

**FORSYTH COUNTY PLANNING COMMISSION  
REGULAR MEETING AGENDA  
OCTOBER 25, 2022 AT 6:30 P.M.  
FORSYTH COUNTY ADMINISTRATION BUILDING  
COMMISSIONERS' MEETING ROOM  
Suite 220, 2nd Floor**

- I. Call meeting to order and Pledge of Allegiance**
- II. Amend and adopt the agenda**
- III. Review of meeting procedures**
- IV. Motion to consider adoption of minutes for the September 27, 2022 Regular Meeting and the October 18, 2022 Work Session**
- V. Old Business**  
None.
- VI. New Business**
  1. Public Hearing: UDC modifications related to MPD Requirements in the Haw Creek Community Node
  2. Public Hearing: UDC modifications related to Signage
- VII. Public Hearings for Conditional Use Permits**
  1. Rick Dwayne Johnson - CP220025 - Commission District 4  
  
Request to operate a private school in existing buildings totaling 8,119 sq. ft. with 14 parking spaces and future expansion to include an existing 2,016 sq. ft. office with 7 parking spaces and a caretaker residence in a 3,741 sq. ft. existing building on 2.405 acres currently zoned Commercial Business District (CBD).  
  
Variances:
    1. Reduce the required number of parking spaces from 24 to 21 (UDC Table 17.1).
    2. Reduce the side setback along the northern property boundary adjacent to the existing structure only from 10 ft. to 6 ft. (UDC Table 12.2).
    3. Reduce the landscape strip along the northern property boundary adjacent to the existing asphalt and existing structure only from 10 ft. to 6 ft. (UDC 12-10.15).
    4. Reduce the front landscape strip adjacent to the existing detention pond only from 25 ft. to 5 ft. (UDC 10-1.10(B)(2)).

**Located:** This property is located at 6470, 6472 and 6474 Georgia Highway 400, Cumming, GA 30028.

**2. Todd Hunter Holbrook - CP220034 - Commission District 1**

Request to build a 21,000 sq. ft. climate- controlled self-service storage building with 4 parking spaces and an open storage yard with 40 parking spaces on 3.661 acres currently zoned Commercial Business District (CBD).

**Variances:**

- 1. Reduce the landscape strips along the side and rear lot lines from 10 ft. to 0 ft. (UDC 12-10.15).**
- 2. Reduce the separation distance between self-service storage businesses from  $\frac{3}{4}$  mile to 0 (UDC 16-4.31(G)).**
- 3. Reduce the setback abutting Heardsville Road from 40 ft. to 30 ft. (UDC Table 12.2).**
- 4. Reduce the common area from 5% to 0% (UDC 21-11.6(A)(8)).**

**Located:** This property is located at 4880 Heardsville Road, Cumming, GA 30028.

**3. The Anvil Academy, Inc - CP220035 - Commission District 3**

Request to operate a private school in buildings totaling 5,985 sq. ft. with 6 parking spaces on 7.362 acres currently zoned Agricultural District (A1).

**Variances:**

- 1. Eliminate the 5,000 ft. sewer distance requirement to facilitate the use of an on-site septic disposal system (UDC 18-5.18).**
- 2. Reduce the side buffer along the northern property boundary adjacent to the existing driveway only from 25 ft. to 0 ft. (UDC Table 15.2).**

**Located:** This property is located at 7591 Campground Road, Cumming, GA 30040.

**4. Ruppert Landscape, Inc. - CP220036 - Commission District 3**

Request to operate an open storage yard associated with a contractor's establishment in buildings totaling 3,968 sq. ft. with 18 parking spaces on 2.18 acres currently zoned Restricted Industrial District (M1).

**Variances:**

- 1. Reduce the front setback adjacent to the existing structure only from 50 ft. to 33 ft. (UDC Table 14.2).**

**Located:** This property is located at 651 James Road, Alpharetta, GA 30004.

## **VIII. Public Hearings for Home Occupation Permits**

### **1. Leonor Cuadros-Reyes - HP220001 - Commission District 3**

Request to operate a personal service establishment (aesthetician) in 300 sq. ft. of a 2,506 sq. ft. home with 1 parking space on 0.260 acres currently zoned Single Family Residential District (RES3).

Located: This property is located at 4455 Bellehurst Lane, Cumming, GA 30040.

### **2. Devonda Jean Croft - HP220003 - Commission District 4**

Request to operate a welding business in a 1,200 sq. ft. accessory structure with 1 parking space on 1.599 acres currently zoned Agricultural District (A1).

Located: This property is located at 6270 Mockingbird Road, Cumming, GA 30028.

## **IX. Public Hearings for Mobile Vending Permits**

None.

## **X. Public Hearings for Rezonings**

### **1. Northpoint Capital Investment Holdings LLC - ZA4017 - Commission District 3**

Request to rezone from Agricultural District (A1), Neighborhood Shopping District (NS) and Single Family Residential Restricted District (R2R) to Master Planned District (MPD) on 140.588 acres for 250 residential lots and 228 attached residential units with a density of 3.40 units per acre and commercial buildings totaling 63,650 sq. ft. with 294 parking spaces.

Variances:

1. Reduce the commercial component from 15% to 5.38% (UDC Table 20B.1).
2. Increase the percentage of total residential units for townhomes from 30% to 50% (UDC 20B-2.3(A)).

Located: This property is located at 170, 172 and 176 Fowler Hill Road, 550 Union Hill Road and 1105 and 1175 Mullinax Road, Alpharetta, GA 30004. The property is also located north of Fowler Hill Road, immediately east of property known as 135 Fowler Hill Road. The property is also located south of Fowler Hill Road, immediately west and south of property known as 170 Fowler Hill Road.

### **2. EAH Acquisitions LLC - ZA4052 - Commission District 5**

Request to rezone from Commercial Business District (CBD) and Agricultural District (A1) to Master Planned District (MPD) on 72.899 acres for 60 residential lots, 69 attached residential units and 295 apartments with a density of 5.82 units per acre and commercial buildings totaling 60,000 sq. ft. with 330 parking spaces.

Variances:

1. Increase the percentage of total residential units for apartments from 20% to 69.58% (UDC 20B-1.2(C)(2)).

**Located:** This property is located at 2940, 2950, 2952, 2956, 2960, 3010 and 3030 Keith Bridge Road. The property is also located immediately south of property known as 3010 Keith Bridge Road, immediately north of property known as 2956 Keith Bridge Road, immediately south of property known as 2940 Keith Bridge Road and immediately south and immediately east of property known as 2660 Freedom Parkway, Cumming, GA 30041.

**3. Weekley Homes, LLC - ZA4059 - Commission District 4**

Request to rezone from Agricultural District (A1) to Single Family Residential District (RES2) on 101.140 acres for 85 residential lots with a density of 0.84 units per acre.

**Variances:**

- 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)).**
- 2. Reduce the minimum width of each undisturbed area of separation from 50 ft. to 0 ft. (UDC 18-12.1(A)(1)).**

**Located:** This property is located at 7290 Westray Road, Cumming, GA 30028.

**4. David Patterson - ZA4072 - Commission District 4**

Request to rezone from Agricultural District (A1) to Single Family Residential District (RES2) on 140.052 acres for 153 residential lots with a density of 1.10 units per acre.

**Located:** This property is located south of Hubert Martin Road southwest of the intersection with Oak Grove Circle, Cumming, GA 30028.

**5. Justin & Laura Ririe - ZA4081 - Commission District 1**

Request to rezone from Single Family Residential District (RES3) to Agricultural District (A1) on 16.242 acres for 1 residential lot with a density of 0.07 units per acre.

**Located:** This property is located at 5080 Karr Road, Cumming, GA 30040.

**6. GVR Realty LLC - ZA4083 - Commission District 1**

Request to rezone from Single Family Residential District (R1) to Commercial Business District (CBD) on 4.349 acres for office, retail and restaurants with a drive-through facility in buildings totaling 20,430 sq. ft. with 123 parking spaces.

**Located:** This property is located at 2615 Canton Highway, Cumming, GA 30040.

**7. Beazer Homes, LLC - ZA4085 - Commission District 4**

Request to rezone from Agricultural District (A1) to Single Family Residential District (RES2) on 142.616 acres for 164 residential lots with a density of 1.15 units per acre.

**Located:** This property is located at 6490 Concord Road and 5895, 5899 and 5905 Dahlonega Highway. The property is also located immediately west of properties known as 5825, 5845, 5847 and 5905 Dahlonega Highway, immediately east of Concord Road at its intersection with Pirkle Place, approximately 2,230 ft. east of Concord Road at its intersection with Pirkle Place, immediately north of property known as 6130 Thomas Lane and approximately 525 ft. east of property known as 6490 Concord Road, Cumming, GA 30028.

**8. Barese LLC - ZA4087 - Commission District 1**

Request to rezone from Agricultural District (A1) and Neighborhood Shopping District (NS) to Neighborhood Shopping District (NS) on 4.85 acres for retail trade establishments in buildings totaling 15,000 sq. ft. with 60 parking spaces.

**Located:** This property is located at 3435 Castleberry Road. The property is also located immediately south and east of 3435 Castleberry Road and south of Castleberry Road approximately 235 ft. southwest of the intersection with Castleberry Village Drive, Cumming, GA 30040.

**9. Ronnie Rock - LLC - ZA4088 - Commission District 2**

Request to rezone from Agricultural District (A1) to Single Family Residential District (RES2) on 8.76 acres for 10 residential lots with a density of 1.15 units per acre.

**Located:** This property is located at 2251 Old Atlanta Road, Cumming, GA 30041.

**10. 4536 Castleberry Road LLC - ZA4089 - Commission District 3**

Request to rezone from Agricultural District (A1) to Single Family Residential District (RES3) on 12.266 acres for 19 residential lots with a density of 1.55 units per acre.

**Located:** This property is located at 4536 Castleberry Road, Cumming, GA 30040.

**11. Hopewell Blacksmill LLC - ZA4090 - Commission District 4**

Request to rezone from Highway Business (HB) to Single Family Residential District (RES2) on 3.16 acres for 2 residential lots with a density of 0.64 units per acre.

**Located:** This property is located at 5530 and 5580 Crystal Cove Trail, Gainesville, GA 30506.

**12. SkyLand Homes, LLC - ZA4091 - Commission District 3**

Request to rezone from Single Family Residential Restricted District (R2R) to Office and Institutional District (O&I) on 5.125 acres for commercial buildings totaling 26,130 sq. ft. with 92 parking spaces.

**Variances:**

- 1. Reduce the zoning buffer adjacent to tax map/parcels 152-088 and 152-089 adjacent to the proposed sidewalk only from 30 ft. to 0 ft. (UDC Table 12.2).**

2. Reduce the Pedestrian Landscape Zones for buildings 1, 5 and 6 only from 8 ft. to 0 ft. (UDC Table 12.3).
3. Reduce the Sidewalk Zones for buildings 1, 5 and 6 only from 6 ft. to 0 ft. (UDC Table 12.3).
4. Reduce the Façade Landscape Zones for buildings 1, 5 and 6 only from 6 ft. to 0 ft. (UDC Table 12.3).
5. Reduce the number of benches required every 200 linear feet for buildings 1, 5 and 6 only from 1 to 0 (UDC 12-13.5(G)(2)(a)).
6. Reduce the number of trash/recycling cans required every 200 linear feet for buildings 1, 5 and 6 only from 1 to 0 (UDC 12-13.5(G)(2)(b)).

**Located:** This property is located at 838 Haw Creek Road. The property is also located west of Haw Creek Drive approximately 150 ft. southwest of the intersection with Haw Creek Road, Cumming, GA 30041.

## **XI. Adjournment**