the rear buffer adjacent to the existing retaining wall and concrete only from 25 ft. to 9 ft. (UDC Table 15.2); 3. Reduce the side setback along the eastern property boundary adjacent to the existing structures only from 25 ft. to 8 ft. (UDC Table 15.2) - Parcel 149-078 - District 1) to the Regular Meeting / Public Hearings of December 4, 2025. Motion carried unanimously.

Ken Jarrard, County Attorney, provided the Board with two Resolutions pertaining to Public Hearing, Item #5 (Public hearing and possible vote related to the county-initiated rezoning of multiple parcels from R2R to Res2, R1R to Res1, and R1 to Res1) and Public Hearing, Item #6 (Public hearing and possible vote related to the adoption of an updated Forsyth County Zoning Map to reflect rezoning of multiple parcels from R2R to Res2, R1R to Res1, and R1 to Res1). Mr. Jarrard advised that a copy of the County Zoning Map was available in the rear of the Commissioners Meeting Room. He also

noted that multiple copies of Chapter 8 of the Unified Development Code (UDC) were available in the foyer of the Commissioners Meeting Room.

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:

David McKee, County Manager, recognized three staff members of the Forsyth County Department of Parks and Recreation who received awards from the Georgia Recreation of Parks Association (GRPA) for 2025 at both the District 7 level and State of Georgia level. The following employees were recognized:

Kirk Franz, Director of Parks & Recreation, won the State Administration Leadership Network Distinguished Professional Award and the District 7 Roy A. Hammond Leadership Award.

Whitman Morgan, Specialty Recreation Manager, won the State Recreation Network Distinguished Professional Award and the GRPA District 7 Programmer of the Year Award.

Lacy Richards, Business Operations Manager, won the GRPA District 7 Distinguished Professional Administrator Award.

Kirk Franz, Director, Department of Parks and Recreation, addressed the Board.

UNDER PUBLIC COMMENTS THE FOLLOWING PERSONS ADDRESSED THE BOARD:

None

UNDER ADOPTION OF MINUTES THE FOLLOWING ACTIONS WERE TAKEN:

(1) Regular Meeting / Public Hearings and Executive Session of November 6, 2025

There was a motion by Commissioner Semanson and a second by Commissioner Hill to adopt the Minutes of the Regular Meeting / Public Hearings of November 6, 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 amended:

- (1) Board approval of Resolution requesting that the local delegation to the General Assembly sponsor a local act establishing term limits for Forsyth County Board of Commissioners members - County Attorney
- (2) Board adoption of a Resolution authorizing Affidavit concerning the Executive Session of November 6, 2025 - County Clerk - This Item was moved [during the Adoption of the Agenda] to New Business, Item #8. See Page #21 for action taken.

Motion carried unanimously.

UNDER PUBLIC HEARINGS THE FOLLOWING ACTIONS WERE TAKEN:

At this time, the Board considered Public Hearing, Item #7.

(7) Public Hearing regarding a proposed Cryptocurrency Teller Machine and Automated Teller Machine Ordinance

Ken Jarrard, County Attorney, and Bill Franco, Detective, Sheriff's Office, addressed the Board.

Chairman John declared the Public Hearing open.

Speaking in favor:
None

Speaking in opposition:
None

Chairman John declared the Public Hearing closed.

This was the first of two required Public Hearings. No formal Board action was taken.

At this time, the Board returned to Public Hearing, Item #1.

(1) Public Hearing and possible vote regarding the County-Initiated request to rezone from Commercial Business District (CBD) with a Conditional Use Permit (CUP) to Commercial Business District (CBD) and for consideration of the revocation of the existing Conditional Use Permit (CUP) to build townhomes previously approved for ZA2645 - Parcels 038-014 and 038-245 - ZA4262 - District 3

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

Chairman John declared the Public Hearing open.

Speaking in favor:
None

Speaking in opposition:
None

Chairman John declared the Public Hearing closed.

Tom Brown, Director, Department of Planning and Community Development, addressed the Board at the request of Commissioner Levent.

There was a motion by Commissioner Levent and a second by Commissioner Hill to approve ZA4262, the County-Initiated request to rezone from Commercial Business District (CBD) with a Conditional Use Permit (CUP) to Commercial Business District (CBD) and to revoke the existing Conditional Use Permit (CUP) to build townhomes previously approved for ZA2645 – Parcels 038-014 and 038-245 – with the condition as displayed. The condition reads as follows:

1. The following uses shall not be permitted on the subject property:

- Adult entertainment/novelty/materials establishment
- Apiary
- Asphalt/concrete plant
- Automobile services establishment
- Bar, lounge, nightclub (excluding restaurants with an attached bar)
- Bowling alley
- Building supply yard
- Car wash, self-service or staffed
- Cemetery
- Chemical storage facility
- Club or lodge
- Commercial athletic fields, outdoor
- Commercial recreation facility
- Contractor's establishment
- Convenience store, with or without fuel dispensing units
- Day care center
- Drive-through, excluding car wash
- Dry cleaning plant
- Electronic game playing center
- Explosive storage
- Extended stay hotel or motel
- Fuel oil distributor
- Fuel station
- Junk yard, wrecked motor vehicle compound, and wrecker service
- Landfill
- Large scale retail
- Lumber yard and sawmill
- Machine shop
- Marijuana or THC dispensary excluding licensed pharmacy
- Massage parlor
- Motel
- On site dry cleaning
- Open air business
- Open storage yard
- Outdoor animal kennel
- Palm reading and fortune telling
- Pawn shop
- Personal care home and institutionalized living facility
- Pool hall
- Recycling and recovery facility
- Salvage yard
- Shooting range
- Smoke shop, vapor cigarette shop, or non-traditional tobacco paraphernalia shop
- Solid waste transfer station
- Tattoo parlor
- Temporary structures and uses
- Theater
- Tire retreading and recapping facility
- Transfer station
- Truck terminal
- Vehicle rental establishment
- Vehicle sales dealership

Motion carried unanimously.

- (2) **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:
Ethan Underwood

Speaking in opposition:
Preston Mitchell
David Scheppmann

Chairman John declared the Public Hearing closed.

Ethan Underwood, Attorney, addressed the Board.

David Scheppmann addressed the Board.

Ken Jarrard, County Attorney, addressed the Board at the request of Commissioner Levent.

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

There was a motion by Commissioner Levent and a second by Commissioner Hill to postpone Public Hearing, Item #2 to the Regular Meeting / Public Hearings of December 4, 2025 as Old Business. Motion carried unanimously.

- (3) **Public Hearing and possible vote regarding the County-Initiated request to rezone from Planned Unit Development District (PUD) to Commercial Business District (CBD) - Parcels 039-029 and 039-081 - ZA4261 - District 3**

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

Chairman John declared the Public Hearing open.

Speaking in favor:
None

Speaking in opposition:
None

Chairman John declared the Public Hearing closed.

Tom Brown, Director, Department of Planning and Community Development, 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 County-Initiated request to rezone from Planned Unit Development District (PUD) to Commercial Business District (CBD) – ZA4261 - Parcels 039-029 and 039-081 – with the condition as displayed. The condition reads as follows:

1. The following uses shall not be permitted on the subject property:

- Adult entertainment/novelty/materials establishment
- Apiary
- Asphalt/concrete plant
- Automobile services establishment
- Bar, lounge, nightclub (excluding restaurants with an attached bar)
- Bowling alley
- Building supply yard
- Car wash, self-service or staffed
- Cemetery
- Chemical storage facility
- Club or lodge
- Commercial athletic fields, outdoor
- Commercial recreation facility
- Contractor's establishment
- Convenience store, with or without fuel dispensing units
- Day care center
- Drive-through, excluding car wash
- Dry cleaning plant
- Electronic game playing center
- Explosive storage
- Extended stay hotel or motel
- Fuel oil distributor
- Fuel station
- Junk yard, wrecked motor vehicle compound, and wrecker service
- Landfill
- Large scale retail
- Lumber yard and sawmill
- Machine shop
- Marijuana or THC dispensary excluding licensed pharmacy
- Massage parlor
- Motel
- On site dry cleaning
- Open air business
- Open storage yard
- Outdoor animal kennel
- Palm reading and fortune telling
- Pawn shop
- Personal care home and institutionalized living facility
- Pool hall
- Recycling and recovery facility
- Salvage yard
- Shooting range

- Smoke shop, vapor cigarette shop, or non-traditional tobacco paraphernalia shop
- Solid waste transfer station
- Tattoo parlor
- Temporary structures and uses
- Theater
- Tire retreading and recapping facility
- Transfer station
- Truck terminal
- Vehicle rental establishment
- Vehicle sales dealership

Motion carried unanimously.

- (4) **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**

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

Chairman John declared the Public Hearing open.

Speaking in favor:
Ethan Underwood
Charles Schaber

Speaking in opposition:
None

Chairman John declared the Public Hearing closed.

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

Ken Jarrard, County Attorney, addressed the Board.

Charles Schaber addressed the Board at the request of Commissioner Semanson.

There was a motion by Commissioner Semanson and a second by Commissioner Hill to approve the request for an Amendment of Zoning Conditions on ZA1992 (Dogwood Partners, LLC) by Gochin Real Properties, llc – Parcel 109-094 - AZ250030 – with the conditions and variance as displayed. The amended conditions and variance read as follows:

Amended Conditions:

Modify Condition #1 to read: There shall be a 40-foot buffer against the residentially zoned properties which shall contain a 6-foot-high berm with 8-foot Leland Cypress trees planted on 8-foot centers. In the alternative to the 6 foot high planted berm, developer shall install (i) within the 40-foot buffer, a black or green vinyl-coated chain link fence; and, (ii) if allowed by the owner of any adjacent residentially-zoned property, within such adjacent residentially-zoned property a row of evergreen trees consisting of at least 3 species listed in the Forsyth

County Buffer Standards, with each tree being at least 8 feet tall and planted on 8-foot centers. Developer of parcel 109-588 shall utilize the alternative, which eliminates the berm. For parcel 109-094:

- (i) There shall be a 40-foot buffer adjacent to residentially-zoned properties planted to Forsyth County Buffer Standards.
- (ii) Within such 40-foot buffer, a black or green vinyl-coated chain link fence shall be installed and maintained, and such fence shall be installed such that it is screened by landscaping from view of the residents of Fairfield Farms Subdivision.
- (iii) In addition to the 40-foot buffer, the developer shall install one additional row of Cryptomeria trees, each tree being a minimum of 8-feet tall at the time of planting and spaced no more than 8 feet apart measured from the center of each tree. These trees may be planted either (i) east of the 40-foot buffer or (ii) west of the 40-foot buffer on land owned by the adjacent resident of Fairfield Farms, so long as such plantings are allowed by the affected property owner.

Modify Condition #5 to read: Dumpsters shall be maintained and screened as required by the requirements of the South Forsyth Commercial Design Standards in effect at the time a land disturbance permit is submitted for the subject property.

Modify Condition #7 to read: Maximum building height, as defined by the Unified Development Code, on Lots #7, #8, #9 and #10, depicted on the site plan dated April 9, 2008, attached as Exhibit "A", will be 45 feet with the exception of parcel 109-588, which will be 50 ft. For parcel 109-094, Architecture for the proposed structures shall comply with the requirements of the South Forsyth Commercial Design Standards in effect at the time a land disturbance permit is submitted for the subject property.

Modify Condition #9 to read: The development is required to tie on to gravity sewer.

Modify Condition #11 to read: Development shall be substantially in accordance with the site plan on file in the Department with AZ230039, parcel 109-588. For parcel 109-094, District Commissioner approval of the landscape design, architectural design, and building materials must be obtained before issuance of an LDP.

Variance:

1. Reduce minimum number of building facades around which parking areas should be distributed from 2 to 1 for parcel 109-094. [UDC § 21-8.5(A)]

Motion carried unanimously.

(5) Public hearing and possible vote related to the county-initiated rezoning of multiple parcels from R2R to Res2, R1R to Res1, and R1 to Res1

Heather Ryan, Planning Manager, Department of Planning and Community Development, and Ken Jarrard, County Attorney, addressed the Board.

Chairman John declared the Public Hearing open.

Speaking in favor:
None

Speaking in opposition:
None

Chairman John declared the Public Hearing closed.

There was a motion by Commissioner Hill and a second by Commissioner Semanson to approve the County-Initiated rezoning of multiple parcels from R2R to Res2, R1R to Res1, and R1 to Res1 as presented. Motion carried unanimously.

Note: See Public Hearing, Item #6 for adoption of the Resolution.

(6) Public hearing and possible vote related to the adoption of an updated Forsyth County Zoning Map to reflect rezoning of multiple parcels from R2R to Res2, R1R to Res1, and R1 to Res1

Heather Ryan, Planning Manager, Department of Planning and Community Development, and Ken Jarrard, County Attorney, addressed the Board and provided a presentation.

Commissioner Levent left at 6:09 p.m.

At this time, Commissioner Semanson asked if the Resolution associated with Public Hearing, Item #5 should have been adopted. Ken Jarrard, County Attorney, confirmed that a separate motion could be taken to approve the Resolution.

There was a motion by Commissioner Hill and a second by Commissioner Semanson to approve the Resolution, associated with Public Hearing, Item #5, authorizing the County-Initiated rezoning of multiple parcels from R2R to Res2, R1R to Res1, and R1 to Res1, as presented. Motion carried with four members in favor (John, Hill, Moore and Semanson) and one member absent (Levent).

Commissioner Levent returned at 6:10 p.m.

Chairman John declared the Public Hearing open.

Speaking in favor:
None

Speaking in opposition:
None

Chairman John declared the Public Hearing closed.

There was a motion by Commissioner Hill and a second by Commissioner Semanson to adopt the Resolution regarding the updated Forsyth County Zoning Map to reflect rezoning of multiple parcels from R2R to Res2, R1R to Res1 and R1 to Res1. Motion carried unanimously.

(7) Public Hearing regarding a proposed Cryptocurrency Teller Machine and Automated Teller Machine Ordinance – This Item was considered prior to Public Hearing, Item #1. See Page #6 for action taken

UNDER PUBLIC COMMENTS THE FOLLOWING PERSON ADDRESSED THE BOARD:

Ethan Underwood

UNDER OLD BUSINESS THE FOLLOWING ACTIONS WERE TAKEN:

- (1) Board consideration and possible vote regarding the request for an Amendment of Zoning Conditions on ZA2936 (Riverbrooke Capital Partners LLC) by Hemanth Kumar Palla with a variance to: 1. Reduce the front setback from 25 ft. to 21 ft. as shown on the site plan (UDC Table 11.2(b)); 2. Reduce the side setback from 10 ft. to 3 ft. as shown on the site plan (UDC Table 11.2(b)); 3. Reduce the rear setback from 25 ft. to 17 ft. as shown on the site plan (UDC Table 11.2(b)) - Parcel 179-613 - AZ250029 - District 2 - This Item was postponed [during the Adoption of the Agenda] to the Regular Meeting / Public Hearings of December 4, 2025**
- (2) Board consideration and possible vote regarding amendments to the Unified Development Code related to performance standards, buffers, and landscaping in residential zoning districts**

Heather Ryan, Planning Manager, addressed the Board and provided a PowerPoint presentation.

There was a motion by Commissioner Hill and a second by Commissioner Moore to approve the amendments to the Unified Development Code related to performance standards, buffers, and landscaping in residential zoning districts as presented. Motion carried unanimously.

UNDER NEW BUSINESS THE FOLLOWING ACTIONS WERE TAKEN:

- (1) Wendell Smith - CP240037 - to operate a 2,528 sq. ft. minor automobile service establishment in an existing building with 13 parking spaces on 2.0 acres zoned Commercial Business District (CBD) with the following variance to: 1. Reduce the landscape strip abutting Bethelview Road from 25 ft. to 0 ft. (UDC 21-8.5(D)(3)); 2. Reduce the landscape strip between the front property line and any vehicular use area from 10 ft. to 0 ft. (UDC 17-5.7); 3. Reduce the landscape strip along all side lot or lease lines from 10 ft. to 0 ft. (UDC 12-10.15) - Parcel 077-393 – District 1**

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

There was a motion by Commissioner Hill and a second by Commissioner Levent to deny the request by Wendell Smith - CP240037 – to operate a 2,528 sq. ft. minor automobile service establishment in an existing building with 13 parking spaces on 2.0 acres zoned Commercial Business District (CBD) with the following variance to: 1. Reduce the landscape strip abutting Bethelview Road from 25 ft. to 0 ft. (UDC 21-8.5(D)(3)); 2. Reduce the landscape strip between the front property line and any vehicular use area from 10 ft. to 0 ft. (UDC 17-5.7); 3. Reduce the landscape strip along all side lot or lease lines from 10 ft. to 0 ft. (UDC 12-10.15) – Parcel 077-393. Motion carried unanimously.

- (2) Mejia Landscaping USA, LLC - CP250003 - to operate an open storage yard with an overall site including two existing single-family dwellings totaling 10,082 sq. ft. and an existing accessory structure totaling 1,056 sq. ft. with 2 parking spaces on 4.003 acres zoned Agricultural District (A1) with the following variance to: 1. Reduce the side buffer along the eastern property boundary adjacent to the existing structures and retaining wall only from 25 ft. to 8 ft. (UDC Table 15.2); 2. Reduce the rear buffer adjacent to the existing retaining wall and concrete only from 25 ft. to 9 ft. (UDC Table 15.2); 3. Reduce the side setback along the eastern property boundary adjacent to the**

existing structures only from 25 ft. to 8 ft. (UDC Table 15.2) - Parcel 149-078 - District 1 - This Item was postponed [during the Adoption of the Agenda] to the Regular Meeting / Public Hearings of December 4, 2025

- (3) **StonePoint Church, Inc. - CP250033 - to build a 12,120 sq. ft. place of worship with 145 parking spaces and a future expansion to include an additional 24,000 sq. ft. on 7.455 acres zoned Agricultural District (A1) with the following variance to: 1. Increase the required number of parking spaces from 79 to 145 (UDC Table 17.1) - Parcel 168-019 - District 1**

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

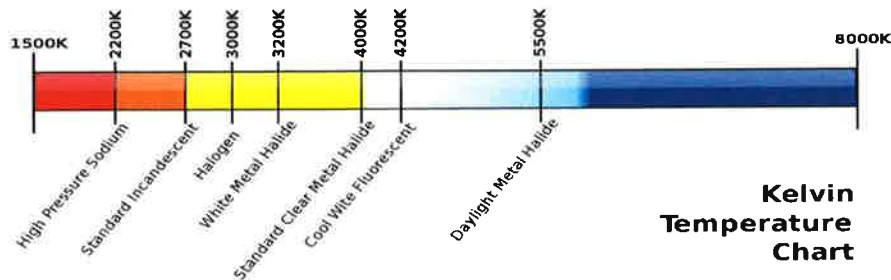
There was a motion by Commissioner Hill and a second by Commissioner Levent to approve the request by StonePoint Church, Inc. - CP250033 – to build a 12,120 sq. ft. place of worship with 145 parking spaces and a future expansion to include an additional 24,000 sq. ft. on 7.455 acres zoned Agricultural District (A1) - Parcel 168-019 – with the variance and conditions as displayed. The variance and conditions read as follows:

Variance:

1. Increase the required number of parking spaces from 79 to 145 (UDC Table 17.1)

Conditions:

1. The District Commissioner's approval of the landscape plan shall be required prior to Land Disturbance Permit (LDP) approval. Once approved by the District Commissioner, development shall be substantially in accordance with the approved landscape plan and the site plan on file with the Department of Planning and Community Development.
2. Owner/Developer shall dedicate right-of-way 60 feet from centerline on Matt Highway (aka S.R. 369) as part of site development or when needed for road improvement projects as determined by GDOT and/or Forsyth County Department of Engineering.
3. Freestanding pole-mounted lights shall not exceed sixteen (16) feet in height.
4. When the premises are not in use, all pole mounted 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.
5. All canopy luminaries shall be fully recessed and utilize flat lenses. All other fixtures shall be full cutoff or fully shielded.
6. 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.



7. 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 developed 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.
8. No commercial deliveries or garbage pick-up shall be allowed between the hours of 9:00 p.m. and 6:30 a.m., Monday through Saturday. No commercial deliveries or garbage pick-up is allowed on Sunday.
9. Stormwater management facilities, such as detention and retention ponds, shall include a diversity of plant material based on a 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.
10. An additional row of overstory evergreen trees, that are full dense to the ground, shall be planted along the eastern boundaries with parcels 168-021, 169-145, and 169-143. Species to be thorny bushes and shrubs (e.g. holly, barberry, and Pyracantha) for the purpose of deterring trespassers to be approved by the Forsyth County Arborist.

Motion carried unanimously.

- (4) **SRS Distribution, Inc. - CP250030 - to operate an open storage yard and container yard with an overall site including an existing 27,200 sq. ft. office/warehouse with 32 parking spaces on 9.066 acres zoned Restricted Industrial District (M1) with the following variance to: 1. Reduce the minimum rear setback adjacent to the existing structure only from 25 ft. to 21 ft. (UDC Table 21.6) - Parcel 043-044 - District 3**

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

Vice Chairman Hill left at 6:29 p.m.

There was a motion by Commissioner Levent and a second by Commissioner Semanson to approve the request by SRS Distribution, Inc. - CP250030 – to operate an open storage yard and container yard with an overall site including an existing 27,200 sq. ft. office/warehouse with 32 parking spaces on 9.066 acres zoned Restricted Industrial District (M1) with the variance and conditions as displayed. The variance and conditions read as follows:

Variance:

1. Reduce the minimum rear setback adjacent to the existing structure only from 25 ft. to 21 ft. (UDC Table 21.6).

Conditions:

1. Development shall be substantially in accordance with the site plan on file with the department.
2. Existing sewer easements shall be kept clear of all containers and/or open-air storage items.
3. Final fencing and landscaping plans shall be reviewed and approved by the District Commissioner and shall be substantially in accordance with the rendering presented as "Exhibit A".
4. Outdoor storage shall be limited to pool and pond maintenance equipment, supplies, and pool and pond treatment chemicals customarily used in residential/commercial pool or pond service.
5. The storage of unregistered vehicles or boats is prohibited, this includes junk/salvage vehicles.
6. The site is limited to 1, 40x8 storage container and 1, 20x8 storage container as shown in "Exhibit B" and must be placed where shown on the site plan on file in the department.
7. The outdoor storage containers must always be locked.
8. All chemicals shall be stored indoors in a code-compliant structure with secondary containment and ventilation per current NFPA, EPA, and Forsyth County Fire Marshal regulations.
9. A Hazardous Materials Management Plan and annual certification from the Fire Marshal is required.
10. No dismantling, repair work, or on-site processing of raw materials is permitted, storage only.
11. Freestanding pole lights, if any, shall not exceed eighteen (18) feet in height and shall have a black metal finish.
12. Uplighting is prohibited.
13. No temporary structures are permitted on the property at any time.

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

- (5) **Bryan D. Miles - CP250005 - to operate a special event facility in an existing 4,400 sq. ft. building with 91 parking spaces and short-term rentals in existing buildings totaling 11,480 sq. ft. with 10 parking spaces with an overall site including accessory structures in existing buildings totaling 6,870 sq. ft. on 35.43 acres zoned Agricultural District (A1) with the following variance to: 1. Reduce the side buffer along the southern and southeastern property boundaries adjacent to the existing utility easement and asphalt driveway only from 25 ft. to 0 ft. as shown on the site plan (UDC 15-3.3(F)); 2. Increase the maximum number of parking spaces from 38 to 91 (UDC 17-2.7); 3. Reduce the stream buffer from 50 ft. to 0 ft. as shown on the site plan (UDC 18-11.2(A)); 4. Reduce the impervious setback from 75 ft. to 0 ft. as shown on the site plan (UDC 18-11.2(B)) - Parcels 187-230, 187-226, 187-229, 187-021 - District 4**

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

Vice Chairman Hill returned at 6:30 p.m.

Christopher Light, Attorney, addressed the Board at the request of Commissioner Moore and provided a presentation.

Chairman John asked if there was any opposition. There was none.

There was a motion by Commissioner Moore and a second by Commissioner Semanson to approve the request by Bryan D. Miles - CP250005 – to operate a special event facility in an existing 4,400 sq. ft. building with 91 building spaces and short-term rentals in existing buildings totaling 11,480 sq. ft. with 10 parking spaces with an overall site including accessory structures in existing buildings totaling 6,870 sq. ft. on 35.43 acres zoned Agricultural District (A1) with the variances, conditions and exhibits as displayed. The variances and conditions read as follows:

Variances:

1. Reduce the side buffer along the southern and southeastern property boundaries adjacent to the existing utility easement and asphalt driveway only from 25 ft. to 0 ft. as shown on the site plan (UDC 15-3.3(F)).
2. Increase the maximum number of parking spaces from 38 to 91 (UDC 17-2.7).
3. Reduce the stream buffer from 50 ft. to 0 ft. as shown on the site plan (UDC 18-11.2(A)).
4. Reduce the impervious setback from 75 ft. to 0 ft. as shown on the site plan (UDC 18-11.2(B)).

Conditions:

1. Development shall be substantially in accordance with the site plan on file in the Department.
2. Owner/Developer shall dedicate right-of-way 60 feet from centerline on Dahlonaga Highway (aka S.R. 9) as part of site development or when needed for road improvement project as determined by GDOT and/or Forsyth County Department of Engineering.

3. If existing septic is not adequate for future use, development shall tie onto Forsyth County sewer system by gravity unless otherwise approved by Director of Water and Sewer department.
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 the Forsyth County Water & Sewer department.
8. There shall be no trees planted within the right of way or in utility easements.
9. Short-term rental units shall be restricted to the following square foot units identified on the concept site plan on file in the Department:
 - (a) Short Term Rental #1 – 5,400 sq. ft.
 - (b) Short Term Rental #2 – 850 sq. ft.
 - (c) Short Term Rental #3 – 3,000 sq. ft.
 - (d) Short Term Rental #4 – 2,230 sq. ft.
10. 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".

Motion carried unanimously.

(6) Bold Wealth Management Inc. - ZA4238 - to rezone from Agricultural District (A1) to Restricted Industrial District (M1) on 4.845 acres for a 57,950 sq. ft. office/showroom/warehouse with 92 parking spaces - Parcel 218-019 - District 4

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

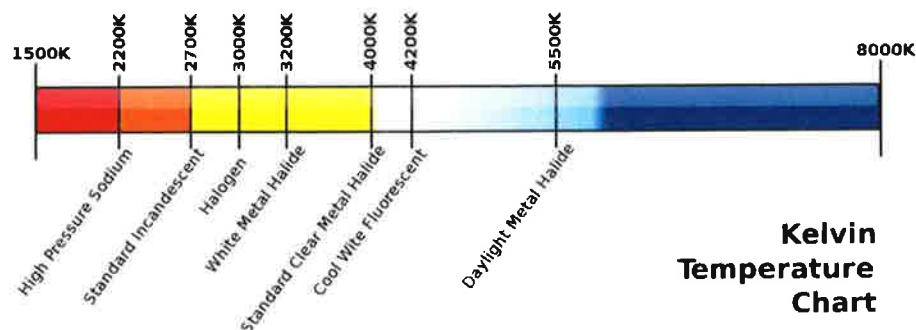
Sean Courtney, Attorney, addressed the Board at the request of Commissioner Moore.

There was a motion by Commissioner Moore and a second by Commissioner Semanson to approve the request by Bold Wealth Management Inc. - ZA4238 – to rezone from Agricultural District (A1) to Restricted Industrial District (M1) on 4.845 acres for a 57,950 sq. ft. office/showroom/warehouse with 92 parking spaces – Parcel 218-019 – with the conditions and exhibits as displayed. The conditions read as follows:

1. Development shall be substantially in accordance with the site plan on file in the Department.
2. Architectural design shall comply with the commercial architecture requirements per the Coal Mountain Overlay District.
3. All landscaping and planting requirements shall comply with the Coal Mountain Overlay District, substantially similar as shown in the attached Exhibit "A".

4. Owner/Developer shall obtain a GDOT encroachment permit to tie in Keith Bridge Road (aka S.R. 306).
5. Owner/Developer shall dedicate right-of-way 75 feet from the centerline on Keith Bridge Road (aka S.R. 306) as part of site development or when needed for road improvement project as determined by GDOT and/or Forsyth County Department of Engineering.
6. 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.
7. There shall be fencing and the buffer shall remain undisturbed adjacent to the homes in High Gables subdivision.
8. Exterior building elevations shall be a minimum of (3) sides masonry with accents such as, but not limited to, Architectural metal panels/siding, synthetic or natural stone, stucco, decorative CMU. Vinyl siding is prohibited. The (3) three masonry sides shall cover 75% of each side of the building excluding windows, doors and glass. District Commissioner shall have final approval of the elevations.
9. Any doors or windows located on the front elevations shall be insulated storefront glass with two-inch (2") metal frames, not including garage doors.
10. Metal siding shall only be allowed on the side or rear elevations.
11. Buildings located on the subject property shall be one-story. This does not prohibit buildings from having mezzanine levels.
12. The maximum square footage of any individual tenant or ownership suite shall be limited to 5,000 square feet.
13. 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 (except for low intensity uses including but not limited to detailing and window tinting)
 - (c) Escort Services
 - (d) Palm reading and fortune telling
 - (e) Crematories
 - (f) Recycling and recovery facilities
 - (g) Solid waste transfer stations
 - (h) Tire retreading and recapping facilities
 - (i) Convenience stores, with or without gasoline pumps
 - (j) Gas stations
 - (k) Bars, Lounges, or nightclubs provided this shall not preclude a restaurant from having a bar
 - (l) Theaters
 - (m) Dry cleaning plants
 - (n) Fuel oil distributors
 - (o) Fuel uses associated with production, management and harvesting of timber
 - (p) Lumber yards, planning and sawmills
 - (q) Open air business and open storage yards
 - (r) Service stations

- (s) Truck terminals
 - (t) Junk yards, wrecked motor vehicle compounds, and wrecker services
 - (u) Salvage yards
 - (v) Massage parlors
 - (w) Electronic message board signs
 - (x) The manufacturing, distributing, licensing, and/or selling of drug paraphernalia on the subject property is prohibited. For purposes of this condition, drug paraphernalia 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.
14. 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.
15. Tractor-trailer access, including loading bays, docking facilities, and parking areas, is strictly prohibited on the premises.
16. 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 systems of buildings.
17. Building mounted lighting shall be Gooseneck style decorative and shall highlight architectural features and not illuminate the entire building façade.
18. Metal entry doors, awnings, canopies, gutters, gooseneck exterior lighting and other decorative elements that are non-structural, architectural details attached to a building façade 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.
19. Burglar bars, fiberglass awnings, and steel-roll down curtains are prohibited.
20. Covered structures within parking lots are prohibited.
21. 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.



22. During anytime a unit is vacant after its initial opening (a "Vacant Building") for a period of at least 30 (thirty) 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.
23. 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.

(7) Board consideration of a Tax Levy Resolution on behalf of the Forsyth County Board of Education

Ken Jarrard, County Attorney, addressed the Board.

There was a motion by Commissioner John and a second by Commissioner Semanson to approve the Tax Levy Resolution on behalf of the Forsyth County Board of Education as presented. Motion carried unanimously.

(8) Board adoption of a Resolution authorizing Affidavit concerning the Executive Session of November 6, 2025

There was a motion by Commissioner Semanson and a second by Commissioner Hill to approve the Resolution authorizing Affidavit concerning the Executive Session of November 6, 2025. Motion carried with four members in favor (John, Hill, Moore, and Semanson) and one member in opposition (Levent).

There was a motion by Commissioner Semanson and a second by Commissioner Moore to recess the Regular Meeting / Public Hearings and enter into Executive Session for the purposes of Litigation, Land Acquisition and/or Personnel at 6:46 p.m. Motion carried unanimously.

Ken Jarrard, County Attorney, announced that no additional action would be taken following the Executive Session other than the adjournment of the meeting.

There was a motion by Commissioner Semanson and a second by Commissioner Hill to come out of recess and reconvene the Regular Meeting / Public Hearings at 6:52 p.m. Motion carried unanimously.

There was a motion by Commissioner Semanson and a second by Commissioner Hill to adjourn the Regular Meeting / Public Hearings at 6:53 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.

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