

**City of Cumming Planning Commission Meeting  
Meeting Agenda  
June 18, 2024**

1. Call meeting to Order-Ralph Webb, Chairman.
2. Adoption of Agenda
3. Approval of May 21, 2024 meeting minutes
4. Old Business
5. New Business
  - A. Darla Light Variance #2024126-public hearing
  - B. E-15, LLC Annexation #2024127-public hearing
  - C. E-15, LLC Annexation #2024128-public hearing
  - D. City-Initiated Rezoning #2024141-public hearing
6. Announcements
7. Adjourn.

**CITY OF CUMMING  
PLANNING COMMISSION MINUTES  
JUNE 18, 2024**

**I.** There was a regular meeting of the Planning Commission of the City of Cumming on Tuesday, June 18, 2024, at 5:00 P.M., at City Hall in Cumming, Georgia. All Commission members were present. Chairman Webb called the meeting to order.

**II. Consider Agenda for Adoption:** A motion was made by Commissioner Noles and seconded by Commissioner Otwell to adopt the agenda as presented. The motion carried unanimously.

**III. Consider for adoption the following meeting minutes: A. Meeting of April 16, 2024:** A motion was made by Commissioner Otwell and seconded by Commissioner Noles to approve the Minutes of the May 21, 2024, meeting as presented. The motion carried unanimously.

**IV. Old Business: none.**

**V. New Business: A. Darla Light Variance #2024126-public hearing:** A motion was made by Commissioner Otwell and seconded by Commissioner Noles to open the public hearing. The motion carried unanimously. Planning Director Scott Morgan read into the record the following staff report: *The applicant has made application, on behalf of the property owner, for a variance to the rear setback, in order to construct a swimming pool. The existing structure currently encroaches into the building setback, so the swimming pool construction will not create a new encroachment. The current structure, as it exists, limits the use of the existing rear yard. Granting the variance will not detrimentally impact the adjacent owner's enjoyment, use or value of their property.*

*For the above-mentioned reasons, staff recommends approval of the variance, as requested.*

After some discussion and no other public comments, a motion was made by Commissioner Noles and seconded by Commissioner Otwell to close the public hearing. The motion carried unanimously. A motion was made by Chairman Webb and seconded

by Commissioner Otwell to recommend approval to the Mayor and City Council, the Variance Request #2024126 by Darla Light. The motion carried unanimously.

**B. E-15, LLC Annexation #2024127-public hearing:** A motion was made by Commissioner Otwell and seconded by Commissioner Noles to open the public hearing. The motion carried unanimously. Representing the applicant was attorney, Mr. Ethan Underwood. Mr. Underwood explained that their request was to annex 2.0 acres from County Office & Institutional (O&I) to City Office Professional. No other public comments were recorded. A motion was made by Commissioner Noles and seconded by Commissioner Otwell to close the public hearing. The motion carried unanimously. Planning Director Scott Morgan read into the record the following staff report: ***The applicant, on behalf of the property owner has filed a petition to annex 2.00 acres, more or less, and rezone from County Office & Institutional (O&I) to City Office Professional (OP). The subject property is vacant, located on Turner Road, west of the intersection with Market Place Boulevard, across from the Westshore development, which creates continuity with the existing City boundary. The adjacent City zoning is PUD and the future land use designation is mixed use-suburban, so the proposed OP zoning, as a transitional district, is in conformance with the City's Comprehensive Plan.***

***There is no proposed site plan or zoning conditions presented by the applicant at this time. Also, there has been no response from Forsyth County, as to whether or not they will object to the proposed annexation. Therefore, no staff report is available at this time and no vote will be taken by the Planning Commission, after the public hearing.***

**C. E-15, LLC Annexation #2024128- public hearing:** A motion was made by Commissioner Otwell and seconded by Commissioner Noles to open the public hearing. The motion carried unanimously. Representing the applicant was attorney, Mr. Ethan Underwood. Mr. Underwood explained that their request was to annex 18.292 acres, more or less, from County Commercial Business District (CBD) to City Highway Business (HB). No other public comments were recorded. A motion was made by Commissioner Noles and seconded by Commissioner Otwell to close the public hearing. The motion carried unanimously. Planning Director Scott Morgan read into the record the following staff report: ***The applicant, on behalf of the property owner has filed a***

*petition to annex 18.282 acres, more or less, and rezone from County Commercial Business District (CBD) to City Highway Business (HB). The four subject properties are located on Market Place Boulevard and Bald Ridge Marina Road, across from property within the city limits, which creates continuity with the existing City boundary. One of the parcels contains a medical office building and the other three are vacant, however; a climate-controlled storage facility has been proposed for one of the three vacant parcels. However, there are no proposed plans for the other two parcels and no zoning conditions have been presented by the applicant at this time.*

*There is no proposed site plan or zoning conditions presented by the applicant at this time. Also, there has been no response from Forsyth County, as to whether or not they will object to the proposed annexation. Therefore, no staff report is available at this time and no vote will be taken by the Planning Commission, after the public hearing.*

**D. City-initiated Rezoning #2024141- public hearing:** A motion was made by Commissioner Otwell and seconded by Commissioner Noles to open the public hearing. No public comments were recorded. A motion was made by Commissioner Noles and seconded by Commissioner Otwell to close the public hearing. Planning Director Scott Morgan read into the record the following staff report: *The City is proposing to rezone 1.02 acres, more or less, from Single-Family Residential (R-1) to Moderate Family Residential ((R-2). This is in an effort to conserve two (2) two-hundred-year-old oak trees, while allowing the owner to develop the remaining portion of the property.*

A motion was made by Chairman Webb and seconded by Commissioner Noles to recommend approval to the Mayor and City Council, the City-initiated Rezoning #2024141. The motion carried unanimously.

**VI. Announcements- none**

**VII. Adjourn:** A motion was made by Commissioner Otwell and seconded by Chairman Webb to adjourn the meeting. The motion carried unanimously.

**Approved this 16th day of July, 2024.**

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**Chairman Webb**

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**Commissioner Noles**

**Commissioner Otwell**

**Attest:**

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**City Clerk**