
Planning and Zoning Commission

23 EAST MAIN STREET, FORSYTH, GA. 31029 478.994.7747

WWW.CITYOFFORSYTH.NET

July 27, 2026, Planning and Zoning Commission Meeting Minutes

Present: Steve Coleman (Chair), James Freeman, Noah Harbuck, Hal Clarke, Martin Pennington, John Howard, Chris Soule

Not Present: NA

Staff Present: Dean Nelson, Brian Causey, Alex Smith, Rachel Floyd

Guests Present: Dillan Patel and Erika Bodzy, Pixel Market/Exxon; George Emami, PrimePoint Ventures; Allen Shackelford, Tobesofkee Crossing, LLC (AT&T Store)

I. Call Meeting to Order – Steve Coleman called the meeting to order at 5:06 p.m.

II. Approval of Agenda – John Howard moved to approve the agenda as advertised. Noah Harbuck provided a second. The agenda was approved unanimously. (6-0)

III. Approval of Minutes

- a) Regular Meeting – June 22, 2026 – Chris Soule made a motion to approve the minutes. Hal Clarke seconded the motion. The minutes were unanimously approved. (6-0)

IV. Planning and Zoning Business

- a) **Public Hearing to consider an application for variance by Erika Bodzy, Unique Permits, for signage for tax parcel F44 017 –**

Mr. Coleman opened the public hearing at 5:14 p.m.

Community Development Director Dean Nelson provided the staff report for the request for a variance to allow for a 60 SF, 21'-6" internally illuminated pole sign to display fuel prices at the Pixel Market convenience store located at 440 Tift College Drive. Mr. Nelson stated the variance is necessary due to the parcel's location within the Corridor Overlay District, which does not permit internally illuminated signs or pole signs.

Mr. Nelson provided definitions, applicant history, the surrounding uses of the property, and the application and renderings of the proposed sign. He provided the standards for granting a sign variance, stating that the applicant's letter of intent provides the sign vendor applying for permits with Monroe County rather than the correct governing body, the City of Forsyth, as a hardship, but

this does not qualify as a hardship due to no fault of the owner. Mr. Nelson also stated that the approval of the requested variance would set a precedence within the corridor overlay and would be inharmonious and possibly injurious to surrounding properties within the same overlay district.

Mr. Nelson gave the staff recommendation that the request be denied, as the application does not adequately meet the criteria for hardship or unusual, extraordinary, or exceptional conditions that apply to the property. Mr. Nelson also stated that granting the proposed variance would create a precedent should other applicants seek similar relief within this Corridor Overlay District.

Mr. Coleman provided a brief layout of the public hearing procedure.

Ms. Erika Bodzy, Unique Permits, representing Shady Vent, and the property/business owner, Mr. Dillan Patel, spoke in support of the request. Ms. Bodzy stated that after reviewing the report provided, the owner understands that much of the hardship was due to his vendor.

Ms. Bodzy provided a new proposed sign, a 10x10' monument sign more aligned with the character of the area and explained that Mr. Patel is trying to stay compliant with state law, the Exxon brand, and City code. She said Mr. Patel is at risk of Exxon pulling the brand, and then Pixel Market will be an unbranded site which could severely affect his sales.

Mr. Patel stated he would like to find a happy medium and wants to work with the City on the signage.

No one spoke in opposition to the variance.

Mr. Coleman closed the hearing at 7:17 p.m.

Mr. Coleman asked what kind of signage is allowed within the district. Mr. Nelson provided more information about the signage currently at Pixel Market.

Mr. Coleman asked how tall the Ingle's sign is. Mr. Patel stated that it is considerably taller than his proposed sign.

Ms. Bodzy stated that many of the signs in the surrounding area are larger than what is being requested.

Mr. Harbuck stated that the gas station across the street has a similar sign.

Mr. Soule asked about the difference between the current proposal and a similar proposal that was approved in a previous meeting. Mr. Harbuck stated that the new sign that is being proposed is more similar to the proposal that was approved for a different property previously. Mr. Coleman stated that this station is within a different overlay district, and Mr. Nelson confirmed.

Mr. Nelson stated that the surrounding signs that could be considered more similar were all present prior to the passing of the Zoning Ordinances in 2006.

Mr. Coleman stated he thinks the new request is reasonable.

Mr. Coleman confirmed that the requested sign would be 100 SF and would also require a variance. He also stated that this sign is a step in the right direction towards the high standards of the overlay district.

Mr. Soule stated that the applicant must abide by state laws and have price signage, and the board has approved much taller signs for others.

Ms. Bodzy clarified the proposed sign structure is 10x10', but the sign face is only 50 SF.

The board discussed how to amend the application and readvertise. Mr. Causey stated that the new proposed sign could be provided as an amendment to the application and the public hearing readvertised for a future Planning and Zoning meeting.

Ms. Bodzy stated the height of the structure could be changed to 8' if the Board prefers, but any shorter and they would risk damage to the sign face when maintaining the landscaping. She also stated they need to keep 10" digits at least.

Mr. Harbuck stated that he would prefer the sign to be internally illuminated instead of utilizing external lighting.

Ms. Bodzy stated the sign is double sided and can be internally illuminated if the Board prefers.

Mr. Nelson stated the purposed sign would need a variance for ground sign, size, and illumination for the Corridor Overlay District.

Mr. Patel stated that the general contractor has a timeline for completion in August.

Mr. Clarke stated he prefers the 10x10' or 10x8' sign and expressed concerns that the external light source for the sign may be a distraction to drivers.

Mr. Patel offered to allow the City to inspect the sign and light source following its construction.

Mr. Causey and Mr. Nelson confirmed that the proper procedure would be to table the public hearing to allow the application to be formally amended and readvertised.

Mr. Patel stated that the station could utilize some sort of temporary signage if the timeline for sign approval needs to be extended. Mr. Nelson stated that a temporary sign would also need to be approved by the City.

Mr. Harbuck stated that the applicant could also request internal illumination for the sign within the amendment. Mr. Nelson stated that the applicant needs to include all variance requests within the amended letter of intent.

No one spoke in opposition to the variance.

Mr. Clarke moved to table the public hearing pending an amendment to the variance application. Mr. Harbuck provided a second. The motion to table was approved. (6-0)

b) Public Hearing to consider a petition for annexation and initial zoning from Monroe County Multi-family (RMF) to City of Forsyth Residential Multi-family (RM) by Primepoint Ventures, LLC for tax parcel F32 019 –

Mr. Coleman opened the hearing at 5:48 p.m.

Project Manager Alex Smith provided the staff report for the proposed annexation and initial zoning request of RM for parcel F32 019, approximately 4 acres, located on Moreland Avenue. The

request would allow for an Apartment Complex, The Grove. The project would include 19, three-story buildings with two apartments on each floor, for a total of 114 units, across the subject parcel as well as the parcels that are the subject of the next item on the agenda, parcels F23 068, F23 069, F24 017, and F32 046. 48 units would be located on the subject parcel, F32 019.

Mr. Smith provided the uses of the surrounding properties. All surrounding properties within unincorporated Monroe County are zoned Single Family – Low Density. The property also borders three properties within the City limits of Forsyth zoned Residential Multi-family. One of these properties contains the Forsyth Gardens Apartments and one the Hanson Hickman African Methodist Episcopal Church. Mr. Smith also presented the City zoning map, county zoning map, the property plat, a proposed site plan for the full development, and building renderings for the proposed apartment buildings.

Mr. Smith explained the standards for review of annexation, explaining that the parcel is contiguous with the City of Forsyth, vacant, and currently zoned Monroe County Multi-family and requesting Forsyth Multi-family zoning. He also stated notice of the request had been sent to the Monroe County Board of Commissioners as required and no objection was received.

Mr. Smith then provided the standards for rezoning, stating surrounding properties have similar zonings and uses, the Multi-family zoning is not expected to have adverse effects on adjacent properties as the subject property is already zoned Monroe County Multi-family, that if the property is not annexed into the city the property is still capable of the same use, and the proposal is not expected to burden traffic, schools, or utilities. He also provided peak hours traffic expectations and stated that the proposed complex would have two entrances/exits, one onto Moreland Avenue and one onto Powerhouse Road. The annexation and rezoning also fit with the Comprehensive Plan and are not expected to alter the character of the zoning district. The property will also be subject to final engineering reviews for drainage, soil and erosion, flood plain considerations, water quality, and Mr. Smith stated that the City does not anticipate an overall impact on the environment as the developer has to follow state and city development standards.

Mr. Smith stated that the property meets the requirements for annexation and the initial zoning of multi-family.

Mr. Coleman stated that he will be abstaining from voting on this item because he did the surveys for the property.

Mr. George Emami, PrimePoint Ventures, LLC., spoke in support of the application. Mr. Emami stated that he listened to the feedback from when a townhome project was presented for the same properties and adjusted his plans and acquired more property to ensure he could be a good neighbor to surrounding properties. He stated that he relocated the entrance/exit to alleviate the concerns of a nearby neighborhood, and he adjusted to apartments to allow for more greenspace.

No one present spoke in opposition.

Mr. Coleman stated that previously, the biggest issue the Board had was the placement of the entrance/exit on Willis Circle, but Mr. Emami has found alternative solutions.

Mr. Howard stated concerns that Moreland Avenue is not wide enough to accommodate traffic and asked how the church will be affected. Mr. Emami responded that he will work with the church and Mr. Moreland to create mutually beneficial solutions.

Mr. Coleman reminded the Board that they are only considering the petition for annexation and initial zoning, not the development itself.

Mr. Soule confirmed that the proposed apartment community would have two entrances, one on Powerhouse and one on Moreland. He stated that it seems safer to have two entrances. Mr. Emami stated that he agrees.

Mr. Coleman stated that he believes a more secure community would only have a single entrance/exit.

Mr. Emami stated that he is open to feedback concerning which point should be the main entrance.

Mr. Clarke stated that the City previously felt the area should have a zoning of R-3.

Mr. Nelson explained that the previous annexation was approved as R-3, but the proposed rezoning of those lots to Multi-family is the subject of the next item on the agenda, and stated the proposed project is for all parcels, but the annexation and initial rezoning request is separate from the rezoning request.

Mr. Clarke said he likes the look of the buildings, but he is greatly concerned about the increase in traffic.

Mr. Soule said he thinks the multiple entrances and proximity to 83 and the interstate will help with the flow of traffic.

Mr. Emami stated this area is very accessible to state and federal highways which are funded and maintained.

Mr. Coleman closed the public hearing at 6:23 p.m.

Mr. Soule moved to recommend approval of the annexation request with an initial zoning of Residential Multi-family (RM). Mr. Howard provided a second. The motion passed, 4-2-1 with Mr. Harbuck and Mr. Coleman abstaining, and Mr. Clarke voting no.

c) Public Hearing to consider a petition for the rezoning of tax parcels F23 068, F23 069, F24 017, and F32 046 from Residential Moderated Density (R-3) to Residential Multi-family (RM) by Primepoint Ventures, LLC. –

Mr. Coleman opened the public hearing at 6:25 p.m.

Mr. Alex Smith presented the staff report for an application to rezone parcels F23 068, F23 069, F24 017, and F32 046, located on Powerhouse Road and Willis Wilder Circle. Mr. Smith stated that the parcels would adjoin parcel F32 019, the parcel requested to be annexed into the City, for the proposed apartment community, The Grove. He reiterated that the proposed community would be made up of 19 buildings with a total of 114 units, and provided the surrounding zonings which include R-3 and two parcels zoned Multi-family, F33 005 and F33 025. He provided the Forsyth Zoning Map, a survey of the parcels, the proposed development site plan, and renderings of the proposed buildings.

Mr. Smith also provided the standards for rezoning, stating that the rezoning all parcels to Multi-family would be compatible with surrounding parcels, would not adversely effect the uses of surrounding properties, the property does have value as currently zoned, and the proposed development is not expected to be burdensome to the schools, utilities, or traffic in the area. He

also stated the proposal is in conformance with the Comprehensive Plan, and that the character of the R-1 parcels to the east could be impacted since rezoning to RM increases the likelihood of other rezonings, but these parcels are relatively small for the district. The property will also be subject to final engineering reviews for drainage, soil and erosion, flood plain considerations, water quality, and Mr. Smith stated that the City does not anticipate an overall impact on the environment as the developer has to follow state and city development standards.

Staff recommended the rezoning be approved, and Mr. Smith stated that if more than 125 units were to be built, the proposal would be subject to a DRI.

Mr. Emami, Primepoint Ventures, LLC., spoke in support of the application. He stated that he intends to offer walking trails, a swimming pool, and clubhouse, and the community would be professionally managed. He also said the tract is perfectly sized to do a minimum optimal number of units required to do a professional multi-family community. He explained the need for this type of community in Forsyth. He said both the parcel up for annexation and all the parcels in this rezoning request would be necessary for the proposed development. He also addressed the lots to the north are all two-tenths of an acre or less, and he thinks there is only one small tract that could potentially be developed multi-family based on this approval.

No one present spoke in opposition.

Mr. Coleman closed the public hearing at 6:43 p.m.

Mr. Soule moved to recommend approval of the rezoning request as presented. Mr. Pennington offered a second. The motion passed 4-2-1 with Mr. Harbuck and Mr. Coleman abstaining, and Mr. Clarke voting no.

d) Public Hearing to consider a petition for the rezoning of tax parcel F14 007 from Residential Low to Moderate Density (R-2) to Residential Moderate Density (R-3) by Wesley Cone, Crook Construction, LLC. –

Mr. Coleman opened the hearing at 6:44 p.m.

Mr. Alex Smith provided the staff report on the requested rezoning. He stated that the Tax Assessor map lists the property as .73 acres and the survey has the property as .93 acres, possibly due to an easement or an error by tax assessor. He stated that the initial concern was related to setbacks, and the applicant being unable to meet both the setback and minimum home size requirements of the R-2 district. He specified that the issue would be with meeting the minimum side setbacks of 15'. He provided the property description and surrounding uses, reporting that all surrounding parcels are zoned R-2, and several parcels across Indian Springs Road are zoned Highway Business but are used for single family dwellings. He provided maps, the parcel survey, and the proposed house plans for the 1254 SF home.

Mr. Smith also provided the standards for rezoning, stating the use is compatible with the district and the parcel meets the minimum lot size. He also said that the petitioner stated in the letter of intent that the rezoning is needed due to the hardship to construct an 1,800 SF home due to parcel size limitations, but that the staff review did not consider the size of the parcel as a hardship to meet the minimum dwelling size. He provided the current dimensional requirements and stated the more appropriate approach is a variance. He explained that no properties in the area are zoned R-3, and approving this rezoning would result in an isolated parcel with dissimilar zoning intensity, and open a precedence to rezone additional parcels. Mr. Smith stated that there is a low area in the parcel that challenges structure placement. He also stated that approval of the rezoning

would be inharmonious with the zoning scheme and purpose of the zoning ordinance and could potentially change the character of the area. He explained that there are large parcels in the area that could eventually be rezoned to allow for higher density development in the area.

Staff recommended the Board recommend denial and the applicant reapply for a variance.

Mr. Wes Cone, the property owner, spoke in support of the application. Mr. Cone explained that he has been working with Sgt. Maddox with Code Enforcement regarding the property. He said he would like to clean up the lot and requested the board use a commonsense approach to improve a rundown area. He said there is not much buildable area on the lot. He said he cannot build an 1800 SF house on the property.

No one present spoke in opposition.

Mr. Clarke clarified that the applicant plans to build a home behind the gully on the property and Mr. Cone confirmed.

Mr. Smith stated that he believes an 1800 SF home could fit on the property.

Mr. Nelson reiterated that the better course of action would be for a variance.

Mr. Coleman clarified that a rezoning could set a precedence for surrounding properties to also be rezoned to R-3.

Mr. Smith stated the rezoning would create an island of incongruent intensity.

Mr. Coleman said he is not opposed to the home, but it needs to be submitted as a variance.

Mr. Cone stated they are considering a 1500 SF house.

The Board discussed if the rezoning application could be approved as a variance.

Mr. Causey explained that rezoning is different than a variance, and a new application would need to be presented and new hearings advertised.

Mr. Pennington asked if the attorney's recommendation would be the applicant present a new application. Mr. Causey and staff confirmed.

Mr. Coleman asked if it could be done tonight. Mr. Nelson stated that it would have to be readvertised.

Mr. Harbuck asked if the earliest a variance application could be presented is the September meeting because of readvertising. Mr. Nelson confirmed.

Mr. Coleman stated that the recommendation would be to refile for a variance.

Mr. Coleman closed the hearing at 7:17 p.m.

Mr. Clarke made a motion to deny the rezoning request as a variance request would be the better avenue to meet the needs of the applicant. Mr. Pennington seconded the motion. The motion to recommend denial passed 6-0.

V. Design Review

a) Allen Shackelford, AT&T Store, Parcel F25 005

Mr. Nelson presented the design review for an AT&T store, which was previously approved four years ago. He stated that the proposal matches the character of the area, will not adversely affect any adjacent properties, the general design and scale is appropriate for the location, and the design is appropriate for the proposed use. He provided drawings, materials, and current pictures of the area.

Mr. Coleman asked if AT&T would go in the old Popeyes. Mr. Shackelford explained it will go beside the same Popeye's and utilize the same parking lot. He stated parking requirements are met.

Mr. Nelson stated that the design review was previously approved but expired.

Mr. Harbuck made a motion to approve the design review. Mr. Howard seconded the motion. The motion was unanimously approved. (6-0)

VI. Additional Business

There was no additional business.

VII. Adjournment

Mr. Coleman adjourned the meeting at 7:28 p.m.