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# Planning and Zoning Commission

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## September 25, 2023 Planning and Zoning Commission Minutes

**Voting Board Members Present:** Steve Coleman, Kathy Rowland, James Freeman, Keisha Rawls, Hal Clarke, Michael Brewster, and Martin Presley.

**Voting Board Members Not Present:** All Present

**Staff Present:** Cody Ellis and City Attorney Bobby Melton.

- I. **Call to Order:** Steve Coleman called the meeting to order at 5:00p.m. James Freeman was sworn in as the newest member of the board by Bobby Melton.
- II. **Approval of Agenda:** Hal Clarke made a motion to approve the agenda, seconded by Martin Presley; motion was approved unanimously.
- III. **Approval of Minutes:** Martin Presley noted that, under “additional business,” there needed to be mention of the discussion surrounding the conditional uses/variances that are issued and the clarity concerning the length of time of those uses/variances as it pertains to whether or not they carry over should the property be sold or the use be changed. In answering that question, Cody Ellis had stated that the conditional use and/or variance would not carry over should the use change or the property change hands. Martin Presley made a motion to approve the minutes of the previous meeting with the amendment that that discussion be added to the minutes. It was seconded by Keisha Rawls; motion was approved unanimously.
- IV. **Planning and Zoning:** Cody Ellis presented a variance request on behalf of Momentum Church in lieu of the applicant, George Emami (not in attendance), to allow for them to relocate their church to Parcel 053 029D on Benson Ham Road; however, he added that the church would be on the backside of the property so that the frontage portion could be used for Highway Business type businesses. He stated that the current zoning is Highway Business, and that with the recent updates to the zoning ordinances, Highway Business was given a more defined definition to cater to highway traffic with regards to commercial businesses; however, he added that with these changes, churches were no longer allowed in that zoning. He went on to note

though that the church had been in discussions with the property owner for over a year in attempting to purchase the property, and that an agreement was just reached recently to buy it. Martin Presley made a motion to approve the variance request as presented, seconded by Kathy Rowland; motion was approved unanimously.

**V. Design and Review:** Martie Murphy presented the site plan for Design Review approval of Tidal Wave Auto Spa. Prior to the presentation, Cody Ellis informed those in attendance, as well as reminded the board members, that the purpose of Design Review is to ensure that the requirements of the zoning ordinance are met with regards to the business that is being proposed in a given location. He added that those coming before Design Review had already received confirmation, by way of the ordinance itself or a variance, that their proposed used was allowed. Steve Coleman reiterated the same, but asked the representative some info about their business; primarily, their reason for choosing the location. Mr. Murphy stated that they'd done research and believed that they will have the clientele that they need in order to be successful. Martin Presley added, along with Steve Coleman, that many members and council members had received calls and complaints about the business; however, Mr. Murphy stated that contrary the board's beliefs and what they'd heard, the numbers showed that their business would be very successful in the location they'd chosen. Cody Ellis also reiterated that it wasn't just the board that was receiving calls, that he'd also received numerous complaints about the business itself. Steve Coleman asked questions about the location of building and drainage, to which Mr. Murphy stated that they were in compliance with their drainage, and added that location of the building, given that the property sloped downward, would not cause any issues with erosion. Martin Presley and Hal Clarke asked about the material being used for the construction on the building, to which Mr. Murphy stated that it would have glass panels all along the frontside of the building to give a more "pristine" look as opposed to the looks of other carwashes. He added that there would be stone columns at the front and rear of the building as well. Martin Presley stated that he was concerned about it being completely glass on the side that abutted the road, and added that it didn't really go with the other buildings in the area either. He stated he'd rather see it brick/stone all the way down, similar to the columns. Hal Clarke asked questions regarding the makeup of the columns, and added that he too though seeing that material, in some form, down the side would be a better option. James Freeman stated that he didn't see an issue with it being glass all the way down the side, and added that he agreed that it would give them a look to make them stand out in a positive manner. Steve Coleman, Martin Presley, and Hal Clarke all discussed the option of there being two foot stacked, stone columns all the way down instead of their being just glass panels

all the way down. Kathy Rowland reiterated the sentiment of their being the stacked columns all the way down as well. Kathy Rowland made a motion to approve the design with the condition that instead of glass panels, there be two foot stacked, stone columns all the way down the side. James Freeman seconded the motion. The motion was approved 4-1; Martin Presley voting against.

Cody Ellis presented the Final Plat for Phase 1A of Fox Run subdivision on behalf of George Emami, who was absent from the meeting. He stated that everything lined up with the ordinance for the R2 zoning; adding that all setbacks, lot sizes, lot widths, etc. were in agreement with the zoning ordinance. Keisha Rawls made a motion to approve, seconded by Kathy Rowland; motion was approved unanimously.

Josh Hill presented the site plan for Fox Den Early Learning Center for approval. Cody Ellis reminded the board that Mr. Hill had previously had his variance approved to allow for this business inside of Fox Run subdivision, taking the place of the first three lots inside of there. Mr. Hill stated that he'd shown the entrances and exits per the request and approval stipulation that was given to him upon approval of his variance request. He added that the building itself would be knee-high painted brick, with hardy board covering the rest of the building. After being asked about the location of the dumpster, he stated that there would be enough room there for the garbage truck to execute a three-point turn in order to empty the dumpster and exit safely. Keisha Rawls made a motion to approve as presented, it was seconded by Kathy Rowland; motion was approved unanimously.

**VI. Additional Business:** Cody Ellis presented two proposed revisions to the zoning ordinance. The first was with regards to Article 6, Table 6.2 concerning the dimensional requirements for Residential Multi-Family. He stated that these changes would be more in line with current standards in most municipalities while also tightening our ordinance. The proposed changes were with regards to minimum lot size for single-family, detached dwellings (10,000sqft → 15,000sqft), minimum lot size for "other uses" (10,000sqft → 15,000sqft), minimum lot width (50ft → 70ft), and minimum heated floor area (900sqft → 1,000sqft). The changes would also be more closely aligned with R3 zoning for single family dwellings. Kathy Rowland made a motion to approve the proposed changes, seconded by Martin Presley; motion was approved unanimously. The second ordinance revision was with regards to Article 28, Section 28.30.(b).(1) concerning base requirements for streets. Cody Ellis

stated that the city's engineers recommended making this change so that the lifespan of roads would be increased prior to repairs being needed. The change would change the minimum base thickness from 6 inches to 8 inches. Martin Presley made a motion to approve, seconded Kathy Rowland; motion was approved unanimously.

**VII. Adjournment:** Steve Coleman adjourned the meeting at 5:58p.m.