CITY OF WINDER

CITY COUNCIL
AGENDA • DECEMBER 11, 2025
Winder Community Center
113 E ATHENS ST, WINDER, GA 30680
City Council Regular Meeting **6:00 PM**

I. CALL TO ORDER

II. OPENING PRAYER

III. PLEDGE OF ALLEGIANCE

IV. APPROVAL OF AGENDA

V. CITIZEN INPUT

VI. RECOGNITION ITEM

VI.1 The City of Winder received two awards at the Public Relations Society of America (PRSA) Georgia Phoenix Awards, which recognize the best communications and public relations work across the state.

VII. MONTHLY DEPARTMENT REPORTS

VII.1 Director of Special Events Monthly Report.

VIII. CONSENT AGENDA

VIII.1 Consideration of a Motion to approve the 2026 City of Winder City Council Meeting Schedule for the Regular Meeting and Work Session of the Mayor and City Council, as shown on attached Exhibit A.

VIII.2 Consideration of a Motion to approve the 2026 City of Winder Holiday Schedule as shown on attached Exhibit A.

VIII.3 Consideration of a Motion to approve a one-year contract to reappoint Larry Steele to serve as Prosecutor for the City of Winder Municipal Court and to authorize the Mayor to execute same.

VIII.4 Consideration of a Motion to approve a contract to reappoint Marguerite Belline to serve as Public Defender for the City of Winder Municipal Court and to authorize the Mayor to execute the same.

VIII.5 Discussion and consideration to appoint Andrea Clement to serve on the Historic Preservation Commission (HPC) for a term that will end July 1, 2028.

VIII.6 Discussion and consideration to appoint Brandon Newsome to serve on the Historic Preservation Commission (HPC) for a term that will end July 1, 2028.

VIII.7 Discussion and consideration to appoint Adriana Beck to serve on the Historic Preservation Commission (HPC) for a term that will end July 1, 2028.

VIII.8 Discussion and consideration to re-appoint Lynn Hammond to serve on the Historic Preservation Commission (HPC) for a term that will end July 1, 2028.

VIII.9 Consideration of a Motion to accept a bid to perform a Classification and Compensation Study for the City of Winder.

VIII.10 Consideration of a Motion to authorize issuing a Purchase Order (PO) in the amount $31,360.00 to Professional Pipeline (Annual Contractor) for staking of boundaries associated with the Quarry Pipeline Project. Task Order #4 - Staking.

VIII.11 Consideration of a Motion to authorize issuing Purchase Orders (PO) in the amount $708,100 to Professional Pipeline (Annual Contractor) and Carter and Sloope for project management and reporting to Environmental Protection Division (EPD) in the amount of $141,900 for completing this task. This is an FY26 budgeted capital expenditure for Water.

VIII.12 Consideration of a Motion to authorize issuing a Purchase Order (PO) in the amount $176,120.00 to Professional Pipeline (Annual Contractor) for a stormwater rehabilitation project, Task Order #6 – Hamilton Avenue and Walker Street. We also wish to approve an additional $50,000.00 to purchase piping and materials for this project. This is an FY26 budgeted expenditure for Stormwater 525-4320-5414000.

VIII.13 Consideration of a Motion to approve an Intergovernmental agreement between the City of Auburn and City of Winder to pay for the work as provided in the attached Statement of Values (SOV) titled “Quarry Supply SOV Breakdown” hereby referenced as Exhibit A. to Heavy Contractors, Inc. (Contractor)

VIII.14 Consideration of a Motion to surplus vehicles #380 (2015 Chevy Tahoe VIN #1 GNLC2EC8FR298294), vehicle #381 (2015 Chevy Tahoe VIN # 1 GNLC2EC8FR29 9221), and vehicle #326 (2009 Chevy Impala VIN # 2G1WS57M79120 1737) used by the Police Department to be sold on govdeals.com.

VIII.15 Second Reading and consideration of an ordinance to adopt an amendment to Chapter 13 - Licenses and Building Regulations; creating Article XII. - Street Cafes, of the Code of Ordinances for the City of Winder to establish blocked street zones; to provide for an effective date; and for other purposes.

VIII.16 City Council - Called Meeting - December 4, 2025 5:30 PM.

VIII.17 City Council - Work Session - December 4, 2025 6:00 PM.

VIII.18 City Council - Executive Session - December 4, 2025 6:00 PM.

IX. REGULAR VOTING ITEMS

IX.1 Consideration of a Motion of Mayoral veto on the following: City of Winder Council Meeting, November 3rd, 2025, 6:00 PM. Item VIII.1 "Consideration of a Motion to approve the City of Winder's 2026 events programming."

IX.2 Consideration of a Motion to authorize the approval of a Real Property Purchase and Sale Agreement with the Barrow County School System/Barrow County Board of Education, along with subsequent purchase documents, for Parcels WN12 426 and a portion of WN12 427.

IX.3 (A) Consideration of a Motion of Mayoral veto on the following: City of Winder Council Meeting, November 3rd, 2025, 6:00 PM. Item VIII.3 "(A) Public Hearing and consideration for a Variance from the City of Winder's Comprehensive Zoning Ordinance requesting relief from Section 3-11.K. (minimum parking spaces required) in a B-2: General Commercial Zone for a property located at 409 Resource Park, Winder, Georgia, 30680, also known as Map/Parcel # WN06 002B."

(B) Public Hearing and consideration for a Variance from the City of Winder's Comprehensive Zoning Ordinance requesting relief from Section 3-22.A.1. (sidewalk requirements) in a B-2: General Commercial Zone for a property located at 409 Resource Park, Winder, Georgia, 30680, also known as Map/Parcel # WN06 002B.

IX.4 (A) Public Hearing and consideration for a Variance from the City of Winder's Comprehensive Zoning Ordinance requesting relief from (A) 3-2.E. 1. Main Roof Pitch, in a R-1: Low Density Single: Family Residential Zone for a property located at 833 Idlewood Rd., Winder, Georgia, 30680, also known as Map/Parcel # WN10B 027.

(B) Public Hearing and consideration for a Variance from the City of Winder's Comprehensive Zoning Ordinance requesting relief from (B) 3-2.3. to allow for a window width greater than height, in a R-1: Low Density Single: Family Residential Zone for a property located at 833 Idlewood Rd., Winder, Georgia, 30680, also known as Map/Parcel # WN10B 027.

(C) Public Hearing and consideration for a Variance from the City of Winder's Comprehensive Zoning Ordinance requesting relief from C) 3-2.4. to allow for windows with no lites, in a R-1: Low Density Single: Family Residential Zone for a property located at 833 Idlewood Rd., Winder, Georgia, 30680, also known as Map/Parcel # WN10B 027.

(D) Public Hearing and consideration for a Variance from the City of Winder's Comprehensive Zoning Ordinance requesting relief from Section 3-22.A.1. (sidewalk requirements) in a R-1: Low Density Single: Family Residential Zone for a property located at 833 Idlewood Rd., Winder, Georgia, 30680, also known as Map/Parcel # WN10B 027.

IX.5 Public Hearing and consideration for a Variance from the City of Winder's Comprehensive Zoning Ordinance requesting relief from Section 3-22.A.1. (sidewalk requirements) in a R-1: Low-density, Single-family Residential zone for a property located at 435 Watson Road, Winder, Georgia, 30680, also known as Tax/Map Parcel #WN22 005A.

IX.6 (A) Public Hearing and consideration for a Rezone from the City of Winder's Comprehensive Zoning Ordinance requesting a Rezone from B-1: Neighborhood Commercial Zone to B-2: General Commercial Zone for the property located at 47 Porter St., Winder, Georgia, 30680, also known as Map/Parcel # WN12 164.

(B) Public Hearing and consideration for a Conditional Use per the City of Winder's Comprehensive Zoning Ordinance to allow for Vehicle Leasing in a B-2: General Commercial Zone for the property located at 47 Porter St., Winder, Georgia, 30680, also known as Map/Parcel # WN12 164.

IX.7 Consideration of an ordinance to amend the Code of Ordinances, City of Winder, Georgia; to create section 15-12 entitled "golf carts and personal transportation vehicles"; to clarify policy regarding golf carts on the streets within the City limits; to repeal conflicting ordinances; to provide an effective date; and for other purposes.

IX.8 Consideration of an ordinance to amend a portion of section 18-11 of the Code of Ordinances, City of Winder, Georgia, by changing the definition of "person having a complaint or complainant" and for other purposes.

X. EXECUTIVE SESSION

Executive Session allows discussion of matters properly excluded from the Georgia Open and Public Meetings Law (O.C.G.A. §50-14), specifically:

Pending or potential litigation, settlement, claims, administrative proceedings or other judicial actions;
Discussion of future acquisition, disposition, or lease of real estate;
Discussing or deliberating upon the appointment, employment, hiring, disciplinary action or dismissal, or performance of a public officer or employee;
Discussion of a record exempt from disclosure where consideration of the record cannot be had without disclosure of the record.

No action will be taken during this session.

XI. ADJOURN

Individuals with disabilities who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities are required to contact the ADA Coordinator at 678-425-6805 promptly to allow the City of Winder to make reasonable accommodations for those persons.

COUNCIL MEMBERS
Stephanie Britt
Power Evans
Kobi Kilgore
Taffy McCormick
Sonny Morris
Travis Singley

MAYOR
Jimmy Terrell

CITY ADMINISTRATOR
Jonathan Lynn

City of Winder

Memorandum

TO: Mayor and City Council

FR: Sara Freeland

Date: December 11, 2025

RE:

The City of Winder received two awards at the Public Relations Society of America (PRSA) Georgia Phoenix Awards, which recognize the best communications and public relations work across the state.

Background:

The City of Winder received the following two awards at the Public Relations Society of America (PRSA) Georgia Phoenix Awards, which recognize the best communications and public relations work across the state.

- Phoenix Award for Creative Tactics — "Potholes of Winder" awareness project
- Award of Excellence for Best Use of Social Media (Organic/Earned) — "Potholes of Winder" awareness project

The Phoenix Awards showcase Georgia's top communications projects and programs from the past year—honoring creative ideas, measurable results, and demonstrated value to organizations. Winder's work was recognized alongside entries from major corporations and agencies, including Weber Shandwick, Mars/M&M's, and Children's Healthcare of Atlanta.

These awards highlight the impact of our ongoing efforts to make government communications engaging, transparent, and community-driven.

Recommendation: This is a recognition item.


CITY OF
WINDER
EVENTS
Presented by Talore Ruedt | December 11, 2025

Year in Figures

- 33 Event Days
- 715 Vendor Applications
- 87,486 Pieces of Candy Passed Out
- 15,728 Eggs Stuffed
- 108 Hours of Live Music
- $37,750 in Sponsorships









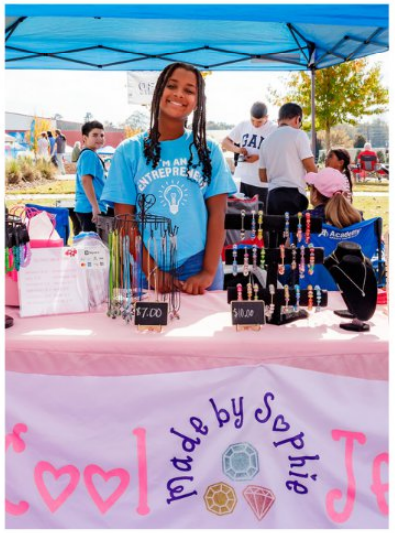
CITY OF WINDER EVENTS

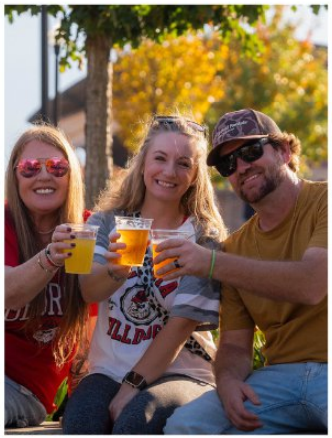
Our Heavy Hitters

- Spooktacular: 6,000 Visitors
  - 10% Increase from 2024
- Jug Tavern Festival: 5,600 Visitors
  - 25% Increase from 2024
- Celebrate Winder: 5,100 Visitors









CITY OF WINDER EVENTS

Tree Lighting

- Hosted on Thursday, November 20th
- 2100 Visitors Between 5-9pm
  - 180% Increase from 2024
- Distributed 300 crafts and over 500 s'mores









CITY OF WINDER EVENTS

76th Annual Christmas Parade

- This Saturday from 2-5:30pm
- 65 Parade Participants
- 41 Vendors on the Waitlist
- Santa's After Party
  - Holiday Artisan Market NEW
  - Photos with Santa
  - DJ
  - Storytime with the Library







CITY OF WINDER EVENTS

Applications Go Live

- Dublin on Jackson & Eggstravaganza
  - **January 12th**
- TGIFF events, Jug Tavern Festival & Celebrate America
  - **February 4th**
- Spooktacular, the Tree Lighting, and the Christmas Parade
  - **July 13th**



CITY OF WINDER EVENTS

Setting the Stage for 2026

- Celebrate America: Dolly Parton Tribute & Pop2000
- Barrels & Brews: Old Time Sailors
- Spooktacular Theme: Once Upon a Spooktacular
- Tree Lighting & Christmas Parade: Santa Locked In










Thank you!
CITY OF
WINDER
EVENTS

City of Winder

The 2026 Schedule shall include a City Council Regular Meeting on the Tuesday following the first Monday of the month and a City Council Work Session on the Thursday prior to the Tuesday Regular Meeting unless otherwise noted*.

Work Session	Regular Meeting 2026
**no work session scheduled*	Tuesday, January 6th
Thursday, January 29th	Tuesday, February 3rd
Tuesday, February 24th *	Tuesday, March 3rd
Thursday, April 2nd	Tuesday, April 7th
Thursday, April 30th	Tuesday, May 5th
Thursday, May 28th	Tuesday, June 2nd
Thursday, July 2nd	Tuesday, July 7th
Thursday, July 30th	Tuesday, August 4th
Thursday, September 3rd	Tuesday, September 8th
Thursday, October 1st	Tuesday, October 6th
Thursday, October 29th	Wednesday, November 4th *
Thursday, December 3rd	Tuesday, December 8th

All Work Sessions and Regular Meetings are held at the Winder Community Center, 113 East Athens Street, Winder, GA beginning at 6:00 p.m. and are open to the public.

Exhibit A

City of Winder

2026 Holiday Schedule

01/01/2026	Thursday, January 1 - New Year's Day
01/19/2026	Monday, January 19 - Martin Luther King, Jr. Day
04/3/2026	Friday, April 3 – Good Friday
05/25/2026	Monday, May 25 - Memorial Day
06/19/2026	Friday, June 19 – Juneteenth
07/03/2026	Friday, July 3 - Independence Day Holiday
09/07/2026	Monday, September 7 - Labor Day
10/12/2026	Monday, October 12 – Columbus Day
11/11/2026	Wednesday, November 11 – Veterans Day
11/26/2026	Thursday, November 26 - Thanksgiving Day
11/27/2026	Friday, November 27 - Thanksgiving Holiday
12/24/2026	Thursday, December 24 - Christmas Eve Holiday
12/25/2026	Friday, December 25 - Christmas Day Holiday

All administrative City offices will be closed in observance.

CITY OF WINDER
PROSECUTOR CONTRACT

This agreement is made and takes effect on January 1, _____ between the City of Winder, hereafter called "City" and Larry Steele, hereafter called "Prosecutor."

DUTIES OF THE CONTRACTOR

The City Prosecutor performs advanced professional legal work involving the prosecution of suspects in misdemeanor criminal cases and participates in administrative and research functionsin civil areas when directed. The Prosecutor will prosecute cases within the jurisdiction of the City Charter, ordinances, and Georgia State Statutes that are within the original jurisdiction of the Winder Municipal Court.

The City of Winder Municipal Court is held at the Winder Community Center at 113 East Athens Street, Winder, Georgia 30680 on Friday's at 8 am.

1. The City hereby employs Prosecutor commencing on the date of this agreement and Prosecutor hereby accepts such contract.

2. During the Prosecutor's contract he will:

    A. Devote such time and effort as may be reasonably required by the City to perform his duties.

    B. Duties includes prosecution of misdemeanor cases, preparing cases for trial, communication with opposing counsel, response to discovery requests, communication with state's witnesses, etc.

    C. Perform such duties as may reasonably be required of him by the City.

TERM

The Prosecutor Contract will last for a term of one year but is subject to renewal at the will of the City Council of Winder.

COMPENSATION AND BENEFITS

For services rendered by the Prosecutor, the City shall pay him as follows:

1. In consideration of the services rendered, the City will compensate the Prosecutor $450.00 per day in court and a typical court date runs from approximately 8 am until 12 noon.
2. Any additional hours beyond/outside of the scheduled court sessions 4 ½ hours will bepaid at $125.00 per hour.

3. Additional compensation for expenses such as postage for mailing discovery request (if request cannot be faxed).
4. Payment may be made monthly upon receipt of a detailed invoice by the City.

CONFIDENTIALITY

The Prosecutor understands that he will acquire confidential information of business value to the City during his contract period. Prosecutor hereby agrees not to divulge such confidential information to any other party, or to use such information for his own profit except in performance of contracted activities beneficial to the Company.

TERMINATION

This agreement contract may be terminated by:

1. Mutual Agreement of the parties.

2. Discharge for cause. The City may, at any time, with cause, discharge the Prosecutor by giving him written notice of such discharge. In the event the Prosecutor commits a material breach of the obligations and duties of Prosecutor under this agreement or commits any acts designated as conduct violations or for just cause shall be cause for dismissal. The City may terminate this agreement, only for "cause" which, for purposes herein, shall mean Prosecutor's (i) material and continuing failure to perform his essentialduties hereunder, (ii) gross misconduct or gross dereliction of duty (iii) criminal conduct. The City may terminate this agreement upon any material breach by Prosecutor which is not cured within 30 days of written notice by the City.

3. Prosecutor's contract shall terminate upon his death; inability or failure to perform the duties required by this contract; or his written notice of resignation given to the City.

FINAL AGREEMENT

This agreement constitutes the entire agreement between City and Prosecutor.

GOVERNING LAW

This agreement shall be interpreted and, if necessary, adjudicated in accordance with the laws of Georgia, Barrow County.

NOTICE

Until written notice of other address(es) is exchanged between the parties, all notices legally required shall be deemed delivered by the sending of registered mail to the following addresses:

City address: 25 East Midland Avenue, PO Box 566, Winder, Georgia 30680
Prosecutor address: 675 Singley Drive, Lawrenceville, Georgia 30044

In witness to their agreement to these terms, City's representative and Prosecutor's affix their signatures below:

_____	_____
Attorney, Larry Steele	Date
_____	_____
Witness	Date
_____	_____
Jimmy Terrell, Mayor	Date
_____	_____
Witness	Date

CITY OF WINDER

PUBLIC DEFENDER CONTRACT

This agreement is made and takes effect on _____ between the City of Winder, hereafter called "City" and Marguerite K. Belline hereafter called "Public Defender".

DUTIES OF THE CONTRACTOR

The Public Defender will provide legal representation for each of the indigent criminal defendants who have been charged under ordinances of the City and have qualified for appointed counsel from court appointment or screening through trial, sentencing, post-conviction review and any appeals. If applicable and/or necessary, the Public Defender will provide criminal defense services at in-custody bail hearings and will be available to talk and meet with indigent defendants in the custody of the City.

The City of Winder Municipal Court is held at the Winder Community Center, 113 East Athens Street, Winder, Georgia 30680 every Friday at 8:00 am. The Public Defender will be scheduled to meet with indigent defendants once a month for arraignments and, if necessary, once a quarter for trials.

TERM

The Public Defender Contract will expire on _____, but is subject to renewal at the will of the City Council of Winder.

COMPENSATION AND BENEFITS

For services rendered by the Public Defender, the City shall pay her as follows:

A. In consideration of the services rendered, the City will compensate the Public Defender $70.00 per case appointment. Prior to meeting out of court with defendants, the Public Defender shall notify the Court Clerk of the name of the defendant for record keeping purposes.
B. Payment may be made monthly upon receipt of a detailed invoice by the City. The details shall include the court date with the names of the defendants who were counseled on that date. Any additional out of court hours, shall include the date of the meeting, the name of the defendant, and the number of hours met.

CONFIDENTIALITY

The Public Defender understands that she will acquire confidential information of business value to the City during the course of her contract period. Public Defender hereby agrees not to divulge such confidential information to any other party, or to use such information for his/her own profit except in performance of contracted activities beneficial to the Company.

TERMINATION

This agreement contract may be terminated by:

A. Mutual Agreement of the parties.

B. Discharge for cause. The City may, at any time, with cause, discharge the Public Defender by giving her written notice of such discharge. In the event the Public Defender commits a material breach of the obligations and duties of Public Defender under this agreement or commits any acts designated as conduct violations or for just cause shall be cause for dismissal. The City may terminate this agreement, only for "cause" which, for purposes herein, shall mean Public Defender's (i) material and continuing failure to perform her essential duties hereunder, (ii) gross misconduct or gross dereliction of duty (iii) criminal conduct. The City may terminate this agreement upon any material breach by Public Defender which is not cured within 30 days of written notice by the City.

C. Public Defender's contract shall terminate upon her death; inability or failure to perform the duties required by her contract; or her written notice of resignation given to the City.

FINAL AGREEMENT

This agreement constitutes the entire agreement between City and Public Defender.

GOVERNING LAW

This agreement shall be interpreted and, if necessary, adjudicated in accordance with the laws of Georgia, Barrow County.

NOTICE

Until written notice of other address(es) are exchanged between the parties, all notices legally required shall be deemed delivered by the sending of registered mail to the following addresses:

City address: PO Box 566, 25 East Midland Avenue, Winder, Georgia 30680

Public Defender address: P.O. Box 10, Mansfield, Georgia 30055

In witness to their agreement to these terms, City's representative and Public Defender's affix their signatures below:

_____	_____
Attorney Marguerite K. Belline	Date
_____	_____
Witness	Date
_____	_____
Jimmy Terrell, Mayor	Date
_____	_____
Witness	Date

COUNCIL MEMBERS
Stephanie Britt
Power Evans
Kobi Kilgore
Taffy McCormick
Sonny Morris
Travis Singley

MAYOR
Jimmy Terrell

CITY ADMINISTRATOR
Jonathan Lynn

City of Winder

Memorandum

TO: Mayor and City Council

FR: Renee Van Sickle, Community Development Manager

Date: December 11, 2025

RE: Discussion and consideration to appoint Andrea Clement to serve on the Historic Preservation Commission (HPC) for a term that will end July 1, 2028.

Background: Per an ordinance amendment to Section 19-48 (Historic Preservation Commission), adopted by City Council at the November 3, 2025, City Council meeting, "the Mayor and each City Council Member shall have one appointment to the Historic Preservation Commission". Councilmember Taffy McCormick, At-Large, is recommending resident Andrea Clement as her appointment to serve on the Historic Preservation Commission. Should this appointment be approved, Ms. Clement's term will expire July 1, 2028. Per recently amended Section 19-48 "all terms shall run through and including June 30 of the calendar year which follows the calendar year in which an election for the office of any particular appointing Council member or Mayor is held". Councilmember McCormick's current term ends December 31, 2027. If appointed, Ms. Clements will replace Jennifer Faulk, whose term expired December 31, 2023, on the Commission.

Recommendation: Staff does not have a recommendation. This is for City Council's consideration.

COUNCIL MEMBERS
Stephanie Britt
Power Evans
Kobi Kilgore
Taffy McCormick
Sonny Morris
Travis Singley

MAYOR
Jimmy Terrell

CITY ADMINISTRATOR
Jonathan Lynn

City of Winder

Memorandum

TO: Mayor and City Council

FR: Renee Van Sickle, Community Development Manager

Date: December 11, 2025

RE: Discussion and consideration to appoint Brandon Newsome to serve on the Historic Preservation Commission (HPC) for a term that will end July 1, 2028.

Background: Per an ordinance amendment to Section 19-48 (Historic Preservation Commission), adopted by City Council at the November 3, 2025, City Council meeting, "the Mayor and each City Council Member shall have one appointment to the Historic Preservation Commission". Councilmember Travis Singley, Ward 4, is recommending resident Brandon Newsome as his appointment to serve on the Historic Preservation Commission. Should this appointment be approved, Mr. Newsome's term will expire July 1, 2028. Per recently amended Section 19-48 "all terms shall run through and including June 30 of the calendar year which follows the calendar year in which an election for the office of any particular appointing Council member or Mayor is held". Councilmember Singley's current term ends December 31, 2027. If appointed, Mr. Newsome will fill a vacancy on the Commission.

Recommendation: Staff does not have a recommendation. This is for City Council's consideration.

COUNCIL MEMBERS
Stephanie Britt
Power Evans
Kobi Kilgore
Taffy McCormick
Sonny Morris
Travis Singley

MAYOR
Jimmy Terrell

CITY ADMINISTRATOR
Jonathan Lynn

City of Winder

Memorandum

TO: Mayor and City Council

FR: Renee Van Sickle, Community Development Manager

Date: December 11, 2025

RE:

Discussion and consideration to appoint Adriana Beck to serve on the Historic Preservation Commission (HPC) for a term that will end July 1, 2028.

Background:

Per an ordinance amendment to Section 19-48 (Historic Preservation Commission), adopted by City Council at the November 3, 2025, City Council meeting, "the Mayor and each City Council Member shall have one appointment to the Historic Preservation Commission". Councilmember Kobi Kilgore, Ward 2, is recommending resident Adriana Beck as her appointment to serve on the Historic Preservation Commission. Should this appointment be approved, Ms. Beck's term will expire July 1, 2028. Per recently amended Section 19-48 "all terms shall run through and including June 30 of the calendar year which follows the calendar year in which an election for the office of any particular appointing Council member or Mayor is held". Councilmember Kilgore's current term ends December 31, 2027. If appointed, Ms. Clements will replace Erin Alvarez, whose term expired December 31, 2024, on the Commission.

Recommendation:

Staff does not have a recommendation. This is for City Council's consideration.

COUNCIL MEMBERS
Stephanie Britt
Power Evans
Kobi Kilgore
Taffy McCormick
Sonny Morris
Travis Singley

MAYOR
Jimmy Terrell

CITY ADMINISTRATOR
Jonathan Lynn

City of Winder

Memorandum

TO: Mayor and City Council

FR: Renee Van Sickle, Community Development Manager

Date: December 11, 2025

RE:

Discussion and consideration to re-appoint Lynn Hammond to serve on the Historic Preservation Commission (HPC) for a term that will end July 1, 2028.

Background: Per an ordinance amendment to Section 19-48 (Historic Preservation Commission), adopted by City Council at the November 3, 2025, City Council meeting, "the Mayor and each City Council Member shall have one appointment to the Historic Preservation Commission". Mayor Jimmy Terrell is recommending resident Lynn Hammond for reappointment to serve on the Historic Preservation Commission. Should this appointment be approved, Ms. Hammonds's new term will expire July 1, 2028. Per recently amended Section 19-48 "all terms shall run through and including June 30 of the calendar year which follows the calendar year in which an election for the office of any particular appointing Council member or Mayor is held". Mayor Terrell's current term ends December 31, 2027. If appointed, Ms. Hammond will replace herself, as her current term expired December 31, 2024, on the Commission.

Recommendation: Staff does not have a recommendation. This is for City Council's consideration.

COUNCIL MEMBERS
Stephanie Britt
Power Evans
Kobi Kilgore
Taffy McCormick
Sonny Morris
Travis Singley

MAYOR
Jimmy Terrell

CITY ADMINISTRATOR
Jonathan Lynn

City of Winder

Memorandum

TO: Mayor and City Council

FR: Niki Graham, Director of Human Resources

Date: December 11, 2025

RE: Consideration of a Motion to accept a bid to perform a Classification and Compensation Study for the City of Winder.

Background: Mayor and Council recently approved funding in the FY26 budget for a citywide classification and compensation study. The Human Resources Department issued a Request for Proposals (RFP) to identify potential vendors. A review committee comprised of representatives from (City Administrator, Human Resources, Fire, Police, Finance, and Customer Service) was formed to evaluate all submissions. Following a thorough review process, the committee has narrowed down the select to three firms, and final to be selected to perform the study.

Recommendation: Staff recommends approval.

COUNCIL MEMBERS
Stephanie Britt
Power Evans
Kobi Kilgore
Taffy McCormick
Sonny Morris
Travis Singley

MAYOR
Jimmy Terrell

CITY ADMINISTRATOR
Jonathan Lynn

Date: December 2, 2025

To: Mayor and Council and Jonthan Lynn, City Administrator

From: Dr. Niki Graham, Director of Human Resources

RE: Submissions of RFP HRD25-01 Classification and Compensation Survey Results and Pricing

The purpose of this memo is to provide a summary of all vendors who submitted proposals for RFP HRD25-01, Classification and Compensation Study, along with their respective pricing.

The following list reflects the submissions received and reviewed. The top three vendors, indicated in bold, were selected to present to the Classification and Compensation Committee, which is composed of: (Dr. Niki Graham, Human Resources Director; Jim Fullington, Chief of Police; Matt Whitting, Fire Chief; Michelle Melville, Customer Service Director; Ronnie Campbell, Chief Finance Officer, and Jonathan Lynn, City Administrator).

After careful review and consideration, the committee respectfully seeks the approval of the Mayor and Council to move forward with hiring Bolton. Attached is Bolton's presentation for your review.

Vendor Submission	**Cost**
Bolton	**$39,200**
MGT	**$44,775**
CBIZ	**$78,400**
AutoSolve Inc.	$37,875
Gallagher	$59,325 plus additional fees
Grant Thronton	$46,000
Pay Point HR	$32,500
Moore Cooperative	$58,500 plus additional fees
Evergreen	$28,500

Bolton

Compensation Salary Study and Survey

Proposed Consulting Services

September 12, 2025

For Bolton:
Dan Ripberger
President, Bolton Rewards
3825 Edwards Rd, Suite 103
Cincinnati, OH 45209
(513) 290-1770
djripberger@boltonusa.com

CITY OF WINDER GEORGIA

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Appendix: Bolton Public Sector Clients

I. Introduction

Background

The City of Winder, GA (Winder, the City) is located 50 miles east of Atlanta and is part of the Atlanta metropolitan area. It is the county seat of Barrow County. The Georgia General Assembly incorporated Winder in 1893. As of the 2020, the population 18,838.

Winder offers a full complement of total compensation programs designed to attract, retain and engage the type and caliber of staff required to provide services and meet the expectations of the community. Its human resources staff actively manage the total compensation program to ensure its alignment with City needs.

Winder is currently seeking proposals from qualified consultants to conduct a thorough and independent review of its classification and compensation program. As experts with specialized knowledge of public sector compensation systems across the United States, Bolton submits this proposal describing our approach, planned team, and expected timing and fees to complete the desired study.

Objectives

The primary engagement objective is to review and, if needed, recommend changes to Winder's classification and compensation program. Based on our current understanding and expertise in organization development, classification, and total compensation, meeting this objective will require the review of specific elements:

- Reward philosophy;
- Job documentation and evaluation;
- Market cash compensation benchmarking and analysis;
- Base pay structure(s) with grade and ranges;
- Job classification and grading; and
- Base pay delivery policies (market adjustments, merit adjustments, etc.).

II. About Bolton

Bolton Partners, Inc.

Bolton is a national full-service compensation, employee benefits, actuarial, and investment consulting firm with over 40 years of experience providing consulting services to clients in the public and corporate sectors, nonprofit organizations, as well as for the Federal Government. The firm was founded in 1981 by Mr. Robert G. Bolton, FSA, EA, MAAA, FCA, as an independent actuarial and employee benefits firm. Headquartered in Baltimore, Maryland, we also have offices in Colorado, New Jersey, Virginia, Georgia, Ohio, Pennsylvania, and Virginia. A full listing of our over 250 public sector clients is provided in the **Appendix.**

About Bolton Rewards

Bolton Rewards is the reward strategy and compensation consulting and services practice of Bolton. Our team of reward experts has provided reward strategy and compensation consulting services for over 30 years and maintains specific expertise and experience in:

- Total Reward Strategy;
- Organization Performance and Design;
- Classification and Compensation Programs;
- Performance Management; and
- Market Surveys and Research.

A Bit More on Selected Rewards Services

Organizational and Employee Performance

- We help agencies improve service delivery in a number of areas, including finance and purchasing, human resources, risk management, and records management.
- Our services include organizational assessments, staffing analysis, engagement surveys, performance management, compliance audits, process improvement, and strategic planning.

Top Executive Pay and Performance

- We provide board members and elected officials with a logical and straightforward path to making objective decisions and achieving results.

Pay Program Management Co-Sourcing

- Tailored to the needs of individual organizations, our services meet a variety of needs our clients encounter each year. We help with regular and ad hoc market benchmarking and competitive assessments, pay program management – structure adjustments and job evaluation/grading changes, and budget preparation.

Value Definition and Communication

- We help clients create, communicate and socialize their value proposition to current and potential employees so they can recruit top talent and build true engagement.
- Our reward strategy process identifies value-added factors, helps prioritizes human resource investment, explains different components of the employment relationship, and helps align rewards and organization performance.

II. About Bolton – Selected References

Client	Project
City of Albany, Georgia Towanna Howard Human Resources Director (229) 302-1546 thoward@albanyga.gov	Reviewed and redesigned the City's job description, job evaluation, and classification plans. Conducted original market research of selected counties and municipalities and established new pay ranges, classification grading and effective pay management policies.
City of Suwanee, Georgia Michelle Hunter Director, Human Resources (470) 350-1206 MHunter@suwanee.com	Reviewed and redesigned the City's job description, job evaluation, and classification plans. Conducted original market research of selected counties and municipalities and established new pay ranges, classification grading and effective pay management policies.
City of Winter Park, Florida Pam Russell Division Director, Human Resources (407) 559-3227 prussell@cityofwinterpark.org	Reviewed and redesigned this Orlando suburb's job description, job evaluation, and classification plans. Conducted original market research of selected counties and municipalities and established new pay ranges, classification grading and effective pay management policies.
Town of Vienna, Virginia Michelle Crabtree Director of Human Resources (703) 255-6351 michelle.crabtree@viennava.gov	Reviewed and redesigned this Washington, DC suburb's job description, job evaluation, and classification plans. Conducted original market research of selected counties and established new pay ranges, classification grading and effective pay management policies.

III. Project Approach – Preliminary Work Plan

Based on our understanding of Winder's needs, resources, and timing, we believe the engagement objectives can best be accomplished by working through five distinct phases.



III. Project Approach – Preliminary Work Plan

Phase 1: Project Planning and Discovery

Step 1: Project Planning

- We will kick off the project with a meeting among the Winder and Bolton project teams to finalize engagement goals and scope and establish data needs, time milestones, and deliverables.
- Bolton will prepare data requests and assist with data collection, as needed, and will prepare a working project plan.

Step 2: Current Program Review

- Bolton will collect and internally review the organizational plan and policy documents, as well as previous assessments and analyses that describe the current compensation and benefits programs and their administration.
- We will meet with the HR team to ensure our full understanding of the current program.

Step 3: Communication Planning

- Should the City desire assistance communicating the study within the organization, we will help develop a communication plan. Our communication plan will help define key messages, specific audiences, the best media to use, and appropriate timing and milestones.
- We will provide template memo text/talking points for employee communication and can conduct an electronic project briefing session that can be recorded for ongoing use.

Step 4: Leadership Briefing

- Bolton will work with the City to brief leadership - elected officials, executives, and department heads on the project and desired outcomes.
- We will also discuss the specific project steps, expected timing, and their role in helping the study succeed.

Phase 2: Job Analysis and Evaluation

Step 1: Job Description Review

- We plan to work with the City to collect existing job descriptions and review job content data (duties, responsibilities, and requirements) on all covered jobs.
- We will review both the format and the general language and text used within existing job descriptions. Our review will focus on several key areas:
  - Inconsistent use of compensable factor leveling terms;
  - Functions that are too task-based or are too numerous to be considered essential;
  - Overgeneralized job requirements.

Step 2: Management Interviews

- We will interview department heads and other management to better understand the work of the City, how it is organized, and intended job results, to learn more about special talent considerations and labor market challenges, and to gather perceptions of the current program's effectiveness.
- Prior to and in preparation for our interviews, we will work with the City to request department heads complete our Departmental Functional Survey either online or via our tailored Microsoft Word form.

Step 3: Job Title and System Review

- We also plan to review the use of job and position titles for internal consistency and market commonality.
- Typically, effective job titles have three components that are consistently applied:
  - Family or technical identification, such as Accounting, Construction, Equipment Maintenance, Planning, Recreation, or Water Treatment.
  - Name of the type of work completed, such as Analyst, Clerk, Coordinator, Manager, Engineer, Operator, Representative, Specialist, or Technician.
  - A designation for the level of work completed as part of a progression, if such a progression exists. The titles are sometimes indicated by numbers or letters or by specific labels, such as Associate, Entry, Staff, Senior, Principal, etc.

Phase 3: Market Benchmarking

Step 1: Market Strategy

- Collaborate with Winder to finalize the competitive labor market(s) that aligns with the feedback received from leadership and management, including specific peer organizations.
- The market strategy will identify sectors: public sector employers as well as public sector employers, with whom the City wants to compete for talent.

Step 2: Custom Survey/Original Research

- Using our TRDx platform, we will conduct a custom survey of total compensation levels and practices survey of identified peers.
- We will work with the City to define the most appropriate contacts at each peer and a communication plan designed to gain maximum participation.
- The custom survey will cover all elements of total compensation provide by the City or otherwise available in the market:

Direct	Indirect
• Base pay • Pay premiums • Variable pay	• Health benefits • Welfare benefits • Paid Time Off • Retirement benefits • Other services

Custom Survey/Original Research continued:

- The custom survey will require the completion of several distinct tasks:
- Prepare survey package for review and approval;
- Make initial contact with potential participants to generate interest;
- Electronically distribute the questionnaire to the invitee list and monitor survey returns and follow-up;
- Collect and review returned surveys, following up with questions or verification of reported data;
- Aggregate and summarize reported data for use in our analyses; and
- Produce and distribute a summary report for participants.

Step 3: Published Survey Analysis

- In addition, Bolton maintains an extensive library of published surveys and research that covers a wide array of market sectors, geographies, and job types; including APPA and AWWA. Our CompManager database has over 500,000 records of base and total cash compensation data.
- We will incorporate these data into our analyses, if needed, to represent desired labor markets.
- The results of our survey and supplemental market research will be summarized and presented as part of our subsequent gap analysis.

Step 4: Job Evaluation

- Job evaluation is a systematic approach to determining job value relative to other jobs for purposes of pay opportunity determination. Effective job evaluation systems:
  - Reflect organizational values;
  - Help rationalize and deliver internal equity;
  - Should be defined by legally-acceptable compensable factors – not competencies or performance-related behaviors; and
  - Align with the organization's need to recruit and retain qualified staff.
- We will first organize jobs into our Career Stream families. A family is a group of jobs having the same nature of work but requiring different levels of skill, effort, responsibility, or working conditions. Families are the first grouping to establish progressions of skill, knowledge, and responsibility across jobs and are essential to ensuring organizational consistency and equity.
- Career Stream levels are clearly differentiated levels within a family. The levels for each family are defined in terms of a "whole job" approach (i.e., all job dimensions are evaluated in the aggregate rather than on an individual basis).
- Bolton will review the City's current job evaluation system and job classification structure to assess its effectiveness in helping manage internal and external equity across the organization.

Step 5: FLSA and Other Legal Review

- Bolton will further review the City's jobs to provide an opinion and guidance on classifications status with respect to the FLSA and EEO regulations.
- Specifically, we will apply Executive, Administrative, Professional, and or Computer exemption tests to determine exemption status on relevant jobs.
- In addition, we will assign County jobs to one of the ten Employer Information Report EEO-1/4 Survey Categories.

Phase 4: Program Review Recommendations

Step 1: Gap Analysis

- After our analysis of background data, the strategy discussions with senior leadership, and interviews with department heads, Bolton will assess if/where gaps may exist between the City's objectives and the design and/or administration of its compensation system.
- Bolton will develop a series of conceptual recommendations to discuss and develop an overarching approach to subsequent work steps as well as the program design backdrop.
- After discussion with the City team, we will then finalize our review findings and recommendations.

Step 2: Job Title and Documentation Recommendations

- We will provide our recommendations resulting from our job analysis to include system tools and job-by-job editorial comments.
- During this step, Bolton will recommend changes to the job description and other document formats as well as develop a job title system.
- We will provide our recommended edits to existing jobs, recommend new jobs to be created, and recommend job title revisions if needed.

Step 3: Structure and Classification Plan

- Bolton will employ the market data to develop base pay structures and ranges which are market competitive and aligned with the City's compensation philosophy and objectives.
- We will integrate the job evaluation results with the market data to develop and implement a job classification system that aligns internal equity with market competitiveness.
- Our recommendations will include guidelines for future structure adjustments and how the adjustments impact employee pay.
- These guidelines will allow the City to maintain its structures in a competitive position relative to the market over time.

Step 4: Employee Pay Equity and Delivery Analysis

- Once the revised structure(s) is/are in place and jobs have been classified and assigned to grades, Bolton will assess the competitiveness and equity of actual employee pay.
- We will use compa-ratios, range penetration, or other market alignment measures to assess the overall competitive alignment of employees' actual pay.
- Working with the City, we will also address wherein the pay range an employee should be paid relative to their performance over time in their specific job so that we can assess actual pay competitiveness and broader statistical trends or issues, such as career pay and pay compression.

Step 5: Base Pay Increase/Total Pay Delivery Plan

- Total pay plan design/policy recommendations that align how employee pay gets changed over time with what the organization values.

Step 6: Draft Reporting, Costing and Planning

- We will prepare a comprehensive draft report of our methodology, review findings, and recommendations for discussion with Winder Administration and Human Resources.
- We will work with the City to determine appropriate implementation approaches, including strategies for fixing any pay inequities that arise from the study, the new structures, and how jobs are graded.

Phase 5: Reporting and Implementation

Step 1: Final Reporting, Approval, and Policy Updates

- Based on discussions with the City, we will incorporate agreed-upon changes and prepare a final report targeted for public disclosure.
- Should it be desired by the City, Bolton will present the study report or a summarized version to leadership and/or elected officials.

Step 2: Implementation and Communication

- We will also work with the City to determine appropriate implementation approaches, including strategies for fixing any pay inequities that arise from the study, the new structures, and how jobs are graded.
- Major tasks we expect to complete include reviewing, editing, and finalizing policies; developing an implementation and communication plan for Winder use; working with HR to orient managers to the new systems; and transferring tools and resources to HR and provide training on their ongoing use.

Ongoing Administrative Support

- Once all changes have been implemented and the policies and tools turned over to the City, Bolton will provide cost-effective ongoing administrative services.
- Services that are commonly provided include:
  - Annual budgeting and structure updates;
  - Group or individual job reorganization and classification;
  - Special surveys of peer pay level and/or practices; and
  - Tailored trend and practice updates.

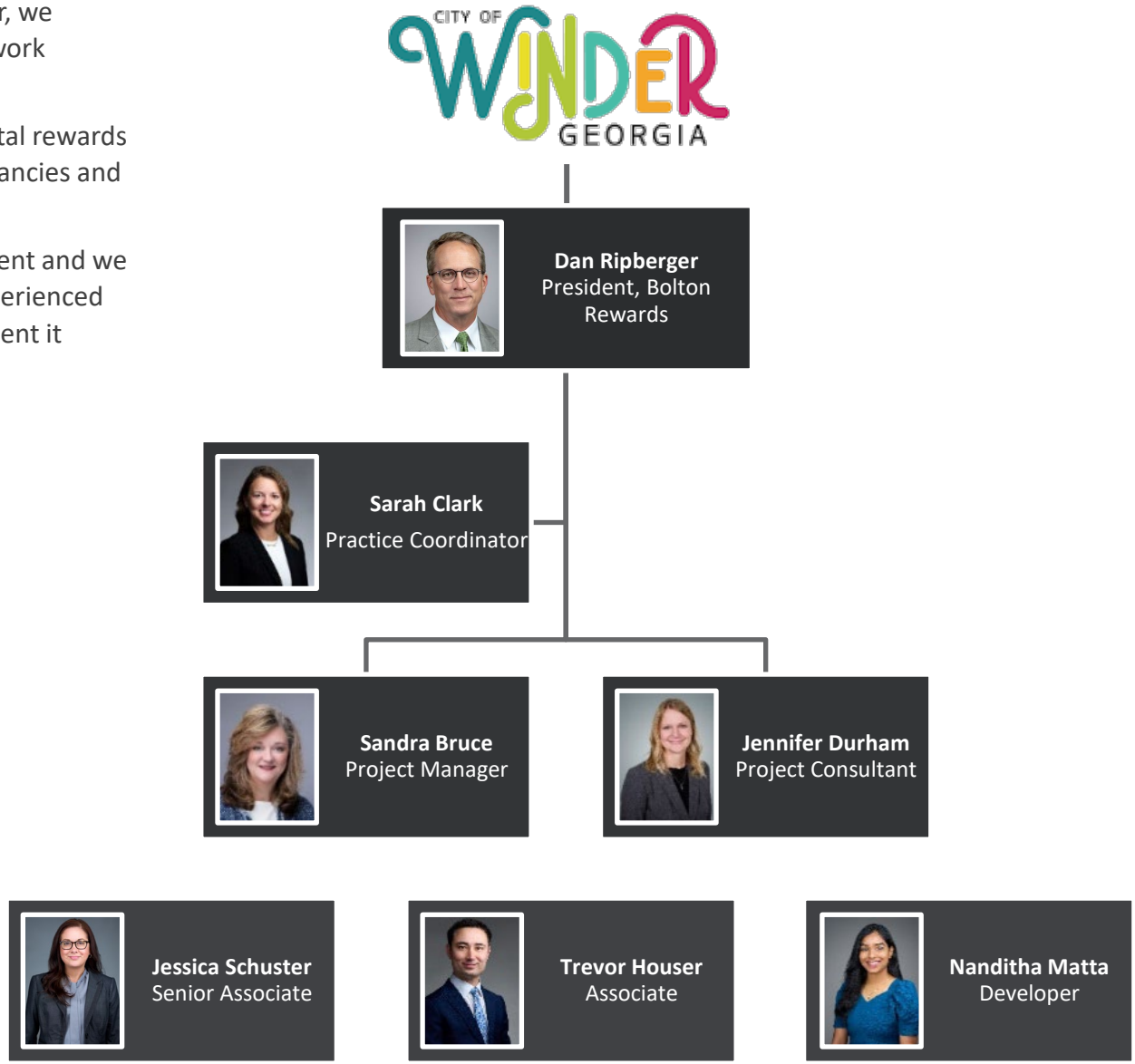
IV. Planned Project Team

Our People Resources

We envision an interactive relationship with Winder management and project teams – working together, we deliver more creative and thorough solutions and work products.

Our team is built on a legacy of true expertise in total rewards stemming from some of the world's largest consultancies and technical experts.

Winder will be the ultimate owner of our engagement and we have assembled an engagement team of highly experienced consultants that understand Winder, the type of talent it needs, and the markets in which it competes.



III. Planned Project Team

Dan Ripberger, Engagement Manager

With 30 years of experience, Dan has a long history of maintaining successful client relationships and providing sound and effective compensation advice. Along with his expertise in job architecture, classification, and compensation, Dan is particularly adept in:

- Change management counsel and direction – Dan is an astute advisor regarding the change management implications of organization-wide compensation projects and helps clients predict and prepare for the financial and employee relations effects of process decisions and plan change decisions.
- Integrating total rewards – an early contributor to the concept of total rewards, Dan helps clients rationalize the value of their total compensation programs (health benefits, paid time off, retirement, etc.) to help guide the design of pay programs and communicate the value proposition to employees and managers.
- Securing the support of elected and employee leadership – by demonstrating an understanding of the viewpoints of various stakeholders, Dan effectively communicates the purpose of plan changes and the benefit of changes to the organization.

Over his career, Dan has advised clients of most types and sizes and has developed specialized knowledge of the mission-focused and public sector markets. He began his consulting career with Towers Perrin and Aon/Radford Associates. He went on to help found PRM Consulting and managed the consulting practices for MPI Consulting. Dan joined Bolton as a result of their acquisition of RSC Advisory Group, a niche compensation and total rewards consulting he helped found in Washington, D.C., and the Midwest.

He earned a bachelor's degree with concentrations in Economics and Human Resources from Xavier University. He maintains professional certifications from both WorldatWork and the Society for Human Resource Management.

Sarah Clark, Practice Coordinator

Sarah Clark is the Rewards Practice Coordinator where she works with project leaders and clients to meet project demands and complete important supportive projects and tasks.

Prior to joining Bolton, Sarah served as a Corporate Recruiter for a Logistics and Transportation Company where she sourced, selected and developed talent nationally. She also spent time as a Recruiter and Quality Assurance Specialist at a Candy and Gifting company.

She has a Bachelor's degree in Urban Studies within the College of Design, Art, Architecture, and Planning at the University of Cincinnati.

III. Team Organization, Qualifications, and Experience

Sandra Bruce

Sandra will serve as a consultant, project manager, and classification specialist. With over 30 years of experience in consulting and publics sector human resources, Sandra Bruce is a Consultant with Bolton specializing in public sector job analysis and classification.

Prior to her role at Bolton, Sandra served as a Senior Human Resources Consultant for the Georgia Department of Labor, focusing on classification and compensation reviews, COVID protocols, and strategic recruitment efforts. Prior to that, Sandra was the Human Resources Director for the Georgia Department of Defense, the state agency responsible for oversight and support of the Georgia Army and Air National Guard.

Sandra earned a Master of Public Administration and Bachelors of Arts degrees in Political Science and English. She has held her PHR certification since 2000.

Jennifer Durham

Jennifer Durham will serve as a consultant and market compensation expert on our engagement. She is a seasoned professional with 25 years of collective corporate and consulting total rewards and human resources management experience.

Her most recent experience includes market pricing and analysis, job classification, job evaluation, custom surveys, and structure development. Jennifer is the lead administrator for Bolton's market surveys, such as our TRDx client-specific surveys.

Jennifer's public sector client assignments have been in a number of specific markets, including airports, counties, public safety agencies, municipalities, schools, social service agencies, and utilities.

Prior to joining Bolton, Jennifer was a senior analyst with RSC Advisory Group with a focus on market pricing and analysis, custom survey administration, and executive compensation. Prior to consulting, she served as Director, Human Resources for Sekisui XenoTech.

She has a Bachelor's degrees in both Accounting and Marketing from Kansas State University and holds senior professional certification through HRCI (SPHR).

Jessica Schuster, Senior Associate

Jessica Schuster is a Senior Associate with Bolton where she analyzes and evaluates jobs and assigns classifications, works with clients and project leaders to perform market sector and financial research, develops cash compensation market rates, sources research materials and compensation surveys, models various types of base pay programs and pay structures, and drafts exhibits and reports for client delivery.

Prior to her role at Bolton, Jessica held increasingly responsible position with the State of Ohio, most recently as the Chief Human Resources Officer for the Department of Insurance. During her tenure with the State, she led and participated in multiple classification and compensation projects across all career groups. Prior to working for the State of Ohio, Jessica worked as a consultant conducting job analysis, writing position descriptions, and supporting classification and compensation projects for public sector entities.

Jessica earned a Bachelor of Arts in Business Organizational Communications from the University of Akron and received a Certificate in Paralegal Studies from Capital University Law School. She is actively involved in the national Society of Human Resource Professionals (SHRM) and her SHRM-SCP certification in 2015. Additionally, she is a member of the Public Service Human Resources Association and received her PSHRA-SCP in 2013.

Trevor Houser, Associate Consultant

Trevor is an Associate Consultant specializing in compensation studies and market research. He collaborates with project leaders and clients to analyze and evaluate compensation data, conduct market sector research, and develop detailed compensation structures. He also assists in modeling various pay programs and compiling research materials.

Prior to joining Bolton, Trevor served as a research assistant and graduate assistant while completing his Masters of Science in Business Informatics, gaining valuable experience in data analysis and research methodology. His background also includes expertise in compensation and benefits administration, allowing him to provide insights and recommendations to enhance organizational pay strategies. In addition to his Master's degree, he also holds a Bachelor's degree in Finance from the University of Kentucky, equipping him with a solid foundation in both financial analysis and data-driven business solutions.

Nanditha Matta, Client Application Developer

Nanditha is a Client Application Developer specializing in supportive client technology solutions and Bolton's technology tools.

Prior to joining Bolton, Nanditha served as a software engineer, where she designed, developed, and maintained Microsoft Access databases, gaining valuable experience in data analysis, VBA, and Excel Macros.

Nanditha holds a Master's degree of Engineering in Computer Science from the University of Cincinnati, equipping her with a solid foundation in operating systems and data encoding.

V. Timing and Fees

Projected Timing

We estimate it will take 10 to 12 weeks from the project initiation meeting to review and update the City's classification and compensation program. This assumes that the City will provide us with the requested background materials in a timely manner, schedule meetings reasonably, and make approval decisions within the timing of the engagement.

Fees and Billing

We will charge an all-inclusive flat fee of $39,200 to complete all objectives outlined in our proposal. This fee includes all labor, materials, travel-related expenses, and all related costs based on the defined project scope. We bill monthly as work tasks are completed.

Major pricing assumptions:

- The study will cover all employees and jobs at the City – we assume 265 full- and part-time regular employees in 125 unique job titles.
- We plan to work with leadership and HR to define a market strategy and develop and list of survey peers.
- We will also interview department heads to understand the unique aspects and needs of the City, ensure work process understanding, and gather input on jobs and the compensation program.
- We will utilize existing job descriptions to gather required job content data.
- Market survey will cover total compensation levels and practices using Bolton's TRDx from up to 20 survey invitees.
- We will also develop rates at the 25th, 50th, and 75th percentiles from the TRDx and published data sources on as many jobs as possible.
- Our pricing is good for 120 days from the date of the proposal.

Bolton

Compensation Salary Study and Survey

Proposed Consulting Services

September 12, 2025

CITY OF WINDER GEORGIA

Appendix

Appendix A: Bolton Public Sector Clients

Anne Arundel Community College, MD
Anne Arundel County, MD Government
Anne Arundel County, MD Public Library
Baltimore County, MD Government
Baltimore County, MD Public Schools
Baltimore County, MD Revenue Authority
Bedford County, VA
Bedford County, VA Public Schools
Bedford Regional Water Authority
Broward County, FL
Buffalo, NY Public Schools
Calvert County, MD
Calvert County, MD Public Schools
Caroline County, MD Board of Education
Caroline County, MD Government
Caroline County, MD Public Schools
Carroll County Community College, MD
Carroll County, MD
Carroll County, MD Public Schools
Cattaraugus County, NY
Cecil County, MD Commissioners
Cecil County, MD Government
Cecil County, MD Public Schools
Charles County, MD Government
Charles County, MD Public Schools
Charles County, MD Sheriff's Office
Charlotte-Mecklenburg, NC Schools
Chatham County, GA
Cherokee County, GA
Chesapeake, VA Public Schools
Chicago Regional Transportation Authority
City of Ada, OK
City of Austin, TX
City of Albany, GA
City of Baltimore, MD
City of Boca Raton, FL
City of Bowie, MD
City of Cambridge, MD
City of Cape Coral, FL
City of Chesapeake, VA
City of Cocoa, FL
City of Doral, FL
City of Dover, DE
City of Dunedin, FL
City of El Paso, TX
City of Flagler Beach, FL
City of Fond du Lac, WI
City of Fort Myers Shores, FL
City of Frederick, MD
City of Fredericksburg, VA
City of Gaithersburg, MD
City of Greenbelt, MD
City of Griffin, GA
City of Hialeah Gardens, FL
City of Hollywood, FL
City of Hyattsville, MD
City of Lake Mary, FL
City of Lakeland, FL
City of Laramie, WY
City of Laurel, MD
City of Lexington, VA
City of Maitland, FL
City of Manassas, VA
City of Manassas, VA Public Schools
City of Melbourne, FL
City of Miami Gardens, FL
City of Middletown, OH
City of Miramar, FL
City of New Smyrna Beach, FL
City of New York, NY
City of Newark, DE
City of North Fort Myers, FL
City of Norwich, CT
City of Orlando, FL
City of Palm Beach Gardens, FL
City of Pittsburgh, PA
City of Plainfield, NJ
City of Pocomoke, MD
City of Pompano Beach, FL
City of Providence, RI
City of Reading, PA
City of Riviera Beach, FL
City of Rockville, MD
City of Salisbury, MD
City of Sanford, FL
City of Sarasota, FL
City of Takoma Park, MD
City of West Palm Beach, FL
City of Westminster, MD
City of Wilmington, DE
City of Winchester, VA
City of Winter Park, FL
Clay County Board of Commissioners, FL
Clay County Sheriff's Office, FL
Clay County, TX
Columbia County, FL
College of Southern Maryland
Colorado Department of Health Care
Community College of Baltimore County
County of Albemarle, VA
County of Culpeper, VA
County of Hawaii, HI
County of Lancaster, PA
Coweta County, GA
Culpeper County, VA Schools
Dawson County, GA School System
Delaware River & Bay Authority
Delaware Transit Corporation
Department of Justice
Dinwiddie County, VA
Dinwiddie County, VA School Board
District of Columbia Retirement Board
Dorchester County, MD
Dorchester County, MD Board of Education
Eastern Iowa Airport (CID)
Eastern Shore of Maryland
Emerald Coast, FL Utilities
Employees Retirement System of Texas
Fauquier County, VA
Florida Department of Financial Services
Fond du Lac County, WI
Fort Myers Shore Fire, FL
Frederick Community College, MD
Frederick County, MD Government
Frederick County, MD Public Schools
Frederick County, VA Government
Frederick County, VA Public Schools
Garrett County, MD Government
Garrett County, MD Public Schools
Gloucester County, VA
Hallandale Beach, FL
Hampton Roads, VA Sanitation

Appendix A: Bolton Public Sector Clients

Hanover County, VA Government
Harford Community College, MD
Harford County, MD
Harford County, MD Public Library
Harford County, MD Public Schools
Harford County Sheriff's Office, MD
Hazleton City, PA Pension Board
Higher Ground Education
Highlands County, FL
Housing Authority of Baltimore City, MD
Howard Community College
Howard County, MD Government
Howard County, MD Library
Howard County, MD Public School System
Indian Trail Improvement District
Inter-University Council of Ohio
Ithaca City, NY School District
Jacksonville, FL Transportation Authority
James City County, VA
Kent County, MD Government
Kent County, MD Levy Court
Kent County, MD Public Schools
Kenton County Airport Board (CVG)
King George County & Schools, VA
King William County, VA
Lake Worth, FL Drainage District
Lehigh Acres, FL Fire Control
Loudoun County, VA Public Schools
Loudoun County, VA Sanitation Authority
Lower Merion Township, PA
Macon-Bibb County, GA
Manassas Park, VA City Schools
Manatee County, FL
Maryland Dept of Legislative Services
Maryland State Retirement Agency
Metropolitan Water Reclamation
Milwaukee County, WI
Monroe County, FL
Montgomery County, MD Council
Montgomery County, MD Government
Montgomery County, MD Public Schools
New Hampshire Public Employees
New Horizons Regional Education Center
New Jersey Transit Corporation
New Kent County, VA Public Schools
New York Power Authority
New York State Thruway
Newport News, VA Public Schools
Niagara Frontier Transportation Authority
Northampton County, PA
North Fort Myers, FL Fire District
Ocean County, NJ Utilities Authority
Oneida County, NY
Orange County, VA
Oswego City, NY School District
Palm Harbor, FL Fire Rescue
Pennsylvania State Education
Philadelphia, PA Parking Authority
Port LaBelle, FL
Postal Regulatory Commission
Prince George's Community College MD
Prince George's County, MD Government
Prince George's County, MD Schools
Prince William County, VA Schools
Prince William County, VA
Queen Anne's County, MD Board of Education
Queen Anne's County, MD Government
Queen Anne's County, MD Public Schools
Rappahannock County, VA
Rappahannock County, VA Public Schools
Regional Income Tax Agency
Roanoke County, VA
Roanoke County, VA Public Schools
Rockingham County, VA Government
Rockingham County, VA Public Schools
San Jose Police Officers Association, CA
San Luis Obispo County, CA Pension Trust
Santa Rosa County, FL
School District of Philadelphia, PA
Shenandoah Valley Juvenile Center
Somerset County, NJ Board of Education
South Central Wastewater
South Florida Conservancy District
Spotsylvania County, VA Government
Spotsylvania County, VA Public Schools
St. Lucie County, FL Fire District
St. Mary's County, MD Government
St. Mary's County, MD Library
St. Mary's County, MD Public Schools
St. Mary's County, MD Sheriff's Office
Stafford County, VA Government
Stafford County, VA Public Schools
State of Alaska
State of Maine
State of Maryland
State of Montana
State of Oregon
State of West Virginia
State of Wisconsin
Stevenson University
Suffolk County Community College, NY
Talbot County, MD
Talbot County, MD Board of Education
Thomas County, GA School District
Town of Centreville, MD
Town of Chestertown, MD
Town of Colmar Manor, MD
Town of Cutler Bay, FL
Town of Davie, FL
Town of Edison, NJ
Town of Elkton, MD
Town of Juno Beach, FL
Town of Kilmarnock, VA
Town of Leesburg, VA
Town of Mount Airy, MD
Town of Ocean City, MD
Town of Orange, VA
Town of Riverdale Park, MD
Town of Sykesville, MD
Town of Thurmont, MD
Town of University Park, MD
Town of Wytheville, VA
Upper Occoquan Service Authority
Vernon-Verona Sherrill Central Schools, NY
Village of Oak Park, IL
Village of Royal Palm Beach, FL
Washington County, FL
Washington County, MD
Washington County, MD Public Schools
Washington Suburban Sanitary Comm
West Virginia Municipal Pension Oversight Board
West Virginia State Police

Appendix A: Bolton Public Sector Clients

Wicomico County, MD Board of Education
Wicomico County, MD Government
Williamsburg-James City, VA Schools
Worcester County, MD Board of Education
Wor-Wic Community College, MD

COUNCIL MEMBERS
Stephanie Britt
Power Evans
Kobi Kilgore
Taffy McCormick
Sonny Morris
Travis Singley

MAYOR
Jimmy Terrell

CITY ADMINISTRATOR
Jonathan Lynn

City of Winder

Memorandum

TO: Mayor and City Council

FR: Horace Gee

Date: December 11, 2025

RE: Consideration of a Motion to authorize issuing a Purchase Order (PO) in the amount $31,360.00 to Professional Pipeline (Annual Contractor) for staking of boundaries associated with the Quarry Pipeline Project. Task Order #4 - Staking.

Background:

This project provides staking to keep within the boundaries of the easements associated with the Martin Marrietta agreement. Task Order #4

Recommendation: Staff recommends approval.

Task Order

Task Order No.: 4	**Date: 10/22/2025**
Project Name: QWS Contract E Staking	**State:** Georgia
Owner: City of Winder	**County:** Barrow
Purchase Order No.:	

Contractor: Professional Pipeline, Inc.

ITEM NO.	DESCRIPTION	QTY	UNIT	UNIT PRICE	TOTAL PRICE
1003	Construction Staking	1	LS	$31,360.00	$31,360.00
		SUBTOTAL		**$31,360.00**	
		TOTAL		**$31,360.00**	

Work Time (Days):	
Reponse Level: Level I	
Notice to Proceed Date:	**Substantial Completion Date:**

Attachments (Include test reports, known site conditions, design drawings, permits, etc.):

REQUESTED: _____ Date: _____

Owner

Contractor Representations:

Bidder has visited the Site, conducted a thorough, alert visual examination of the Site and adjacent areas, and become familiar with and satisfied itself as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work. _____

Bidder has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or adjacent to the Site and all drawings of physical conditions relating to existing surface or subsurface structures at the Site that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings, and (2) reports and drawings relating to Hazardous Environmental Conditions, if any, at or adjacent to the Site that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings. _____

ACCEPTED: _____ Date: _____

Contractor

Professional Pipeline LLC
2472 Autumn Maple Drive
Braselton, GA 30517

Job Location:Winder, GA

Date:10/22/2025

	Quarry Water Supply Project				
Item No.	**Description**	**Quantity**	**Units**	**Unit Price**	**Total Cost**
	1. Fixed Price Section				
1003	Construction Staking	1	LS	$ 31,360.00	$ 31,360.00
				Total	**$ 31,360.00**

COUNCIL MEMBERS
Stephanie Britt
Power Evans
Kobi Kilgore
Taffy McCormick
Sonny Morris
Travis Singley

MAYOR
Jimmy Terrell

CITY ADMINISTRATOR
Jonathan Lynn

City of Winder

Memorandum

TO: Mayor and City Council

FR: Horace Gee

Date: December 11, 2025

RE:

Consideration of a Motion to authorize issuing Purchase Orders (PO) in the amount $708,100 to Professional Pipeline (Annual Contractor) and Carter and Sloope for project management and reporting to Environmental Protection Division (EPD) in the amount of $141,900 for completing this task. This is an FY26 budgeted capital expenditure for Water.

Background:

This project is driven by the Environmental Protection Administration (EPA) because of their effort to mitigate lead exposure in public drinking water systems. As part of this effort, all public water systems serving more than 3,000 customers were required to complete an inventory of their distribution system to identify service connections that contained any lead piping or fittings. We found NO lead service issues in our system. However, we discovered we had some 870 services that contained galvanized lines or materials. As a result, we are required to replace all those services that contain galvanized materials. This project is being funded through a $900,000 loan we received from the Georgia Environmental Finance Authority (GEFA). The loan has a 30% forgivable aspect. Meaning up to $900,000, we are only required to repay 70% of that amount. Here's a breakdown of the expected expenditures: Carter and Sloope for project management, tracking, and reporting $141,000, Professional Pipeline (Annual Contractor) for service line replacements $708,100. We are reserving $50,000 for the utilities department to purchase materials and supplies required for this project. The tracking and reporting of replacements are required to be done electronically. Carter and Sloope has developed an app that links up to our GIS database to track these activities for reporting.

Recommendation:

Staff recommends approval.

Carter & Sloope
CONSULTING ENGINEERS

October 21, 2025 Via Email

Mr. Horace Gee
City of Winder, GA
Horace.gee@cityofwinder.com

RE: City of Winder, Georgia
LCRI Service Line Replacements
C&S File No.: W7450.032

Dear Mr. Gee:

Carter & Sloope, Inc. (C&S or Engineer) is pleased to submit this Proposal/Scope of Services letter for the referenced project (Project) to provide engineering services to the City of Winder (Client or Owner) for funding administration, LCRI consulting services, and construction phase services for the proposed LCRI Service Line Replacements. This project will lead to the removal and replacement of up to 870 Galvanized-Requiring-Replacement (GRR) water service lines from the water meter to the building exterior (private side). Per the 2024 Lead and Copper Rule Improvements (LCRI), the City will be required to replace all lead, GRR, or unknown material water service lines starting in 2027 at a rate of 10% per year. Replacing the service lines before 2027 will alleviate the City from certain compliance actions under the LCRI, including public notification letters, annual service line inventory updates, and inventory data validations. The scope of services described below is based on our understanding of the project from discussions and meetings with Client's personnel and EPA/EPD regulatory guidance.

Scope of Work (Basic Services)

1. Funding Assistance

The City of Winder was awarded a Drinking Water State Revolving Fund (DWSRF) loan from the Georgia Environmental Finance Authority (GEFA) for **$900,000** with **$270,000** in principal forgiveness and an interest rate of 2.25% as part of a separate agreement with Carter & Sloope.

C&S will also prepare the necessary documents and reports for the Client to obtain a Categorical Exclusion (CE). If EPD does not grant a CE, a Notice of No Significant Impact (NONSI) can be pursued as an Additional Service. C&S will strive to coordinate with the Client and EPD to meet Project schedules offered in the GEFA pre-application and outlined in this proposal. Once construction begins, C&S will utilize a former GEFA Senior Engineering Manager, Mr. Ken Bryan, to monitor construction for compliance with GEFA requirements for contractors and materials.

C&S will also assist the Client with draw requests, compliance with labor interviews, certified payrolls, and Build America Buy America Act (BABAA) requirements.

2. LCRI Regulatory Compliance Assistance

C&S will prepare a Specification for the City's annual contractor indicating the scope, extent and character of the work to be performed and furnished by the Contractor. We will submit the 100% complete Specification to the Client for their review and approval and we will review any comments and recommendations and incorporate needed changes in the final design 100% complete Documents.

C&S will develop a web-application in ArcGIS Online for the City and for the Contractor to update water service lines as they are replaced. C&S will assist in training the Contractor to access and update the Service Line Inventory in ArcGIS Online so the City's Service Line Inventory is updated and maintained.

C&S will draft public education documents and provide for the City and/or Contractor to deliver to the 870 residents that have galvanized lines. Under the LCRI, the City is required to request Right-of-Entry from the property owner four (4) separate times using two (2) different methods of communication, if permission is not granted. If all four tries are exhausted and permission is not granted, the City will **not** have to replace the private-side service line.

The documents will include:

1. Contact 1, letter
    a. Include process to digitally fill out Right-of-Entry Agreement.
    b. Explain the service line replacement process.
2. Right-of-Entry Agreement requesting permission from the property owners to replace the private-side service lines.
3. Contact 2, doorhanger
4. Contact 3, letter
5. Contact 4, letter
6. Door Knock Documentation Form
    a. Time
    b. Date
    c. Location
    d. Person Knocking
    e. Person Answered
    f. Email address
    g. Phone number
    h. Best time of day for replacement.
    i. Signature of knocker.
7. Next Steps pamphlet
    a. Flushing instructions
    b. LSL public Info

C&S will send contacts 1, 2, and 4 by mail on behalf of the City. We will put in the Contractor's scope to knock on doors and place door hangers.

C&S can assist the City with responding to RFI's from property owners on an hourly-basis as an additional service.

C&S will assist the City in submitting an inventory update as required by LCRI for calendar years 2025 and 2026.

3. Construction Phase

Management of construction efforts (i.e. "construction management" services) are specifically excluded from our Scope of Work; however, if the Client authorizes us to proceed, C&S will provide professional services in the general administration of the construction contract and act as the Client's representative during construction to the extent and limitations of the duties, responsibilities and authority of the Engineer as established in this written Agreement and in the Contract Documents, which is assigned in EJCDC C-700 Standard General Conditions of the construction contract included in the Bidding Documents.

For the purposes of this Agreement, we are assuming the construction contract period will be 270 calendar days (or 9-months).

After the contracts have been executed by all parties, C&S will complete, with reasonable promptness, the following tasks as needed during construction of the Project:

a. *Pre-Construction Conference:* Attend and lead one (1) pre-construction conference that will be hosted by the Client at their office and issue a Notice to Proceed to the selected Contractor.

b. *Clarifications, Interpretations and Field Orders:* Respond in writing with reasonable promptness to Requests for Information (RFI's) and issue necessary clarifications and interpretations of the Contract Documents as appropriate to the orderly completion of Contractor's work and subject to any limitations in the Construction Contract Documents, and prepare and issue Field Orders requiring minor changes in the work. Such clarifications and interpretations will be consistent with the intent of and reasonably inferable from the Contract Documents and shall be provided as part of the Engineer's Scope of Services; however, if the Contractor's request for information, clarification, or interpretation are, in the Engineer's professional opinion, for information readily apparent from reasonable observation of field conditions or a review of the Contract Documents, or are reasonably inferable there from, the Engineer shall be entitled to compensation for Additional Services for the Engineer's time spent responding to such request provided the Engineer notify Client in advance that it deems such request to be so apparent, seek compensation for such clarification and interpretation and Client does not timely instruct the Engineer not to undertake the clarification or interpretation. Should the Client agree to reimburse the Engineer for these Additional Services, the Engineer shall prepare a Change Order for the Client that will deduct the cost of these Additional Services from the Client's contract with the Contractor.

c. *Shop Drawings and Samples:* Review and approve or take other appropriate action in respect to Shop Drawings and Samples and other data which Contractor is required to submit, but only for general conformance with the information given in the Contract Documents and compatibility with the design concept of the completed Project as a functioning whole as indicated by the Contract Documents. Such reviews and approvals or other action will not extend to means, methods, techniques, sequences, or procedures of construction or to safety precautions and programs incident thereto.

d. *Schedules:* Review and determine the acceptability of schedules which the Contractor is required to develop and submit to Engineer, including the Progress Schedule, Schedule of Submittals, and Schedule of Values. Since C&S will have no control over any Contractor's schedule or work progress, we cannot develop and control the construction schedule beyond establishing the contract time and establishing liquidated damages if the Contractor does not obtain substantial completion within the required contract time.

e. *Substitutes and "or equal":* Evaluate and determine the acceptability of substitute or "or-equal" materials and equipment proposed by the Contractor, but subject to the provisions outlined in Additional Services.

f. *Change Orders and Work Change Directives:* Review and recommend Change Order justifications and prepare Change Orders and Work Change Directives, as appropriate, to modify the Contract Documents as may be necessary.

g. *Differing Site Conditions:* Respond to any notice from Contractor of differing site conditions, including conditions relating to underground facilities such as utilities, and hazardous environmental conditions. Promptly conduct reviews, obtain information, and prepare findings, conclusions, and recommendations for Client's use, subject to the limitations and responsibilities under the Agreement and the Construction Contract.

h. *Non-reviewable matters:* If a submitted matter in question concerns the Engineer's performance of its duties and obligations, or terms and conditions of the Construction Contract Documents that do not involve (1) the performance or acceptability of the Work under the Construction Contract Documents, (2) the design (as set forth in the Drawings, Specifications, or otherwise), or (3) other engineering or technical matters, then Engineer will promptly give written notice to Client and Contractor that Engineer will not provide a decision or interpretation.

i. *Standards for Certain Construction-Phase Decisions*: Engineer will render decisions regarding the requirements of the Construction Contract Documents, and judge the acceptability of the Work, pursuant to the specific procedures set forth in the Construction Contract for initial interpretations, Change Proposals, and acceptance of the Work. In rendering such decisions and judgements, Engineer will not show partiality to Client or Contractor, and will not be liable to Client, Contractor, or others in connection with any proceedings, interpretations, decisions, or judgements conducted or rendered in good faith.

j. *Progress Meetings:* C&S will attend progress meetings at the jobsite as needed, but at a minimum, monthly. We will prepare meeting agendas, lead the progress meetings and issue meeting minutes for review and approval by the Client and Contractor.

k. *Applications for Payments:* Based on Engineer's observations as an experienced and qualified professional and on review of Applications for Payment and accompanying supporting documentation:

1) Determine the amount that Engineer recommends Contractor be paid. Recommend reductions in payment (set-offs) based on the provisions for set-offs stated in the Construction Contract. Such recommendations of payment will be in writing and will constitute Engineer's representation to Client, based on such observations and review, that, to the best of Engineer's reasonable knowledge, information and belief, Contractor's Work has progressed to the point indicated, the quality of such Work is generally in accordance with the Construction Contract Documents (subject to an evaluation of the Work as a functioning whole prior to or upon Substantial Completion, to the results of any subsequent tests called for in the Construction Contract Documents, and to any other qualifications stated in the recommendation), and the conditions precedent to Contractor's being entitled to such payment appear to have been fulfilled in so far as it is Engineer's responsibility to observe Contractor's Work. In the case of unit price work, Engineer's recommendations of payment will include final determinations of quantities and

classifications of Contractor's Work (subject to any subsequent adjustments allowed by the Construction Contract Documents).

2) By recommending any payment to the Contractor, Engineer shall not thereby be deemed to have represented that observations made by Engineer to check the quality or quantity of Contractor's Work as it is performed and furnished have been exhaustive, extended to every aspect of Contractor's Work in progress, or involved detailed or special inspections of the Work beyond the responsibilities specifically assigned to Engineer in this Agreement. Neither Engineer's review of Contractor's Work for the purposes of recommending payments nor Engineer's recommendation of any payment including final payment will impose on Engineer responsibility to supervise, direct, or control Contractor's Work in progress or for the means, methods, techniques, sequences, or procedures of construction or safety precautions or programs incident thereto, or Contractor's compliance with Laws and Regulations applicable to Contractor's furnishing and performing the Work beyond the responsibilities specifically assigned to the Engineer in this Agreement. It will also not impose responsibility on Engineer to make any examination to ascertain how or for what purposes Contractor has used the moneys paid on account of the Contract Price, or to determine that title to any portion of the Work in progress, materials, or equipment has passed to Client free and clear of any liens, claims, security interests, or encumbrances, or that there may not be other matters at issue between Client and Contractor that might affect the amount that should be paid.

l. Substantial Completion: After receiving notice from Contractor that they consider the entire Work complete and ready for its intended use, we will conduct one (1) pre-final observation in company with the Client and Contractor to observe the Contractor's work to determine if, based on the Engineer's professional opinion and belief and based only on information available at the time of pre-final on-site observation, the Work is substantially complete. If we do not consider the Work substantially complete, we will notify the Contractor in writing giving reasons therefore. If, after considering any objections of Client, Engineer considers the Work substantially complete, Engineer shall deliver a certificate of Substantial Completion to Client and Contractor in accordance with the provisions in the Contract Documents. Attached to the certificate will be a punch-list of items that, in the Engineer's professional opinion, knowledge and belief, are deficient and must be completed or corrected before we recommend final payment be made to the Contractor by the Client. The certificate of Substantial Completion is intended to be interpreted only as an expression of professional opinion and therefore does not constitute an expressed warranty or guarantee.

m. Final Notice of Acceptability of the Work: After receiving notice from the Contractor that the punch-list items are completed, we will conduct one (1) final on-site observation in company with Client and the Contractor to determine if the completed Work of Contractor is acceptable in the Engineer's professional opinion, reasonable knowledge and belief and based only on information available at the time of final on-site observation and to the extent of the services provided by Engineer under this Agreement, so that Engineer may recommend, in writing, final payment to Contractor. We will notify the Contractor and the Client in writing of any particulars in which the final observation reveals that the Work is incomplete or defective.

n. Limitation of Responsibilities: Engineer shall not be responsible for the acts or omissions of any Contractor, or of any subcontractors, suppliers, or other individuals or entities performing or furnishing any portions of the Work, or any agents or employees of any of them. The Engineer shall not be responsible for the failure of any Contractor to perform or furnish the Work in accordance with the Contract Documents or any laws, codes, rules or regulations.

4. Additional Services

Services not included within the Basic Scope of Services above, which are considered Additional Services, are specifically excluded from the Scope of the Engineer's services but can be provided on an hourly basis in accordance with our Hourly Fee Schedule or on a lump sum basis or as agreed to in writing by the Client and the Engineer. Additional Services include, but are not limited to, the following:

a. C&S can provide general consulting services on an hourly basis regarding the 2024 Lead and Copper Rule Improvements (LCRI). The LCRI's compliance deadline is November 1st, 2027. While the final rule is published into the Federal Register, the Georgia Environmental Protection Division (EPD) may enact more stringent requirements or provide clarifications on ambiguous aspects of the LCRI. Additionally, the City's compliance actions may change as a result of the service line replacement project. As more information is released, C&S can provide guidance for the City for the following items:

    - The Baseline Inventory and how the City is impacted. The City will likely have to submit a Baseline Inventory to EPD, which includes information on lead connectors (i.e. lead goosenecks) by November 1st, 2027.

    - The Service Line Replacement Plan. This is due November 1st, 2027, but the City may be exempt if all lead, GRR, or unknown-material service lines are replaced.

    - Service Line Inventory Validations. Based off our understanding of the validation requirements, the City will not be required to validate previous classifications of non-lead service lines, unless EPD enacts more stringent requirements.

    - Lead and Copper tap sampling, public education, school and childcare sampling, corrosion-control treatment, and water quality parameters monitoring.

b. Services resulting from significant changes in the scope, extent, or character of the portions of the Project designed or specified by Engineer or its design requirements including, but not limited to, changes in size, complexity, Client's schedule, character of construction, or method of financing; and revising previously accepted reports, Drawings or Specifications, or other Project related documents when such revisions are required by changes in Laws and regulations enacted subsequent to the date of this proposal or are due to any other causes beyond Engineer's control.
c. Services required as a result of Client providing incomplete or incorrect Project information to Engineer.
d. Construction Observation Services.
e. Any surveying services including, but not limited to, topographical, boundary, or construction staking.
f. Bidding assistance, it is our understanding that the Owner desires to use their annual contractor.
g. Furnishing services of Engineer's Sub-Consultants, if any, for other than Basic Services.
h. Preparing for, coordinating with, participating in and responding to structured independent review processes, including, but not limited to construction management, cost estimating, Project peer review, value engineering, and constructability review requested by Client; and performing or furnishing services required to revise studies, reports, Drawings, Specifications, or other Bidding Documents as a result of such review processes.

i. Preparing additional Bidding Documents or Contract Documents for alternate bids or prices requested by Client for the Work or a portion thereof.
j. Determining the acceptability of substitute materials and equipment proposed after the Bidding and making revisions to Drawings and Specifications occasioned by the acceptance of substitute materials or equipment other than "or-equal" items; and services after the award of the Construction Contract in evaluating and determining the acceptability of a substitution which is found to be inappropriate for the Project or an excessive number of substitutions.
k. Assistance in connection with bid protests, rebidding, or renegotiating contracts for construction, materials, equipment, or services.
l. Providing Construction Phase services beyond the construction Contract Times, which is estimated at 270 days, or man-hours listed herein.
m. Preparing to serve or serving as a consultant or witness for Client in any litigation, arbitration, or other dispute resolution process related to the Project. Preparation time for deposition and trial testimony or arbitration will be charged at hourly rate multiplied by 1.50. Actual time for deposition, trial testimony or arbitration including travel time will be charged at hourly rate multiplied by 2.50. Reimbursable expenses will be charged at actual cost multiplied by 1.15.
n. Providing more extensive services required to enable Engineer to issue notices or certifications requested by Client and not specifically provided in the Basic Services.
o. Services in connection with Work Change Directives and Change Orders to reflect changes requested by Client so as to make compensation commensurate with the extent of the Additional Services rendered.
p. Additional or extended services made necessary by (1) emergencies or acts of God endangering the Work, (2) the presence at the Site of any Hazardous Materials and/or Environmental Conditions (the presence of asbestos, PCBs, petroleum, hazardous substances or waste, and radioactive materials), (3) Work damaged by fire or other cause during construction, (4) a significant amount of defective, neglected, or delayed work by Contractor, (5) acceleration of the progress schedule involving services beyond normal working hours, or (6) default by Contractor.
q. Reviewing Shop Drawings more than two (2) times as a result of repeated inadequate submissions by Contractor. In such an event, the Engineer shall prepare a Change Order for the Client that will deduct the cost of these Additional Services from the Client's contract with the Contractor.
r. Geotechnical engineering and materials testing during construction. The Client should contract directly with a geotechnical engineer for geotechnical consulting services, if needed.
s. Archeological and Historical Preservation consulting.
t. Delineating wetlands or flood plain determinations.
u. U.S. Army Corps of Engineering Permitting.
v. Assistance with funding alternatives including, but not limited to, preparing loan and/or grant funding applications, grant writing, engineering reports to support funding applications, rates studies, etc. unless specifically included in the Basic Services.
w. Environmental Surveys including, but not limited to, wetlands, endangered species, cultural resources, historic preservation resources or special sub-consultants for permits.
x. Preparing for and participating in public meetings and/or public hearings unless specifically included in the Basic Services.
y. Other services performed or furnished by Engineer not otherwise detailed or provided for in this Agreement.

Hourly Fee Schedule

Hourly rates used for Basic and/or Additional Services shall be determined by multiplying individual hourly rates of each class of employee by the number of hours spent performing the service.

Description	Hourly Billing Rate
Principal I – IV	$ 190 - $ 280
Senior Professional Engineer I – VI	$ 165 - $ 255
Staff Engineer - Project Engineer I - VI	$ 95 - $ 155
Project Manager I – IX	$ 130 - $ 210
Engineering Technician I - VI	$ 125 - $ 175
Design Technician I – VII	$ 80 - $ 140
GIS Technician I – II	$ 80 - $ 90
Administrative Support I – VI	$ 60 - $ 110
Funding Specialist I - IV	$ 75 - $ 155
Construction Observer I - VIII	$ 75 - $ 155
Surveyor (1-person)	$ 105
Surveyor (2-person)	$ 165

Carter & Sloope reserves the right to adjust the Hourly Fee Schedule annually beginning July 1, 2026 and we will provide the Client with an updated schedule prior to any hourly rates increases. **Note that any changes to our Hourly Fee Schedule will not affect any of our lump sum and/or not-to-exceed fees stated herein.**

There are no fees for reimbursable expenses from Carter & Sloope, Inc. for the Basic Services of the Engineer. However, direct reimbursable expenses for Additional Services, if any, including, but not limited to, fees from sub-consultants, printing and reproduction, communications, postage, travel, lodging, meals, etc. will be charged at 1.15 times direct cost.

Fee Basis

We propose to complete our work for Basic Services described herein for the lump sum amounts as scheduled below. Hourly amounts shall be determined in accordance with our Hourly Fee Schedule. Total amount may NOT be exceeded without prior written approval from the Client. Compensation distribution between tasks may be altered to be consistent with actual services rendered, within the total amount authorized.

Task No.	Description	Fee Basis
1	Funding Assistance	Total Lump Sum $36,600
2	Engineering Design	Total Lump Sum $49,400
3	Construction Phase	Total Lump Sum $55,900
		Total of Items 1 - 3 Inclusive: $ 141,900

If you have any questions or concerns regarding our proposed Scope of Work and/or proposed fee schedule, please contact me. I would welcome the opportunity to discuss this with you. If the Scope of Services is acceptable, please sign, date, and return one (1) copy to us for our files. Once approved, Carter & Sloope can begin work on this project immediately.

Sincerely,

Martin C. Boyd

Martin C. Boyd, P.E.

I hereby acknowledge review of this Scope of Services and the attached Terms and Conditions, and authorize Carter & Sloope, Inc. to proceed with the work as described in this agreement.

_____ _____

Signature Date

_____

Title

TERMS AND CONDITIONS

WINDER CITY ATTORNEY APPROVAL OCTOBER 29, 2024

The Client herby accepts the following general terms and conditions ("Terms and Conditions") applicable to Carter & Sloope, Inc.'s performance of the services described in the attached Proposal (the "Services"):

1. Method and Terms of Payment: Invoices will be submitted by Carter & Sloope, Inc. ("Carter & Sloope", "C&S", or "Engineer") monthly in proportion to services performed and are due within 30 days of receipt. Any amounts not paid by the Client within thirty (30) days of the date of such invoices shall be considered past due and shall accrue interest at a rate of one-and-one-half percent (1.5%) per month or the maximum allowed by law, whichever is less, of the past due amount per month until such time as such amounts are paid in full. Payment thereafter shall first be applied to accrued interest and then the unpaid principal. If the Client fails to make payment to the Engineer in accordance with the payment terms herein, this shall constitute a material breach of this Agreement and the Engineer shall have the right, upon seven (7) days written notice, to suspend performance of all or part of the Services in accordance with Paragraph 2 "Suspension" until 1.) all past due amounts are paid, and 2.) satisfactory assurance of prompt future payment is received by the Engineer. The above right is in addition to all other rights and remedies Engineer may have at law or in equity including termination of this Agreement by the Engineer for cause in accordance with Paragraph 3 "Termination" herein.

A. *Set-offs, Backcharges, Discounts:* Payment of invoices shall not be subject to any discounts or set-offs by the Client unless agreed to in writing by the Engineer. Payment to the Engineer for services rendered and expenses incurred shall be due and payable regardless of any subsequent suspension or termination of this Agreement by either party.

B. *Disputed Invoices:* If the Client objects to any portion of an invoice, the Client shall so notify the Engineer in writing within seven (7) calendar days of receipt of the invoice. The Client shall identify in writing the specific cause of the disagreement and the amount in dispute and shall pay that portion of the invoice not in dispute in accordance with the other payment terms of this Agreement. Any dispute over invoiced amounts due which cannot be resolved within ten (10) calendar days after presentation of invoice by direct negotiation between the parties shall be resolved within thirty (30) calendar days in accordance with the Dispute Resolution provision of this Agreement.

C. *Legislative Action:* If after the Effective Date of this Agreement, any governmental entity takes legislative action that imposes taxes, fees or charges on Engineer's services or compensation under this Agreement, then the Engineer may invoice such new taxes, fees, or charges as a Reimbursable Expense to which a factor of 1.0 shall be applied. Client shall reimburse Engineer for the cost of such invoiced new taxes, fees and charges in addition to the compensation agreed to herein. As used in the foregoing, the phrase taxes, fees, or charges shall not mean or include state and federal income taxes, or local business license, occupational taxes or other items imposed by a governmental entity on the engineer's services generally which is not specific to the project contemplated by this Agreement.

2. Suspension: The Client may suspend all or part of the Project for up to ninety (90) days upon seven (7) days written notice to the Engineer. The Engineer may, after giving seven (7) days written notice to the Client, suspend services under this Agreement if Engineer's performance has been substantially delayed through no fault of the Engineer. In the event the Project is suspended for period(s) totaling more than ninety (90) days. Suspended projects may change in many ways due to the passage of time, changes in the size or environment, regulatory modifications, or other issues outside of Engineer's control. Engineer is not and shall not be responsible for any such changes. Upon payment in full by the Client, the Engineer shall resume services under this Agreement.

3. Termination: In the event of termination of this Agreement by either party, the Client shall, within fifteen (15) calendar days of termination, pay the Engineer for the services rendered and fees provided in the invoice and all reimbursable expenses incurred by the Engineer, its agents and subcontractors up to the termination date in accordance with the payment provisions of this Agreement

The obligation to provide further services under this Agreement may be terminated as follows:

A. *For Cause:* Either party may terminate the Agreement for cause upon giving the other party not less than thirty (30) days written notice in the event of substantial failure by the other party to perform in accordance with the terms of this Agreement and through no fault of the terminating party.

1. Assignment of this Agreement or transfer of the Project by either party to any other entity without prior written consent of the other party; or
2. If, through any cause, the Engineer shall fail to fulfill in timely and proper manner any material obligations under this Agreement, or if the Engineer shall violate any of the covenants, agreements, or stipulations of this

Agreement, the Client shall thereupon give written notice to the Engineer of such failure, violation or breach. If Engineer has not or cannot remedy such failure, violation or breach within thirty (30) days of the giving of such notice by the Client, the Client shall thereupon have the right to terminate this Agreement by giving written notice to the Engineer of such termination and specifying the effective date thereof, at least ten (10) days before the effective date of such termination. In such event, all finished or unfinished documents, data, studies, surveys, drawings, maps, models, photographs and reports prepared by the Engineer under this Agreement shall, at the option of the Client subject to the requirements in Paragraph 11 herein, become its property and the Engineer shall be paid within fifteen (15) calendar days of termination for all services rendered and all reimbursable expenses incurred by the Engineer up to date of termination

3. Suspension of the Project or the Engineer's services by the Client for more than ninety (90) calendar days, consecutive or in the aggregate; or

4. If Client demands that Engineer furnish or perform services contrary to Engineer's responsibilities as licensed professional; or

5. Material changes in the conditions under which this Agreement was entered into, the Scope of Services or the nature of the Project, and the failure of the parties to reach agreement on the compensation and schedule adjustment necessitated by such changes.

B. *For Convenience*: Either party shall have the right to terminate this Agreement at any time for convenience and without cause upon thirty (30) days written notice.

4. Changes. The Engineer's commitment as set forth in this Agreement is based on the expectation that all of the services described in this Agreement will be provided. The Client may, from time to time, request changes in the scope of the services of the Engineer to be performed hereunder. Such changes, including any increase or decrease in the amount of the Engineer's compensation, which are mutually agreed upon by and between the Client and the Engineer, shall be incorporated in written amendments to this Contract.

5. Personnel: The Engineer represents that he has, or will secure at his own expense, the personnel required in performing the services under this Agreement. Such personnel shall not be employees of or have any contractual relationship with the Client. All of the services required hereunder will be performed by the Engineer or his sub-consultants under his supervision and personnel engaged in the work shall be fully qualified and shall be authorized or permitted under State and Local Law to perform such services.

6. Reports and Information. The Engineer, at such times and in such forms as the Client may require, shall furnish the Client such periodic reports as it may request pertaining to the work or services undertaken pursuant to this Agreement, the costs and obligations incurred or to be incurred in connection therewith, and any other matters covered by this Agreement.

7. Certifications. As used herein and throughout this Agreement, the words "certify" and/or "certification" shall mean an expression of the Engineering Consultant's professional opinion to the best of its information, knowledge and belief, and therefore does not constitute a warranty or guarantee by the Engineer.

8. Records and Audits. The Engineer shall maintain accounts and records, including personnel, property and financial records, adequate to identify and account for all costs pertaining to the Agreement. These records will be made available for audit purposes to the Client or any authorized representative, and will be retained for three years after, the expiration of this Contract unless permission to destroy them is granted by the Client.

9. Findings Confidential. All of the reports, information, data, etc., prepared or assembled by the Engineer under this Agreement are confidential and the Engineer agrees that they shall not be made available to any individual or organization without the prior written approval of the Client unless required by law, court order, or for use in connection with legal or administrative proceedings, mediation, or arbitration.

10. Standard of Care, Disclaimer of Warranties. Engineer will strive to perform Services under this Agreement in a manner consistent with the level of care and skill ordinarily exercised by members of the profession currently practicing in the same locality under similar conditions. NO OTHER REPRESENTATION AND NO WARRANTY OR GUARANTEE, EITHER EXPRESS OR IMPLIED, IS INCLUDED OR INTENDED BY THIS AGREEMENT.

11. Ownership of Documents & Copyright. All documents, including electronic files, prepared or furnished by Engineer are instruments of service, and Engineer retains all common law, statutory and other reserved rights, ownership and property interest (including the copyright and the right of reuse) in such documents, whether or not the Project is completed. The Client may make and retain copies of them for information and reference in connection with the use of the Project; however, such copies are not intended or represented to be suitable for reuse by others, and may not be used by others unless otherwise required by law, court order, or for use in connection with legal or administrative proceedings,

mediation, or arbitration. The Client may request and negotiate with the Engineer to acquire ownership of the documents for a mutually agreed amount. If Client acquires ownership of Documents prepared by Engineer, Client agrees: 1.) that any subsequent reuse or modification of them by Client or any party obtaining them through Client will be at Client's sole risk and without liability to engineer, and 2.) Client will defend, indemnify and hold harmless Engineer from and against any claims, damages, and liabilities arising from or related to any use (other than for the purposes and project for which this Agreement is entered), future reuse or modification of Documents by Client or any party obtaining them through Client with the exception of a party obtaining the Documents through an Open Records request. Client agrees that Engineer may retain copies of all documents for its files. Electronic communications and CADD data transferred by Email, websites or computer disks (collectively "E-Data") are provided only as an accommodation by Engineer for the benefit of Client. Signed paper prints of documents constitute the contract deliverables. Client assumes the risk that E-Data may differ from the paper deliverable and shall utilize best practices not to utilize said E-Data for any design or construction purpose.

12. Third-Party Beneficiaries and Reliance Upon Documents. Nothing contained in this Agreement shall create a contractual relationship with or a cause of action in favor of a third-party against either the Client or the Engineer. Engineer's performance of the Services, as set forth in this Agreement, is intended solely and exclusively for the Client's benefit and use. No party may claim under this Agreement as a third-party beneficiary, unless otherwise required by law, court order, or for use in connection with legal or administrative proceedings, mediation or arbitration. No third-party may rely upon Engineer's documents or the performance or non-performance of services unless Engineer has agreed to such reliance in advance and in writing. The Client and Engineer agree to require a similar provision in all contracts with contractors, subcontractors, sub consultants, vendors and other entities involved in this Project to carry out the intent of this provision.

13. Compliance with Local Laws. The Engineer shall exercise usual and customary professional care in its effort to comply with applicable laws, codes and regulations as of the date of the execution of this Agreement. Design changes made necessary by newly enacted laws, codes and regulations after this date shall entitle the Engineer to a reasonable adjustment in the schedule and additional compensation in accordance with the Additional Services provisions of this Agreement.

14. Public Responsibility. Both the Client and the Engineer owe a duty of care to the public that requires them to conform to applicable codes, standards, regulations and ordinances, principally to protect the public health and safety. The Client shall make no request of the Engineer that, in the Engineer's reasonable opinion, would be contrary to the Engineer's professional responsibilities to protect the public. The Client shall take all actions and render all reports required of the Client in a timely manner. Should the Client fail to take any required actions or render any required notices to appropriate public authorities in a timely manner, the Client agrees that the Engineer has the right to exercise its professional judgment in reporting to appropriate public officials or taking other necessary action.

15. Accessibility. It is recognized that the Client has certain obligations under local, state and Federal accessibility laws and regulations that could affect the design of the Project. It is further recognized that Federal accessibility laws and regulations are not part of, or necessarily compatible with, State or local laws, codes and regulations governing construction. Consequently, the Engineer will be unable to make recommendations or professional determinations that will ensure compliance with the Federal accessibility laws and regulations. The Engineer strongly advises the Client to obtain appropriate legal and financial counsel with respect to compliance with the appropriate disability access laws. The Engineer will endeavor to design for accessibility by persons with disabilities in conformance with the provisions and references in applicable State or local building codes and the technical design requirements of the Americans with Disabilities Act (ADA) and/or the Fair Housing Act (FHA) in effect as of the date of completion of the design to the extent those statutes apply to the Project. The Client will determine the full extent of its obligations under the ADA and Fair Housing Act Amendments (FHAA), including whether the ADA and/or the FHAA apply to the Project, the extent that modifications are readily achievable under the ADA, and the extent that modifications to improve disability access are necessary during an alteration and provide the Engineer with such information. The Client acknowledges that it has been advised by the Engineer to retain a consultant (Accessibility Consultant) to review the project plans, specifications, and construction for compliance with the Americans with Disability Act, the Fair Housing Act, and other Federal, state, and local accessibility laws, rules, codes, ordinances, and regulations (hereinafter referred to as "Accessibility Issues").

16. Specification of Materials. The Client understands and agrees that products or building materials that are permissible under current building codes and ordinances may, at some future date, be banned or limited in use in the construction industry because of presently unknown hazardous and/or defective characteristics. The Engineer is only expected to meet current industry standards and may rely on manufacturers' information and representations.

17. Opinions or Estimates of Costs. If included in the Services, the Engineer will provide preliminary opinions of probable costs of materials, installation, remediation or construction and/or total project costs based on the Engineer's experience

on similar projects, which are not intended for Client's or others' use in developing firm budgets or financial models, or making investment decisions. Client agrees that any opinion of cost is still merely an estimate.

18. Limit of Liability. To the extent allowed by law, Client and Engineer agree that Engineer's total aggregate liability to the Client, its officers, officials, and insurers shall be limited to the limits of the Engineer's insurance coverage to be maintained by the Engineer as required by the terms of this Agreement.

19. Insurance. Throughout the term of this Agreement, Engineer shall maintain insurance in amounts not less than shown:

a)	Worker's Compensation	Statutory amount where services are performed
b)	Automobile	$1,000,000 combined single limit
c)	General Liability	$1,000,000 per occurrence / $2,000,000 General Aggregate
d)	Professional Liability	$1,000,000 per claim and aggregate
e)	Excess Umbrella	$5,000,000 on "b" & "c"

Client agrees to require all third parties engaged by or through Client in connection with the Project to provide Engineer with current Certificates of Insurance Endorsed to include Engineer as an additional insured on their "b", "c" and "e" policies of insurance and authorizes Engineer to enforce this provision directly with all Project related third parties.

20. Indemnification.

A. Indemnification of Client: Subject to the provisions and limitations of this Agreement, Engineer agrees to indemnify and hold harmless Client, its shareholders, officers, directors and employees from and against any and all liabilities, damages, expenses (including without limitation reasonable attorney's fees) or other losses (collectively "Losses") to the extent caused by Engineer's negligent performance of its Services under this Agreement.

B. Indemnification of Engineer: To the extent allowed to a municipality by Georgia law and subject to the provisions and limitations of this Agreement, Client agrees to defend, indemnify and hold harmless Engineer from and against any and all claims by third parties related to services provided by Engineer under this Agreement, and against any and all Losses to the extent caused by the negligence of Client, its employees, agents and contractors.

21. Dispute Resolution. Claims, disputes, and other matters in controversy between Engineer and Client caused by or any way related to this Agreement will be submitted to non-binding mediation as a condition precedent to litigation. The Client and the Engineer further agree to include a similar mediation performed with rules as established by The American Arbitration Association provision in all agreements with independent contractors and consultants retained for the Project and to require all independent contractors and consultants also to include a similar mediation provision in all agreements with their subcontractors, subconsultants, suppliers and fabricators, thereby providing for mediation as the primary method for dispute resolution among the parties to all those agreements. The cost for mediation including the mediator's fees, reproduction of documents, and miscellaneous out-of-pocket expenses will be borne equally by each party to this Agreement. The laws of the State of Georgia will govern the validity of these terms, their interpretation and performance. Client and Engineer agree that venue for any litigation will be in the courts of the State of Georgia and Engineer and Client both hereby waive any right to initiate any action in or remove any action to, any other jurisdiction.

22. Subrogation. The Client and the Engineer agree, to the fullest extent permitted by law, to waive any and all rights against each other and any of their contractors, subcontractors, consultants, subconsultants, construction mangers, Clients' representatives, employees, director, officers, agents, assigns for any and all damages, including without limitation bodily injury, death, damage to real and personal property, and all consequential damages including delay and lost profits (collectively "Damages") covered by any insurance applicable to the Project or the site upon which the Project is located. The Client and the Engineer hereby warrant and represent that they will require all of their contractors, subcontractors, consultants, subconsultants, construction mangers, Clients' representatives, employees, director, officers, agents, and assigns to waive subrogation against each other, the Client and the Engineer and any of their contractors, subcontractors, consultants, subconsultants, construction mangers, Clients' representatives, employees, director, officers, agents, and assigns for any and all Damages covered by any insurance applicable to the Project or the site upon which the Project is located. The provisions of this waiver apply regardless of whether the loss occurs or the damages are sustained during construction or after the project is completed. The intent of this provision is to obtain the broadest waiver of subrogation possible.

23. Severability. This agreement reflects the entire agreement of the parties with respect to its terms and supersedes all prior agreements, whether written or oral. If any portion of this Agreement is void or voidable, such portion will be deemed stricken and the Agreement reformed to as closely approximate the stricken portions as the law allows.

Task Order

Task Order No.: 5	**Date: 10/23/2025**
Project Name: Water Service Line Replacement	**State:** Georgia
Owner: City of Winder	**County:** Barrow
Purchase Order No.:	

Contractor: Professional Pipeline, Inc.

ITEM NO.	DESCRIPTION	QTY	UNIT	UNIT PRICE	TOTAL PRICE
1001	Material Allowance	1	LS	$78,125.00	$78,125.00
1002	Testing Allowance	1	LS	$2,000.00	$2,000.00
1006	Contractor Provided Property Owner Contacts	784	EA	$42.50	$33,320.00
2001	Unsuitable Materials	20	CY	$40.00	$800.00
2010	Permanent Grassing	5,000	SY	$1.00	$5,000.00
2011	Permanent Grassing - Sod	2,000	SY	$10.00	$20,000.00
3005	3/4"-2" Service Tubing, Incl. Fittings (Copper & HDPE CTS SDR 9)	15,970	LF	$10.00	$159,700.00
3006	HDD Mobilization	10	EA	$3,500.00	$35,000.00
3007	HDD Through Rock	200	LF	$300.00	$60,000.00
3056	Fittings (including MJ, DI, and RJ)	1	TN	$650.00	$650.00
3074	2"-3" PVC Casing by Freebore	800	LF	$20.00	$16,000.00
3075	Relocate Existing 3/4" - 2" Water Meter, Meter Box & Backflow Preventer	100	EA	$400.00	$40,000.00
3076	Reconnect Existing 3/4" - 2" Water Meter, Meter Box & Backflow Preventer	300	EA	$300.00	$90,000.00
3077	Replace Meter Box and Lid	50	EA	$15.00	$750.00
3078	2" Service Connection to 2"-24" Main (Including installation of tapping saddle, corporation stop, curb stop etc.)	10	EA	$900.00	$9,000.00
3079	1" Service Connection to 2"-24" Main (Including installation of tapping saddle, corporation stop, curb stop etc.)	50	EA	$500.00	$25,000.00
3080	3/4" Service Connection to 2"-24" Main (Including installation of tapping saddle, corporation stop, curb stop etc.)	220	EA	$300.00	$66,000.00
6001	Pavement Removal	21	SY	$15.00	$315.00
6002	Asphalt Road Removal/Repair/Replacement	20	SY	$50.00	$1,000.00
6003	Asphalt Driveway Removal/Repair/Replacement	20	SY	$65.00	$1,300.00
6004	Concrete Driveway Removal/Repair/Replacement	20	SY	$19.50	$390.00
6005	Gravel Driveway Removal/Repair/Replacement	20	SY	$10.00	$200.00
6006	Concrete Sidewalk Removal/Repair/Replacement	20	SY	$55.00	$1,100.00
6007	Concrete Roadway Removal/Repair/Replacement	20	SY	$85.00	$1,700.00
6010	24" Curb & Gutter	100	LF	$22.00	$2,200.00
6011	30" Curb & Gutter	100	LF	$22.00	$2,200.00
6012	24" Valley Gutter	100	LF	$21.00	$2,100.00
6018	Traffic Control	40	DAY	$1,250.00	$50,000.00
7001	Project Mobilization	1	EA	$4,250.00	$4,250.00
				TOTAL	**$708,100.00**

Work Time (Days):
Reponse Level: I
Notice to Proceed Date: **Substantial Completion Date:**

Attachments (Include test reports, known site conditions, design drawings, permits, etc.): Appendix A - Scope of Work & Appendix B - BABA & Federal Requirements

REQUESTED: _____ Date: _____
Owner

Contractor Representations:
Bidder has visited the Site, conducted a thorough, alert visual examination of the Site and adjacent areas, and become familiar with and satisfied itself as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work. _____

Bidder has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or adjacent to the Site and all drawings of physical conditions relating to existing surface or subsurface structures at the Site that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings, and (2) reports and drawings relating to Hazardous Environmental Conditions, if any, at or adjacent to the Site that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings. _____

Bidder acknowledges the receipt and understanding of attached Appendices. _____

ACCEPTED: _____ Date: _____
Contractor

COUNCIL MEMBERS
Stephanie Britt
Power Evans
Kobi Kilgore
Taffy McCormick
Sonny Morris
Travis Singley

MAYOR
Jimmy Terrell

CITY ADMINISTRATOR
Jonathan Lynn

City of Winder

Memorandum

TO: Mayor and City Council

FR: Horace Gee

Date: December 11, 2025

RE:

Consideration of a Motion to authorize issuing a Purchase Order (PO) in the amount $176,120.00 to Professional Pipeline (Annual Contractor) for a stormwater rehabilitation project, Task Order #6 – Hamilton Avenue and Walker Street. We also wish to approve an additional $50,000.00 to purchase piping and materials for this project. This is an FY26 budgeted expenditure for Stormwater 525-4320-5414000.

Background:

This is a Stormwater Rehabilitation project modifying a catch basin and replacing 600' of both old clay sewer pipe and stormwater piping. The terra cotta sewer pipe is in the same location as the storm drain piping and would not withstand the excavation work without rupturing. This area has seen significant changes over the years, and the rainwater flowing into this conveyance system is routinely inundated with most any rain event. This rehabilitation project will address these issues by replacing the existing pipe with a larger diameter pipe to transfer the water into a neighboring stream. The sewer pipe is also long overdue for replacement.

Recommendation: Staff recommends approval.

9/25/2025

Professional Pipeline LLC

2472 Autumn Maple Drive

Braselton Ga, 30517

Chris Opolka

678-878-7314

Proposal Cover Sheet

Project: Hamilton/Walker

Owner: City of Winder

Note:

Professional Pipeline LLC
2472 Autumn Maple Drive
Braselton, GA 30517

Proposal: HAMILTON AVE/WALKER STREET

Job Location:Winder, GA

Date:9/25/2025

Item No.	Description	Quantity	Units	Unit Price	Total Cost
	1. Fixed Price Section				
1001	Material Allowance	1.5	LS	$ 10,000.00	$ 15,000.00
1005	Bypass Pumping	1.25	LS	$ 10,000.00	$ 12,500.00
			Subtotal:		**$ 27,500.00**
	2. Erosion Control				
2009	Ss, Soil Stabilization - Matting Blankets	200	SY	$ 2.10	$ 420.00
2010	Permanent Grassing	1300	SY	$ 1.00	$ 1,300.00
2011	Permanent Grassing - Sod	150	SY	$ 10.00	$ 1,500.00
2012	Storm Outlet Protection - Rip Rap	100	SY	$ 45.00	$ 4,500.00
2017	Tree Removal	30	EA	$ 1,250.00	$ 37,500.00
			Subtotal:		**$ 45,220.00**
	4. Sewer Collection				
4013	411-811 Dia. PVC SDR 35 Sanitary Sewer Const. 0.0' - 6.0' Cut	600	LF	$ 50.00	$ 30,000.00
4014	411-811 Dia. PVC SDR 35 Sanitary Sewer Const. each additional	100	Lf	$ 10.00	$ 1,000.00
4047	Standard 4.0' Dia. Manhole complete	1	EA	$ 2,000.00	$ 2,000.00
4051	Manhole Additional Vertical Feet	4	VF	$ 150.00	$ 600.00
4053	Connect to Exisiting Manhole	1	EA	$ 1,800.00	$ 1,800.00
4056	Sewer Service Connection to Sewer Main	6	EA	$ 1,250.00	$ 7,500.00
4060	Demolish Sanitary Sewer (Same Ditch as proposed sewer)	600	LF	$ 15.00	$ 9,000.00
			Subtotal		**$ 51,900.00**
	5. Storm Drainage				
5001	18-24 RCP	600	LF	$ 45.00	$ 27,000.00
5024	4' Yard Inlet	2	EA	$ 3,000.00	$ 6,000.00
5029	Connect to Existing Storm Structure	2	EA	$ 1,250.00	$ 2,500.00
5030	Connect to Existing Storm Pipe	2	EA	$ 1,500.00	$ 3,000.00
	6. Pavements & Miscellaneous		**Subtotal:**		**$ 38,500.00**
6018	Traffic Control	7	Day	$ 1,250.00	$ 8,750.00
			Subtotal:		**$ 8,750.00**
	7. Mobilization				
7001	Project Mobilization	1	EA	$ 4,250.00	$ 4,250.00
			Subtotal:		**$ 4,250.00**
			Grand Total:		**$ 176,120.00**

STATE OF GEORGIA

BARROW COUNTY

INTERGOVERNMENTAL AGREEMENT

This Intergovernmental Agreement made and entered this ___ day of October, 2025 by and between the City of Auburn, Georgia, a Georgia Municipal corporation, and the City of Winder, Georgia, a Georgia Municipal corporation;

WITNESSETH

WHEREAS, the City of Auburn and the City of Winder have a Memorandum of Understanding signed and dated January 15, 2015, agreeing to jointly operate the Raw Water Storage Pond (RWSP); and

WHEREAS, the City of Auburn and the City of Winder received a joint bid from Heavy Constructors, Inc. dated April 10, 2025 for improvements to the RWSP, and the bid process followed the requirements of O.C.G.A. Sec. 36-91-20, et seq. and the rules and regulations of the Georgia Environmental Finance Authority;

NOW THEREFORE, the parties hereto agree as follows:

1. The parties agree to pay their portion of the work as provided in the attached Statement of Values (SOV) titled "Quarry Supply SOV Breakdown" hereby referenced as Exhibit A.
2. The parties agree to pay their portion of the work directly to the contractor and provide proof of payment to the other party.
3. The parties agree to equitably split the cost of power usage associated with the Low Water Pump Station (LWPS) each month. The cost split shall be based on the flowrate to each City's Water Treatment Plant (WTP). The City of Winder will be the account holder for the power to the LWPS and send an invoice with a corresponding flowrate report to the City of Auburn in intervals of not less than quarterly. The City of Auburn shall pay within 30 days of receipt of the invoice.

4. Each Party will be responsible for flow meter maintenance and accuracy verification at a minimum interval of two years of their respective flow meter to their WTP. Each party shall notify the other upon completion of meter calibration or replacement.
5. There will be separate power meters for the Transfer Pump Station (TPS), and each party shall maintain an account for their respective power meter.
6. The parties agree to the individual responsibility of operations and maintenance for individual assets in the LWPS and the TPS. Individual and shared assets are denoted in Exhibit A.
7. The parties agree to share the responsibility of operations and maintenance for shared assets with the same percentage share as shown in Exhibit A. This shared responsibility can include, but is not limited to, staff, parts and equipment for work. The parties will communicate and obtain written agreement on the delegation of these responsibilities as necessary.
8. The parties agree to budget for necessary maintenance on shared assets each fiscal year. Each party shall have the responsibility of notifying the other by May 1st each year of observed necessary maintenance. Failure to notify does not waive the right to request maintenance later provided such request is reasonable and supported by documentation. Each party shall keep a reasonable amount in reserves for emergency maintenance.
9. The parties agree to coordinate maintenance on respective assets in shared spaces to avoid scheduling interference for power shut offs, etc.
10. The parties agree to maintain insurance coverage for their respective portions of the water system. Insurance must include general liability, property, and environmental coverage. Each party shall provide proof of insurance upon request.
11. Costs for damages caused by negligence, human error, or willful misconduct shall be borne by the party committing the offense.
12. The parties agree that written consent and a 30-day notice from both parties is required if any utility providers for the site are to be changed.
13. The parties agree that contractors hired in the future for shared asset maintenance or repair will be considered and agreed upon by both parties before a contract can be

issued and work started. Contractor approval shall not be unreasonably withheld by either party.

14. The parties agree that any shared security codes or access cannot be changed without proper consideration and agreement from both parties. This can include, but is not limited to, gate codes, key card readers, and lockboxes. Each party shall maintain a log of employees and contractors that have access to the RWSP and notify the other within 24 hours of any update.

15. This Agreement may be terminated by either party upon providing 365 days written notice to the other party. Upon termination, the parties shall:
    a. Settle any outstanding financial obligations incurred under this Agreement up to the effective date of termination.
    b. Agree on a fair and equitable disposition of shared assets, including any jointly funded improvements, equipment, or infrastructure.
    c. Ensure continued operation and maintenance of any shared facilities until a mutually agreed transition plan is implemented.
    d. Cooperate in good faith to minimize disruption to water system operations and public service delivery.
    e. Termination shall not relieve either party of obligations incurred prior to the effective date, nor shall it affect any rights or remedies available under law or equity.

16. Claims, disputes, and other matters in controversy between the parties caused by or any way related to this Agreement will be submitted to non-binding mediation as a condition precedent to litigation. The cost for mediation including the mediator's fees, reproduction of documents, and miscellaneous out-of-pocket expenses will be borne equally by each party. The laws of the State of Georgia will govern the validity of these terms, their interpretation and performance. The parties agree that venue for any litigation will be in the courts of the State of Georgia.

17. The contractors obligations, agreements, and warranties to the Owner shall be provided to each City.

18. The parties warrant and represent that the terms of this Agreement have been approved by the Mayor and City Councils of both cities in a public meeting.

IN WITNESS WHEREOF, the parties have set their hands and seals on the date written above.

CITY OF AUBURN, GEORGIA

By:_____ (Seal)

Rick Roquemore, Mayor

ATTEST:

_____

Brooke Haney, City Clerk

CITY OF WINDER, GEORGIA

By:_____ (Seal)

Jimmy Terrell, Mayor

ATTEST:

_____

Anna Childs, City Clerk

Consented to and joined by: HEAVY CONSTRUCTORS, INC.

By:_____ (Seal)

Title:_____

Exhibit A

Quarry Supply
SOV Breakdown

General Conditions (Auburn 33.3 & Winder 66.7)			Auburn	Winder	Total
Mobilization	1	ls	$ 115,500	$ 234,500	$ 350,000
Bonds & Insurance	1	ls	$ 161,700	$ 328,300	$ 490,000
Demobilization	1	ls	$ 8,250	$ 16,750	$ 25,000
Allowances (Auburn 33.3 & Winder 66.7)					
Supplemental Allowance	1	ls	$ 660,000	$ 1,340,000	$ 2,000,000
SCADA Allowance	1	ls	$ 24,750	$ 50,250	$ 75,000
Testing Allowance	1	ls	$ 9,900	$ 20,100	$ 30,000
Tunnel/Shaft/Intake pipes (Auburn 33.3 & Winder 66.7)					
Tunnel Mobilization	1	ls	$ 92,235	$ 187,265	$ 279,500
Access Ramp	1	ls	$ 124,517	$ 252,808	$ 377,325
Portal development	1	ls	$ 19,157	$ 38,894	$ 58,050
Tunnel excavation	1	ls	$ 191,757	$ 389,324	$ 581,081
Cavern excavation	1	ls	$ 61,017	$ 123,883	$ 184,900
Reamer mobilization	1	ls	$ 25,648	$ 52,074	$ 77,723
Muck out RB shaft	1	ls	$ 95,783	$ 194,468	$ 290,250
Tunnel and Cavern concrete lining	1	lf	$ 248,204	$ 503,930	$ 752,135
Portal concrete structure	1	ls	$ 47,324	$ 96,081	$ 143,405
Demobilization	1	ls	$ 19,800	$ 40,200	$ 60,000
Shaft Collar Mobilization	1	ls	$ 35,475	$ 72,025	$ 107,500
Collar Excavation & Lining	1	ls	$ 128,774	$ 261,451	$ 390,225
Raise Drill Mobilization	1	ls	$ 14,190	$ 28,810	$ 43,000
Pilot Hole drilling	1	lf	$ 143,035	$ 290,405	$ 433,440
Raise Bore 18' diameter	1	lf	$ 185,946	$ 377,526	$ 563,472
Shaft Lining Mobilization	1	ls	$ 148,995	$ 302,505	$ 451,500
Shaft concrete lining	1	lf	$ 193,552	$ 392,968	$ 586,520
Demobilization	1	ls	$ 46,200	$ 93,800	$ 140,000
Highwall intake pipe/screen/valves/air	1	ls	$ 532,125	$ 1,080,375	$ 1,612,500
Approach excavation to STA 2+95	1	ls	$ 85,140	$ 172,860	$ 258,000
Sitework/Access Road/Waterline (Auburn 33.3 & Winder 66.7)					
Clear and Grub	1	ls	$ 22,275	$ 45,225	$ 67,500
Silt Fence	1	ls	$ 13,543	$ 27,497	$ 41,040
Construction exit	1	ls	$ 2,228	$ 4,523	$ 6,750
Curb and gutter	1	ls	$ 4,455	$ 9,045	$ 13,500
Asphalt paving	1	ls	$ 30,071	$ 61,054	$ 91,125
Concrete turnaround	1	ls	$ 66,825	$ 135,675	$ 202,500
Final grassing	1	ls	$ 5,346	$ 10,854	$ 16,200
Fencing	1	ls	$ 4,455	$ 9,045	$ 13,500
Retaining wall	1	ls	$ 17,820	$ 36,180	$ 54,000
Sidewalk	1	ls	$ 2,228	$ 4,523	$ 6,750
Waterline	1	ls	$ 4,455	$ 9,045	$ 13,500
Low Water PS (Auburn 33.3 & Winder 66.7)					
Excavation	1	ls	$ 33,134	$ 67,273	$ 100,407
Pump Slab concrete	1	ls	$ 28,050	$ 56,950	$ 85,000

Electrical Bldg concrete	1	ls	$ 7,920	$ 16,080	$ 24,000
Air Tank concrete	1	ls	$ 5,280	$ 10,720	$ 16,000
Generator concrete	1	ls	$ 2,640	$ 5,360	$ 8,000
Transformer concrete	1	ls	$ 1,320	$ 2,680	$ 4,000
Masonry	1	ls	$ 18,480	$ 37,520	$ 56,000
Misc metals	1	ls	$ 10,560	$ 21,440	$ 32,000
Electrical Bldg roof	1	ls	$ 24,750	$ 50,250	$ 75,000
Air Tank roof	1	ls	$ 6,683	$ 13,568	$ 20,250
Wood deck/stairs	1	ls	$ 8,910	$ 18,090	$ 27,000
Doors	1	ls	$ 4,455	$ 9,045	$ 13,500
Painting	1	ls	$ 26,730	$ 54,270	$ 81,000
500HP pump, pipe, valves & electrical (A 33.3 / W 66.7)	1	ls	$ 485,760	$ 986,240	$ 1,472,000
400HP pump, pipe, valves & electrical (A 33.3 / W 66.7)	1	ls	$ 379,500	$ 770,500	$ 1,150,000
200HP pump, pipe, valves & electrical (A 50 / W 50)	1	ls	$ 622,000	$ 622,000	$ 1,244,000
100HP pump, pipe, valves & electrical (Auburn 100%)	1	ls	$ 600,000	$ -	$ 600,000
Pipe to TPS	1	ls	$ 6,683	$ 13,568	$ 20,250
Air burst tank and compressor	1	ls	$ 111,375	$ 226,125	$ 337,500
Pneumatic valve compressor	1	ls	$ 44,550	$ 90,450	$ 135,000
Air pipe to valves and screens	1	ls	$ 44,550	$ 90,450	$ 135,000
HVAC	1	ls	$ 17,820	$ 36,180	$ 54,000
Electrical - General	1	ls	$ 222,750	$ 452,250	$ 675,000
Generator	1	ls	$ 111,375	$ 226,125	$ 337,500
Instrumentation	1	ls	$ 126,968	$ 257,783	$ 384,750
Transfer PS - Combined (Auburn 33.3 & Winder 66.7)					
Excavation	1	ls	$ 198,000	$ 402,000	$ 600,000
Jack and Bore for 36" intake	1	ls	$ 165,000	$ 335,000	$ 500,000
Concrete	1	ls	$ 498,300	$ 1,011,700	$ 1,510,000
Misc Metals	1	ls	$ 6,683	$ 13,568	$ 20,250
Wood deck/stairs	1	ls	$ 4,455	$ 9,045	$ 13,500
Intake pipe and screen	1	ls	$ 49,500	$ 100,500	$ 150,000
36" knife gate valve	1	ls	$ 22,275	$ 45,225	$ 67,500
24" overflow pipe to RWSP	1	ls	$ 11,138	$ 22,613	$ 33,750
Transfer PS - Winder (Winder 100)					
Electrical Building					
concrete	1	ls	$ -	$ 15,000	$ 15,000
masonry	1	ls	$ -	$ 27,000	$ 27,000
Wood deck/stairs	1	ls	$ -	$ 13,500	$ 13,500
roofing	1	ls	$ -	$ 47,250	$ 47,250
doors	1	ls	$ -	$ 6,750	$ 6,750
painting	1	ls	$ -	$ 6,750	$ 6,750
HVAC	1	ls	$ -	$ 33,750	$ 33,750
Generator	1	ls	$ -	$ 337,500	$ 337,500
Generator concrete	1	ls	$ -	$ 6,750	$ 6,750
Electrical	1	ls	$ -	$ 135,000	$ 135,000
TPS					
painting	1	ls	$ -	$ 81,000	$ 81,000
Pumps, pipe, valves & electrical	1	ls	$ -	$ 1,320,000	$ 1,320,000
Surge piping, valves, manhole	1	ls	$ -	$ 33,750	$ 33,750
Instrumentation	1	ls	$ -	$ 384,750	$ 384,750
16" from Mulberry	1	ls	$ -	$ 33,750	$ 33,750

Transfer PS - Auburn (Auburn 100)					
Electrical Building					
concrete	1	ls	$ 15,000	$ -	$ 15,000
masonry	1	ls	$ 27,000	$ -	$ 27,000
Wood deck/stairs	1	ls	$ 13,500	$ -	$ 13,500
roofing	1	ls	$ 47,250	$ -	$ 47,250
doors	1	ls	$ 6,750	$ -	$ 6,750
painting	1	ls	$ 6,750	$ -	$ 6,750
HVAC	1	ls	$ 33,750	$ -	$ 33,750
Generator	1	ls	$ 101,250	$ -	$ 101,250
Generator concrete	1	ls	$ 6,750	$ -	$ 6,750
Electrical	1	ls	$ 135,000	$ -	$ 135,000
TPS					
painting	1	ls	$ 81,000	$ -	$ 81,000
Pumps, pipe, valves & electrical	1	ls	$ 600,000	$ -	$ 600,000
Surge piping, valves, manhole	1	ls	$ 33,750	$ -	$ 33,750
Instrumentation	1	ls	$ 216,000	$ -	$ 216,000
			$ 8,824,015	$ 15,851,281	$ 24,675,297

COUNCIL MEMBERS
Stephanie Britt
Power Evans
Kobi Kilgore
Taffy McCormick
Sonny Morris
Travis Singley

MAYOR
Jimmy Terrell

CITY ADMINISTRATOR
Jonathan Lynn

City of Winder

Memorandum

TO: Mayor and City Council

FR: Jim Fullington

Date: December 11, 2025

RE:

Consideration of a Motion to surplus vehicles #380 (2015 Chevy Tahoe VIN #1 GNLC2EC8FR298294), vehicle #381 (2015 Chevy Tahoe VIN # 1 GNLC2EC8FR29 9221), and vehicle #326 (2009 Chevy Impala VIN # 2G1WS57M79120 1737) used by the Police Department to be sold on govdeals.com.

Background: The listed vehicles require extensive repairs and are no longer needed.

Recommendation: Staff recommends approval.

City of Winder

Surplus Equipment Declaration Request

Date: 11/20/25 Request for Council Approval December 11, 2025

Department: Police

Department Head Approval:

City #	YEAR	MAKE	MODEL	VIN #	MILES / HOURS	Condition	REASON FOR SURPLUS	ITEM NEEDS TO BE REPLACED Y/N
380	2015	Chevrolet	Tahoe	1GNLC2EC8FR298294	114956	Fair	Needs extensive repairs	Y
381	2015	Chevrolet	Tahoe	1GNLC2EC8FR299221	120205	Fair	Needs extensive repairs	Y
326	2009	Chevrolet	Impala	2G1WS57M791201737	112800	Fair	Extensive age & mileage No longer needed	N

*If item is to be replaced, list approximate replacement cost, cost of restoring item to usable condition, and the 5-year average annual repair & maintenance cost.

City #	Replacement Cost	Restoration Cost	5 Year Avg Repair/Maint Cost

COUNCIL MEMBERS
Stephanie Britt
Power Evans
Kobi Kilgore
Taffy McCormick
Sonny Morris
Travis Singley

MAYOR
Jimmy Terrell

CITY ADMINISTRATOR
Jonathan Lynn

City of Winder

Memorandum

TO: Mayor and City Counil

FR: Renee Van Sickle, Community Development Manager

Date: December 11, 2025

RE: Second Reading and consideration of an ordinance to adopt an amendment to Chapter 13 - Licenses and Building Regulations; creating Article XII. - Street Cafes, of the Code of Ordinances for the City of Winder to establish blocked street zones; to provide for an effective date; and for other purposes.

Background:

The draft ordinance proposes an amendment to Chapter 13 – Licenses and Business Regulations of the City of Winder Code of Ordinances to establish a new Article XII, Street Cafés, which creates a regulatory framework for “Blocked Street Zones” (designated public street segments temporarily closed to vehicular traffic to facilitate outdoor dining and pedestrian activity).

The intent of this amendment is to support vibrant commercial activity, activate the public realm, promote walkability, and provide food and beverage establishments with expanded seating opportunities in a manner that is safe, and well-regulated.

If adopted, the ordinance would allow the City to formally designate eligible streets for weekend pedestrian activation and outdoor dining programs.

Key provisions of the proposed Article XII include:

- Definitions for “Street Café,” “Blocked Street Zone,” and “Participating Business” to clarify permitted uses and applicability.
- Operating hours limiting blocked street use to Fridays at 4:00 PM through Sundays at 11:00 PM, while allowing the City to modify or suspend operations as needed for public safety, emergencies, construction, or special events.
- Restrictions on loading and delivery access during closure periods.
- Standards for furniture and equipment, requiring commercial-grade, high-quality, non-plastic outdoor furnishings removed from the right-of-way outside operating periods.
- Aesthetics and branding limitations, including restrictions on signage, lighting, and amplified sound.
- Accessibility and fire safety requirements, including ADA clearance, separation from hydrants and exits, and fire marshal approval for tents exceeding size thresholds.

- Prohibited uses, including the display of vehicles, outdoor retail without separate approval, and non-compliant heaters or flame-producing devices.
- Insurance requirements, mandating each participating business maintain general liability coverage of at least $1,000,000 per occurrence and $2,000,000 aggregate, naming the City as an additional insured and maintaining coverage during operation.
- ADA compliance clause, affirming adherence to federal accessibility standards.
- Boundary designation procedures, allowing Mayor and Council to establish or modify specific Blocked Street Zones through ordinance amendment.
- Clarity regarding alcohol regulation, confirming this Article does not conflict with Section 3-38 governing alcohol consumption in entertainment districts.

City Council approved this item for first reading at the November 3, 2025, City Council meeting.

Recommendation: Staff is recommending approval of the proposed ordinance for second reading.

AN ORDINANCE TO ADOPT AN AMENDMENT TO CHAPTER THIRTEEN- LICENSES AND BUILDING REGULATIONS, CREATING ARTICLE XII. STREET CAFÉS, OF THE CODE OF ORDINANCES FOR THE CITY OF WINDER TO ESTABLISH BLOCKED STREET ZONES; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

It is hereby ordained by the City Council of the City of Winder, Georgia, that Chapter Thirteen- Licenses and Building Regulations, creating Article XII. – Street Cafés, of the Code of Ordinances of the City of Winder, Georgia is hereby amended as follows:

SECTION I:

Chapter 13 – Licenses and Business Regulations is hereby amended to read as follows:

ARTICLE XII. – STREET CAFÉS

Section 13-188. - Definitions.

As used in this article, the phrases used herein shall be defined as follows:

Street Café. The term Street Café shall mean the location and use of tables and chairs within a temporarily closed section of the public right-of-way, operated as an extension of a licensed food or beverage establishment within the Blocked Street Zone. Such Street Café shall be an incidental activity of the establishment.

Blocked Street Zone – A portion of a public street temporarily closed for a period of more than 24 hours to vehicular traffic by the City of Winder for the purpose of outdoor dining and pedestrian use.

Participating Business – Any business located within a designated blocked street zone.

Section 13–189. - General Operating Hours.

Outdoor dining is permitted within the blocked street zone during the following times: Fridays at 4:00 PM through Sundays at 11:00 PM.

(a) Suspension or modification of operation. The City shall have the authority to require any street café operating in the blocked street zone to suspend operation and clear such area, or to move or modify the location or operation of the street case for things such as, but not limited to:

(1) Any permitted special event;
(2) Any street, sidewalk, or utility construction;
(3) Any emergency situations; or
(4) The protection of the health, safety and welfare of the public.

Section 13-190. - Loading and Unloading Restrictions.

Delivery vehicles or vendor unloading/loading not permitted during blocked street closure hours.

Section 13-191. - Furniture & Equipment Standards.

(a) All tables, chairs, umbrellas, planters, and similar items must be commercial-grade and in good repair.

(b) No plastic lawn-style furniture is permitted.

(c) Furniture may not be stored in public right-of-way and must be removed or stored out of sight outside of Blocked Street Zone permitted hours.

Section 13-192. - Aesthetics and Branding.

(a) Signage shall be limited to menus on permitted A-frame signs.

(b) No flashing lights, amplified sound, or banners are permitted unless separately approved.

Section 13-193. - Accessibility and Fire Safety.

(a) Sidewalks must be clear at all times.

(b) Dining setups must not be within 5 feet of any hydrants, doors, or ADA-accessible routes.

(c) Tents/canopies over 400 square feet require Fire Marshal approval.

- Tents must be at least 12 feet from other tents and structures.
- No open heaters or flames are permitted underneath the tent.

Section 13-194. - Prohibited Uses.

(a) Use of vehicles for display or promotion is prohibited.

(b) Outdoor retail displays are not allowed unless separately permitted.

(c) No propane or open flame heaters are permitted within outdoor dining areas unless the devices are UL-listed or approved by a nationally recognized testing laboratory, used in accordance with the manufacturer's specifications, and fully compliant with all applicable fire and building codes.
   (1) The City of Winder and its Fire Department shall not conduct inspections or assume liability related to the use or condition of such devices. All risk and responsibility for ensuring the safe operation, placement, and compliance of heaters or flame-producing devices shall rest solely with the business owner or permittee.
   (2) The use of non-compliant heating devices or failure to follow safety regulations shall be grounds for immediate suspension or revocation of the outdoor dining permit.

(d) No heaters or open flamers are permitted within the tent itself.

Section 13-195. - Liability Insurance Requirements.

All participating businesses that utilize a blocked street zone for outdoor dining shall obtain and maintain commercial general liability insurance in an amount not less than $1,000,000 per occurrence and $2,000,000 aggregate. Said policy shall:

1. Name the City of Winder, Georgia as an additional insured;

2. Provide coverage for bodily injury, property damage, and personal injury, including incidents that occur in the designated outdoor dining area;

3. Be in effect during all times the outdoor dining area is in use;

4. Be issued by an insurance company licensed to do business in Georgia and acceptable to the City;

5. Include a provision requiring 30 days' written notice to the City prior to cancellation or material change in coverage.

Proof of insurance shall be submitted to the Planning and Development Services Department prior to the placement of any furniture or equipment in the blocked street zone and shall be kept current throughout the duration of use.

Section 13-196. - Americans with Disabilities Act.

Any person or entity hereunder agrees to fully comply with all requirements of the Americans with Disabilities Act as currently existing or as may be hereafter amended.

Section 13-197. – Boundaries.

The boundaries of any designated Blocked Street Zone within the City of Winder may be amended from time to time by the mayor and council under the procedures set out in the City Charter for amending an ordinance.

Section 13-198. – Authority.

This Article shall not conflict with Section 3-38 (consumption of alcohol, entertainment districts).

SECTION II. **Repeal of Conflicting Provision**. Except as otherwise provided herein, all ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed. All other ordinances or parts of ordinances, however, that remain unchanged by the instant modifications contained in this Ordinance are intended to be continued in full force and effect, subject to the instant modifications set forth in this Ordinance. Additionally, should any Article, Section, paragraph, phrase, word, or sentence, or the application thereof to any person, individual, business organization, or partnership, in any circumstance, be held invalid by a court of competent jurisdiction, such invalidity shall not affect the other provisions of the Code of Ordinances, City of Winder, Georgia, including the instant modification. The provisions contained herein are hereby declared severable. Any modification of Federal or State Law or regulation which would effect a change in the provisions of this Article are hereby incorporated herein and made a part hereof.

SECTION III. Effective Date. This Ordinance shall become effective immediately upon its signature by the Mayor of the City of Winder, Georgia.

SECTION IV. Authorization. By adopting this Ordinance through motion validly seconded and approved in accordance with the Charter, the Council hereby authorizes the Mayor to sign this Ordinance and further authorizes the Mayor, City Administrator, City Clerk, City Attorney, or such other staff or designees as may be otherwise prudent and ordinary to take all measure necessary and convenient to effectuate the purposes of this Ordinance.

SO ORDAINED this _____ day of _____, 2025.

_____
JIMMY TERRELL, Mayor

ATTEST:

[SEAL]

_____
ANNA CHILDS, City Clerk

APPROVED AS TO FORM:

_____
WARREN TILLERY, City Attorney

CITY OF WINDER

CITY COUNCIL
MINUTES ● DECEMBER 4, 2025
113 EAST ATHENS STREET, WINDER, GA 30680

Called Meeting **Winder Community Center** **5:30 PM**

CALL TO ORDER

Mayor Terrell called the meeting to order at 5:31 PM.

Jimmy Terrell	Mayor
Sonny Morris	Council Member Ward 1
Kobi Kilgore	Council Member Ward 2 (arrived at 5:41 PM)
Power Evans	Council Member Ward 3
Travis Singley	Council Member Ward 4
Stephanie Britt	Council Member At-Large
Taffy McCormick	Council Member At-Large

Also Present:
Jonathan Lynn, City Administrator
Anna Childs, City Clerk
Bailey Price, Deputy Clerk
Beth Reynolds, Director of Development Services
Reneé Van Sickle, Community Development Manager
Horace Gee, Utility Operations Director
Ronnie Campbell, CFO/Director of Finance
Neil Counts, ESG Operations
Tyler Black, ESG Operations
John Rorke, Chief Information Officer
Hunter McCurry, Technology Services
Warren Tillery, City Attorney

VOTING ITEMS

City Administrator Jonathan Lynn introduced the voting item.

1. Consideration of Approval for a First Supplemental Bond Resolution related to Bond Sale and Pricing for the City of Winder (Georgia) Water and Sewer Revenue Bonds, Series 2025.

   Courtney Rogers with Davenport & Company led a presentation regarding the First Supplemental Bond Resolution related to Bond Sale and Pricing for the City of Winder (Georgia) Water and Sewer Revenue Bonds, Series 2025. Courtney Rogers introduced bond counsel Stephen Swinson with Gray Panell, who was instrumental in the process. Mayor Terrell thanked all of the team members involved.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Power Evans, Council Member, Ward 3
SECONDER:	Sonny Morris, Council Member, Ward 1
AYES:	McCormick, Morris, Kilgore, Evans, Singley, Britt

ADJOURN

Mayor Terrell adjourned the called meeting at 5:49 PM.

*this meeting was video recorded

DRAFT

_____
Jimmy Terrell, Mayor

_____
Anna Childs, City Clerk

_____
Date

DRAFT

CITY OF WINDER

CITY COUNCIL
MINUTES ● DECEMBER 4, 2025
113 EAST ATHENS STREET, WINDER, GA 30680

Work Session **Winder Community Center** **6:00 PM**

CALL TO ORDER

Mayor Terrell called the work session to order at 6:02 PM.

Jimmy Terrell	Mayor
Sonny Morris	Council Member Ward 1
Kobi Kilgore	Council Member Ward 2
Power Evans	Council Member Ward 3
Travis Singley	Council Member Ward 4
Stephanie Britt	Council Member At-Large
Taffy McCormick	Council Member At-Large

Also Present:
Jonathan Lynn, City Administrator
Anna Childs, City Clerk
Beth Reynolds, Director of Development Services
Reneé Van Sickle, Community Development Manager
Horace Gee, Utility Operations Director
Patrick Klein, Civil Engineer
Neil Counts, ESG Operations
Tyler Black, ESG Operations
Dr. Niki Graham, Director of Human Resources
John Rorke, Chief Information Officer
Hunter McCurry, Technology Services
Jim Fullington, Police Chief
Warren Tillery, City Attorney

OPENING PRAYER and PLEDGE OF ALLEGIANCE

Mayor Terrell led the invocation.

APPROVAL OF AGENDA

City Administrator Jonathan Lynn requested that the following be added as agenda item #10 under discussion items: a discussion of the Mayoral veto on the "Proposed 2026 Calendar of Events," which will be on the agenda for the December 11th Regular Meeting.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Stephanie Britt, Council Member, At-Large
SECONDER:	Power Evans, Council Member, Ward 3
AYES:	McCormick, Morris, Kilgore, Evans, Singley, Britt

CITIZEN INPUT

Winder resident Jennifer Faulk asked that the City consider saving trees regarding item 12 under the consent agenda for the stormwater rehabilitation project at Hamilton Avenue and Walker Street. Barrow County resident Laura Myers spoke on Winder Legacy Park and asked about the studies conducted on the daily costs, such as maintenance, and any plans for future phases. Barrow County resident Douglas Mitchell, and Chairman of the Barrow Community Foundation, spoke in support of the City's consideration of taking ownership of Winder Legacy Park and highlighted the benefits that the park brought to the City.

DRAFT

Barrow Community Foundation Board Member and President of Barrow Chamber of Commerce Tommy Jennings spoke in support of the City taking ownership of Winder Legacy Park and highlighted the benefits that the park brought to the City. Barrow Community Foundation Board Member and Chair of Barrow Chamber of Commerce Steffanie Rivas Sorrells spoke in support of the City's consideration of taking ownership of Winder Legacy Park and highlighted the benefits that the park brought to the City and Winder downtown businesses. Barrow Community Foundation Board Member and Winder Downtown Development Authority Board Member Chris Maddox spoke in support of the City's consideration of taking ownership of Winder Legacy Park and highlighted the benefits that the park brought to the City, and noted that it was a smart leveraged investment.

MONTHLY DEPARTMENT REPORT

1. ESG Monthly Report.

   Neil Counts with ESG Operations led a presentation highlighting activities and updates on Wastewater and Water Treatment.

PRESENTATION

1. Utility Rate Study Presentation.

   Bobby Sills with Nelsnick Enterprises Inc. led a utility rate study presentation.

APPROVAL OF MINUTES

1. City Council - Regular Meeting – November 3, 2025 6:00 PM.
2. City Council – Executive Session – November 3, 2025 6:00 PM.
3. City Council – Called Meeting – November 25, 2025 6:00 PM.
4. City Council – Town Hall Meeting – December 1, 2025 6:00 PM.

RESULT	**APPROVED [UNANIMOUS]**
MOVER:	Travis Singley, Council Member, Ward 4
SECONDER:	Sonny Morris, Council Member, Ward 1
AYES:	McCormick, Morris, Kilgore, Evans, Singley, Britt

CONSENT AGENDA

City Administrator Jonathan Lynn asked the Council if there were any questions on the Consent Agenda. Council Member Singley asked Mr. Lynn to go through each item.

1. Consideration of a Motion to approve the 2026 City of Winder City Council Meeting Schedule for the Regular Meeting and Work Session of the Mayor and City Council, as shown on attached Exhibit A.

   City Administrator Jonathan Lynn offered recommendations for changing two of the meeting dates.

2. Consideration of a Motion to approve the 2026 City of Winder Holiday Schedule as shown on attached Exhibit A.

3. Consideration of a Motion to approve a one-year contract to reappoint Larry Steele to serve as Prosecutor for the City of Winder Municipal Court and to authorize the Mayor to execute same.

4. Consideration of a Motion to approve a contract to reappoint Marguerite Belline to serve as Public Defender for the City of Winder Municipal Court and to authorize the Mayor to execute the same.

Community Development Manager Reneé Van Sickle introduced Andrea Clement and Brandon Newsome, who were present for the work session.

5. Discussion and consideration to appoint Andrea Clement to serve on the Historic Preservation Commission (HPC) for a term that will end July 1, 2028.

6. Discussion and consideration to appoint Brandon Newsome to serve on the Historic Preservation Commission (HPC) for a term that will end July 1, 2028.

7. Discussion and consideration to appoint Adriana Beck to serve on the Historic Preservation Commission (HPC) for a term that will end July 1, 2028

8. Discussion and consideration to re-appoint Lynn Hammond to serve on the Historic Preservation Commission (HPC) for a term that will end July 1, 2028.

9. Consideration of a Motion to accept a bid to perform a Classification and Compensation Study for the City of Winder.

   Director of Human Resources Dr. Niki Graham spoke on the committee's recommendation to move forward with hiring Bolton as presented in the agenda packet.

10. Consideration of a Motion to authorize issuing a Purchase Order (PO) in the amount $31,360.00 to Professional Pipeline (Annual Contractor) for staking of boundaries associated with the Quarry Pipeline Project.

11. Consideration of a Motion to authorize issuing Purchase Order's (PO) in the amount $708,100 to Professional Pipeline (Annual Contractor) and Carter and Sloope for project management and reporting to Environmental Protection Division (EPD) in the amount of $141,900 for completing this task. This is an FY26 budgeted capital expenditure for Water.

    Utility Operations Director Horace Gee answered Council Members' questions on items # 11 and 12.

12. Consideration of a Motion to authorize issuing a Purchase Order (PO) in the amount $176,120.00 to Professional Pipeline (Annual Contractor) for a stormwater rehabilitation project, Task Order #6 – Hamilton Avenue and Walker Street. We also wish to approve an additional $50,000.00 to purchase piping and materials for this project. This is an FY26 budgeted expenditure for Stormwater 525-4320-5414000.

13. Consideration of a Motion to approve an Intergovernmental agreement between the City of Auburn and City of Winder to pay for the work as provided in the attached Statement of Values (SOV) titled "Quarry Supply SOV Breakdown" hereby referenced as Exhibit A. to Heavy Contractors, Inc. (Contractor)

    City Attorney Warren Tillery spoke briefly on the purpose of the item returning to the consent agenda.

14. Consideration of a Motion to surplus vehicles #380 (2015 Chevy Tahoe VIN #1 GNLC2EC8FR298294), vehicle #381 (2015 Chevy Tahoe VIN # 1 GNLC2EC8FR29 9221), and vehicle #326 (2009 Chevy Impala VIN # 2G1WS57M79120 1737) used by the Police Department to be sold on govdeals.com.

Mayor Terrell called for a recess at 6:56 PM, and the work session reconvened at 7:09 PM.

DISCUSSION ITEMS

City Administrator Jonathan Lynn led the Council through the discussion items.

1. (A) Public Hearing and consideration for a Variance from the City of Winder's Comprehensive Zoning Ordinance requesting relief from Section 3-11.K. (minimum parking spaces required) in a B-2: General Commercial Zone for a property located at 409 Resource Park, Winder, Georgia, 30680, also known as Map/Parcel # WN06 002B.

   (B) Public Hearing and consideration for a Variance from the City of Winder's Comprehensive Zoning Ordinance requesting relief from Section 3-22.A.1. (sidewalk requirements) in a B-2: General Commercial Zone for a property located at 409 Resource Park, Winder, Georgia, 30680, also known as Map/Parcel # WN06 002B.

   A public hearing was held for items 1-A and 1-B. There was no public comment in support or opposition. City Attorney Warren Tillery explained the process required for item 1-A, which was vetoed by the Mayor, and that a decision would need to be made at the December 11th regular meeting, to either approve, deny, or postpone.

2. (A) Public Hearing and consideration for a Variance from the City of Winder's Comprehensive Zoning Ordinance requesting relief from (A) 3-2.E. 1. Main Roof Pitch, in a R-1: Low Density Single: Family Residential Zone for a property located at 833 Idlewood Rd., Winder, Georgia, 30680, also known as Map/Parcel # WN10B 027.

   (B) Public Hearing and consideration for a Variance from the City of Winder's Comprehensive Zoning Ordinance requesting relief from (B) 3-2.3. to allow for a window width greater than height, in a R-1: Low Density Single: Family Residential Zone for a property located at 833 Idlewood Rd., Winder, Georgia, 30680, also known as Map/Parcel # WN10B 027.

   (C) Public Hearing and consideration for a Variance from the City of Winder's Comprehensive Zoning Ordinance requesting relief from C) 3-2.4. to allow for windows with no lites, in a R-1: Low Density Single: Family Residential Zone for a property located at 833 Idlewood Rd., Winder, Georgia, 30680, also known as Map/Parcel # WN10B 027.

   (D) Public Hearing and consideration for a Variance from the City of Winder's Comprehensive Zoning Ordinance requesting relief from Section 3-22.A.1. (sidewalk requirements) in a R-1: Low Density Single: Family Residential Zone for a property located at 833 Idlewood Rd., Winder, Georgia, 30680, also known as Map/Parcel # WN10B 027.

   A public hearing was held for agenda items 2-A and 2-D. Community Development Manager Reneé Van Sickle provided an overview of the staff report and answered Council Members' questions. There was no public comment in support or opposition.

3. Public Hearing and consideration for a Variance from the City of Winder's Comprehensive Zoning Ordinance requesting relief from Section 3-22.A.1. (sidewalk requirements) in a R-1: Low-density, Single-family Residential zone for a property located at 435 Watson Road, Winder, Georgia, 30680, also known as Tax/Map Parcel #WN22 005A.

Community Development Manager Reneé Van Sickle provided an overview of the staff report and answered Council Members' questions. There was no public comment in support or opposition.

4. (A) Public Hearing and consideration for a Rezone from the City of Winder's Comprehensive Zoning Ordinance requesting a Rezone from B-1: Neighborhood Commercial Zone to B-2: General Commercial Zone for the property located at 47 Porter St., Winder, Georgia, 30680, also known as Map/Parcel # WN12 164.

   (B) Public Hearing and consideration for a Conditional Use per the City of Winder's Comprehensive Zoning Ordinance to allow for Vehicle Leasing in a B-2: General Commercial Zone for the property located at 47 Porter St., Winder, Georgia, 30680, also known as Map/Parcel # WN12 164.

   Community Development Manager Reneé Van Sickle provided an overview of the staff report and answered Council Members' questions. Stanton Porter, representing property owners Brian and Jennifer Schwebel, spoke in support of requests 4-A through 4-B. Mr. Porter noted that there were no objections to the recommended conditions. There was no public comment in opposition.

5. Public Hearing and consideration for a Rezone from the City of Winder's Comprehensive Zoning Ordinance requesting a rezone from DT: Downtown Zone to PUD: Planned Unit Development Zone for a property located at 74 Williamson St., Winder, Georgia, 30680, also known as Map/Parcel # WN21 217.

   City Administrator Jonathan Lynn noted that the applicant requested a postponement to the January meetings. There was no public comment in support or opposition. Council Member Britt expressed concerns regarding the request.

6. Second Reading and consideration of an ordinance to adopt an amendment to Chapter 13 - Licenses and Building Regulations; creating Article XII. - Street Cafes, of the Code of Ordinances for the City of Winder to establish blocked street zones; to provide for an effective date; and for other purposes

7. Consideration of an ordinance to amend the Code of Ordinances, City of Winder, Georgia; to create section 15-12 entitled "golf carts and personal transportation vehicles"; to clarify policy regarding golf carts on the streets within the City limits; to repeal conflicting ordinances; to provide an effective date; and for other purposes.

   Police Chief Jim Fullington answered Council Members' questions. Council Members Evans, Britt, and McCormick asked to revise the proposed ordinance under operator qualifications, requiring all operators to be sixteen (16) years of age or older and possess a valid driver's license.

8. Consideration of a Motion to authorize the approval of a Real Property Purchase and Sale Agreement with the Barrow County School System/Barrow County Board of Education, along with subsequent purchase documents, for Parcels WN12 426 and a portion of WN12 427.

   Council Member Britt recused herself during the discussion. City Administrator led the discussion on the item and answered Council Members' questions. A draft agreement was provided for Council's review.

9. Consideration of an ordinance to amend a portion of section 18-11 of the Code of Ordinances, City of Winder, Georgia, by changing the definition of "person having a complaint or complainant" and for other purposes.

City Attorney Warren Tillery spoke on the purpose of the item and noted that it was a clean-up item to close an unintentional loophole that was created over time.

10. Discussion of the Proposed 2026 Calendar of Events, which will be on the December 11th Regular Meeting due to the Veto Action initiated by the Mayor on November 7th regarding the motion on the calendar approval, which was initially approved on November 3rd.

    The Mayor and Council discussed the veto and next steps for the December 11th regular meeting.

EXECUTIVE SESSION

Motion to Enter – At 9:12 PM, Council member Singley made a motion to enter Executive Session to:

Discuss periodic evaluation or rating of a public officer or employee as provided in Georgia Code section 50-14-3(b)(2); and

Meeting to consider a record exempt from public inspection or disclosure under the Open Records Act for which there are no reasonable means by which such record can be considered without closure of the meeting.

RESULT	**APPROVED [UNANIMOUS]**
MOVER:	Travis Singley, Council Member, Ward 4
SECONDER:	Power Evans, Council Member, Ward 3
AYES:	McCormick, Morris, Kilgore, Evans, Singley, Britt

Motion to Enter – At 10:06 PM, Council member Evans made a motion to exit Executive Session.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Power Evans, Council Member, Ward 3
SECONDER:	Stephanie Britt, Council Member, At-Large
AYES:	McCormick, Morris, Kilgore, Evans, Singley, Britt

ADJOURN

Mayor Terrell adjourned the work session at 10:06 PM.

*this meeting was video recorded

_____
Jimmy Terrell, Mayor

_____
Anna Childs, City Clerk

_____
Date

DRAFT

CITY OF WINDER EVENTS

2026 Proposed Calendar of Events

Event	Date	Time
Dublin on Jackson	Saturday, March 14	4-8pm
Eggstravaganza	Saturday, March 28	10am-1pm
Winder Wander	Friday, May 8	6-7pm
Jug Tavern Arts Festival Day 1	Saturday, May 30	10am-8pm
Jug Tavern Arts Festival Day 2	Sunday, May 31	10am-8pm
Live at the Plaza	Every Friday May-Sept	5-8pm
Movie Night	Friday, June 5	6-9pm
Celebrate America	Saturday, July 4	11am-10pm
End of Summer Bash	Friday, August 7	6-9pm
Bark in the Park	Friday, September 4	6-9pm
Barrels & Brews	Friday, October 2	6-9pm
Spooktacular	Friday, October 23	5-9pm
Veterans Day Ceremony	TBD	
Tree Lighting	Friday, November 20	6-8pm
Christmas Parade	Saturday, December 12	2:30-5:30pm

COUNCIL MEMBERS
Stephanie Britt
Power Evans
Kobi Kilgore
Taffy McCormick
Sonny Morris
Travis Singley

MAYOR
Jimmy Terrell

CITY ADMINISTRATOR
Jonathan Lynn

City of Winder

Memorandum

TO: Mayor and City Council

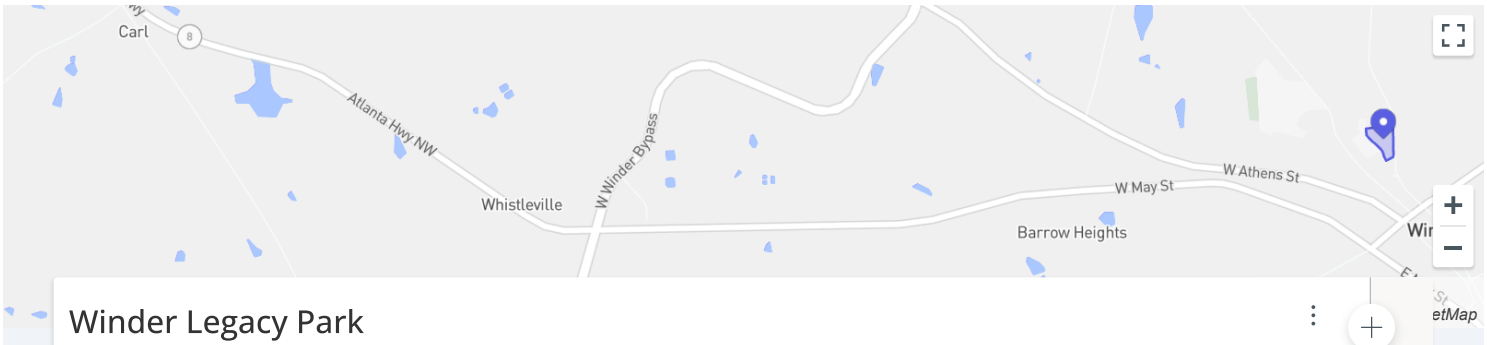
FR: Jonathan Lynn, City Administrator

Date: December 11, 2025

RE: Consideration of a Motion to authorize the approval of a Real Property Purchase and Sale Agreement with the Barrow County School System/Barrow County Board of Education, along with subsequent purchase documents, for Parcels WN12 426 and a portion of WN12 427.

Background: Staff is providing updated Placer.AI information regarding Legacy Park. At the Work Session, Council requested additional data isolating the park from the adjacent school property. Placer.AI has now created a separate Point of Interest (POI) for Legacy Park, enabling more accurate tracking of visits, visitor origins, and movement patterns before and after park use. The attached report includes these updated analytics for the Council's review.

Recommendation: Requesting consideration for City Council approval. Approval will allow the City to proceed with the acquisition process.



Winder Legacy Park

84 W Midland Ave, Winder, GA 30680

Last full 12 months | All Visit Durations | Add Filter

Metrics

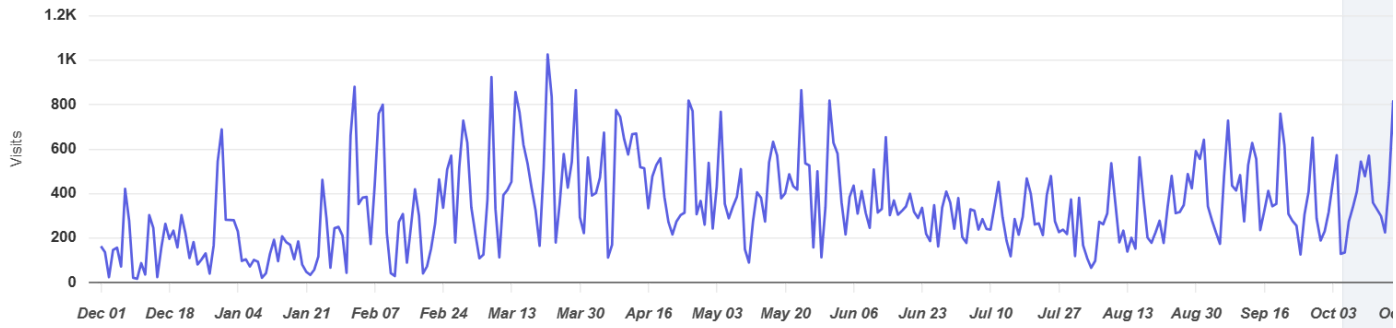
Winder Legacy Park
W Midland Ave, Winder, GA

Visits	122.5K	Avg. Dwell Time	49 Min
Visits / sq ft	0.37	Panel Visits	11.4K
Size - sq ft	328.2K	Visits YoY	+50%
Visitors	50.2K	Visits Yo2Y	+426.4%
Visit Frequency	2.44	Visits Yo3Y	+399.9%

Visits Trend

Winder Legacy Park
W Midland Ave, Winder, GA

Metric: Visits | Aggregation: Daily | Annual Summary | Outlier Indicators



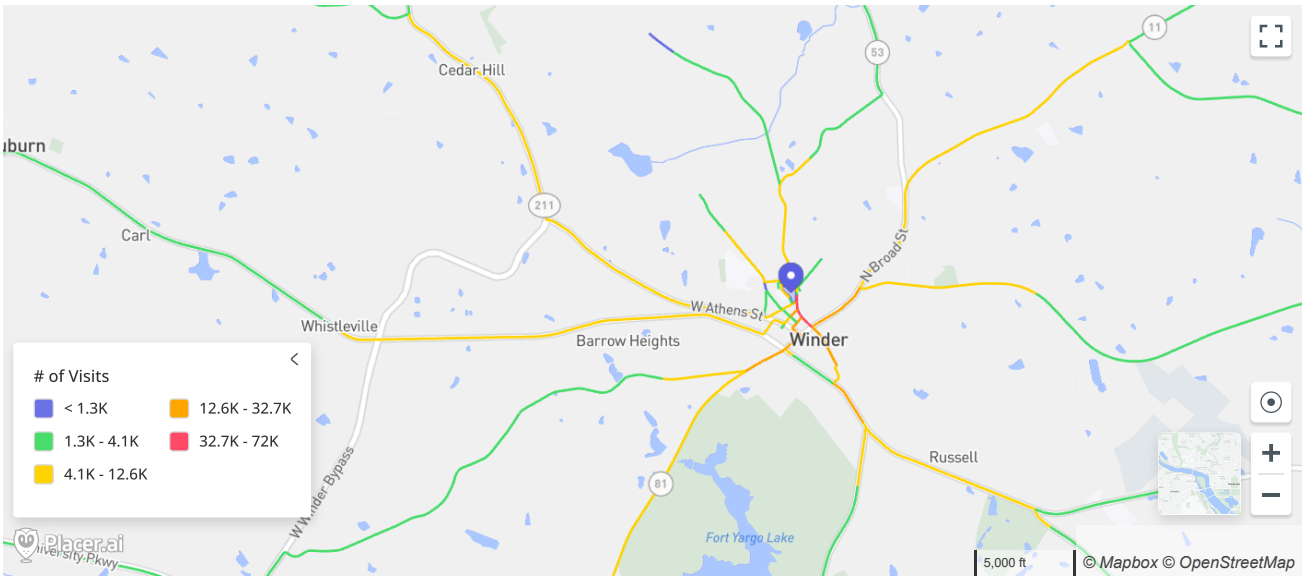
Visitor Journey - Routes

Winder Legacy Park
W Midland Ave, Winder, GA

Journey Direction:
To Property | From Property

To protect individual privacy, the beginning points shown for each route are approximations and do not represent actual home locations.

Learn More | Dismiss



To protect individual privacy, the beginning points shown for each route are approximations and do not represent actual home locations. Learn more

Prior / Post Compare

Winder Legacy Park
W Midland Ave, Winder, GA

Show By: Location | Category: All Categories | Show Zipcodes: Hide

Prior			Post	
Rank	Property	Foot-Traffic	Rank	Property
1	**Winder Public Library** Bellview St, Winder, GA	4.1%	1	**McDonald's** N Broad Street, Winder, GA
2	**McDonald's** N Broad Street, Winder, GA	2.9%	2	**Dairy Queen Restaurant** W May St, Winder, GA
3	**Dairy Queen Restaurant** W May St, Winder, GA	1.7%	3	**Walmart** Atlanta Hwy NW, Winder, GA
4	**Barrow Crossing** Loganville Hwy, Bethlehem, GA	1.5%	4	**Winder Public Library** Bellview St, Winder, GA
5	**Walmart** Atlanta Hwy NW, Winder, GA	1.4%	5	**Winder-Barrow High School** N 5th Ave, Winder, GA
6	**Winder-Barrow High School** N 5th Ave, Winder, GA	1.1%	6	**SONIC Drive In** S Center St, Winder, GA
7	**Midland Superette** W Midland Ave, Winder, GA	1.1%	7	**Barrow Crossing** Loganville Hwy, Bethlehem, GA
8	**Dollar Tree** N Broad St, Winder, GA	0.8%	8	**Ingles** N Broad St, Winder, GA
9	**SONIC Drive In** S Center St, Winder, GA	0.8%	9	**Publix** Gainesville Hwy, Winder, GA
10	**Cook Out** W May St, Winder, GA	0.8%	10	**Winder Corners Shopping Center** Monroe Hwy, Winder, GA

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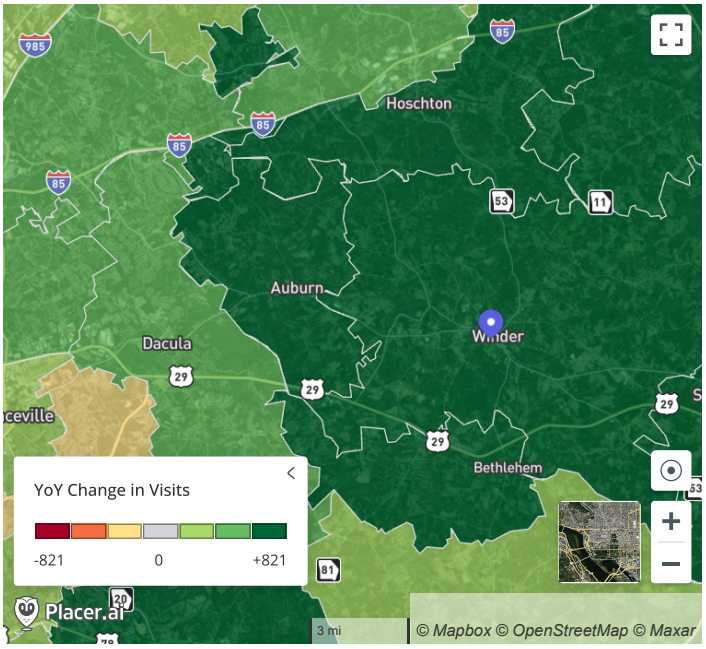
Visitors By Origin

Winder Legacy Park
W Midland Ave, Winder, GA

Origin: Home Location

Metric: Visits

View: # of Visits | % of Visits | YoY Change

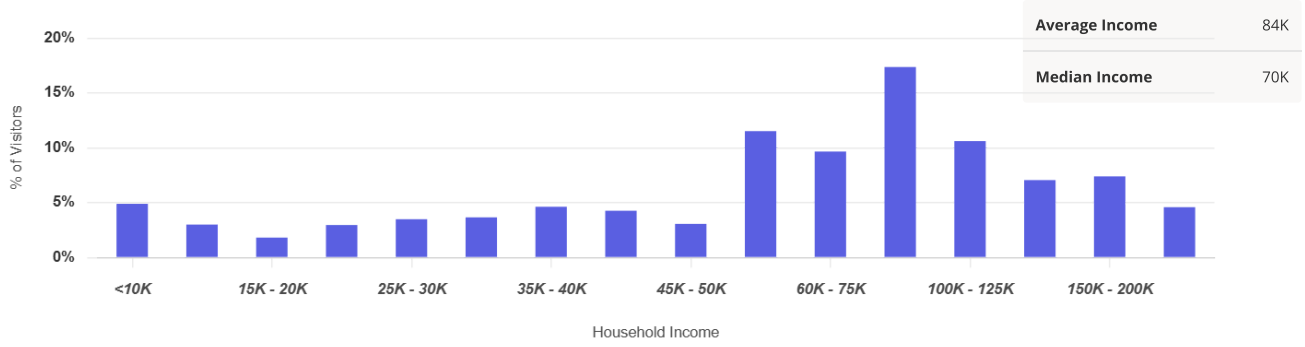


Zip Code	Visits (% of Total)	YoY Change
30680 Winder, GA	66.4K (54.3%)	+20.8K (+45.7%)
30620 Bethlehem, GA	8.7K (7.1%)	+1.5K (+20.2%)
30011 Auburn, GA	5.3K (4.3%)	+2.2K (+70.1%)
30666 Statham, GA	5K (4.1%)	+1.2K (+32.2%)
30549 Jefferson, GA	3.2K (2.6%)	+1.8K (+139%)
30548 Hoschton, GA	3K (2.5%)	+1.3K (+73.8%)
30656 Monroe, GA	2.5K (2%)	+353 (+16.5%)
30052 Loganville, GA	1.7K (1.4%)	+949 (+134%)

* Showing data for top 100 Zip Codes of this property. Download the CSV file for full results.

Household Income

Winder Legacy Park
W Midland Ave, Winder, GA

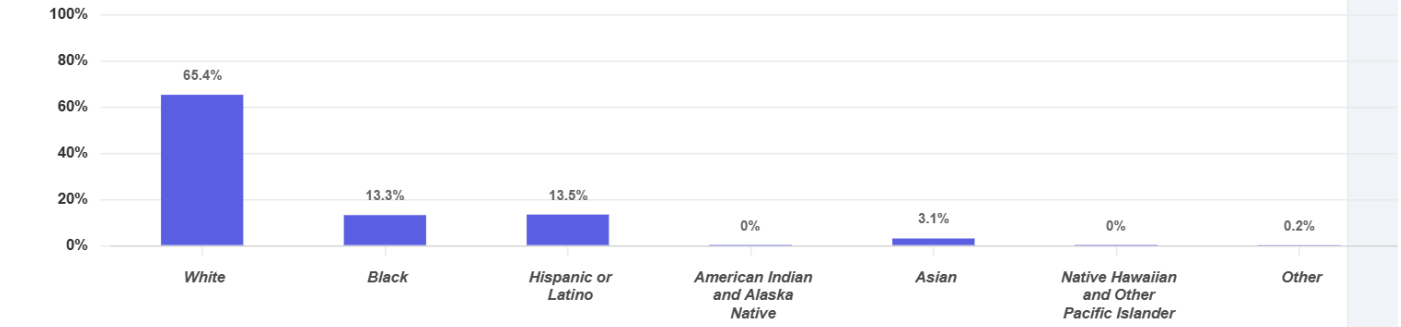


Average Income	84K
Median Income	70K

*Demographics are based on a True Trade Area capturing 70% of visits | Data source: Census 2023

Ethnicity

Winder Legacy Park
W Midland Ave, Winder, GA

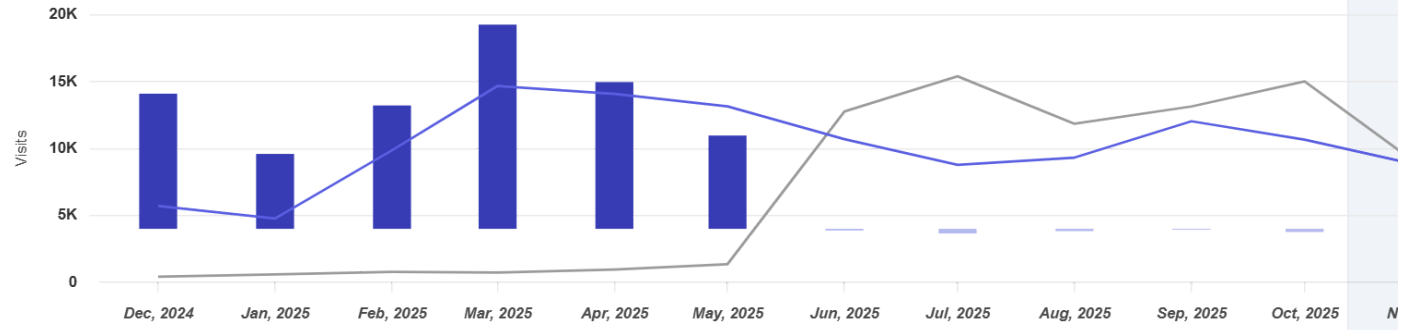


*Demographics are based on a True Trade Area capturing 70% of visits | Data source: Census 2023

Visits Variance

Winder Legacy Park
W Midland Ave, Winder, GA

Aggregation: Monthly
Compare to: Prev. Years
Compared Year: 1 Year Ago

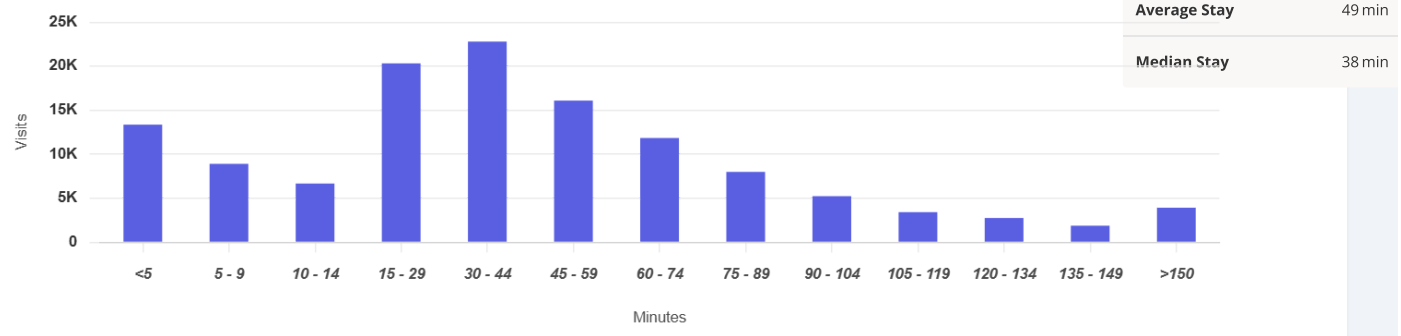


Visit Duration

Winder Legacy Park
W Midland Ave, Winder, GA

Metric: Visits

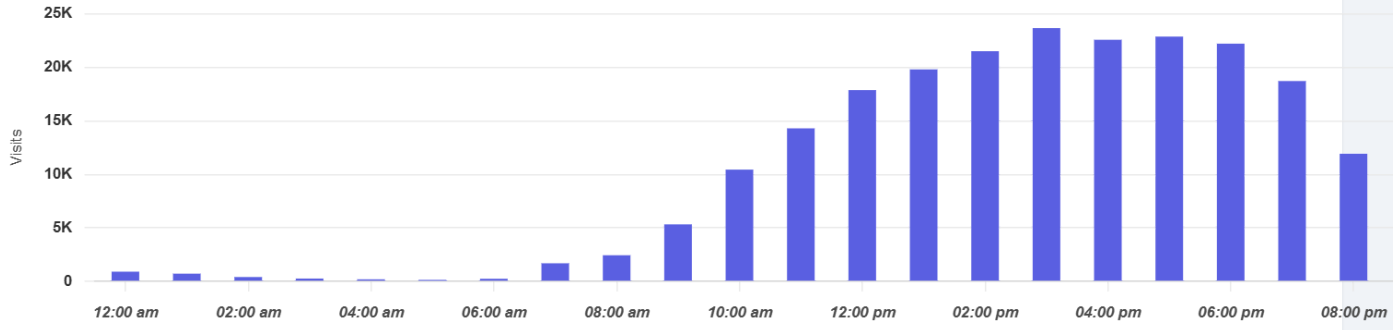
Average Stay	49 min
Median Stay	38 min



Hourly Visits

Winder Legacy Park
W Midland Ave, Winder, GA

Metric: Visits



Favorite Places

Winder Legacy Park
W Midland Ave, Winder, GA

Category: All Categories

Min. Visits: 1

Rank	Name	Distance	Visit
1	**Barrow Crossing** 916 Loganville Hwy, Bethlehem, GA 30620	4.2 mi	38.5
2	**Walmart** 440 Atlanta Hwy NW, Winder, GA 30680	2 mi	34.4
3	**Mall of Georgia** 3333 Buford Dr, Buford, GA 30519	15.7 mi	33.4
4	**Target** 916 Loganville Hwy Suite 400, Bethlehem, GA 30620	4.1 mi	30.2
5	**McDonald's** 8 N Broad Street, Winder, GA 30680	0.4 mi	28.6
6	**Winder Corners Shopping Center** 17 Monroe Hwy, Winder, GA 30680	1.3 mi	28.2
7	**RaceTrac** 839 Loganville Hwy, Bethlehem, GA 30620	3.8 mi	27.6
8	**Chick-fil-A** 97 Shephard Lane, Bethlehem, GA 30620	3.9 mi	27.6
9	**Winder Square** 39 E May St, Winder, GA 30680	0.6 mi	25.9
10	**The Home Depot** 649 Carl-bethlehem Rd, Winder, GA 30680	4.2 mi	25.1

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PLANNING DEPARTMENT STAFF REPORT

City Council Public Hearing Date: December 4, 2025

VARIANCE REQUEST

Tax Map Number WN06 002B

Applicant	Mark C. Sanchez
Owner:	Mark Consulting LLC
Site Address:	409 Resource Parkway
Requests:	**(A).** Variance from the City of Winder's Comprehensive Zoning Ordinance requesting relief from Sec. 3-11.K (Minimum Parking Spaces Required) in a B-2: General Commercial Zone **(B).** Variance from the City of Winder's Comprehensive Zoning Ordinance requesting relief from Sec. 3-22.A.1 (Sidewalks Required) in a B-2: General Commercial Zone
Staff Recommendations:	**(A).** *Denial*, **(B).** *Denial*
Tax Map Parcel:	WN06 002B
Land Area:	1.22 +/- acres

PROPOSAL:
The applicant is requesting:

(A). Variance application, relief from the parking requirements of Sec. 3-11.K in the City of Winder's Comprehensive Zoning Ordinance, for the purpose of developing a parcel in a B-2: General Commercial zone. The applicant seeks a variance to reduce the minimum number of parking spaces that are required for a "business and professional office" use.

(B). Variance application, relief from the sidewalk frontage requirement of Sec. 3-22.A.1 in the City of Winder's Comprehensive Zoning Ordinance, for the purpose of developing a parcel in a

B-2: General Commercial zone. The applicant seeks a variance to forgo installing the required sidewalk along a road frontage.

BACKGROUND:

The subject property measures 1.22 +/- acres in land area and is undeveloped. The original land disturbance permit (LDP) application was made in June 2023. Due to lack of payment and no activity on the permit for 1 year, the LDP expired January 2025, and the permit was not issued. An administrative variance was approved on January 11, 2024, for relief from the interparcel access requirement. In July 2025, an engineer working for the applicant requested a preconstruction meeting to start development of the subject property. A valid LDP is required to develop the subject property necessitating the application for a current LDP. A new application was submitted in July 2025 and, as of today, has received three (3) rounds of plan review comments from City staff.

Compliance with parking standards is typically studied during the Occupational Tax Certificate (OTC) process; however, the proposed site will be developed for a specific use, which is considered a "business and professional office". The use for the subject site was updated on the third plan submittal prompting review and compliance during LDP. Per the letter of intent, the applicant believes the proposed number of parking spaces will be adequate for their "private, non-retail business" and offers 2 parking spaces per 1,000 square feet of building area. Although the Comprehensive Zoning Ordinance was updated in October 2024, the minimum parking spaces required for a "business and professional office" use remained the same as what would have been required in June 2023 at the time of the original LDP application. Per Sec. 3-11.K, business and professional offices require 3 parking spaces per 1,000 square feet of building area.

The proposed site design consists of two structures totaling 14,500 square feet, which will require a minimum of 44 parking spaces. The proposed site plan is non-compliant as only 29 parking spaces are proposed on the subject site.

The applicant also seeks a variance from Section 3-22.A.1, which states "*sidewalks are required along the frontage of any property abutting a public or private street*." The subject site is a corner lot at the intersection of the public Loganville Hwy (SR 81) and private Resource Parkway. The applicant is requesting relief from installing a sidewalk along both road frontages. Per the letter of intent, the applicant states they have contacted GDOT, and GDOT will require curb and gutter to be installed along Loganville Hwy. The applicant states the cost of curb and gutter for approximately +/- 350 ft. of road frontage will cause financial hardship.

The applicant has proposed an offer of $16,000 for payment in-lieu of the sidewalk which he states would equate to $14,000 for 350 linear feet along Loganville Highway and $700 for 104 linear feet along Resource Parkway at $6.67 per square foot. The applicant has also proposed a 9% premium.

Subsection i states "i. *where City Council determines the topography of the road frontage is such that a special hardship exists on the property, the City Council may authorize a payment to the City in lieu of the required installation of the sidewalk*".

The parcel does not qualify for consideration of subsection ii. which would allow City Council to consider alternative pedestrian accommodations if they were to allow waiver from sidewalk installation due to the adverse effects of future pedestrian connectivity.

A **variance** is defined in Section 2 of the Winder Zoning Ordinance as a minimal variation of the terms of the Ordinance which permits construction in a manner otherwise prohibited by this Zoning Ordinance.

At the November 3, 2025, meeting, City Council voted to approve Item A – variance from the minimum parking requirements with the condition that a minimum of 35 parking spaces be provided. At the November 3, 2025, meeting, City Council voted to postpone Item B – variance from the sidewalk requirements. On November 7, 2025, the Mayor of Winder exercised his veto authority as set forth in Section 2-5 of the City Charter. As a result of this veto, these items have been brought back for reconsideration and vote by the City Council.

Please note: Unless otherwise stated in any formal motion by City Council, staff considers the conceptual site plan submitted on behalf of the applicant of this request to be illustrative only. Approval of the application does not constitute approval of any final building or site plan.

SURROUNDING LAND USE:
The table below summarizes the nearby zoning districts and land uses:

Direction	Zoning	Current Land Use	Future Land Use
N	B-2: General Commercial	Vacant Land	Suburban Residential
S	G: Government/Institutional	Fort Yargo State Park	Conservation
W	R-1B: Single unit, high density Residential	Vacant Land	Suburban Residential
E	G: Government/Institutional	Fort Yargo State Park	Conservation

DISTRICT STANDARDS:
The table below summarizes the zoning standards of the B-2: General Commercial district:

	B-2: General Commercial
Minimum Lot Area	30,000 sq. ft.
Minimum Lot Width	-
Front Yard Setback	30 ft.
Side Yard Setback	15 ft.
Side Street Setback	15 ft.
Rear Yard Setback	15 ft.
Maximum Building Height	75 ft.
Maximum Building Coverage	60%

COMPREHENSIVE PLAN:
The subject parcel is located within the Suburban Residential Character Area of the City of Winder's 2023 Character Area Map. The Suburban Residential character area "fosters stable, established suburban neighborhoods. Existing single-family neighborhoods are preserved and protected in their state. Infill opportunities are limited, but when done, they should be sensitive to the existing density, character, and site design of the immediate surroundings. The only other uses that should be supported in this character area besides single-family residential are civic uses, such as parks, schools, and places of worship. Where this character area abuts more intense character areas, the City will carefully manage transitions of use."

The suggested future land use is single-family residential. Appropriate zoning suggested includes G: Government / Institutional, PUD: Planned Unit Development, R-1: Single unit, low density residential, R-1A: Single unit, medium density residential, and R-1C: Single unit, high density residential.

OUTSTANDING CODE VIOLATIONS:
The following conditions were observed at the time of inspection:

- Code of Ordinances, Chapter 16, Sec. 16-81.3, Types of nuisances
    - Subsection (14) – Tall grass, weeds and bushes, other undergrowth, and trash and debris of any type upon the premises of any dwelling unit or structure, place or vacant lot.
- Comprehensive Zoning Ordinance, Article X, Sec. 10-15, Prohibited signs and devices
    - L. Abandoned signs or sign structures.

HISTORICAL DISTRICT:
The subject site is not located within a historic district.

DOWNTOWN DEVELOPMENT AUTHORITY DISTRICT:
The subject parcel is not located within the Downtown Development Authority District.

ENVIRONMENTAL:
The subject parcel is located in Flood Zone X: area of minimal flood hazard. Any potential issues will be resolved during the permitting phase. The subject site is located within the Marbury Creek Watershed District and Yargo Small Drinking Watershed District.

Ch. 24, Article VII, Section 24-106 of the City of Winder's Code of Ordinances, subsection (a) states *"Impervious surface limitations:* No more than twenty-five (25) per cent of the land area in the watershed may be covered by impervious surface within the watersheds listed in section 24-102(a)." Section 24-102 (a) states "this article shall be applicable to the following water supply watershed districts as herein defined: Cedar Creek, Barber's Creek, Fort Yargo Lake, and Laurel Lane Reservoir."

CITY SERVICES AND UTILITIES:
The subject parcel is serviced by the city of Winder Water and natural gas. All extensions and tie-ins of utility infrastructure must be approved by the city of winder as compliant with city regulations and practices and must be at the expense of the developer. This subject parcel is located within City of Winder sewer territory.

BARROW COUNTY SCHOOL DISTRICT:
Kennedy Elementary School, Westside Middle School, and Apalachee High School.

TRANSPORTATION ISSUES:
The subject parcel is located on Resource Parkway at its intersection with Loganville Hwy (SR 81). In 2024, the Georgia Department of Transportation (GDOT) reported an estimated annual average daily traffic (AADT) count of 17,800 for Loganville Hwy, approximately +/- 1,330 yards from the subject parcel. GDOT does not provide AADT count information for Resource Parkway. There is no anticipated impact on traffic conditions whether the subject variance request is approved or denied.

(A). VARIANCE ANALYSIS (MINIMUM PARKING REQUIREMENTS):
According to Section 11-8, the City Council may authorize variances "not contrary to the public interest owing to special conditions, a literal enforcement of the provisions of this ordinance will, in an individual case, result in unnecessary hardship so that the spirit of the ordinance shall be overserved, public safety and welfare secured, and substantial justice done. Such variance may be granted in such individual case of practical difficulty or unnecessary hardship upon a finding by the City Council that:

Variance application, relief from the minimum parking spaces required in Sec. 3-11.K in the City of Winder's Comprehensive Zoning Ordinance.

(Language in bold is from the City of Winder Zoning Ordinance. Bulleted information that is not bolded are factors known to staff that may apply to the Ordinance criteria.)

1. **There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography; and**
    - *There are no extraordinary or exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography.*
    - *The subject parcel is similar in size, shape, and topography to adjacent parcels.*
    - *The subject parcel does not contain any wetland.*

2. **The application of the ordinance to this particular piece of property would create an unnecessary hardship; and**
    - *The application of the ordinance does not create an unnecessary hardship.*
    - *The applicant would need to propose a site plan with adequate parking for the use proposed.*
3. **Relief, if granted, would not cause a substantial detriment to the public good or impair the purpose of this ordinance. Provided, however, that no variance shall be granted for the use of land or building or structure that is prohibited by this ordinance; and**
    - *Relief would not cause detriment to the public good and impair the purpose of this ordinance.*

4. **The special circumstances or justifications for the variance are not the result of self-imposed actions or misfortunes of the applicant; and**
    - *The circumstances presented are the result of self-imposed actions of the applicant as the site could be re-designed to accommodate the required 44 parking spaces.*

5. **The variance requested is the minimum variance that will make possible the legal use of the land, building or structure.**
    - *The subject request is not the minimum variance necessary to make possible the legal use of the land.*
    - *The applicant has also applied for a variance application, requesting relief from the streetscapes requirement of sidewalks along road frontages in Sec. 3-22.A.1 in the City of Winder's Comprehensive Zoning Ordinance has also been requested.*

(B). (STREETSCAPES – SIDEWALKS REQUIRED ALONG FRONTAGE):
I. VARIANCE ANALYSIS
According to Section 11-8, the City Council may authorize variances "not contrary to the public interest owing to special conditions, a literal enforcement of the provisions of this ordinance will, in an individual case, result in unnecessary hardship so that the spirit of the ordinance shall be overserved, public safety and welfare secured, and substantial justice done. Such variance

may be granted in such individual case of practical difficulty or unnecessary hardship upon a finding by the City Council that:

Variance application, relief from the streetscapes (sidewalk) requirement in Sec. 3-22.A.1 in the City of Winder's Comprehensive Zoning Ordinance.

(Language in bold is from the City of Winder Zoning Ordinance. Bulleted information that is not bolded are factors known to staff that may apply to the Ordinance criteria.)

1. **There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography; and**
    - *There are no extraordinary or exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography.*
    - *The subject parcel is similar in size, shape, and topography to adjacent parcels.*
    - *The subject parcel does not contain any wetland.*
    - *Staff did not determine a special hardship to exist on the property due to topography of road frontage.*
    - *There appears to be no major issues with elevation or grading. It appears that the existing area where the sidewalk would be installed is relatively flat.*

2. **The application of the ordinance to this particular piece of property would create an unnecessary hardship; and**
    - *The application of the ordinance does not create an unnecessary hardship.*
    - *The topography of the subject parcel along Loganville Hwy is not prohibitive of installing the sidewalk.*

3. **Relief, if granted, would not cause a substantial detriment to the public good or impair the purpose of this ordinance. Provided, however, that no variance shall be granted for the use of land or building or structure that is prohibited by this ordinance; and**
    - *Relief would not cause detriment to the public good and impair the purpose of this ordinance.*
    - *There is a sidewalk along Loganville Hwy on a nearby parcel (WN06 002C).*
    - *There are no sidewalks along Resource Parkway.*

4. **The special circumstances or justifications for the variance are not the result of self-imposed actions or misfortunes of the applicant; and**
    - *The circumstances presented are the result of self-imposed actions of the applicant as the site design could include the required sidewalks.*

5. **The variance requested is the minimum variance that will make possible the legal use of the land, building or structure.**
    - *The subject request is not the minimum variance necessary to make possible the legal use of the land.*
    - *The applicant has applied for a variance, requesting relief from the required number of parking spaces of Section 3-11.K in the City of Winder's Comprehensive Zoning Ordinance.*

II. REQUIRED STREETSCAPE EXEMPTIONS – i.

A. Where City Council determines the topography of the road frontage is such that a special hardship exists on the property, the City Council may authorize a payment to the City in lieu of the required installation of the sidewalk.
B. Topographical Assessment: The Zoning Administrator will conduct a thorough assessment of the topography of the road frontage of the property to determine if special hardships exist and make their recommendation to City Council.
C. Hardship Determination: Special hardships will be deemed to exist if the topography presents significant challenges or obstacles to the installation of the sidewalk.
D. City Council Discretion: The decision to authorize a payment in lieu of sidewalk installation will be at the discretion of the City Council based on the assessment of the hardship by the Zoning Administrator.
E. Consistency: The criteria for determining payment amounts will be applied consistently to all properties with approved hardships to ensure fairness and equity.
F. Documentation: The Zoning Administrator will maintain detailed documentation of the assessment process, hardship determinations, and payment calculations for transparency and accountability purposes.
G. Public Benefit: The Zoning Administrator will ensure that any payments made in lieu of sidewalk installation contribute to sidewalk improvement projects within the city to mitigate the absence of sidewalk installation on the property.

STAFF RECOMMENDATION:
(A). Staff recommends **DENIAL** to allow for a reduced number of required parking spaces, should City Council determine that the request did not meet the hardship criteria defined in Sec. 11-8 of the Comprehensive Zoning Ordinance.

(B). Staff recommends **DENIAL** to allow relief from installing the required sidewalks, should City Council determine that the request did not meet the hardship criteria defined in Sec. 11-8 of the Comprehensive Zoning Ordinance.

Should City Council approve the waiver of sidewalk installation; with an in-lieu payment, along the road frontage staff is recommending the following conditions:

1. The applicant shall provide an in-lieu payment in the amount of $18,169.08 for the approximate 454 linear feet of sidewalk not being installed, prior to the issuance of any Certificate of Occupancy.
2. All applicable GDOT (Georgia Department of Transportation) approvals shall be obtained and submitted to the City prior to the issuance of a building permit.
3. All code violations shall be brought into compliance prior to the issuance of any permit.

ATTACHMENTS:

1. Attachment 1 – Application for Variance
2. Attachment 2 – Location Map
3. Attachment 3 – Future Land Use Map
4. Attachment 4 – Zoning Map
5. Attachment 5 – Photographs of Site and Adjacent Properties
6. Attachment 6 – Code Enforcement Photos

Administrative Variance / Variance Application

Date: 09/19/2025

Applicant / Owner

Applicant Name:	Mark C. Sanchez	Owner Name:	Mark C. Sanchez
Address:	3235 Industrial Way, Suite A	Address:	3235 Industrial Way, Suite A
City, State, Zip:	Snellville, GA 30039	City, State, Zip:	Snellville, GA 30039
Phone:		Phone:	
Email:		Email:	
Company:			

Representative

Name:	Phil Schmitt
Address:	543 Belaire Drive
City, State, Zip:	Winder, GA 30680
Phone:	
Email:	

Project

Subject Site Address:	409 Resource Parkway
Total Acreage or Square Feet of Subject Property:	1.2 Acres

Are there any restrictive covenants on the property? No
If yes, please submit covenants with application.

Administrative Variance Details

Describe / Identify the existing land use(s) at the subject site:

Please provide a description of the administrative variance you are requesting. Attach additional documents / sheets and drawings as necessary to properly describe your request. For a setback variance, identify the yard and requested setback. For request concerning multiple parcels, identify all affected parcels demonstrate the request on the submitted plan.

Please identify any environmentally sensitive areas, historical structures or sites, archeological sites, and cemeteries and the plans for each.

Please provide a letter of intent addressing the decision criteria given in Sec 11-7 of the Zoning Ordinance and provide information and facts that you believe are relevant to and / or support your case:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography; and

2. The application of the ordinance to this particular piece of property would create an unnecessary hardship; and

3. Relief, if granted, would not cause a substantial detriment to the public good or impair the purpose of this ordinance. Provided, however, that no variance shall be granted for the use of land or building or structure that is prohibited by this ordinance.

4. The special circumstances or justifications for the variance are not the result of self-imposed actions or misfortunes of the applicant.

5. The variance requested is the minimum variance that will make possible the legal use of the land, building or structure.

<u>Required Documents to be submitted along with application:</u>
- Application Fee
- Letter of Intent
- Authorization of Property Owner
- Recorded Plat
- Sketch/Concept Plan or Preliminary Plat showing the proposed use and relevant information regarding the requested variance.

Supplemental Documents encouraged including photographs of subject site, renderings of proposed land uses, building elevations.

Variance Details

Identify the existing zoning district(s) for the subject property: B-2

Describe / Identify the existing land use(s) at the subject site: Graded for Building and Parking, Grassy but no hard surface improvements

Describe / Identify the proposed land use(s) at the subject site: Data Center

Please provide a description of the variance you are requesting. Attach additional documents / sheets and drawings as necessary to properly describe your request.
No Sidewalk along Highway 81 To allow 1.5 parking spaces per 100 square feet of building area No environmentally sensitive areas, historical or archeological sites or cemeteries on or near site.

Please identify any environmentally sensitive areas, historical structures or sites, archeological sites, and cemeteries and the plans for each.

Please provide a letter of intent addressing the decision criteria given in Sec 11-7 of the Zoning Ordinance and provide information and facts that you believe are relevant to and / or support your case:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography; and

2. The application of the ordinance to this particular piece of property would create an unnecessary hardship; and

3. Relief, if granted, would not cause a substantial detriment to the public good or impair the purpose of this ordinance. Provided, however, that no variance shall be granted for the use of land or building or structure that is prohibited by this ordinance.

4. The special circumstances or justifications for the variance are not the result of self-imposed actions or misfortunes of the applicant.

5. The variance requested is the minimum variance that will make possible the legal use of the land, building or structure.

Required Documents to be submitted along with application:
- Application Fee
- Letter of Intent
- Authorization of Property Owner
- Campaign Contributions Disclosure Form
- Recorded Plan
- Sketch/Concept Plan or Preliminary Plat showing the proposed use and relevant information regarding the requested variance.

Supplemental Documents encouraged including photographs of subject site, renderings of proposed land uses, building elevations.

Campaign Contributions Disclosure Form Required for all Zoning Actions

Applicant, or person representing property owner

OCGA § 36-67A-3[c] Disclosure of campaign contributions:

(a) When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant's application for the zoning action, campaign contributions aggregating $250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:

(1) The name and official position of the local government official to whom the campaign contribution was made; and

(2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(b) The disclosures required by subsection (a) of this Code section shall be filed within ten (10) days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

☐ I have**

☑ I have not

Within the two years immediately preceding this date, made any contribution(s) aggregating $250.00 or more to any local government official involved in the review or consideration of this application.

Mark C. Sanchez	09/19/2025
Name	Date

**If you have made such contributions, you must provide the data required in subsection (a) above within ten (10) days of filing this application.

LETTER OF INTENT

TAX PARCEL WN06 002

Parcel # 1, Resource Park

The applicant has applied for a site development (LDP) permit to build two new buildings and supporting infrastructure.

This variance request is to gain relief from the following review issues:

1. Install a six foot wide sidewalk along State Highway 81.

   A sidewalk along Highway 81 poses a serious risk to anyone that might somehow find them selves walking on this "sidewalk to nowhere". The applicant does not want to be subject to the liability for life and safety by placing pedestrians in the near proximity of 55 MPH or higher traffic.

2. Provide 3 spaces per 1000 SF of building area.

   The applicant needs no more than 10 parking spaces and the plan has 24. The topographic and geometric conditions of the parcel do not allow for the reasonable development of the site at 3 per 1000. The applicant petitions for 1.5 per 1000 (22 spaces) which is still 2.2 times the number needed.

The variance sought here is the minimum variance needed to allow the reasonable development of this one acre parcel of land without imposing a significant impediment on the use of the subject property.

Property Owner Authorization Form

I, MARK SANCHEZ, being duly sworn upon his/her oath, being of sound mind and legal age deposes and states the following:

I am the owner of the property located at 409 RESOURCE PARK, also known as Tax Map Parcel Number WN06 002B

My property interest in the identified property is of sufficient legal authority to represent, bind, dispose, sale, transfer, lease, and in all other respects control the property identified above.

By my signature hereon, I hereby authorize Phil Schmitt to represent and/or utilize the above identified property in the following manner:

- Submit an application for _____ (identify type of application / permit sought) and act as the representative in the pursuit of the application/permit.
- Utilize the property as a home occupation for the purpose of _____ (describe business by name and type)
- Other: APPLY FOR VARIANCES

Property Owner Name, Address, Telephone, Email

Who swears before that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Signature of Owner MSL

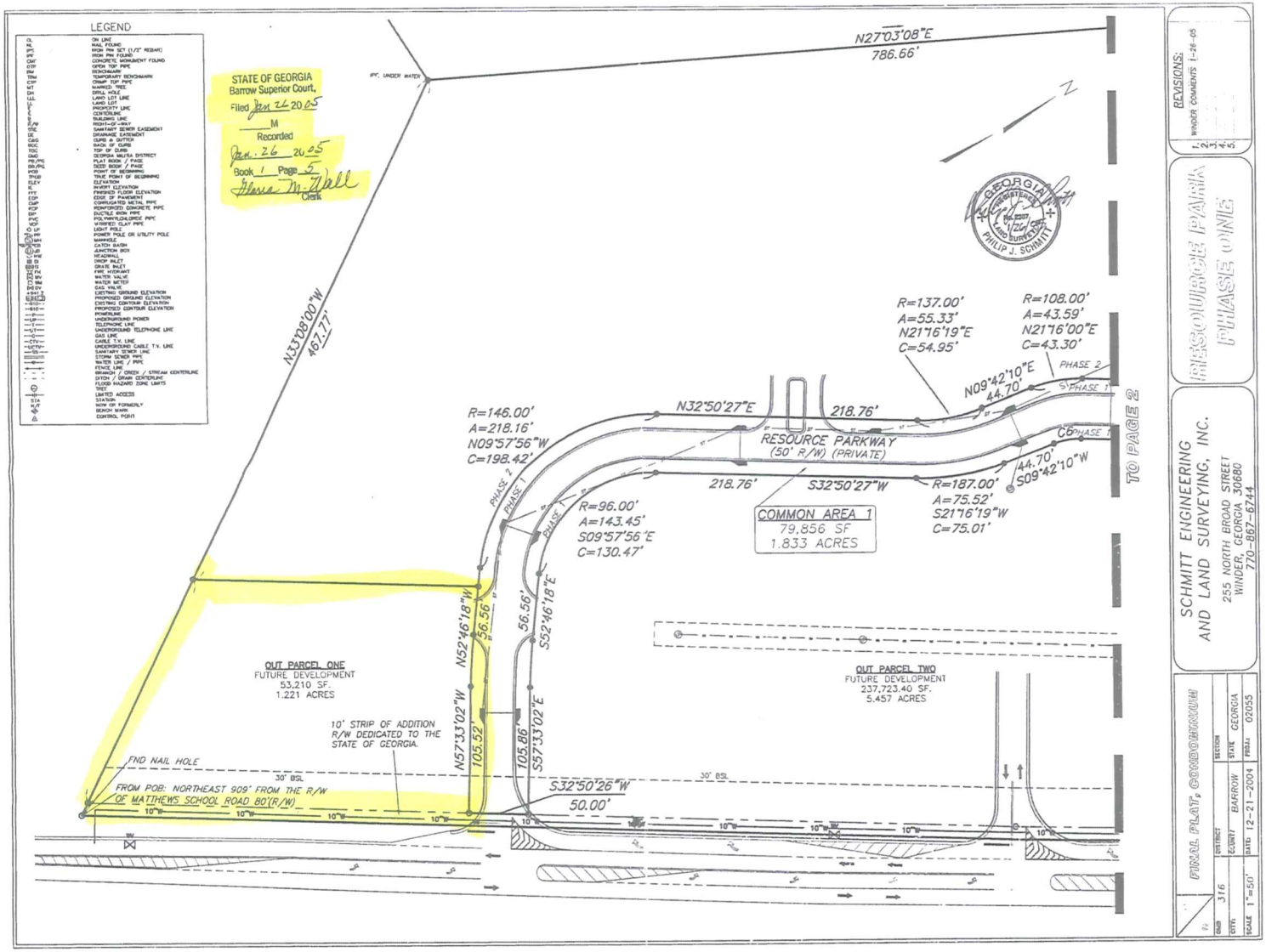
Date of Signature 9/18/25

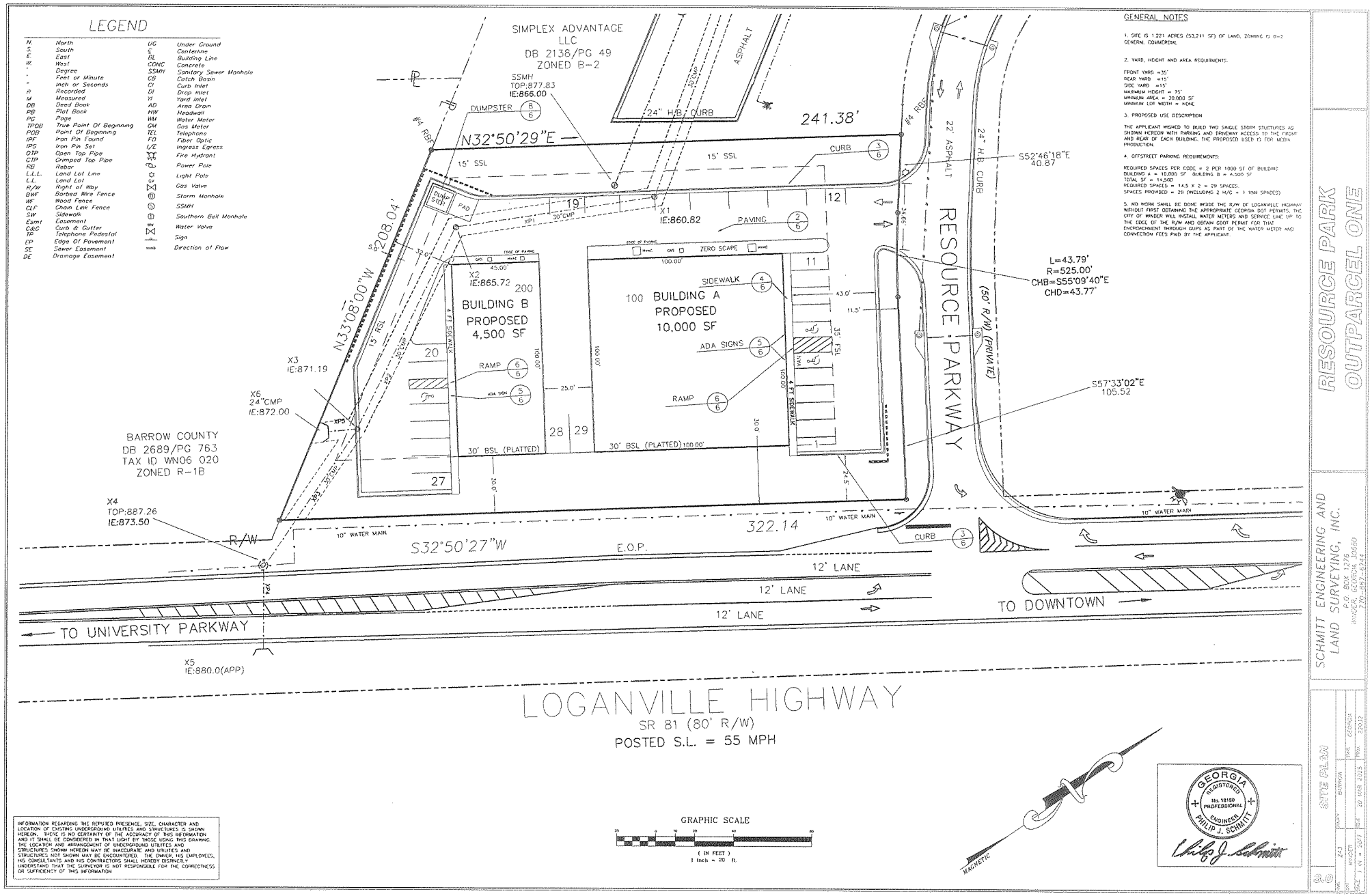
Notary: Jay Moore

Personally Appeared before me

Notary Signature and date 9/18/25

JAY MOORE NOTARY PUBLIC FORSYTH COUNTY, GEORGIA COMM. EXPIRES 11/13/2028


LEGEND
STATE OF GEORGIA
Barrow Superior Court,
Filed Jan 26 2025
M
Recorded
Jan. 26 2025
Book 1 Page 5
Clerk
N27°03'08"E
786.66'
N33°08'00"W
467.77'
R=137.00'
A=55.33'
N21°16'19"E
C=54.95'
R=108.00'
A=43.59'
N21°16'00"E
C=43.30'
N09°42'10"E
44.70'
PHASE 2
PHASE 1
R=146.00'
A=218.16'
N09°57'56"W
C=198.42'
N32°50'27"E
218.76'
RESOURCE PARKWAY
(50' R/W) (PRIVATE)
TO PAGE 2
R=96.00'
A=143.45'
S09°57'56"E
C=130.47'
218.76'
S32°50'27"W
R=187.00'
A=75.52'
S21°16'19"W
C=75.01'
44.70'
S09°42'10"W
COMMON AREA 1
79,856 SF
1.833 ACRES
N52°46'18"W
56.56'
S52°46'18"E
56.56'
OUT PARCEL ONE
FUTURE DEVELOPMENT
53,210 SF.
1.221 ACRES
OUT PARCEL TWO
FUTURE DEVELOPMENT
237,723.40 SF.
5.457 ACRES
10' STRIP OF ADDITION
R/W DEDICATED TO THE
STATE OF GEORGIA.
N57°33'02"W
105.52'
S57°33'02"E
105.86'
FND NAIL HOLE
FROM POB: NORTHEAST 909' FROM THE R/W
OF MATTHEWS SCHOOL ROAD 80'(R/W)
30' BSL
S32°50'26"W
50.00'
REVISIONS:
1. WINDER COMMENTS 1-26-05
PRESERVE PARK
PHASE ONE
SCHMITT ENGINEERING
AND LAND SURVEYING, INC.
255 NORTH BROAD STREET
WINDER, GEORGIA 30680
770-867-6744
FINAL PLAT, CONDITIONAL
GMD 316
CITY/ DISTRICT
COUNTY BARROW
SECTION
STATE GEORGIA
SCALE 1"=50'
DATE 12-21-2004
PROJ. 02055


LEGEND
N. North
S. South
E. East
W. West
° Degree
' Feet or Minute
" Inch or Seconds
R Recorded
M Measured
DB Deed Book
PB Plat Book
PG Page
TPOB True Point Of Beginning
POB Point Of Beginning
IPF Iron Pin Found
IPS Iron Pin Set
OTP Open Top Pipe
CTP Crimped Top Pipe
RB Rebar
L.L.L. Land Lot Line
L.L. Land Lot
R/W Right of Way
BWF Barbed Wire Fence
WF Wood Fence
CLF Chain Link Fence
SW Sidewalk
Esmt Easement
C&G Curb & Gutter
TP Telephone Pedestal
EP Edge Of Pavement
SE Sewer Easement
DE Drainage Easement
UG Under Ground
℄ Centerline
BL Building Line
CONC Concrete
SSMH Sanitary Sewer Manhole
CB Catch Basin
CI Curb Inlet
DI Drop Inlet
YI Yard Inlet
AD Area Drain
HW Headwall
WM Water Meter
GM Gas Meter
TEL Telephone
FO Fiber Optic
I/E Ingress Egress
FH Fire Hydrant
PP Power Pole
LP Light Pole
GV Gas Valve
SD Storm Manhole
SSMH Sanitary Sewer Manhole
SMH Southern Bell Manhole
WV Water Valve
Sign
Direction of Flow
SIMPLEX ADVANTAGE LLC
DB 2138/PG 49
ZONED B-2
SSMH
TOP:877.83
IE:866.00
DUMPSTER
24" H.B. CURB
ASPHALT
241.38'
N32°50'29"E
#4 REBAR
15' SSL
CURB
S52°46'18"E
40.87
22' ASPHALT
24" H.B. CURB
RESOURCE PARKWAY
(50' R/W) (PRIVATE)
L=43.79'
R=525.00'
CHB=S55°09'40"E
CHD=43.77'
S57°33'02"E
105.52
DUMP STER
PAD
X1
IE:860.82
PAVING
S37°08'00"W
208.04'
15' RSL
30' CMP
X2
IE:865.72
BUILDING B
PROPOSED
4,500 SF
200
ZERO SCAPE
100 BUILDING A
PROPOSED
10,000 SF
SIDEWALK
ADA SIGNS
RAMP
ADA SIGN
4 FT SIDEWALK
35' FSL
30' BSL (PLATTED)
X3
IE:871.19
X6
24"CMP
IE:872.00
BARROW COUNTY
DB 2689/PG 763
TAX ID WN06 020
ZONED R-1B
X4
TOP:887.26
IE:873.50
R/W
10" WATER MAIN
S32°50'27"W
322.14
E.O.P.
CURB
12' LANE
12' LANE
12' LANE
TO UNIVERSITY PARKWAY
TO DOWNTOWN
X5
IE:880.0(APP)
LOGANVILLE HIGHWAY
SR 81 (80' R/W)
POSTED S.L. = 55 MPH
GENERAL NOTES
1. SITE IS 1.221 ACRES (53,211 SF) OF LAND, ZONING IS B-2 GENERAL COMMERCIAL
2. YARD, HEIGHT AND AREA REQUIREMENTS.
FRONT YARD =35'
REAR YARD =15'
SIDE YARD =15'
MAXIMUM HEIGHT = 35'
MINIMUM AREA = 30,000 SF
MINIMUM LOT WIDTH = NONE
3. PROPOSED USE DESCRIPTION
THE APPLICANT WISHED TO BUILD TWO SINGLE STORY STUCTURES AS SHOWN HEREON WITH PARKING AND DRIVEWAY ACCESS TO THE FRONT AND REAR OF EACH BUILDING. THE PROPOSED USED IS FOR MEDIA PRODUCTION.
4. OFFSTREET PARKING REQUIREMENTS:
REQUIRED SPACES PER CODE = 2 PER 1000 SF OF BUILDING
BUILDING A = 10,000 SF BUILDING B = 4,500 SF
TOTAL SF = 14,500
REQUIRED SPACES = 14.5 X 2 = 29 SPACES.
SPACES PROVIDED = 29 (INCLUDING 2 H/C = 1 VAN SPACES)
5. NO WORK SHALL BE DONE INSIDE THE R/W OF LOGANVILLE HIGHWAY WITHOUT FIRST OBTAINING THE APPROPRIATE GEORGIA DOT PERMITS. THE CITY OF WINDER WILL INSTALL WATER METERS AND SERVICE LINE UP TO THE EDGE OF THE R/W AND GDOT/AN GDOT PERMIT FOR THAT ENCROACHMENT THROUGH GUPS AS PART OF THE WATER METER AND CONNECTION FEES PAID BY THE APPLICANT.
INFORMATION REGARDING THE REPUTED PRESENCE, SIZE, CHARACTER AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS DRAWING. THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON MAY BE INACCURATE AND UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS AND HIS CONTRACTORS SHALL HEREBY DISTINCTLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION.
GRAPHIC SCALE
(IN FEET)
1 inch = 20 ft.
MAGNETIC
GEORGIA REGISTERED No. 18150 PROFESSIONAL ENGINEER PHILIP J. SCHMITT
RESOURCE PARK
OUTPARCEL ONE
SCHMITT ENGINEERING AND LAND SURVEYING, INC.
P.O. BOX 1276
WINDER, GEORGIA 30680
770-867-6744
SITE PLAN
Z-23
BARROW
WINDER
GEORGIA
SCALE 1" = 20'
DATE 10 MAR 2023
PROJ. 22032
3.0

COMMQUEST INC.
AN IT SOLUTIONS COMPANY

To: City of Winder

In support of my variance request on Permit # 9063 at 490 Resource Parkway:

CODE ENFORCEMENT

1. We will have the grass mowed.
2. We will remove the two 4x4 posts from the previously removed for sale sign

ZONING PLANNER

Parking

1. The site plan as submitted has adequate parking for my private, non-retail business and represents 2 parking spaces per 1000 SF.
2. Contemporary land use plans now limit parking space provisions to a maximum number to help reduce impervious surfaces.

Sidewalk

1. The short section of existing sidewalk north of this site was installed behind existing curb and gutter edging the decel lane for Resource Parkway, fully 12-16 feet from the SB lane of SR 81. Comments received from GDOT have stated the need to install curb and gutter from the exiting radius of Resource Parkway to the southerly limits of the site (350 feet). This presumably for pedestrian protection on the sidewalk from 55 MPH traffic on SR 81. This will cost upwards of $25,000, not including saw cutting, grading, subbase, base and striping. This work will also require bonding with GDOT. All this, to provide a sidewalk that terminates on the south end where there is no possibility of pedestrian use due to limited shoulder width and adverse topographic conditions.

Utilities

1. Water and Sewer service from the City are called for on the current site plans. Gas is not requested at this time.

Public Works

COMMQUEST INC.
AN IT SOLUTIONS COMPANY

1. A permit application has been submitted to GDOT using GPAS. Comments received ask for 9032B curb and gutter for about 350 feet along SR 81.
2. See sidewalk above.
3. GDOT has commented that accommodations would be need to ensure positive drainage of the curb, 2 foot grass strip and sidewalk. This will be difficult as the longitudinal slope of the existing road is flat, as stated in the comment.
4. We are requesting variance from all side walk as there is no sidewalk along or within 250 of Resource Parkway. Placement in either location will look odd, serve no person, add un-needed impervious surfaces and introduce a physical hazard in the un-likely event that anyone might ever be found using them. Resource Park and Turtle Creek were developed over 20 years ago. This is not the time to impose features that might have been incorporated into the master plan back then. This only imposes a financial hardship on the remaining few parcels with little or no good for the community at large.

Respecting the " PAYMENT IN_LIEU" for sidewalks not installed, it is primarily the expense of the sidewalk and additionally, GDOT curb and gutter requirements, that forms the basis of our hardship here. Payment in lieu of does not provide any relief from the hardship imposed by the code, in particular since this project was fully reviewed, compliant and permitted a few short months ago. I am on a very tight budget with this project and have already exceeded my contingencies. I respectfully ask for this variance without provisions for payment in lieu of.

Mark Sanchez

10/16/2025

COMMQUEST INC.
AN IT SOLUTIONS COMPANY

To: City of Winder

In support of my variance request on Permit # 9063 at 490 Resource Parkway concerning relief sought from installing sidewalk along Loganville Highway and Resource Parkway, I offer the following proposal for "payment in lieu of" for your consideration.

350 linear feet of 6 foot wide sidewalk would be needed along Loganville Highway amounting to 2100 square feet of sidewalk area.

104 linear feet of 6 foot wide sidewalk would be needed along Resource Parkway amounting to 624 square feet of sidewalk area.

Based on your most recent payment in-lieu of costs of $ 6.67 per square foot, these sidewalks would amount to $ 14,000 and $ 700, respectively.

I propose a payment of $ 16,000. This provides a 9% premium above your most recent cost numbers to allow for inflation and contingencies.

Thank you for your consideration.

MARK SANCHEZ

11/14/25

Parcel # WN06 002B
409 Resource Park
Winder, Georgia 30680

Location Map

City of Winder
Planning & Development



October 2025

This map was compiled by the City of Winder GIS Department. The City of Winder GIS makes every effort to produce the most accurate information possible. The City assumes no responsibility for the legal accuracy of the information contained herein. All data is for informational purposes only. No warranties, expressed or implied are provided for the data herein, its use or interpretation. The City of Winder is not liable for any errors in the GIS data. This includes errors of omission, commission, errors concerning the content of the data, and relative and positional accuracy of the data. Each data may have been collected at different scales, times or definitions, resulting in inconsistencies among features represented together on this map. Any questions about the GIS mapping process can be answered by calling the City of Winder GIS Department.

Cadastral data compliments of Barrow County

Aerial Photography compliments of ESRI

Parcel # WN06 002B
409 Resource Park
Winder, Georgia 30680

Future Land Use Map

City of Winder
Planning & Development



Legend

- Hospital
- Major Roads
- Railroad
- Road Centerlines
- Subject Parcel - WN06 002B
- Barrow Parcels - 2025

Winder FLU

- Commerce Corridor
- Conservation
- Downtown
- Downtown Gateway
- Glenwood
- Mill Village
- Old Winder
- Suburban Residential

N
W E
S

0 150 300 Feet

October 2025

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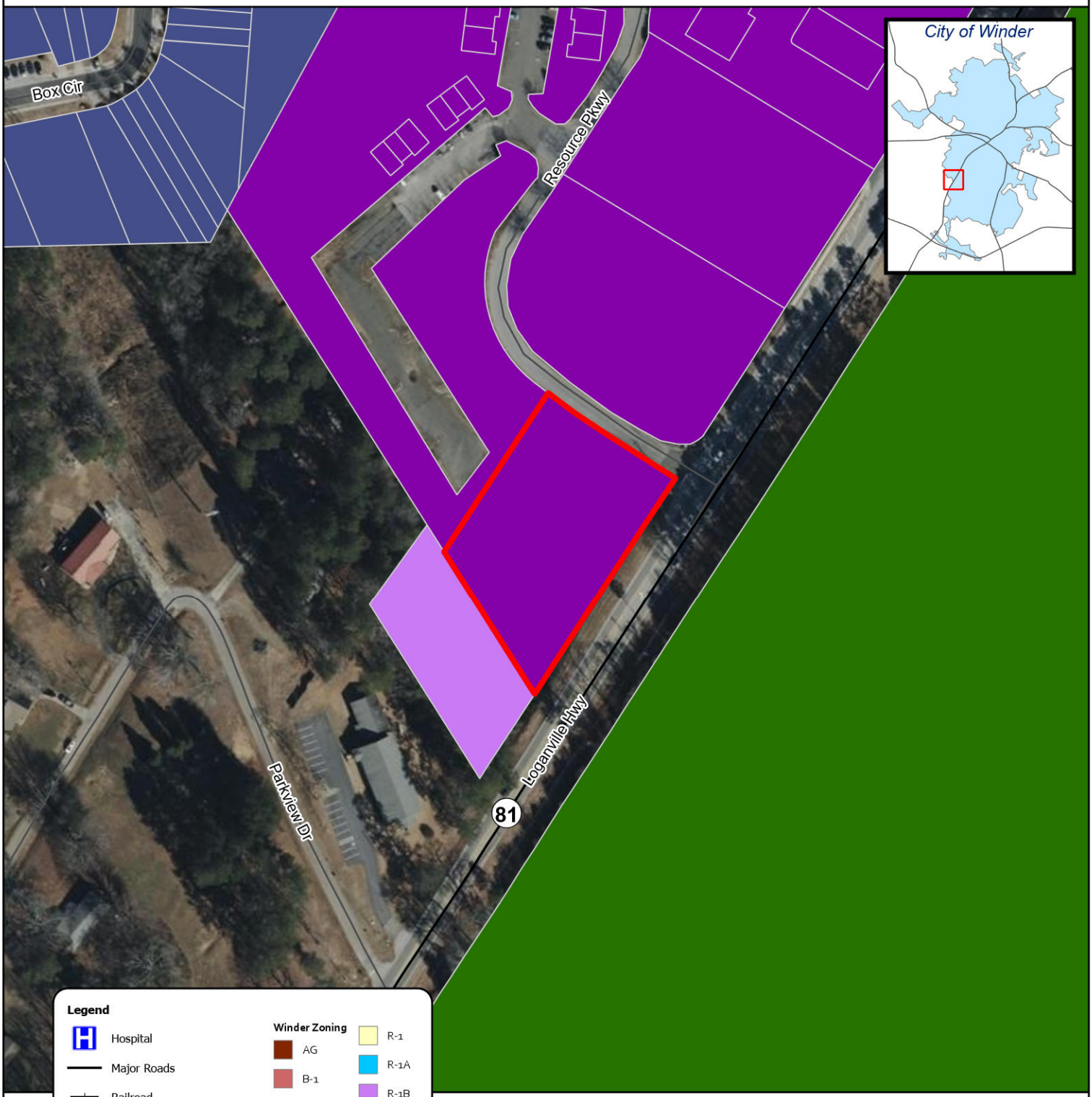
Cadastral data compliments of Barrow County

Aerial Photography compliments of ESRI

Parcel # WN06 002B
409 Resource Park
Winder, Georgia 30680

Zoning Map

City of Winder
Planning & Development



Legend

- Hospital
- Major Roads
- Railroad
- Road Centerlines
- Subject Parcel - WN06 002B
- Barrow Parcels - 2025

Winder Zoning

- AG
- B-1
- B-2
- DT
- G
- I
- MH
- PUD
- R-1
- R-1A
- R-1B
- R-2
- R-3
- TNPD

N W E S

0 150 300 Feet

October 2025

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Cadastral data compliments of Barrow County *Aerial Photography compliments of ESRI*

409 Resource Pkwy

To help with orientation of all photos, the first photo will be an aerial photo of the property with an X marker showing the approximate location from where the photo was taken, as well as an arrow depicting approximate angle the photo was taken.






WN06 002
WN06 002F
RESOURCE WAY
Resource Pkwy
XX068 005
WN06 002B
Winder
Logan Mill Hwy
XX068 004
WN15 001
WN06 020
XX068 003
Parkview Dr
XX068 014




WN06 002
WN06 002F
RESOURCE WAY
Resource Pkwy
XX068 005
WN06 002B
Winder
Lawrenceville Hwy
XX068 004
WN15 001
WN06 020
XX068 003
Parkview Dr
XX068 014




WN06 002
WN06 002F
RESOURCE WAY
Resource Pkwy
XX068 005
WN06 002B
Winder
Logan Mile Hwy
XX068 004
WN15 001
WN06 020
XX068 003
Parkview Dr
XX068 014



CE NOTES:

-16-81.3- tall grass/weeds

-10-15- Prohibited Signs and Devices-

L. Abandoned signs or sign structures.



Mayoral Veto

Pursuant to Section 2-5 of the Charter of the City of Winder, I am exercising my Mayoral veto on the following: City of Winder Council Meeting November 3rd, 2025, at 6:00 pm. Regular Voting Item: VIII.4 (A). Public Hearing and consideration for a Variance from the City of Winder's Comprehensive Zoning Ordinance requesting relief from Section 3-11.K. (minimum parking spaces required) in a B-2: General Commercial Zone for a property located at 409 Resource Park, Winder, Georgia, 30680, also known as Map/Parcel # WN06 002B.

The reason for this veto is as follows (OPTIONAL): Both items 4-A and 4-B should be voted on together to avoid any unintended consequences.

November 7, 2025
Date

Jimmy Terrell
Jimmy Terrell, Mayor

11/07/2025
Date

Anna Childs
Anna Childs, City Clerk

(seal)

CITY OF WINDER SEAL GEORGIA

PLANNING DEPARTMENT STAFF REPORT

City Council Public Hearing Date: December 4, 2025

VARIANCE REQUESTS

Tax Map Numbers WN10B 027

Applicant	Gregory Hall
Owner:	Mary Cobb & John Outcelt
Site Address:	833 Idlewood Rd.
Request:	**(A).** Variance from the City of Winder's Comprehensive Zoning Ordinance requesting relief from Sec. 3-2.E.1 (Roofs and Chimneys) to reduce the minimum roof pitch required in a R-1: Low-density, Single-family Residential Zone **(B).** Variance from the City of Winder's Comprehensive Zoning Ordinance requesting relief from Sec. 3-2.C.3 (Windows and Doors) to allow for non-vertically shaped windows in a R-1: Low-density, Single-family Residential Zone **(C).** Variance from the City of Winder's Comprehensive Zoning Ordinance requesting relief from Sec. 3-2.C.4 (Windows and Doors) from windows lites requirement in a R-1: Low-density, Single-family Residential Zone **(D).** Variance from the City of Winder's Comprehensive Zoning Ordinance requesting relief from Sec. 3-22.A.1 (Sidewalks Required) in a R-1: Low-density, Single-family Residential Zone
Staff Recommendation:	*(A). Denial; (B). Denial; (C). Denial; (D). Approval with Conditions*
Tax Map Parcel:	WN10B 027
Land Area:	0.337-Acres

PROPOSAL:
The applicant seeks the following variances:
(A). to reduce the minimum roof pitch required from 5:12 to 3.75:12
(B). to allow for windows greater in width than in height on front elevation windows
(C). to remove the requirement to have divided window lites on front elevation windows
(D). to allow for relief from the sidewalk requirements in a R-1: Low-Density, Single-family, Residential zone.

BACKGROUND:
The subject site consists of a 0.337-acre parcel of land, which is currently vacant. The applicant applied for a residential building permit in July 2025 to construct a 3,383 sq. ft. home. During the building permit review process, plan review comments were provided by staff stating compliance issues with the windows, roof, and sidewalk requirements. The applicant revised the building elevations to accommodate the window and roof pitch requirements; however, they expressed their interest in pursuing variances for the aforementioned features to achieve a mid-century modern architectural style for the proposed structure. The applicant was issued their residential building permit in October 2025, however, they've submitted a variance application to request relief from the necessary variances. Should City Council approve the requests, the applicants will revise and amend their building permit accordingly.

The property is zoned as a R-1: Low-Density, Single-family Residential district. Section 5-1 of the City of Winder's Comprehensive Zoning Ordinance states the intent of the R-1: Low-Density, Single-family Residential zone is to "provide for single-family residential dwellings of a low density character on individual lots".

(A). Per Sec. 3-2.E.1 of the City's Zoning Ordinance, "*pitched roofs, if provided, must be symmetrically sloped at no less than 5:12*". The main roof pitch (ridge running parallel to street with slope toward front & rear yards) is proposed to be a minimum of 3.75:12, while the gable roofs that are perpendicular to the street are proposed to comply with the minimum of 5:12 roof pitch.

The letter of intent states, this is a "design improvement to meet the character of the house style proposed. It provides a lower profile look to the house, and better proportions. This roof line & pitch is not apparent from most angles around the house at ground level. This change also allows the main ridge line to span the length of the great room interior, simplifying the structural design and improving the ceiling design."

(B). Per Sec. 3-2.C.3 of the City's Zoning Ordinance, "*individual windows must be vertically shaped, with a height greater than width*" for windows that are street facing. Per the letter of intent, the angular gable windows are proposed for the front elevation to "bring natural light into the room while retaining exterior wall space at floor level for art display and added privacy". This "design improvement" is a feature to achieve the mid-century modern architectural style. The clerestory windows at the front entry are raised above transom height

and are also greater in width than in height. The applicant states the "clerestory windows add natural light" and will allow for "shelving and/or cabinetry in the kitchen". The letter of intent states both sets of windows are set back from the living room wall plane and will be "shaded and less prominent than they appear" on the construction drawings.

(C). Per Sec. 3-2.C.4 of the City's Zoning Ordinance, "*windows must have true or simulated divided lites, or be one-over-one lites*". The applicant is proposing to remove the lites from the front elevation windows to achieve the mid-century modern architectural style. Per the letter of intent, the applicant states "the architecture style proposed does not lend itself to divided lites and owner wants unobstructed views". This "design improvement" will achieve a mid-century modern architectural style.

(D). Per Section 3-22.A.1. of the City's Zoning Ordinance, "*sidewalks are required long the frontage of any property abutting a public or private street*". As infill development, this property would be required to comply. The subject parcel has approximately 190 linear feet of road frontage.

The applicant has sited existing topographical and drainage constraints on adjacent properties that limit the feasibility of future sidewalk construction as well as a water meter location that is leading to the difficulty of comply with Section 3-22.A.1. in the submitted letter of intent.

Subsection i states "*where City Council determines the topography of the road frontage is such that a special hardship exists on the property, the City Council may authorize a payment to the City in lieu of the required installation of the sidewalk*".

Subsection ii. States "*subject to the approval of the City Council, sidewalks may be waived on a single lot development if said lot abuts a local road, there is no sidewalk on the adjacent properties, and the waiver would not adversely affect pedestrian safety or future pedestrian connectivity, including, but not limited to, proximity to a school, park, or public place. If sidewalk requirement is waived:*

a. *Payment to the City in lieu of the required installation of the sidewalk is required, or*
b. *Alternate pedestrian accommodations may be approved by the City Council*."

The applicant has proposed to offer to make an in-lieu payment of $6,333.33 for 950 square feet of sidewalk based on a recently approved in-lieu sidewalk payment by City Council at $60 per square yard.

A **variance** is defined in Section 2 of the Winder Zoning Ordinance as a minimal variation of the terms of the Ordinance which permits construction in a manner otherwise prohibited by this Zoning Ordinance.

A ***variance*** is defined in Section 2 of the Winder Zoning Ordinance as a minimal variation of the terms of this Zoning Ordinance which permits construction in a manner otherwise prohibited by this Zoning Ordinance.

SURROUNDING LAND USE:
The table below summarizes the nearby zoning districts and land uses:

Direction	Zoning	Current Land Use	Future Land Use
N	R-1: Low-density, Single-family Residential	Single-family Residential	Suburban Residential
S	R-1: Low -density, Single-family Residential	Single-family Residential	Suburban Residential
W	R-1: Low -density, Single-family Residential	Single-family Residential	Suburban Residential
E	R-1: Low -density, Single-family Residential	Single-family Residential	Suburban Residential

SUBDIVISION STANDARDS:
The table below summarizes the zoning standards of the R-1: Low-Density, Single-Family Residential district:

Lot Dimensions	**Current Standards for R-1: Low-Density, Single-Family Residential**
Minimum Lot Area	25,000 sq. ft.
Minimum Lot Width	125 ft.
Minimum Floor Area	2,000 sq. ft.
Front Yard Setback	35 ft.
Side Yard Setback	12 ft.
Side Street Yard Setback	20 ft.
Rear Yard Setback	35 ft.
Maximum Height	35 ft.
Maximum Building Coverage	30%
Maximum Front Yard Paved	35%

COMPREHENSIVE PLAN:
The subject parcel is located within the Suburban Residential character area of the 2023 Winder Comprehensive Plan. The Suburban Residential character area “fosters stable, established suburban neighborhoods. Existing single-family neighborhoods are preserved and protected in their state. Infill opportunities are limited, but when done, they should be sensitive to the existing density, character, and site design of the immediate surroundings. The only other uses that should be supported in this character area besides single-family residential are civic uses,

such as parks, schools, and places of worship. Where this character area abuts more intense character areas, the City will carefully manage transitions of use."

Suggested future land use is for single-family residential. Appropriate zoning suggested includes G: Government/Institutional, PUD: Planned unit development, R-1: Single-unit, low density residential, and R-1A: Single-unit, medium density residential, and R-1B: Single-unit, high density residential.

OUTSTANDING CODE VIOLATIONS:
None.

HISTORICAL DISTRICT:
The subject parcel is not located within the Historic District.

DOWNTOWN DEVELOPMENT AUTHORITY DISTRICT:
The subject parcel is not located within the Downtown Development Authority District.

ENVIRONMENTAL:
The parcel does not contain wetlands. The parcel is zoned as Flood Zone X: Area of minimal flood hazard. Any potential issues will be resolved during the permitting phase. The parcel is located within the Cedar Creek-Mulberry River Watershed District and the Cedar Creek Small Drinking Watershed District.

Ch. 24, Article VII, Section 24-106 of the City of Winder's Code of Ordinances, subsection (a) states *"Impervious surface limitations:* No more than twenty-five (25) per cent of the land area in the watershed may be covered by impervious surface within the watersheds listed in section 24-102(a)."

Section 24-102 (a) states "this article shall be applicable to the following water supply watershed districts as herein defined: Cedar Creek, Barber's Creek, Fort Yargo Lake, and Laurel Lane Reservoir."

There is proposed impervious surface that was approved at the time of the issuance of the residential building permit in October 2025.

CITY SERVICES AND UTILITIES:
The subject parcel is located within the defined service districts for City of Winder water, wastewater, and natural gas and is currently serviced. All extensions and tie-ins of utility infrastructure must be approved by the City of Winder as compliant with City regulations and policies and must be at the expense of the developer.

BARROW COUNTY SCHOOL DISTRICT:
County Line Elementary School, Russell Middle School, Winder-Barrow High School.

TRANSPORTATION ISSUES:
The subject parcel is located on and accessed by Idlewood Road, approximately +/- 110 yards from the intersection of Idlewood Road and Colonial Hills Road. Georgia Department of Transportation (GDOT) traffic counts did not report any data for Idlewood Road or Colonial Hills Road. The nearest collection site for traffic counts is on N. 5th Avenue, which is a local residential road similar in characteristics to Idlewood Road. GDOT reported the annual average daily traffic (AADT) on N. 5th Avenue as an actual 510 in 2024 between its intersections with Hammond Street and Preston Street.

(A) VARIANCE ANALYSIS: (Roof Pitch)
According to Section 11-8, the City Council may authorize variances "not contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this ordinance will, in an individual case, result in unnecessary hardship so that the spirit of the ordinance shall be overserved, public safety and welfare secured and substantial justice done. Such variance may be granted in such individual case of practical difficulty or unnecessary hardship upon a finding by the City Council that:"

Variance application, relief from the minimum roof pitch requirements of Sec. 3-2.E.1. in the City of Winder's Comprehensive Zoning Ordinance.

(Language in bold is from the City of Winder Zoning Ordinance. Bulleted information that is not bolded are factors known to staff that may apply to the Ordinance criteria.)

1. **There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography; and**

• *There are no extraordinary or exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography.*
• *The subject parcel does not contain any wetland.*
• *The subject parcel is of similar size and shape to other lots within the surrounding neighborhood.*

2. **The application of the ordinance to this particular piece of property would create an unnecessary hardship; and**

• *The application of the ordinance does not create an unnecessary hardship.*
• *The applicant has already been approved for a building permit with a roof pitch that is compliant.*

3. **Relief, if granted, would not cause a substantial detriment to the public good or impair the purpose of this ordinance, provided, however, that no variance shall be**

granted for the use of land or building or structure that is prohibited by this ordinance; and

- *Relief may not cause detriment to the public good and impair the purpose of this ordinance.*
- *There are numerous houses in the surrounding areas that are of a mid-century modern architectural style.*
- *Relief would impair the purpose of the ordinance.*
- *When the roof pitch is lowered, the roof will hold more weight, and it takes longer to run off. Therefore, runoff will be slower, and the weight of the runoff will be on roofline longer.*

4. **The special circumstances or justifications for the variance are not the result of self-imposed actions or misfortunes of the applicant; and**

• The circumstances presented are the result of self-imposed actions of the applicant as the applicant has proposed a roof pitch less than the minimum required by the City of Winder Comprehensive Zoning Ordinance.

5. **The variance requested is the minimum variance that will make possible the legal use of the land, building or structure.**

• The variance requested is not the minimum variance that will make possible the legal use of the land.

- *A variance from required vertically shaped windows has been requested.*
- *A variance from required windows lites has been requested.*
- *A variance from the required sidewalk along the frontage of the property has been requested.*

(B) VARIANCE ANALYSIS: (Window Shape)

According to Section 11-8, the City Council may authorize variances "not contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this ordinance will, in an individual case, result in unnecessary hardship so that the spirit of the ordinance shall be overserved, public safety and welfare secured and substantial justice done. Such variance may be granted in such individual case of practical difficulty or unnecessary hardship upon a finding by the City Council that:"

Variance application, relief from the vertically shaped window requirements of Sec. 3-2.C.3. in the City of Winder's Comprehensive Zoning Ordinance.

(Language in bold is from the City of Winder Zoning Ordinance. Bulleted information that is not bolded are factors known to staff that may apply to the Ordinance criteria.)

1. **There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography; and**

• There are no extraordinary or exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography.
• The subject parcel does not contain any wetland.
• The subject parcel is of similar size and shape to other lots within the surrounding neighborhood.

2. **The application of the ordinance to this particular piece of property would create an unnecessary hardship; and**
   • The application of the ordinance does not create an unnecessary hardship.
   - *The applicant has already been approved for a building permit with windows that are compliant.*

3. **Relief, if granted, would not cause a substantial detriment to the public good or impair the purpose of this ordinance, provided, however, that no variance shall be granted for the use of land or building or structure that is prohibited by this ordinance; and**
   • Relief would not cause detriment to the public good and impair the purpose of this ordinance.
   - *There are numerous houses in the surrounding areas that are of a mid-century modern architectural style.*

4. **The special circumstances or justifications for the variance are not the result of self-imposed actions or misfortunes of the applicant; and**
   • The circumstances presented are the result of self-imposed actions of the applicant as the applicant has proposed a design with windows greater in width than in height.

5. **The variance requested is the minimum variance that will make possible the legal use of the land, building or structure.**
   • The variance requested is not the minimum variance that will make possible the legal use of the land.
   - *A variance from minimum roof pitch has been requested.*
   - *A variance from required windows lites has been requested.*
   - *A variance from the required sidewalk along the frontage of the property has been requested.*

(C) VARIANCE ANALYSIS: (Window Lites)
According to Section 11-8, the City Council may authorize variances "not contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this ordinance will, in an individual case, result in unnecessary hardship so that the spirit of the ordinance shall be overserved, public safety and welfare secured and substantial justice done. Such variance may be granted in such individual case of practical difficulty or unnecessary hardship upon a finding by the City Council that:"

Variance application, relief from the window lites requirements of Sec. 3-2.C.4. in the City of Winder's Comprehensive Zoning Ordinance.

(Language in bold is from the City of Winder Zoning Ordinance. Bulleted information that is not bolded are factors known to staff that may apply to the Ordinance criteria.)

1. **There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography; and**
   • *There are no extraordinary or exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography.*
   • *The subject parcel does not contain any wetland.*
   • *The subject parcel is of similar size and shape to other lots within the surrounding neighborhood.*

2. **The application of the ordinance to this particular piece of property would create an unnecessary hardship; and**
   • *The application of the ordinance does not create an unnecessary hardship.*
   • *The applicant has already been approved for a building permit with windows that are compliant.*

3. **Relief, if granted, would not cause a substantial detriment to the public good or impair the purpose of this ordinance, provided, however, that no variance shall be granted for the use of land or building or structure that is prohibited by this ordinance; and**
   • *Relief would not cause detriment to the public good and impair the purpose of this ordinance.*
   - *There are numerous houses in the surrounding areas that are of a mid-century modern architectural style.*

4. **The special circumstances or justifications for the variance are not the result of self-imposed actions or misfortunes of the applicant; and**
   • *The circumstances presented are the result of self-imposed actions of the applicant as the applicant has applied for a variance to remove window lites required by the City of Winder Comprehensive Zoning Ordinance.*

5. **The variance requested is the minimum variance that will make possible the legal use of the land, building or structure.**
   • *The variance requested is not the minimum variance that will make possible the legal use of the land.*
   - *A variance from minimum roof pitch has been requested.*
   - *A variance from the required vertically shaped windows has been requested.*
   - *A variance from the required sidewalk along the frontage of the property has been requested.*

(D) VARIANCE ANALYSIS: (Sidewalk)
According to Section 11-8, the City Council may authorize variances "not contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this ordinance will, in an individual case, result in unnecessary hardship so that the spirit of the ordinance shall be overserved, public safety and welfare secured and substantial justice done. Such variance may be granted in such individual case of practical difficulty or unnecessary hardship upon a finding by the City Council that:"

Variance application, relief from the sidewalk requirements of Sec. 3-22.A.1. in the City of Winder's Comprehensive Zoning Ordinance.

(Language in bold is from the City of Winder Zoning Ordinance. Bulleted information that is not bolded are factors known to staff that may apply to the Ordinance criteria.)

1. **There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography; and**

- *Due to steep topography, trees, location of a water meter and overhead power utility pole, and proposed retaining wall, the installation of a sidewalk at the subject location would require additional measures.*
- *The subject property and adjacent properties have drainage issues that would affect the installation of a sidewalk on the subject property and/or its neighbors.*
- *Subject parcel and adjacent properties are limited for these reasons. A sidewalk plan would be needed for the entire street to properly install a sidewalk.*

2. **The application of the ordinance to this particular piece of property would create an unnecessary hardship; and**

- *The application of the ordinance may create an unnecessary hardship.*
- *The applicant would need to coordinate with adjacent property owners to properly install a sidewalk on the subject parcel and additional measures to address drainage issues.*

3. **Relief, if granted, would not cause a substantial detriment to the public good or impair the purpose of this ordinance, provided, however, that no variance shall be granted for the use of land or building or structure that is prohibited by this ordinance; and**
   • *Relief would not cause detriment to the public good and impair the purpose of this ordinance.*
   • *There are no existing sidewalks on Idlewood Rd.*

4. **The special circumstances or justifications for the variance are not the result of self-imposed actions or misfortunes of the applicant; and**

- *The circumstances presented are not the result of self-imposed actions of the applicant as the steep topography, trees, and utility meter and pole locations, existed prior to the proposal of the infill development.*

5. **The variance requested is the minimum variance that will make possible the legal use of the land, building or structure.**
   • The variance requested is not the minimum variance that will make possible the legal use of the land.
   - *A variance from minimum roof pitch has been requested.*
   - *A variance from required vertically shaped windows has been requested.*
   - *A variance from required windows lites has been requested.*

II. REQUIRED STREETSCAPE EXEMPTIONS – i.

A. Where City Council determines the topography of the road frontage is such that a special hardship exists on the property, the City Council may authorize a payment to the City in lieu of the required installation of the sidewalk.

B. Topographical Assessment: The Zoning Administrator will conduct a thorough assessment of the topography of the road frontage of the property to determine if special hardships exist and make their recommendation to City Council.

C. Hardship Determination: Special hardships will be deemed to exist if the topography presents significant challenges or obstacles to the installation of the sidewalk.

D. City Council Discretion: The decision to authorize a payment in lieu of sidewalk installation will be at the discretion of the City Council based on the assessment of the hardship by the Zoning Administrator.

E. Consistency: The criteria for determining payment amounts will be applied consistently to all properties with approved hardships to ensure fairness and equity.

F. Documentation: The Zoning Administrator will maintain detailed documentation of the assessment process, hardship determinations, and payment calculations for transparency and accountability purposes.

G. Public Benefit: The Zoning Administrator will ensure that any payments made in lieu of sidewalk installation contribute to sidewalk improvement projects within the city to mitigate the absence of sidewalk installation on the property.

III. REQUIRED STREETSCAPE EXEMPTIONS – ii.

Subject to the approval of the City Council, sidewalks may be waived on a single lot development if said lot abuts a local road, there is no sidewalk on the adjacent properties, and the waiver would not adversely affect pedestrian safety or future pedestrian connectivity, including, but not limited to, proximity to a school, park, or public place. If sidewalk requirement is waived:

a. Payment to the City in lieu of the required installation of the sidewalk is required, or
b. Alternate pedestrian accommodations may be approved by the City Council.

- *The subject parcel is a single-lot development that abuts a local road.*
- *There is no sidewalk on adjacent properties to the subject parcel.*
- *Staff does not foresee the waiver adversely affecting pedestrian safety or future pedestrian connectivity.*
- *The nearest school is Winder-Barrow High School at approximately 0.8 miles.*
- *The nearest park is City Pond Park at approximately 0.9 miles.*
- *Adjacent properties have existing topographical and drainage constraints that would prevent those adjacent lots from installing a sidewalk without coordination with its neighbors.*

STAFF RECOMMENDATION:

(A). Staff recommends **DENIAL** of the roof pitch variance request based on the finding that the request did not meet the hardship criteria defined in Section 11-8 of the Comprehensive Zoning Ordinance.

(B). Staff recommends **DENIAL** of the vertically shaped window variance request based on finding that the request did not meet the hardship requirements per Section 11-8 of the Comprehensive Zoning Ordinance.

(C). Staff recommends **DENIAL** of the window lites variance request based on finding that the request did not meet the hardship requirements per Section 11-8 of the Comprehensive Zoning Ordinance.

(D). Staff recommends **APPROVAL with Conditions** of the required sidewalk variance request based on finding that the request meets the hardship requirements per Section 11-8 of the Comprehensive Zoning Ordinance.

Conditions:

1. Applicant shall provide an in-lieu payment in the amount of $4,218.00 for the approximate 190 linear feet of sidewalk not being installed, prior to the issuance of any Certificate of Occupancy.

ATTACHMENTS:

1. Attachment 1 – Application for Variance
2. Attachment 2 – Location Map
3. Attachment 3 – Future Land Use Map
4. Attachment 4 – Zoning Map
5. Attachment 5 – Photographs of Site and Adjacent Properties

Administrative Variance / Variance Application

Date: 10/24/2025

Applicant / Owner

Applicant Name:	GREGORY HALL	Owner Name:	MARY JANE COBB & JOHN OUTCELT
Address:	302 VILLA RIDGE PKWY	Address:	2015 44TH ST
City, State, Zip:	LAWRENCEVILLE, GA, 30044	City, State, Zip:	DES MOINES, IA, 50310
Phone:		Phone:	
Email:		Email:	
Company:			

Representative

Name:	ROBERT LAWRENCE
Address:	P.O. BOX 2325
City, State, Zip:	NEWPORT BEACH, CA, 93663
Phone:	(
Email:	I

Project

Subject Site Address:	833 IDLEWOOD RD
Total Acreage or Square Feet of Subject Property:	0.337 ACRES

Are there any restrictive covenants on the property? No
If yes, please submit covenants with application.

Administrative Variance Details

Describe / Identify the existing land use(s) at the subject site:

Please provide a description of the administrative variance you are requesting. Attach additional documents / sheets and drawings as necessary to properly describe your request. For a setback variance, identify the yard and requested setback. For request concerning multiple parcels, identify all affected parcels demonstrate the request on the submitted plan.

Please identify any environmentally sensitive areas, historical structures or sites, archeological sites, and cemeteries and the plans for each.

Please provide a letter of intent addressing the decision criteria given in Sec 11-7 of the Zoning Ordinance and provide information and facts that you believe are relevant to and / or support your case:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography; and

2. The application of the ordinance to this particular piece of property would create an unnecessary hardship; and

3. Relief, if granted, would not cause a substantial detriment to the public good or impair the purpose of this ordinance. Provided, however, that no variance shall be granted for the use of land or building or structure that is prohibited by this ordinance.

4. The special circumstances or justifications for the variance are not the result of self-imposed actions or misfortunes of the applicant.

5. The variance requested is the minimum variance that will make possible the legal use of the land, building or structure.

<u>Required Documents to be submitted along with application:</u>
- Application Fee
- Letter of Intent
- Authorization of Property Owner
- Recorded Plat
- Sketch/Concept Plan or Preliminary Plat showing the proposed use and relevant information regarding the requested variance.

Supplemental Documents encouraged including photographs of subject site, renderings of proposed land uses, building elevations.

Variance Details

Identify the existing zoning district(s) for the subject property: R-1 ZONING

Describe / Identify the existing land use(s) at the subject site: VACANT RESIDENTIAL LOT WITH SMALL ACCESSORY STRUCTURE TO BE REMOVED

Describe / Identify the proposed land use(s) at the subject site: SINGLE FAMILY HOME

Please provide a description of the variance you are requesting. Attach additional documents / sheets and drawings as necessary to properly describe your request.
REVISION TO EXISTING PERMIT #8627 AS FOLLOWS: 1) In lieu payment for sidewalk requirement; site plan included for reference. Justification: Suggested by plan review, commentary as follows: "Due to existing topographical and drainage constraints on adjacent properties that limit the feasibility of future sidewalk construction, staff recommends that the Mayor and City Council consider accepting an in-lieu payment for approximately 190 linear feet of 5-foot-wide sidewalk in place of requiring sidewalk installation. The payment would be required prior to the issuance of a Certificate of Occupancy (C/O). The proposed amount must be submitted to the city on professional letterhead and appropriate for recommendation to City Council." 2) Angular gable windows added to front elevation, set in master bedroom wall; approved front elevation included for reference. Justification: Design improvement to meet character of the house style proposed. These windows bring natural light into the room while retaining exterior wall space at floor level for art display and added privacy. Please note that these proposed windows are in the plane of the bedroom wall, which is set back 8 feet from the plane of the living room front wall. The windows are shaded by a long roof extension 4 feet beyond the covered deck and will recede to be less prominent than they appear on paper. 3) Clerestory windows raised above transom height, at front entry door & kitchen window. Justification: General design improvement. Clerestory windows add natural light. Lowering to transom height would disrupt the regulating line of the 6'-8" header height, consistent across all elevations. Raising the window allows for shelving and/or cabinetry in the kitchen. Please note that these windows are set in the entry and kitchen front wall, which is set back 11 to 13.5 feet from the decorative block wall, and is also set back from the living room wall plane. Again, these windows will be shaded and less prominent than they appear. 4) Divided lites removed from front facing windows. Justification: Design improvement to meet character of the house style proposed. More appropriate window style for a mid-century design. Allows for better views to exterior and creates a more consistent look around all sides of the house where no divided lites are required or proposed. 5) Main roof pitch (ridge running parallel to street with slope toward front & rear yards) changed to 3.75:12 pitch. Justification: Design improvement to meet character of the house style proposed. Provides lower profile look to house, and better proportions. This roof line & pitch not apparent from most angles around house at ground level. This change also allows the main ridge line to span the length of the great room interior, simplifying the structural design and improving the ceiling design.

Please identify any environmentally sensitive areas, historical structures or sites, archeological sites, and cemeteries and the plans for each.

Please provide a letter of intent addressing the decision criteria given in Sec 11-7 of the Zoning Ordinance and provide information and facts that you believe are relevant to and / or support your case:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography; and

2. The application of the ordinance to this particular piece of property would create an unnecessary hardship; and

3. Relief, if granted, would not cause a substantial detriment to the public good or impair the purpose of this ordinance. Provided, however, that no variance shall be granted for the use of land or building or structure that is prohibited by this ordinance.

4. The special circumstances or justifications for the variance are not the result of self-imposed actions or misfortunes of the applicant.

5. The variance requested is the minimum variance that will make possible the legal use of the land, building or structure.

<u>Required Documents to be submitted along with application:</u>
- Application Fee
- Letter of Intent
- Authorization of Property Owner

- Campaign Contributions Disclosure Form
- Recorded Plan
- Sketch/Concept Plan or Preliminary Plat showing the proposed use and relevant information regarding the requested variance.

Supplemental Documents encouraged including photographs of subject site, renderings of proposed land uses, building elevations.

Campaign Contributions Disclosure Form Required for all Zoning Actions

Applicant, or person representing property owner

OCGA § 36-67A-3[c] Disclosure of campaign contributions:

(a) When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant's application for the zoning action, campaign contributions aggregating $250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:

(1) The name and official position of the local government official to whom the campaign contribution was made; and

(2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(b) The disclosures required by subsection (a) of this Code section shall be filed within ten (10) days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

☐ I have**

☑ I have not

Within the two years immediately preceding this date, made any contribution(s) aggregating $250.00 or more to any local government official involved in the review or consideration of this application.

Gregory Hall	10/24/2025
Name	Date

**If you have made such contributions, you must provide the data required in subsection (a) above within ten (10) days of filing this application.

City of Winder
Letter of Intent

Cobb Residence
Address: 833 Idlewood Rd

Permit: # 8627 (SFR); # 9308 (Variance)
Date: 10/28/2025

To whom it may concern,

The owner of the proposed single family residence at the above address has requested a variance, as a revision to the existing approved permit #8627, regarding the following items:

1) In lieu payment for sidewalk requirement; site plan included for reference.

This was suggested by plan review, commentary as follows: "Due to existing topographical and drainage constraints on adjacent properties that limit the feasibility of future sidewalk construction, staff recommends that the Mayor and City Council consider accepting an in-lieu payment for approximately 190 linear feet of 5-foot-wide sidewalk in place of requiring sidewalk installation. The payment would be required prior to the issuance of a Certificate of Occupancy (C/O). The proposed amount must be submitted to the city on professional letterhead and appropriate for recommendation to City Council."

Justifications for approval are the following:

- By adding the sidewalk, some drainage from the property would drain into the adjacent lots and not the street due to the grades.
- No other sidewalks occur on either the side of the street where the house is located.

2) Angular gable windows added to the front elevation, set in the master bedroom exterior wall; approved front elevation included for reference.

This is a design improvement to meet the character of the house style proposed. These windows bring natural light into the room while retaining exterior wall space at floor level for art display and added privacy. Please note that these proposed windows are in the plane of the bedroom wall, which is set back 8 feet from the plane of the living room front wall. The windows

are shaded by a long roof extension 4 feet beyond the covered deck and will recede to be less prominent than they appear on paper.

Justification for approval:

- This proposed design feature would not cause a detriment to the public good as it fits with the character of the architecture proposed as well as it's set back from the street and lacks visibility.
- It is a minimum variance and matches the design feature of the proposed house.
- The windows proposed are vertically shaped.
- The architectural style proposed does not lend itself to divided lites and owner want unobstructed views.
- Design is complying with material placement and visually lighter color.

3) Clerestory windows raised above transom height, at front entry door & front facing kitchen window.

This is a general design improvement. Clerestory windows add natural light. Lowering to transom height would disrupt the regulating line of the 6'-8" header height, consistent across all elevations. Raising the window allows for shelving and/or cabinetry in the kitchen. Please note that these windows are set in the entry and kitchen front wall, which is set back 11 to 13.5 feet from the decorative block wall, and is also set back from the living room wall plane. Again, these windows will be shaded and less prominent than they appear.

Justification for approval:

- This proposed design feature would not cause a detriment to the public good as it fits with the character of the architecture proposed as well as it's set back from the street and lacks visibility.
- It is a minimum variance and matches the design feature of the proposed house.

4) Divided lites removed from front facing windows.

This is another design improvement to meet the character of the house style proposed. More appropriate window style for a mid-century design. Allows for better views to the exterior and creates a more consistent look around all sides of the house where no divided lites are required or proposed.

Justification for approval:

- This proposed design feature would not cause a detriment to the public good as it fits with the character of the architecture proposed as well as it's set back from the street and lacks visibility.
- It is a minimum variance and matches the design feature of the proposed house.

5) Main roof pitch (ridge running parallel to street with slope toward front & rear yards) changed to 3.75:12 pitch.

This is one more design improvement to meet the character of the house style proposed. It provides a lower profile look to the house, and better proportions. This roof line & pitch is not apparent from most angles around the house at ground level. This change also allows the main ridge line to span the length of the great room interior, simplifying the structural design and improving the ceiling design.

Justification for approval:

- This proposed design feature would not cause a detriment to the public good as it fits with the character of the architecture proposed as well as it's set back from the street and lacks visibility.
- It is a minimum variance and matches the design feature of the proposed house.

Thank you,



Robert Lawrence, Principal Architect
Landworks Architecture & Design

LANDWORKS
ARCHITECTURE + DESIGN

City of Winder
In Lieu Payment Letter

Cobb Residence
Address: 833 Idlewood Rd

Permit: # 8627 (SFR); # 9308 (Variance)
Date: 10/31/2025

To whom it may concern,

The owner of the proposed single family residence at the above address would like to offer an in lieu payment for City Council consideration of sidewalk relief per code section 3-22. With the understanding that the most recent payment-in-lieu for sidewalk installation approved by City Council equated to $60 per square yard, the owner would like to propose the following payment amount for the requested 190 linear feet of 5-foot-wide sidewalk, calculated as follows:

(5 foot width) x (190 foot length) = 950 square feet of proposed sidewalk
(950 sq. feet) / (9 sq. feet per sq. yard) = 105.555… square yards
(105.555… sq. yards) x ($60 per sq. yard) = **$6,333.33 (proposed payment)**

Thank you for your consideration,



Robert Lawrence, Principal Architect
Landworks Architecture & Design

Property Owner Authorization Form

I, Mary Jane Cobb, being duly sworn upon his/her oath, being of sound mind and legal age deposes and states the following:

I am the owner of the property located at 833 Idlewood Rd, also known as Tax Map Parcel Number WN10B 027.

My property interest in the identified property is of sufficient legal authority to represent, bind, dispose, sale, transfer, lease, and in all other respects control the property identified above.

By my signature hereon, I hereby authorize Landworks Architecture to represent and/or utilize the above identified property in the following manner:

- Submit an application for variance (identify type of application / permit sought) and act as the representative in the pursuit of the application/permit.
- Utilize the property as a home occupation for the purpose of _____ (describe business by name and type)
- Other:_____

Mary Jane Cobb, 2015 44th St. Des Moines. IA 50310

Property Owner Name, Address, Telephone, Email

Who swears before that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Signature of Owner Mary Jane Cobb

Date of Signature 10/28/2025

Notary: Natalie Naula

Personally Appeared before me Mary Cobb

Notary Signature and date Natalie Naula 10/28/25

NOTARIAL SEAL

NATALIE NAULA
Commission Number 856211
My Commission Expires:
05/23/2027

NORTH WINDER SUBDIVISION
DIVISION NO 11

DEVELOPED BY: J. W. MAYNARD JR.
WINDER, GEORGIA
BARROW - COUNTY
SCALE 1in.=100 ft.
SURVEYED JULY-1970
BY: W.T. DUNAHOO
WINDER, GA.

"THIS PLAT IS OF PUBLIC RECORD IN BARROW COUNTY COUNTY HOUSE"
PLAT BOOK _____
PAGE NO. _____

NOTE — DEVELOPER RESERVES THE LAST 5 FEET AT THE END OF ALL DEAD END STREETS
ALL STREETS HAVE A 50' R/W THAT HAVE ALREADY BEEN DEDICATED TO THE CITY OF WINDER

GEORGIA REGISTERED No. 1977 PROFESSIONAL LAND SURVEYOR W. T. DUNAHOO

NORTH WINDER DIV 12

PINE SHADOWS LANE

IDLEWOOD ROAD

CHARLIE GRIER

DR. JOHN STANSELL

STANSELL

COLONIAL HILLS ROAD

CEDAR CREEK

NORTH WINDER SUBD. DIVISION NO. 12

SECTION A

SECTION B

SECTION C

SECTION D

20' DRAINAGE EASEMENT

10' DRAINAGE EASEMENT

Filed & Recorded July 10, 1970

155

GRAPHIC SCALE
1 inch = 10 ft.
10 0 5 10

GRID NORTH (GA WEST) N

LEGEND

AE	ACCESS EASEMENT	OHP	OVERHEAD POWER
BC	BACK OF CURB	PB	PLAT BOOK
B/L	BUILDING LINE	PP	POWER POLE
℄	CENTER LINE	P/L	PROPERTY LINE
CMF/⊠	CONCRETE MONUMENT FOUND	R.R.	RAILROAD
O	COMPUTED CORNER	RB	REBAR
CTP	CRIMPED TOP PIPE	RDS	RESIDENTIAL DRAINAGE STUDY
DB	DEED BOOK	RDP	RESIDENTIAL DRAINAGE PLAN
DE	DRAINAGE EASEMENT	R/W	RIGHT-OF-WAY
EOP	EDGE OF PAVEMENT	S/B	SLAB/BASEMENT
FFE	FINISHED FLOOR ELEVATION	S.F.A.	SINGLE FAMILY-ATTACHED
GMD	GEORGIA MILITIA DISTRICT		
HLP	HOUSE LOCATION REQUIRED	S.F.D.	SINGLE FAMILY-DETACHED
IPF/◉	IRON PIN FOUND	Ⓢ	SANITARY SEWER MANHOLE
IPS/○	IRON PIN SET	UFO	UNDERGROUND FIBER OPTIC
☼	LIGHT POLE	UE	UTILITY EASEMENT
OTP	OPEN TOP PIPE		

#848 Pine Shadow Lane
TAX PARCEL: WN10B 039
N/F ORELLANA PAINTING, LLC
PB 6, PG 144
ZONED R-1

#850 Pine Shadow Lane
TAX PARCEL: WN10B 038
N/F ROBERT H. WEATHERFORD
PB 6, PG 144
ZONED R-1

#846 Pine Shadow Lane
TAX PARCEL: WN10B 040
N/F DOUGLAS AND KAREN ADKINS
PB 6, PG 144
ZONED R-1

#217 Colonial Hill Road
TAX PARCEL: WN10B 029
N/F RICHARD W. BOWEN &
BARBARA A. BOWEN
DB 741, PG 451
PB 6, PG 144
ZONED R-1

#835 Idlewood Road
TAX PARCEL: WN10B 026
N/F ALANNA N. GUFFIN
PB 6, PG 144
ZONED R-1

#831 Idlewood Road
TAX PARCEL: WN10B 028
N/F DAVID M. STOTTS &
CONSTANCE JOAN STOTTS
PB 6, PG 144
ZONED R-1

STA: 0+96
STONE WALL "B"
HEIGHT OF WALL:4 FT
TOP OF WALL: 857.00'
BTM OF WALL: 853.00'

STA:0+00
BEGIN WALL "C"
ENGINEERED STONE RETAINING WALL
LENGTH OF WALL: 111 LF
SEE WALL PROFILE

STA: 0+66
STONE WALL "B"
HEIGHT OF WALL:4 FT
TOP OF WALL: 857.00'
BTM OF WALL: 853.00'

STA:0+75
END OF WALL "A"
HEIGHT OF WALL: 4 FT
TOP OF WALL: 854.00'
BTM OF WALL: 850.00'

STA 0+55
END WALL "A"
HEIGHT OF WALL: 4 FT
TOP OF WALL: 854.00'
BTM OF WALL: 850.00'

STA:0+00
BEGIN WALL "B"
ENGINEERED STONE RETAINING WALL
LENGTH OF WALL: 285 LF
SEE WALL PROFILE
TOP OF WALL: 856.00'
BTM OF WALL: 852.00'

EXISTING 6 FT PRIVACY
WOOD FENCE
(TO BE REMOVED)

WALL "A"
POURED CONCRETE WALL
TO BE USED AS WALL OF GARAGE
STATION: 0+00
LENGTH OF WALL: 75 FT
HEIGHT OF WALL: 4 FT
TOP OF WALL: 854.00'
BTM OF WALL: 850.00'

FUTURE SIDEWALK REQUIREMENT UNDER
CONSIDERATION TO BE WAIVED IN-LIEU OF PAYMENT
TO THE CITY OF WINDER FOR APPROXIMATELY 190
LINEAR FEET OF 5 FOOT WIDE SIDEWALK

STA: 1+66
STONE WALL "B"
HEIGHT OF WALL:4 FT
TOP OF WALL: 855.00'
BTM OF WALL: 851.00'

LIMITS OF DISTURBANCE
(15,472 sf)
(0.355 AC)

STA: 1+92
STONE WALL "B"
HEIGHT OF WALL:4 FT
TOP OF WALL: 854.00'
BTM OF WALL: 850.00'

STA: 2+05
STONE WALL "B"
TOP OF WALL: 852.00'
BTM OF WALL: 848.00'

WALL "C" STA:0+20
TOP WALL: 852.00'
BTM WALL: 849.00'

END WALL "C" STA:1+11
TOP WALL: 850.00'
BTM WALL: 846.00'

STA: 2+15
STONE WALL "B"
TOP OF WALL: 850.00'
BTM OF WALL: 846.00'

STA: 2+25
STONE WALL "B"
TOP OF WALL: 848.00'
BTM OF WALL: 846.00'

STA: 2+35
STONE WALL "B"
TOP OF WALL: 846.00'
BTM OF WALL: 842.00'

STA: 2+45
STONE WALL "B"
TOP OF WALL: 844.00'
BTM OF WALL: 840.00'

STA: 2+55
STONE WALL "B"
TOP OF WALL: 842.00'
BTM OF WALL: 838.00'

STA: 2+65
STONE WALL "B"
TOP OF WALL: 840.00'
BTM OF WALL: 838.00'

STA: 2+85
END WALL "B"
HEIGHT OF WALL:4 FT
TOP OF WALL: 840.00'
BTM OF WALL: 838.00'

EXISTING HOME
ADDRESS: 831 IDLEWOOD ROAD
EXISTING FFE:838.00'

Y. INLET TOP:851.50'
OUT:852.00'

Y. INLET TOP:851.50'
OUT:849.00'

Y. INLET TOP:851.50'
OUT:846.00'

Y. INLET
TOP:849.00'
OUT:843.00'

Y. INLET TOP:851.50'
OUT:848.20'

4 INCH HDPE
STORM PIPE

1.0% ALONG
4 INCH HDPE
STORM PIPE

1.0% ALONG 58.0'
8 INCH HDPE
STORM PIPE

58.0' HOUSE TO P/L

YARD INLET
TOP:847.00'
OUT:843.00'

YARD INLET
TOP:849.00'
OUT:844.00'

YARD INLET
TOP:845.00'
IN: 842.60'
OUT:839.70'

CREATE SWALE ALONG
TOP OF STORM DRAIN

35' REAR B/L

53.0' HOUSE TO P/L

53.0'
HOUSE TO P/L

+848.5'

STONE WALL "F"
TOP OF WALL: 840.00'
BTM OF WALL: 838.00'

TIE ROOF DRAINS TO
UNDERGROUND DRAIN

PROPOSED PORCH

#833
PROPOSED HOME
MAIN FFE:850.00
BSMT FFE: 840.00
SOLID HATCH=BSMT EXCAVATION

PROPOSED PATIO

12' SIDE B/L

YARD INLET
TOP:839.80'
OUT:838.80'

12.1'

17.1'

9.6'

IPS

OHP

OHT

YARD INLET
TOP:839.40'
IN: 838.40'
OUT:838.40'

54.1'

839.40'

52.9'

EXISTING
CONCRETE DRIVE

EXISTING
WATER METER

8" HDPE
OUTFALL
OUT:838.00'

4' X 10' GRANITE RIP RAP APRON
8 TO 10 INCH STONES
PLACED TO DISSIPATE WATER ENERGY AND
FLOW

GARAGE FFE:
849.0'

52.0'
GARAGE TO
EDGE OF ASPHALT

12.0'

20.0'

STA:
0+72
WALL "E"

4 ft high wall

FRONT B/L

WALL "E"
WALL LENGTH: 69 FEET
TOP WALL: 848.00'
BTM WALL: 844.00'

WALL "E" 1FT HEIGHT ABOVE DRIVEWAY

7.8% ON DRIVEWAY

PROPOSED CONCRETE DRIVE: 1155 SF

STA:
0+69

WALL "D" STA:0+31
TOP WALL: 843.00'
BTM WALL: 840.00'

WALL "D" STA:0+47
TOP WALL: 843.00'
BTM WALL: 840.00'

WALL "D" STA:0+75
TOP WALL: 843.00'
BTM WALL: 840.00'

PROPOSED
WATER METER

PROPOSED SEWER LATERAL SS

SINGLE ROW SILT FENCE
TOTAL 250 LINEAR FEET

1/2" OTP

1/2" OTP

20.0'

18.6'

13.6'

Co

40.0'

51.8'

844.4'

845.6'

25.8'

27.5'

PAVING WIDTH

ASPHALT CURB

ASPHALT CURB

25.9'

STA:0+00
BEGIN WALL "D"
TOP WALL: 843.00'
BTM WALL: 842.00'

IDLEWOOD ROAD
50' R/W

S SS SS SS SS SS SS SS SS SS SS SS

Ds1 Ds4 Sd1 Co

SOIL EROSION AND SEDIMENTATION CONTROL PRACTICES (SITE SPECIFIC):

1. THE TOTAL SITE ACREAGE IS 14,696 SQUARE FEET WHICH IS 0.337 ACRES
2. THE PROPOSED LAND DISTURBING ACTIVITY AREA EQUALS 15,472 SF (0.355 ACRES). PER O.C.G.A. 12-7-17, THIS SITE IS EXEMPT FROM THE EROSION AND SEDIMENTATION ACT OF 1975.
3. DESPITE EXEMPTION, BEST MANAGEMENT PRACTICES WILL STILL BE USED IN ORDER TO MAINTAIN QUALITY SITE DEVELOPMENT AND MEET CITY OF WINDER/BARROW COUNTY REQUIREMENTS.

Sd1 SEDIMENT BARRIER: A TEMPORARY STRUCTURE OF SILT FENCE SHALL BE INSTALLED TO MINIMIZE AND PREVENT SEDIMENT FROM LEAVING THE SITE AND ENTERING NATURAL DRAINAGE WAYS OR STORM DRAINAGE SYSTEMS.

Ds1 ESTABLISHING TEMPORARY PROTECTION FOR DISTURBED AREAS WHERE SEEDLINGS MAY NOT HAVE A SUITABLE GROWING SEASON TO PRODUCE AN EROSION RETARDING COVER.

Ds4 A PERMANENT VEGETATIVE COVER USING SODS ON HIGHLY ERODABLE OR CRITICALLY ERODED LANDS. SOD IS CHOSEN HERE FOR ITS HYDROLOGIC SOAKING FACTOR SUITABLE FOR SLOWING RAINFALL TRAVEL RATES.

Co CONSTRUCTION ENTRANCE/EXIT: THIS ENTRANCE SHALL CONSIST OF FABRIC LAID DOWN ON EXISTING GRASS AND GRAVEL LAID UPON THE FABRIC. THIS AREA SHALL BE USED FOR WASHING WHEN NECESSARY IN ORDER TO KEEP SEDIMENT FROM LEAVING THE PROPERTY.

GSWCC CERTIFICATION LEVEL 2 #63202
24- HOUR CONTACT: ZACHARY R. GARRETT, CELL PHONE NUMBER:
770-883-2609

GEORGIA REGISTERED NO. 3169 LAND SURVEYOR ZACHARY R. GARRETT

LOT AREA (IMPERVIOUS SURFACE)NOTES:

TOTAL LOT AREA: 14,697 SF 0.337 ACRES

EXISTING IMPERVIOUS SURFACE AREAS: NONE ON PROPERTY
PROPOSED IMPERVIOUS SURFACE AREAS:

PROPOSED HOME/GARAGE/PATIO/PORCH: 3397 SF
PROPOSED CONCRETE DRIVE: 1155 SF
PROPOSED WALLS: 635 SF

PROPOSED IMPERVIOUS SURFACE AREAS
TOTAL; 5,187 SF, 0.119 ACRES = 35.3% OF TOTAL AREA

WITHIN ALL COMMERCIAL AND RESIDENTIAL DEVELOPMENTS, ALL DISTURBED AREAS ON A LOT MUST BE LANDSCAPED WITH SOD OR INCORPORATED INTO A LANDSCAPE BED PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE LOT. ALL DRAINAGE SWALES MUST BE SODDED WITH TURF.

IT IS THE RESPONSIBILITY OF THE INDIVIDUAL BUILDERS TO PROVIDE POSITIVE DRAINAGE AWAY FROM THE HOUSE ON EACH LOT, IN COMPLIANCE WITH THE IRC R401.3 DRAINAGE. ALL CREATED SWALES SHALL DIRECT WATER TO EXISTING DRAINAGE SWALES/DITCHES, OR THE ROADSIDE DITCH PROVIDED.

ALL RETAINING WALLS VISIBLE FROM ANY PUBLIC OR PRIVATE STREET SHALL BE FACED WITH BRICK, STONE, CAST STONE, HARD COAT STUCCO, INTERLOCKING DECORATIVE BLOCK, OR CONCRETE BLOCK HAVING THE APPEARANCE OF BRICK OR STONE. GABION WALLS OR SIMILAR CONSTRUCTION SHALL BE PROHIBITED. A RETAINING WALL EXCEEDING 4 FEET IN HEIGHT REQUIRES A SEPARATE RETAINING WALL PERMIT.

NO RETAINING WALL ON THIS SITE SHALL EXCEED 4 FEET IN HEIGHT

MECHANICAL AND HVAC EQUIPMENT SHOULD BE SCREENED FROM PUBLIC VIEW USING A FENCE OR VEGETATED SCREENING

ALL SITES MUST MAINTAIN A TREE DENSITY OF 100" DBH (DIAMETER AT BREAST HEIGHT) PER ACRE OR PLANT ENOUGHT TREES TO MEET THE REQUIREMENT. FOR PLANTED TREES, TREE CALIPER WILL BE CONSIDERED EQUAL TO DBH. THE GRADING PLAN SHOWS THAT ALL TREES SHALL BE REMOVED . SEE TREE REPLACEMENT PLAN FOR PROPOSED REPLACEMENT TREE LOCATIONS.

LINE TABLE		
LINE	LENGTH	BEARING
L1	4.04	N44°42'15"W

TOTAL ACRES: 0.337
DISTURBED ACRES: 0.355

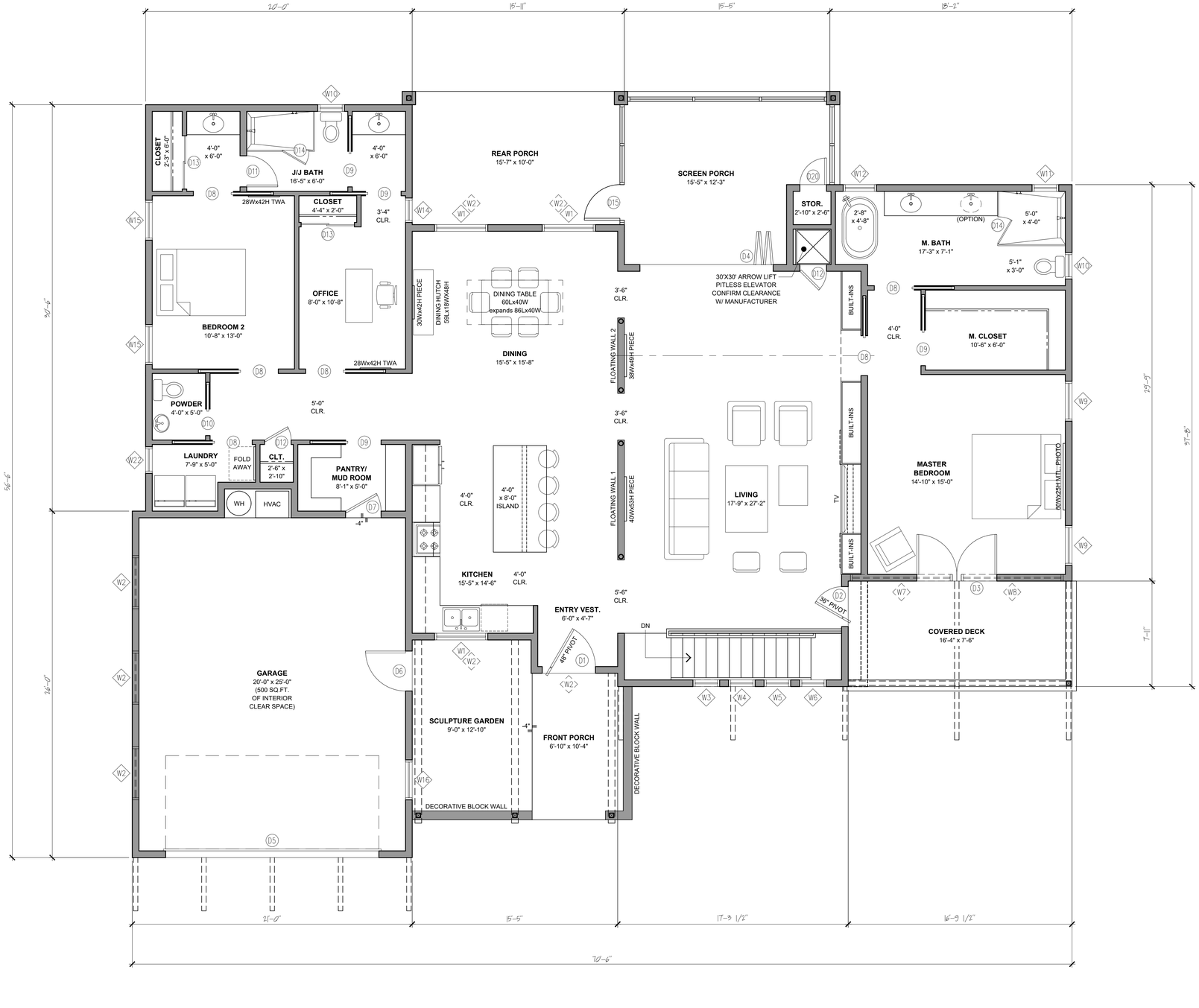
PROPOSED CONDITIONS
HOUSE LAYOUT & GRADING PLAN

STATE: GEORGIA	GMD: 243	REVISION INDEX:
COUNTY: BARROW		
CITY: WINDER	DRAFTED BY: ZRG	
EXISTING TAX ID: WN10B 027		
DATE OF FIELD WORK :01/10/2025		

RESIDENTIAL SITE PLAN FOR:
JOHN OUTCELT & MARY JANE COBB
EXISTING ADDRESS: 833 IDLEWOOD ROAD, WINDER, GA 30680

GARRETT LAND SURVEYING, LLC
102 ETHRIDGE WAY
HARTWELL, GA 30643
770-883-2609
garrettlandsurvey@gmail.com

SHEET# 2



C:\USERS\GREG\LANDWORKS DROPBOX\LANDWORKS DEVELOPMENT SERVICES\2024 LANDWORKS PROJECTS\LW24-51 COBB RESIDENCE WINDER GA\01-WORKING DRAWINGS\COBB V16 (VARIANCE SUBMITTAL).DWG 10/24/2025 1:53 PM GREG

1ST FLOOR PLAN | SCALE 1/4"=1'-0" | 1

LANDWORKS
ARCHITECTURE + DESIGN

LAWRENCEVILLE, GA
P: 470.410.8383
F: 714.202.2146

SEAL:
STATE OF GEORGIA
ROBERT L. LAWRENCE
CERTIFICATE NO. 38705
REGISTERED ARCHITECT

REV:	DESCRIPTION	DATE

PROJECT ADDRESS:

NEW SINGLE FAMILY
CUSTOM HOME
833 IDLEWOOD RD
WINDER, GA 30680

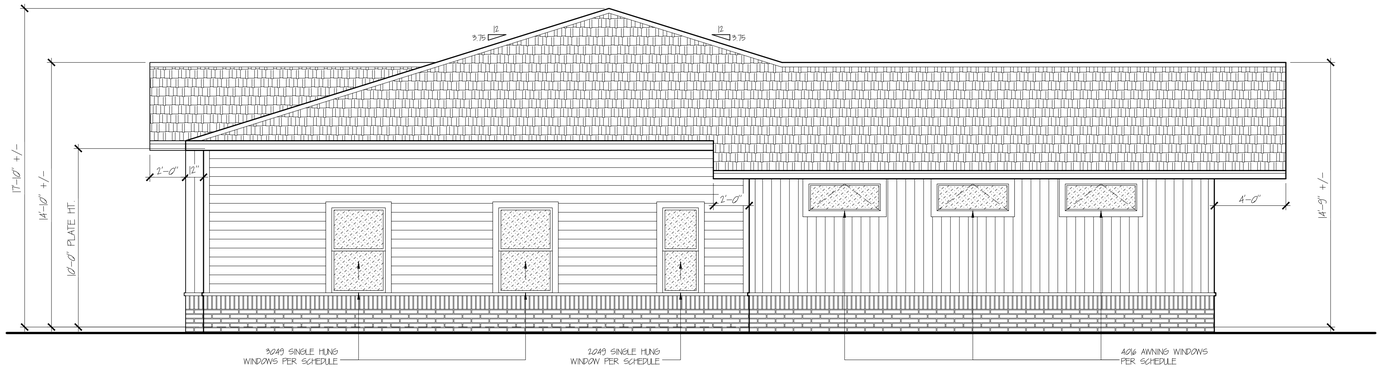
PROJECT NO.	LW2024-51
PROJECT OWNER:	MARY JANE COBB
PROJECT LOC:	WINDER, GA
DRAWN BY:	G.H.
REVIEWED BY:	R.L.
START DATE:	12/02/2024
BIDD DATE:	TBD
CONST. DATE:	TBD

SHEET TITLE:
1ST FLOOR PLAN

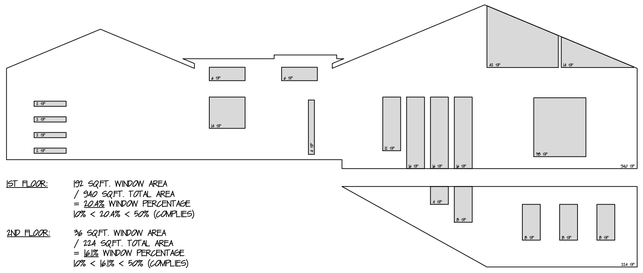
SHEET NUMBER:
A2.0

PROPERTY OF LANDWORKS, DEVELOPMENT SERVICES. THEY ARE INTENDED FOR THE EXCLUSIVE USE OF THIS PROJECT ONLY. ANY RE-USE OF THESE PLANS (DRAWINGS) WITHOUT THE EXPRESS WRITTEN CONSENT OF LANDWORKS DEVELOPMENT SERVICES IS PROHIBITED.

2025_10_22_VARIANCE_SUBMITTAL



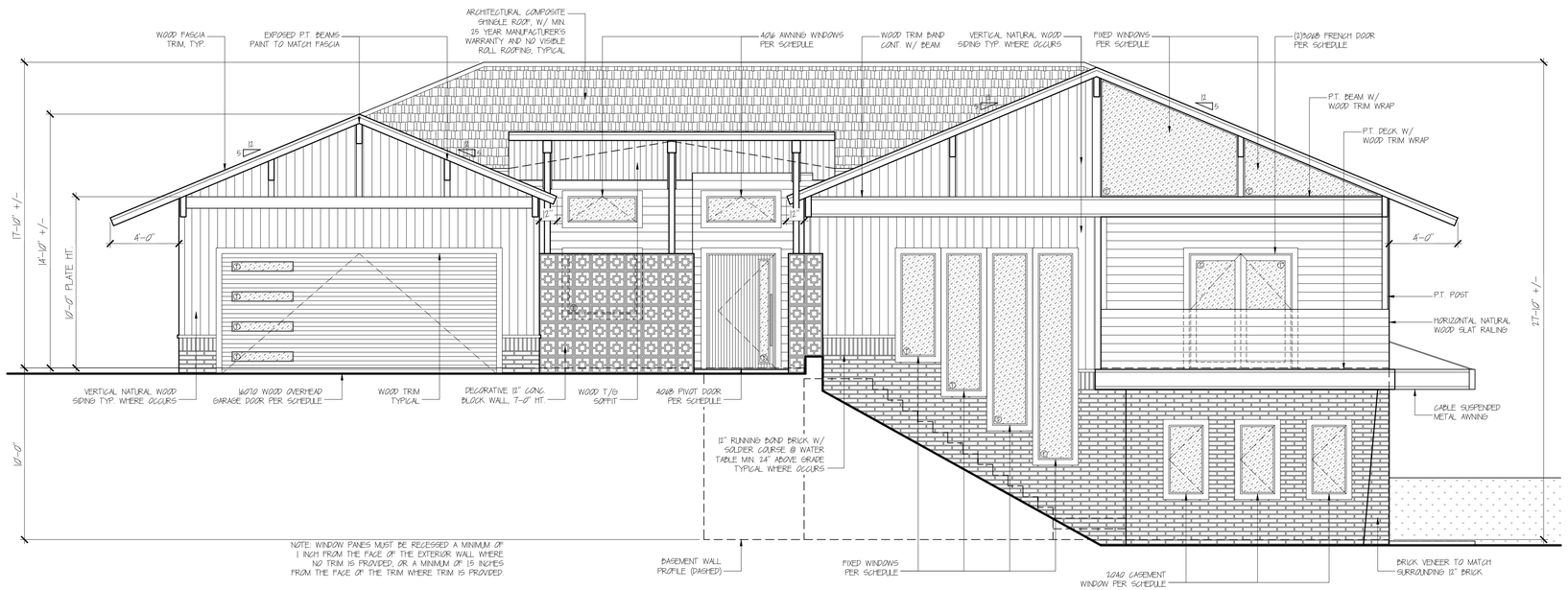
LEFT SIDE ELEVATION | SCALE 1/4" = 1'-0" | 2



1ST FLOOR: 192 SQFT. WINDOW AREA / 940 SQFT. TOTAL AREA = 20.4% WINDOW PERCENTAGE 10% < 20.4% < 50% (COMPLIES)

2ND FLOOR: 36 SQFT. WINDOW AREA / 224 SQFT. TOTAL AREA = 16.1% WINDOW PERCENTAGE 10% < 16.1% < 50% (COMPLIES)

WINDOW AREA STUDY | SCALE 1/8" = 1'-0" | 3



FRONT ELEVATION | SCALE 1/4" = 1'-0" | 1

LANDWORKS
ARCHITECTURE + DESIGN

LAWRENCEVILLE, GA
P: 470.410.8383
F: 714.202.2146

SEAL:
STATE OF GEORGIA
ROBERT L. LAWRENCE
CERTIFICATE NO. 38705
REGISTERED ARCHITECT

REV.	DESCRIPTION	DATE

PROJECT ADDRESS:

NEW SINGLE FAMILY
CUSTOM HOME
833 IDLEWOOD RD
WINDER, GA 30680

PROJECT NO:	LW2024-51
PROJECT OWNER:	MARY JANE COBB
PROJECT LOC:	WINDER, GA
DRAWN BY:	G.H.
REVIEWED BY:	R.L.
START DATE:	12/02/2024
BID DATE:	TBD
CONST. DATE:	TBD

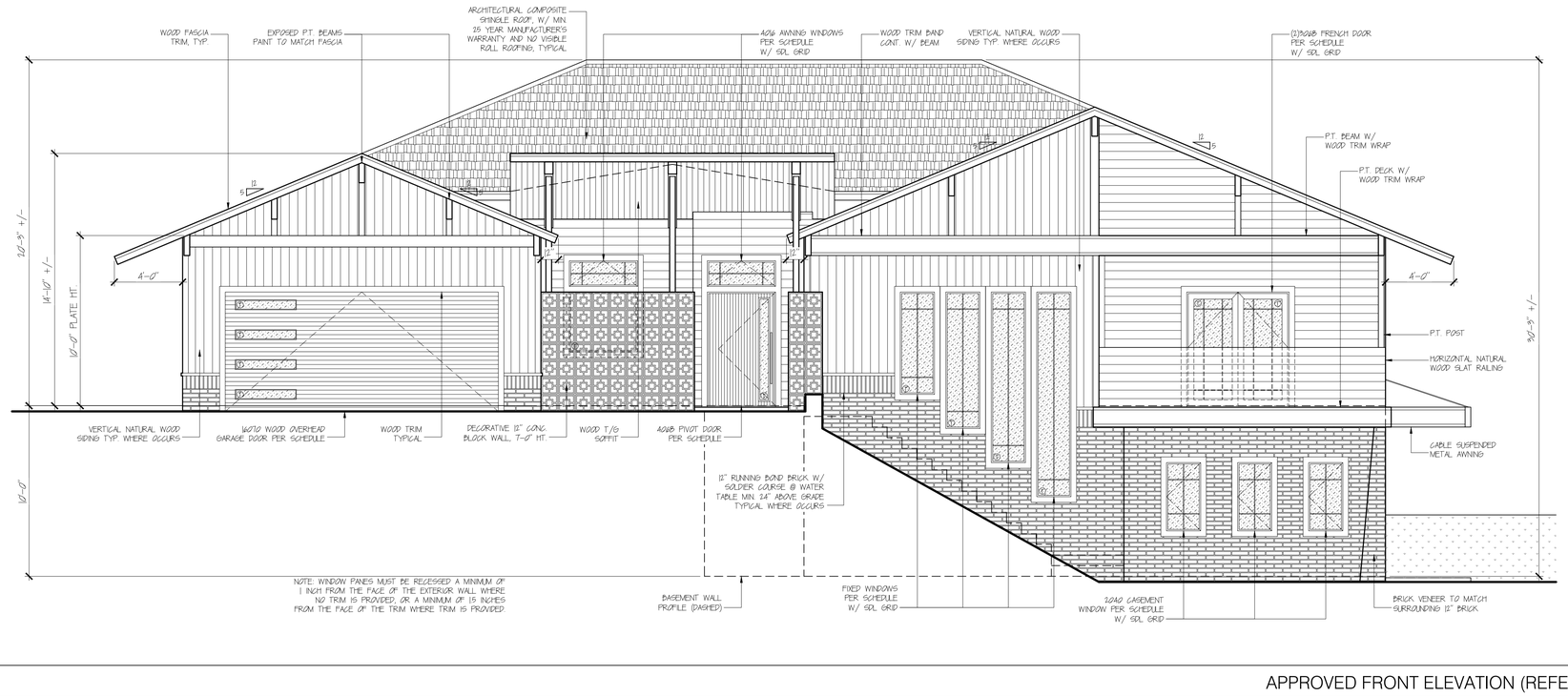
SHEET TITLE:
EXTERIOR ELEVATIONS

SHEET NUMBER:
A3.0

PROPERTY OF LANDWORKS DEVELOPMENT SERVICES. THEY ARE INTENDED FOR THE EXCLUSIVE USE OF THIS PROJECT ONLY. ANY RE-USE OF THESE PLANS (DRAWINGS) WITHOUT THE EXPRESS WRITTEN CONSENT OF LANDWORKS DEVELOPMENT SERVICES IS PROHIBITED.

2025_10_22_VARIANCE_SUBMITTAL

C:\USERS\GREG\LANDWORKS DROPBOX\LANDWORKS DEVELOPMENT SERVICES\2024 LANDWORKS PROJECTS\LW24-51 COBB RESIDENCE WINDER GA\01-WORKING DRAWINGS\COBB V16 (VARIANCE SUBMITTAL).DWG 10/24/2025 1:53 PM GREG



APPROVED FRONT ELEVATION (REFERENCE ONLY)

SCALE 1/4"=1'-0"

1

LANDWORKS
ARCHITECTURE + DESIGN

LAWRENCEVILLE, GA
P: 470.410.8383
F: 714.202.2146

SEAL:

STATE OF GEORGIA
ROBERT L. LAWRENCE
CERTIFICATE NO. 36705
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PROJECT ADDRESS:

NEW SINGLE FAMILY
CUSTOM HOME
833 IDLEWOOD RD
WINDER, GA 30680

PROJECT NO:	LW2024-51
PROJECT OWNER:	MARY JANE COBB
PROJECT LOC:	WINDER, GA
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START DATE:	12/02/2024
BID DATE:	TBD
CONST. DATE:	TBD

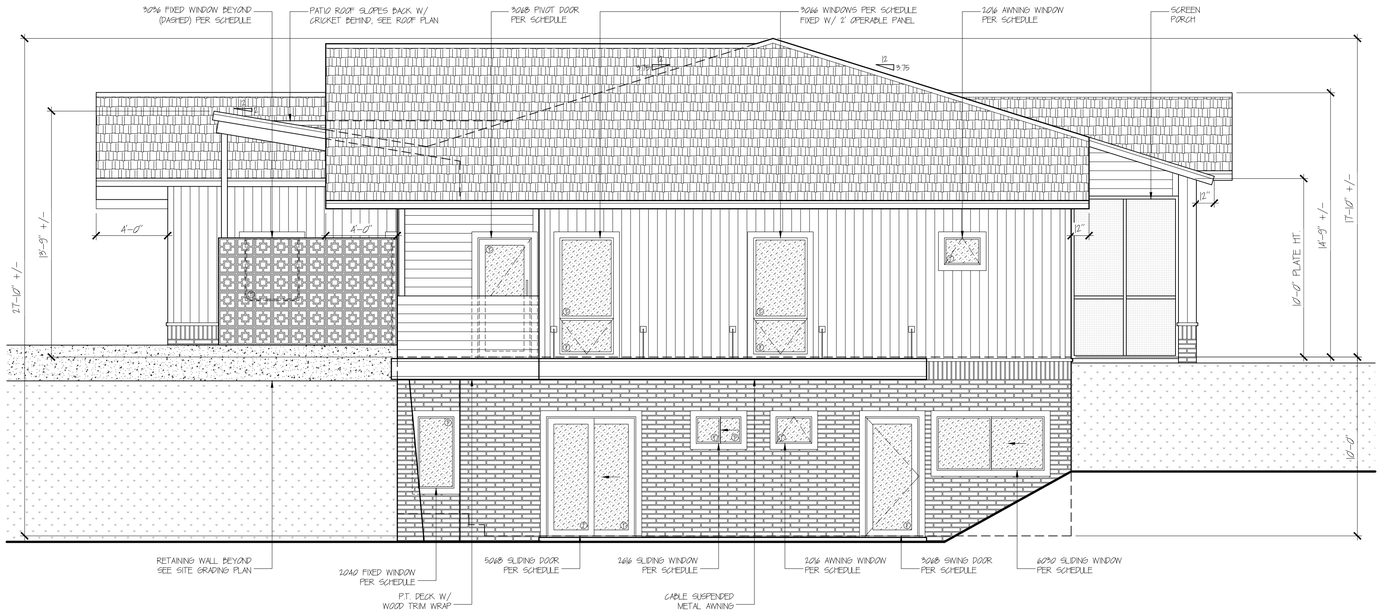
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APPROVED FRONT ELEVATION

SHEET NUMBER:
A3.0(r)

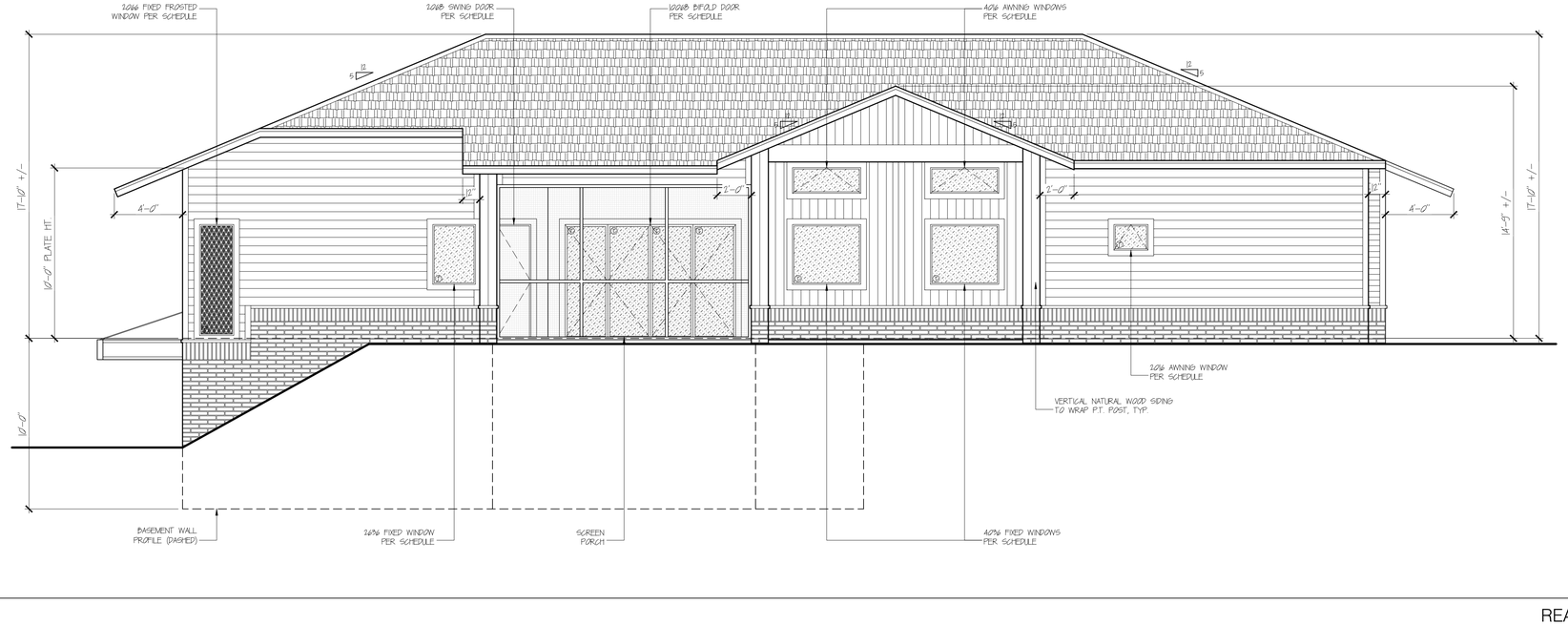
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2025_10_22_VARIANCE_SUBMITTAL

C:\USERS\GREG\LANDWORKS DROPBOX\LANDWORKS DEVELOPMENT SERVICES\2024 LANDWORKS PROJECTS\LW24-51 COBB RESIDENCE WINDER GA\01-WORKING DRAWINGS\COBB V1B (VARIANCE SUBMITTAL).DWG 10/24/2025 1:53 PM GREG



RIGHT SIDE ELEVATION | SCALE 1/4" = 1'-0" | 2



REAR ELEVATION | SCALE 1/4" = 1'-0" | 1

LANDWORKS
ARCHITECTURE + DESIGN

LAWRENCEVILLE, GA
P: 470.410.8383
F: 714.202.2146

SEAL:
STATE OF GEORGIA
ROBERT L. LAWRENCE
CERTIFICATE NO. 36705
REGISTERED ARCHITECT

REV.	DESCRIPTION	DATE

PROJECT ADDRESS:

NEW SINGLE FAMILY
CUSTOM HOME
833 IDLEWOOD RD
WINDER, GA 30680

PROJECT NO:	LW2024-51
PROJECT OWNER:	MARY JANE COBB
PROJECT LOC:	WINDER, GA
DRAWN BY:	G.H.
REVIEWED BY:	R.L.
START DATE:	12/02/2024
BIDD DATE:	TBD
CONST. DATE:	TBD

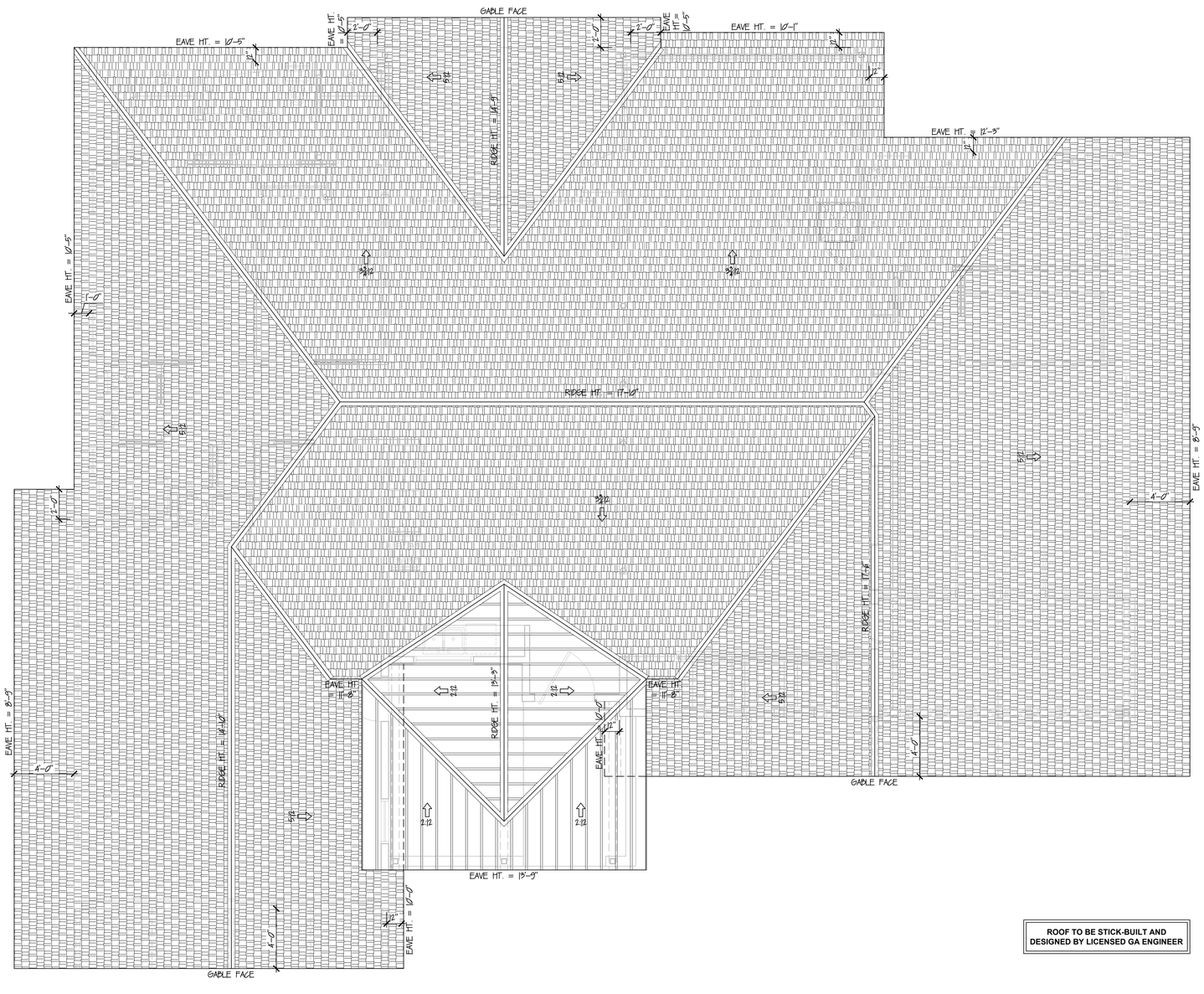
SHEET TITLE:
EXTERIOR ELEVATIONS

SHEET NUMBER:
A3.1

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ROOF TO BE STICK-BUILT AND DESIGNED BY LICENSED GA ENGINEER

ROOF PLAN | SCALE 1/4"=1'-0" | 1

LANDWORKS
ARCHITECTURE + DESIGN

LAWRENCEVILLE, GA
P: 470.410.8383
F: 714.202.2146

SEAL:

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START DATE:	12/02/2024
BIDD DATE:	TBD
CONST. DATE:	TBD

SHEET TITLE:
ROOF PLAN

SHEET NUMBER:
A4.2

NORTH

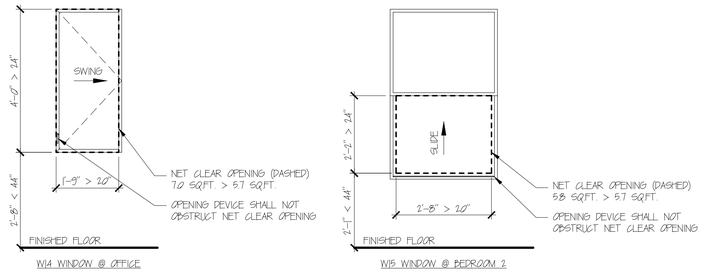
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2025_10_22_VARIANCE_SUBMITTAL

C:\USERS\GREG\LANDWORKS DROPBOX\LANDWORKS DEVELOPMENT SERVICES\2024 LANDWORKS PROJECTS\LW24-51 COBB RESIDENCE WINDER GA\01-WORKING DRAWINGS\COBB V16 (VARIANCE SUBMITTAL).DWG 10/24/2025 1:53 PM GREG

REQUIRED EGRESS WINDOW TO MEET THE FOLLOWING:

a. A NET CLEAR OPENING AREA OF NOT LESS THAN 5.7 SQ. FT. (5.0 SQ. FT. FOR GRADE– FLOOR WINDOW). – YES
b. MINIMUM CLEAR OPENING HEIGHT OF 24". – YES
c. MINIMUM CLEAR OPENING WIDTH OF 20". – YES
d. THE BOTTOM OF WINDOW OPENING SHALL NOT BE MORE THAN 44" FROM THE FLOOR. – YES
e. SHALL OPEN DIRECTLY INTO A PUBLIC WAY, OR, TO A YARD OR COURT THAT OPENS TO A PUBLIC WAY. YARD OR COURT MUST COMPLY WITH THE DEFINITION: "AN OPEN SPACE, UNOBSTRUCTED FROM THE GROUND TO THE SKY." THEREFORE, INGRESS/EGRESS OPENINGS WHICH OPEN UNDER OR ONTO DECKS, ROOFS, OR COVERED PATIOS ARE NOT ACCEPTABLE. – YES
f. WINDOW CONTROL OPENING DEVICE SHALL NOT REDUCE THE REQUIRED NET CLEAR OPENING AREA OF THE WINDOW. – YES



EGRESS WINDOW ELEVATIONS & REQUIREMENTS | SCALE 1/2"=1'-0" | 1

WINDOW SCHEDULE

# WINDOW NUMBER	WINDOW: WINDOW SIZE (NOMINAL)	(N) NEW (R) RELOCATED (E) EXISTING	GLAZ THICKNESS	INSULATED	MATERIAL **	U-FACTOR	SHGC RATING	FRAME * DETAILS: HEAD	JAMB	SILL	WINDOW SYSTEM: SLIDER	SINGLE HUNG	FIXED	AWNING	CASEMENT	HOPPER	NOTES
W1	4'-0" x3'-6"	(N)	1/2"	Y	VNL	–	–	A/A8.1	5/A8.1	6/A8.1	–	–	Y	–	–	–	TEMPERED GLASS
W2	4'-0" x1'-6"	(N)	1/2"	Y	VNL	–	–	A/A8.1	5/A8.1	6/A8.1	–	–	–	Y	–	–	
W3	2'-0" x6'-0"	(N)	1/2"	Y	VNL	–	–	A/A8.1	5/A8.1	6/A8.1	–	–	Y	–	–	–	TEMPERED GLASS
W4	2'-0" x8'-0"	(N)	1/2"	Y	VNL	–	–	A/A8.1	5/A8.1	6/A8.1	–	–	Y	–	–	–	TEMPERED GLASS
W5	2'-0" x10'-0"	(N)	1/2"	Y	VNL	–	–	A/A8.1	5/A8.1	6/A8.1	–	–	Y	–	–	–	TEMPERED GLASS
W6	2'-0" x12'-0"	(N)	1/2"	Y	VNL	–	–	A/A8.1	5/A8.1	6/A8.1	–	–	Y	–	–	–	TEMPERED GLASS
W7	3'-0" x3'-11"(TH) 3'-0" x3'-7"(LO)	(N)	1/2"	Y	VNL	–	–	A/A8.1	5/A8.1	6/A8.1	–	–	Y	–	–	–	TEMPERED GLASS TRAPEZOIDAL WINDOW, CUSTOM FIT
W8	3'-0" x3'-6"(TH) 3'-0" x0'-0"(LO)	(N)	1/2"	Y	VNL	–	–	A/A8.1	5/A8.1	6/A8.1	–	–	Y	–	–	–	TEMPERED GLASS TRIANGULAR WINDOW, CUSTOM FIT
W9	3'-0" x6'-6"	(N)	1/2"	Y	VNL	–	–	A/A8.1	5/A8.1	6/A8.1	–	–	Y	–	–	Y	TEMPERED GLASS OPERABLE PANEL IN BOTTOM 2'
W10	2'-0" x1'-6"	(N)	1/2"	Y	VNL	–	–	A/A8.1	5/A8.1	6/A8.1	–	–	–	Y	–	–	TEMPERED GLASS
W11	2'-0" x6'-6"	(N)	1/2"	Y	VNL	–	–	A/A8.1	5/A8.1	6/A8.1	–	–	Y	–	–	–	TEMPERED GLASS, FROSTED
W12	2'-6" x3'-6"	(N)	1/2"	Y	VNL	–	–	A/A8.1	5/A8.1	6/A8.1	–	–	Y	–	–	–	TEMPERED GLASS
W13	NOT USED																
W14	1'-10" x4'-0"	(N)	1/2"	Y	VNL	–	–	A/A8.1	5/A8.1	6/A8.1	–	–	–	–	Y	–	REQUIRED EGRESS, OFFICE
W15	3'-0" x4'-9"	(N)	1/2"	Y	VNL	–	–	A/A8.1	5/A8.1	6/A8.1	–	Y	–	–	–	–	REQUIRED EGRESS, BEDROOM 2
W16	3'-0" x3'-6"	(N)	1/2"	Y	VNL	–	–	A/A8.1	5/A8.1	6/A8.1	–	–	Y	–	–	–	TEMPERED GLASS
W17	2'-0" x4'-0"	(N)	1/2"	Y	VNL	–	–	A/A8.1	5/A8.1	6/A8.1	–	–	Y	–	–	–	TEMPERED GLASS
W18	2'-0" x4'-0"	(N)	1/2"	Y	VNL	–	–	A/A8.1	5/A8.1	6/A8.1	–	–	–	–	Y	–	
W19	NOT USED																
W20	2'-6" x1'-6"	(N)	1/2"	Y	VNL	–	–	A/A8.1	5/A8.1	6/A8.1	Y	–	–	–	–	–	TEMPERED GLASS
W21	6'-0" x3'-0"	(N)	1/2"	Y	VNL	–	–	A/A8.1	5/A8.1	6/A8.1	Y	–	–	–	–	–	
W22	2'-0" x4'-9"	(N)	1/2"	Y	VNL	–	–	A/A8.1	5/A8.1	6/A8.1	–	Y	–	–	–	–	
W23	5'-0" x3'-0"	(N)	1/2"	N	VNL	–	–	2/A8.3	2/A8.3	2/A8.3	–	–	Y	–	–	–	INTERIOR TEMPERED WINDOW
W24	4'-0" x3'-0"	(N)	1/2"	N	VNL	–	–	2/A8.3	2/A8.3	2/A8.3	–	–	Y	–	–	–	INTERIOR TEMPERED WINDOW

DOOR SCHEDULE

# DOOR NUMBER	DOOR: DOOR SIZE (NOMINAL)	(N) NEW (R) RELOCATED (E) EXISTING	DOOR THICKNESS	INSULATED	** DOOR MATERIAL	** DOOR CASING	FIRE RATING	FRAME: DOOR FRAME	MATERIAL	DETAILS: HEAD	JAMB	SILL	RATING DOOR	HARDWARE GROUP NUMBER	NOTES
01	4'-0"X6'-8"	(N)	1 3/4"	Y	WD	VNL	–	VNL	VNL	1/A8.1	2/A8.1	3/A8.1	–	–	PIVOT DOOR W/ TEMP. GLASS
02	3'-0"X6'-8"	(N)	1 3/4"	Y	WD	VNL	–	VNL	VNL	1/A8.1	2/A8.1	3/A8.1	–	–	PIVOT DOOR W/ TEMP. GLASS
03	(2)3'-0"X6'-8"	(N)	3/8"	Y	GLS	VNL	–	VNL	VNL	1/A8.1	2/A8.1	3/A8.1	–	–	TEMPERED FRENCH DOORS
04	10'-0"X6'-8"	(N)	3/8"	Y	GLS	VNL	–	VNL	VNL	1/A8.1	2/A8.1	3/A8.1	–	–	TEMPERED BIFOLD DOOR
05	16'-0"XT-0"	(N)	1 3/4"	Y	WD	VNL	–	VNL	VNL	1/A8.1	2/A8.1	3/A8.1	–	–	OVERHEAD GARAGE DOOR W/ TEMPERED PANELS
06	3'-0"X6'-8"	(N)	1 3/4"	Y	WD	VNL	–	VNL	VNL	1/A8.1	2/A8.1	3/A8.1	–	–	SWING DOOR
07	2'-8"X6'-8"	(N)	1 3/4"	Y	WD	WD	Y	WD	WD	7/A8.0	8/A8.0	9/A8.0	20 MIN.	–	SOLID CORE, 20 MIN. RATED SELF-CLOSING, SELF-LATCHING
08	3'-0"X6'-8"	(N)	1 3/4"	–	WD	WD	–	WD	WD	7/A8.0	8/A8.0	9/A8.0	–	–	POCKET DOOR
09	2'-8"X6'-8"	(N)	1 3/4"	–	WD	WD	–	WD	WD	7/A8.0	8/A8.0	9/A8.0	–	–	POCKET DOOR
010	2'-0"X6'-8"	(N)	1 3/4"	–	WD	WD	–	WD	WD	7/A8.0	8/A8.0	9/A8.0	–	–	POCKET DOOR
011	2'-4"X6'-8"	(N)	1 3/4"	–	WD	WD	–	WD	WD	7/A8.0	8/A8.0	9/A8.0	–	–	SWING DOOR
012	2'-0"X6'-8"	(N)	1 3/4"	–	WD	WD	–	WD	WD	7/A8.0	8/A8.0	9/A8.0	–	–	SWING DOOR
013	4'-0"X6'-8"	(N)	1 3/4"	–	WD	WD	–	WD	WD	7/A8.0	8/A8.0	9/A8.0	–	–	BYPASS DOOR
014	2'-0"X6'-0"	(N)	1/2"	–	GLS	MTL	–	MTL	MTL	–	–	–	–	–	TEMPERED SHOWER DOOR
015	2'-8"X6'-8"	(N)	1 3/4"	–	WD	WD	–	WD	WD	–	–	–	–	–	SCREEN DOOR
016	5'-0"X6'-8"	(N)	1 3/4"	Y	WD	WD	–	VNL	VNL	1/A8.1	2/A8.1	3/A8.1	–	–	TEMPERED SLIDING DOOR
017	3'-0"X6'-8"	(N)	1 3/4"	Y	WD	WD	–	VNL	VNL	1/A8.1	2/A8.1	3/A8.1	–	–	TEMPERED FRENCH DOOR
018	3'-0"X6'-8"	(N)	1 3/4"	–	WD	WD	–	WD	WD	7/A8.0	8/A8.0	9/A8.0	–	–	SWING DOOR
019	(2)2'-4"X6'-8"	(N)	1 3/4"	–	WD	WD	–	WD	WD	7/A8.0	8/A8.0	9/A8.0	–	–	SWING DOOR
020	2'-0"X6'-8"	(N)	1 3/4"	Y	WD	VNL	–	VNL	VNL	1/A8.1	2/A8.1	3/A8.1	–	–	SWING DOOR

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ARCHITECTURE + DESIGN
LAWRENCEVILLE, GA
P: 470.410.8383
F: 714.202.2146

SEAL:
STATE OF GEORGIA
ROBERT L. LAWRENCE
CERTIFICATE NO. 31702
REGISTERED ARCHITECT

REV.	DESCRIPTION	DATE

PROJECT ADDRESS:
NEW SINGLE FAMILY CUSTOM HOME
833 IDLEWOOD RD
WINDER, GA 30680

PROJECT NO:	LW2024-51
PROJECT OWNER:	MARY JANE COBB
PROJECT LOC:	WINDER, GA
DRAWN BY:	G.H.
REVIEWED BY:	R.L.
START DATE:	12/02/2024
BIDD DATE:	TBD
CONST. DATE:	TBD

SHEET TITLE:
DOOR + WINDOW SCHEDULES

SHEET NUMBER:
A5.0

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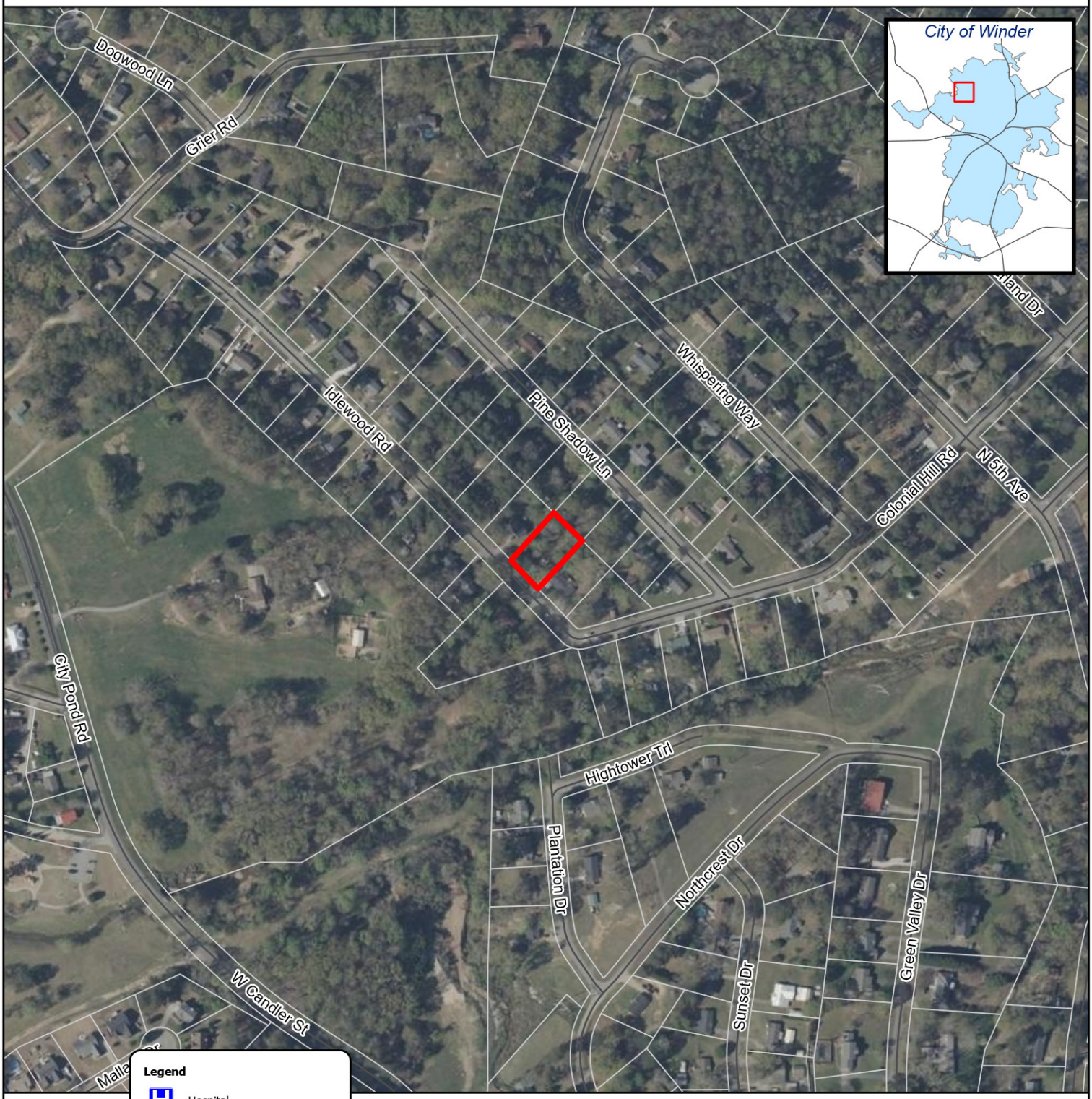
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Parcel # WN10B 027
0 Idlewood Rd.
Winder, Georgia 30680

Location Map

City of Winder
Planning & Development



November 2025

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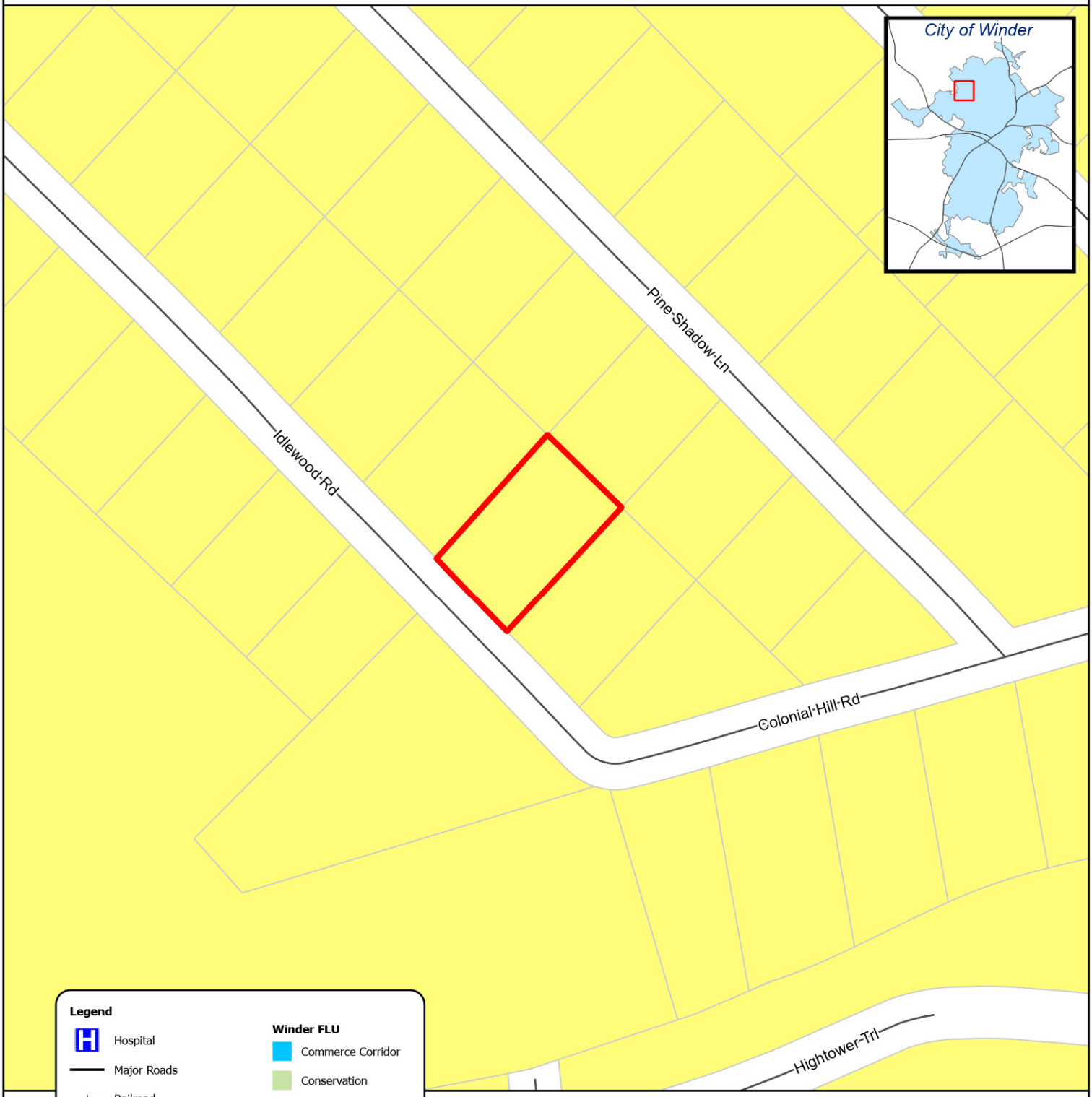
Cadastral data compliments of Barrow County

Aerial Photography compliments of ESRI

Parcel # WN10B 027
0 Idlewood Rd.
Winder, Georgia 30680

Future Land Use Map

City of Winder
Planning & Development



Legend

- Hospital
- Major Roads
- Railroad
- Road Centerlines
- Subject Parcel - WN10B 027
- Barrow Parcels - 2025

Winder FLU

- Commerce Corridor
- Conservation
- Downtown
- Downtown Gateway
- Glenwood
- Mill Village
- Old Winder
- Suburban Residential

N
W E
S

0 150 300 Feet

November 2025

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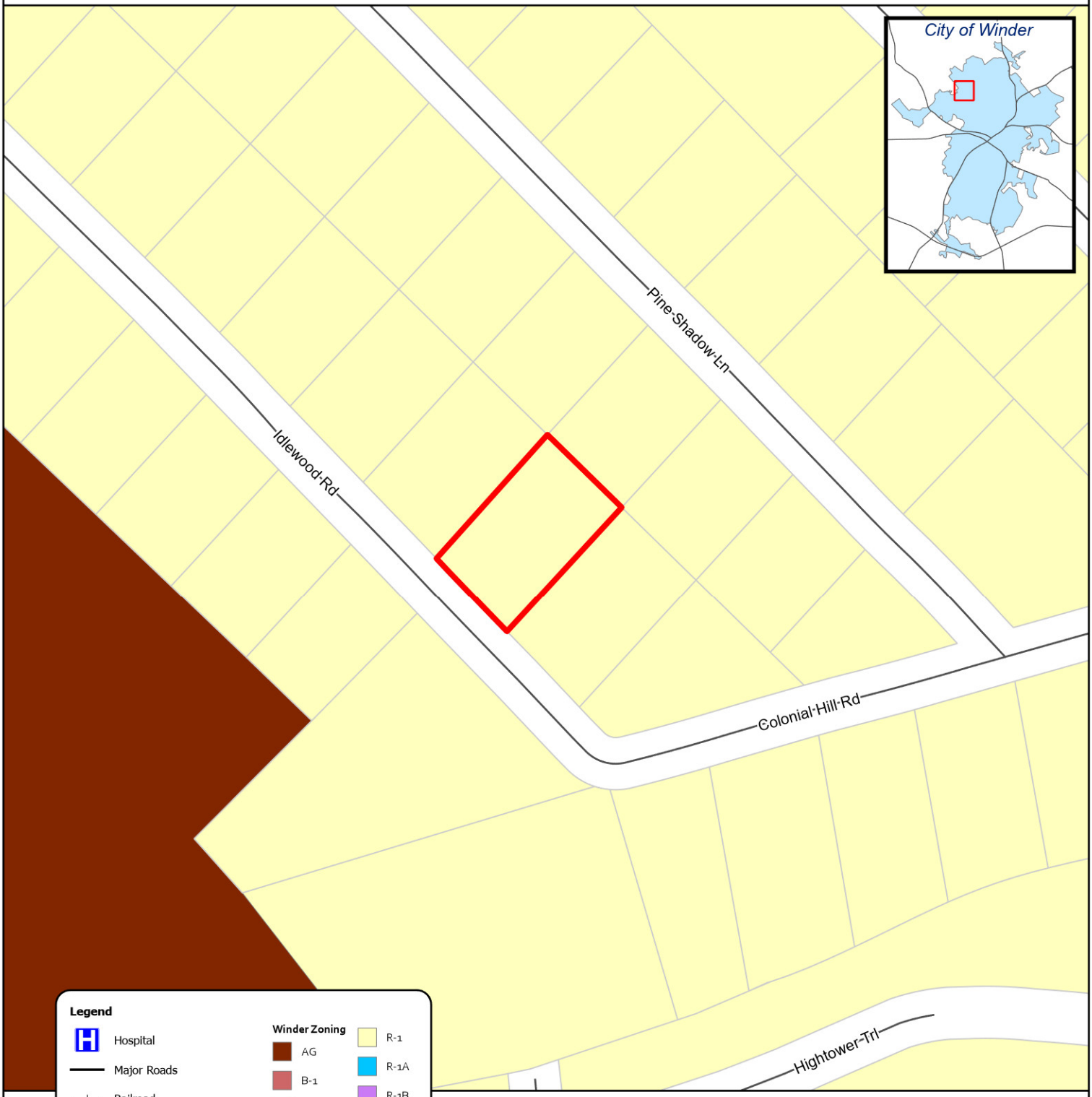
Cadastral data compliments of Barrow County

Aerial Photography compliments of ESRI

Parcel # WN10B 027
0 Idlewood Rd.
Winder, Georgia 30680

Zoning Map

City of Winder
Planning & Development



Legend

- Hospital
- Major Roads
- Railroad
- Road Centerlines
- Subject Parcel - WN10B 027
- Barrow Parcels - 2025

Winder Zoning

- AG
- B-1
- B-2
- DT
- G
- I
- MH
- PUD
- R-1
- R-1A
- R-1B
- R-2
- R-3
- TNPD

N W E S

0 150 300 Feet

November 2025

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Cadastral data compliments of Barrow County *Aerial Photography compliments of ESRI*

833 Idlewood Rd

To help with orientation of all photos, the first photo will be an aerial photo of the property with an X marker showing the approximate location from where the photo was taken, as well as an arrow depicting approximate angle the photo was taken.






WN10B 038
WN10B 025
WN10B 039
WN10B 026
WN10B 040
WN10B 027
Winder
Idlewood Rd
WN10B
WN10B 028
B 013
WN10B 029
WN10B 014




WN10B 038
WN10B 025
WN10B 039
WN10B 026
WN10B 040
WN10B 027
Idlewood Rd
Winder
WN10B
WN10B 028
B 013
WN10B 029
WN10B 014




WN10B 038
WN10B 025
WN10B 039
WN10B 026
WN10B 040
WN10B 027
Idlewood Rd
Winder
WN10B
WN10B 028
B 013
WN10B 029
WN10B 014



PLANNING DEPARTMENT STAFF REPORT

City Council Public Hearing Date: December 4, 2025

VARIANCE REQUEST

Tax Map Number WN22 005A

Applicant	Shannon Homes, LLC.
Owner:	Shannon Homes, LLC.
Site Address:	435 Watson Rd
Requests:	Variance from the City of Winder's Comprehensive Zoning Ordinance requesting relief from Sec. 3-22.A.1 (Sidewalks Required) in a R-1: Low-density, Single-family Residential Zone
Staff Recommendations:	*Approval with Conditions*
Tax Map Parcel:	WN22 005A
Land Area:	.97 +/- acres

PROPOSAL:
The applicant is requesting a Variance application, relief from the sidewalk frontage requirement of Sec. 3-22.A.1 in the City of Winder's Comprehensive Zoning Ordinance, for the purpose of developing a one single-family home in a R-1: Low-density, Single-family Residential zone.

BACKGROUND:
The subject property measures .97 +/- acres in land area and is undeveloped. The applicant submitted a building permit application to construct a one single-family home with approximately 2,293 heated square feet of space. Per Section 3-22.A.1. of the City's Zoning Ordinance, "*sidewalks are required long the frontage of any property abutting a public or private street*". As infill development, this property would be required to comply. The subject parcel has approximately 190 linear feet of road frontage.

The applicant has sited existing topographical and drainage constraints on adjacent properties that limit the feasibility of future sidewalk construction as well as a water meter location that is leading to the difficulty of compliance with Section 3-22.A.1. in the submitted letter of intent.

Subsection i states "*where City Council determines the topography of the road frontage is such that a special hardship exists on the property, the City Council may authorize a payment to the City in lieu of the required installation of the sidewalk*".

Subsection ii. States "*subject to the approval of the City Council, sidewalks may be waived on a single lot development if said lot abuts a local road, there is no sidewalk on the adjacent properties, and the waiver would not adversely affect pedestrian safety or future pedestrian connectivity, including, but not limited to, proximity to a school, park, or public place. If sidewalk requirement is waived:*

a. Payment to the City in lieu of the required installation of the sidewalk is required, or
b. Alternate pedestrian accommodations may be approved by the City Council."

The applicant has proposed to offer to make an in-lieu payment of $3,483.58 based on quotes the applicant received for the purchase of cement and labor of installation of 950 square feet of sidewalk.

A **variance** is defined in Section 2 of the Winder Zoning Ordinance as a minimal variation of the terms of the Ordinance which permits construction in a manner otherwise prohibited by this Zoning Ordinance.

Please note: Unless otherwise stated in any formal motion by City Council, staff considers the conceptual site plan submitted on behalf of the applicant of this request to be illustrative only. Approval of the application does not constitute approval of any final building or site plan.

SURROUNDING LAND USE:
The table below summarizes the nearby zoning districts and land uses:

Direction	Zoning	Current Land Use	Future Land Use
N	Winder R-1: Low-density, Single-family Residential	Single-family homes	Winder Suburban Residential
S	Winder R-1: Low-density, Single-family Residential	Single-family homes	Winder Suburban Residential
W	Winder R-1: Low-density, Single-family Residential, G: Government/Institutional	Single-family homes, Ft. Yargo State Park	Winder Suburban Residential, Conservation

E	Barrow County R-1, AG, AR	Single-family homes, vacant undeveloped land	Barrow County Suburban Residential

DISTRICT STANDARDS:
The table below summarizes the zoning standards of the R-1: Low-density, Single-family Residential district:

	R-1: Low-density, Single-family Residential
Minimum Lot Area	25,000 sq. ft.
Minimum Lot Width	125 ft.
Front Yard Setback	35 ft.
Side Yard Setback	12 ft.
Side Street Setback	20 ft.
Rear Yard Setback	35 ft.
Maximum Building Height	35 ft.
Maximum Building Coverage	30%

COMPREHENSIVE PLAN:
The subject parcel is located within the Suburban Residential Character Area of the City of Winder's 2023 Character Area Map. The Suburban Residential character area "fosters stable, established suburban neighborhoods. Existing single-family neighborhoods are preserved and protected in their state. Infill opportunities are limited, but when done, they should be sensitive to the existing density, character, and site design of the immediate surroundings. The only other uses that should be supported in this character area besides single-family residential are civic uses, such as parks, schools, and places of worship. Where this character area abuts more intense character areas, the City will carefully manage transitions of use."
The suggested future land use is single-family residential. Appropriate zoning suggested includes G: Government / Institutional, PUD: Planned Unit Development, R-1: Single unit, low density residential, R-1A: Single unit, medium density residential, and R-1C: Single unit, high density residential.

OUTSTANDING CODE VIOLATIONS:
None.

HISTORICAL DISTRICT:
The subject site is not located within a historic district.

DOWNTOWN DEVELOPMENT AUTHORITY DISTRICT:
The subject parcel is not located within the Downtown Development Authority District.

ENVIRONMENTAL:
The subject parcel is located in Flood Zone X: area of minimal flood hazard. Any potential issues will be resolved during the permitting phase. The subject site is located within the Marbury Creek Watershed District and Yargo Small Drinking Watershed District.

Ch. 24, Article VII, Section 24-106 of the City of Winder's Code of Ordinances, subsection (a) states *"Impervious surface limitations:* No more than twenty-five (25) per cent of the land area in the watershed may be covered by impervious surface within the watersheds listed in section 24-102(a)." Section 24-102 (a) states "this article shall be applicable to the following water supply watershed districts as herein defined: Cedar Creek, Barber's Creek, Fort Yargo Lake, and Laurel Lane Reservoir."

CITY SERVICES AND UTILITIES:
The subject parcel is serviced by City of Winder water and natural gas. All extensions and tie-ins of the utility Infrastructure must be approved by the City of Winder as compliant with City regulations and practices and must be at the expense of the developer. This subject parcel is located within City of Winder sewer territory.

BARROW COUNTY SCHOOL DISTRICT:
Austin Road Elementary School, Westside Middle School, and Apalachee High School.

TRANSPORTATION ISSUES:
The subject parcel is located on Watson Road. Georgia Department of Transportation (GDOT) does not provide any traffic data for Watson Road, however, they do provide data for Monroe Hwy which Watson Road is located off of. In 2024, GDOT reported an estimated annual average daily traffic (AADT) count of 10,900 – 12,000 for the segment of road along Monroe Hwy that Watson Road extends from. There is no anticipated impact on traffic conditions whether the subject variance request is approved or denied.

I. VARIANCE ANALYSIS - STREETSCAPES – SIDEWALKS REQUIRED ALONG FRONTAGE:
According to Section 11-8, the City Council may authorize variances "not contrary to the public interest owing to special conditions, a literal enforcement of the provisions of this ordinance will, in an individual case, result in unnecessary hardship so that the spirit of the ordinance shall be overserved, public safety and welfare secured, and substantial justice done. Such variance may be granted in such individual case of practical difficulty or unnecessary hardship upon a finding by the City Council that:

Variance application, relief from the streetscapes (sidewalk) requirement in Sec. 3-22.A.1 in the City of Winder's Comprehensive Zoning Ordinance.

(Language in bold is from the City of Winder Zoning Ordinance. Bulleted information that is not bolded are factors known to staff that may apply to the Ordinance criteria.)

1. **There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography; and**
    - *Due to existing roadside ditch, installation of a sidewalk at location would require filling of ditch and placement of pipe. Subject parcel and adjacent properties are limited for this reason. A sidewalk plan would be needed for the entire street to properly install a sidewalk.*

2. **The application of the ordinance to this particular piece of property would create an unnecessary hardship; and**
    - *The application of the ordinance may create an unnecessary hardship.*
    - *The applicant would need to coordinate with adjacent property owners to properly install a sidewalk on the subject parcel and additional measures such as filling the existing ditch and pipe placement.*

3. **Relief, if granted, would not cause a substantial detriment to the public good or impair the purpose of this ordinance. Provided, however, that no variance shall be granted for the use of land or building or structure that is prohibited by this ordinance; and**
    - *Relief would not cause detriment to the public good and impair the purpose of this ordinance.*
    - *There are no other sidewalks along Watson Road.*

4. **The special circumstances or justifications for the variance are not the result of self-imposed actions or misfortunes of the applicant; and**
    - *The circumstances presented are not the result of self-imposed actions of the applicant as the ditch existed prior to the proposal of infill development.*

5. **The variance requested is the minimum variance that will make possible the legal use of the land, building or structure.**
    - *The subject request is the minimum variance necessary to make possible the legal use of the land.*

II. REQUIRED STREETSCAPE EXEMPTIONS – i.

A. Where City Council determines the topography of the road frontage is such that a special hardship exists on the property, the City Council may authorize a payment to the City in lieu of the required installation of the sidewalk.

B. Topographical Assessment: The Zoning Administrator will conduct a thorough assessment of the topography of the road frontage of the property to determine if special hardships exist and make their recommendation to City Council.

C. **Hardship Determination: Special hardships will be deemed to exist if the topography presents significant challenges or obstacles to the installation of the sidewalk.**
D. **City Council Discretion: The decision to authorize a payment in lieu of sidewalk installation will be at the discretion of the City Council based on the assessment of the hardship by the Zoning Administrator.**
E. **Consistency: The criteria for determining payment amounts will be applied consistently to all properties with approved hardships to ensure fairness and equity.**
F. **Documentation: The Zoning Administrator will maintain detailed documentation of the assessment process, hardship determinations, and payment calculations for transparency and accountability purposes.**
G. **Public Benefit: The Zoning Administrator will ensure that any payments made in lieu of sidewalk installation contribute to sidewalk improvement projects within the city to mitigate the absence of sidewalk installation on the property.**

III. REQUIRED STREETSCAPE EXEMPTIONS – ii.

Subject to the approval of the City Council, sidewalks may be waived on a single lot development if said lot abuts a local road, there is no sidewalk on the adjacent properties, and the waiver would not adversely affect pedestrian safety or future pedestrian connectivity, including, but not limited to, proximity to a school, park, or public place. If sidewalk requirement is waived:

a. Payment to the City in lieu of the required installation of the sidewalk is required, or
b. Alternate pedestrian accommodations may be approved by the City Council.

- *The subject parcel is a single-lot development that abuts a local road.*
- *There is no sidewalk on adjacent properties to the subject parcel.*
- *Staff does not foresee the waiver adversely affecting pedestrian safety or future pedestrian connectivity.*
- *The nearest school is Bethlehem Christian Academy at approximately 1.39 miles.*
- *The nearest park is Fort Yargo State Park at approximately 441 feet; however, the main entrance is on Loganville Highway (not Monroe Highway to which the property is nearest to).*
- *Adjacent properties have existing topographical and drainage constraints that would prevent those adjacent lots from installing a sidewalk without coordination with its neighbors.*

STAFF RECOMMENDATION:

Staff recommends **APPROVAL with Conditions** to allow relief from installing the required sidewalks, should City Council determine that the request meets the hardship criteria defined in Sec. 11-8 of the Comprehensive Zoning Ordinance.

Conditions:

1. The in-lieu payment shall be $4,218.00 ($4.44 per square foot * 950 square feet of sidewalk) and shall be made prior to the issuance of a Certificate of Occupancy.

ATTACHMENTS:

1. Attachment 1 – Application for Variance
2. Attachment 2 – Location Map
3. Attachment 3 – Future Land Use Map
4. Attachment 4 – Zoning Map
5. Attachment 5 – Photographs of Site and Adjacent Properties

Administrative Variance / Variance Application

Date: 10/28/2025

Applicant / Owner

Applicant Name:	Shannon Homes, LLC.	Owner Name:	Shannon Homes, LLC.
Address:	PO Box 112	Address:	PO Box 112
City, State, Zip:	High Shoals GA 30645	City, State, Zip:	High Shoals Ga 30645
Phone:		Phone:	
Email:		Email:	
Company:			

Representative

Name:	Charles Shannon
Address:	1031 Apalachee Downs Dr
City, State, Zip:	Bogart Ga 30622
Phone:	
Email:	

Project

Subject Site Address:	435 Watson Rd Winder GA 30680
Total Acreage or Square Feet of Subject Property:	.973 acres

Are there any restrictive covenants on the property? No
If yes, please submit covenants with application.

Administrative Variance Details

Describe / Identify the existing land use(s) at the subject site:

Please provide a description of the administrative variance you are requesting. Attach additional documents / sheets and drawings as necessary to properly describe your request. For a setback variance, identify the yard and requested setback. For request concerning multiple parcels, identify all affected parcels demonstrate the request on the submitted plan.

Please identify any environmentally sensitive areas, historical structures or sites, archeological sites, and cemeteries and the plans for each.

Please provide a letter of intent addressing the decision criteria given in Sec 11-7 of the Zoning Ordinance and provide information and facts that you believe are relevant to and / or support your case:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography; and

2. The application of the ordinance to this particular piece of property would create an unnecessary hardship; and

3. Relief, if granted, would not cause a substantial detriment to the public good or impair the purpose of this ordinance. Provided, however, that no variance shall be granted for the use of land or building or structure that is prohibited by this ordinance.

4. The special circumstances or justifications for the variance are not the result of self-imposed actions or misfortunes of the applicant.

5. The variance requested is the minimum variance that will make possible the legal use of the land, building or structure.

<u>Required Documents to be submitted along with application:</u>
- Application Fee
- Letter of Intent
- Authorization of Property Owner
- Recorded Plat
- Sketch/Concept Plan or Preliminary Plat showing the proposed use and relevant information regarding the requested variance.

Supplemental Documents encouraged including photographs of subject site, renderings of proposed land uses, building elevations.

Variance Details

Identify the existing zoning district(s) for the subject property: R1

Describe / Identify the existing land use(s) at the subject site: Residential

Describe / Identify the proposed land use(s) at the subject site: Residential single family

Please provide a description of the variance you are requesting. Attach additional documents / sheets and drawings as necessary to properly describe your request.
Requesting a variance per City Planning for a sidewalk to be installed possibly in the future.

Please identify any environmentally sensitive areas, historical structures or sites, archeological sites, and cemeteries and the plans for each.

Please provide a letter of intent addressing the decision criteria given in Sec 11-7 of the Zoning Ordinance and provide information and facts that you believe are relevant to and / or support your case:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography; and

2. The application of the ordinance to this particular piece of property would create an unnecessary hardship; and

3. Relief, if granted, would not cause a substantial detriment to the public good or impair the purpose of this ordinance. Provided, however, that no variance shall be granted for the use of land or building or structure that is prohibited by this ordinance.

4. The special circumstances or justifications for the variance are not the result of self-imposed actions or misfortunes of the applicant.

5. The variance requested is the minimum variance that will make possible the legal use of the land, building or structure.

<u>Required Documents to be submitted along with application:</u>
- Application Fee
- Letter of Intent
- Authorization of Property Owner
- Campaign Contributions Disclosure Form
- Recorded Plan
- Sketch/Concept Plan or Preliminary Plat showing the proposed use and relevant information regarding the requested variance.

Supplemental Documents encouraged including photographs of subject site, renderings of proposed land uses, building elevations.

Campaign Contributions Disclosure Form Required for all Zoning Actions

Applicant, or person representing property owner

OCGA § 36-67A-3[c] Disclosure of campaign contributions:

(a) When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant's application for the zoning action, campaign contributions aggregating $250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:

(1) The name and official position of the local government official to whom the campaign contribution was made; and

(2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(b) The disclosures required by subsection (a) of this Code section shall be filed within ten (10) days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

☐ I have**

☑ I have not

Within the two years immediately preceding this date, made any contribution(s) aggregating $250.00 or more to any local government official involved in the review or consideration of this application.

Charles Shannon	10/28/2025
Name	Date

**If you have made such contributions, you must provide the data required in subsection (a) above within ten (10) days of filing this application.

From: charles shannon
To: Carolina Mendez
Subject: Letter of Intent
Date: Friday, October 31, 2025 2:58:18 PM

[**NOTICE:** This message originated outside of the City of Winder -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Shannon Homes, LLC.

Property Location
435 Watson Rd 10/31/2025
Winder

Hi Carolina,
I am requesting a variance for Payment in Lieu of installing a 190 ft sidewalk at new residential construction 435 Watson Rd. Per the city engineering department it does not make sense at this time to install the sidewalk due to there being no connecting sidewalks at each end, not a good solution to terminate the ends, currently no sidewalks on the street, topo restrictions, water meter in the way.
Thank you,

Charles Shannon
Shannon Homes, LLC.

Property Owner Authorization Form

I, Charles Shannon being duly sworn upon his/her oath, being of sound mind and legal age deposes and states the following:

I am the owner of the property located at 435 Watson rd, also known as Tax Map Parcel Number WN22 005A.

My property interest in the identified property is of sufficient legal authority to represent, bind, dispose, sale, transfer, lease, and in all other respects control the property identified above.

By my signature hereon, I hereby authorize Charles Shannon to represent and/or utilize the above identified property in the following manner:

- Submit an application for Variance (identify type of application / permit sought) and act as the representative in the pursuit of the application/permit.
- Utilize the property as a home occupation for the purpose of _____ (describe business by name and type)
- Other:_____

Property Owner Name, Address, Telephone, Email
Shannon Homes, LLC Charles Shannon 1031 Apalucha Downs Dr Bogart GA 30622
Who swears before that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Signature of Owner

Date of Signature 10-28-2025

Notary: NICOLAS SINGLETON

Personally Appeared before me CHARLES SHANNON

Notary Signature and date 10/28/2025

NICOLAS SINGLETON NOTARY PUBLIC Exp. 2/8/2027 MADISON COUNTY, GA

SHANNON HOMES

Shannon Homes, LLC
PO Box 112
High Shoals, GA 30645

August 13, 2025

Carolina Mendez
Development Project Manager
City of Winder

Re: 435 Watson Rd - Sidewalk

Dear Carolina,

I am in agreement with the payment in Lieu of construction of the sidewalk 190 ft x 5' at a total cost of 3,483.58.

Charles Shannon
Shannon Homes, LLC

skynova

View Estimate

Print | PDF | Decline | Accept

Landeros Concrete Construction & Finishing LLC.
128 Gifton Thomas Rd
Bethlehem Ga. 30620

ESTIMATE

Shannon Homes LLC
P.O. Box 112 North High Shoals, Ga. 30645

Estimate # 0000048

Estimate Date 08/13/2025

Item	Description	Unit Price	Quantity	Amount
	Concrete Sidewalk Labor 950 SF	1.25	950.00	1,187.50

NOTES: Job:
435 Watson Rd
Winder Ga 3068

Subtotal	1,187.50
Total	1,187.50
Amount Paid	0.00
Estimate	$1,187.50

"CONCRETE IS QUALITY . . . . . IF IT'S QUALITY CONCRETE"

"CONCRETE IS QUALITY . . . . . IF IT'S QUALITY CONCRETE"



MORGAN CONCRETE COMPANY

Post Office Box 246
Toccoa, Georgia 30577
Main Office: 706-886-0431 • Fax: 706-886-0432
Jefferson 706-693-7092 • Athens 706-613-0920 • Buford 678-482-2903 • Toccoa 706-886-0431
Lavonia 706-356-8285 • Rabun Gap 706-746-3011 • Demorest 706-778-5508 • Oconee Co., SC 864-647-1710

*CONFIDENTIAL BUDGETARY QUOTATION / AGREEMENT

		QUOTE NO. BUDGETARY
BUYER SHANNON HOMES	DELIVERY ADDRESS 435 WATSON ROAD WINDER, GA	DATE 8/13/25
BILLING ADDRESS	PROJECT NAME 435 WATSON ROAD WINDER	
CITY, STATE and ZIP CODE	GENERAL CONTRACTOR	
TELEPHONE / FACSIMILE	OWNER	

Morgan Concrete Company (the "Seller") submits this quotation to furnish the following materials subject to the terms and conditions below and on the reverse side or attached.

READY-MIXED CONCRETE MEETS (ASTM C-94)

MIX ID	28-DAY STRENGTH	Total Including Tax
3000 COMM CMT	3000	$2,296.08 12 yards 3000 PSI concrete

ADDS

- ENVIRONMENTAL FEE - $10.00 PER TRUCK
- FUEL SURCHARGE VARIES WITH COST OF DIESEL FUEL.

NOTICE: ***Be advised that due to limits in the supply of cement by our suppliers, inability to predict delivery of cement by our suppliers, the cement shortage, and unknown duration of these cement limitations, Morgan Concrete Company may be unable to provide your ready-mix concrete and other concrete products in a timely and reliable manner and, therefore, must disclaim any responsibility for any resulting hardships or damages, even though we will work though this cement crisis with you and request that you maintain daily contact with our sales force for updates, scheduling, and predictions, all of which, unfortunately, are subject to change.***

THESE PRICES ARE GOOD THRU 12/31/2025

*OUR PRICES ARE QUOTED TO YOU CONFIDENTIALY AND ARE NOT TO BE SHARED.

Sales, Use and Local Taxes to Be Added

Seller shall not be responsible for the temperature control of concrete or grout from the batch plant to the point of unloading unless specific provisions are made 24 hours in advance and Buyer shall pay for all additional costs.

Note: This quotation may be withdrawn at any time by Seller. Morgan Concrete's Terms and Conditions are incorporated herein. Prices may be increased if raw material cost escalate.

Check here to opt out of text messages from Morgan Concrete: ☐

I appreciate the opportunity of submitting this quotation and look forward to working with you on this project. Please let me know if you have any questions.

Respectfully submitted:

By: MHolcomb

Melissa Holcomb
Sales Administrator

Accepted By:

Buyer: _____

Title: _____

Signature: _____

Date: _____

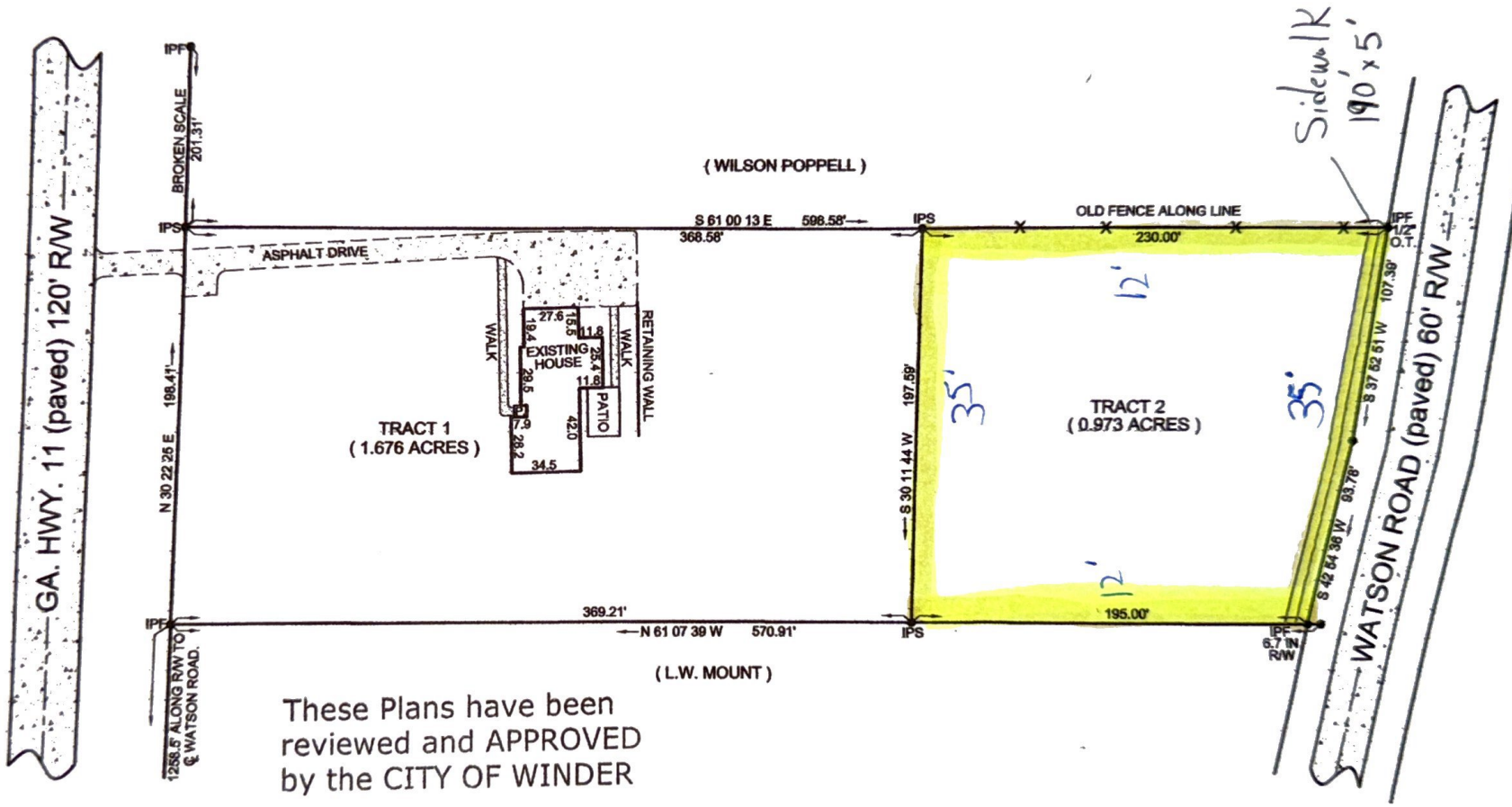
Email: _____

435 Watson Rd Winder 30680

eFiled & eRecorded
DATE: 8/15/2018
TIME: 10:21 AM
PLAT BOOK: 64
PAGE: 00284
RECORDING FEE: 8.00
PARTICIPANT ID: 3182057576
CLERK: Regina B. McIntyre
Barrow County, GA

THIS BLOCK IS RESERVED FOR THE CLERK OF SUPERIOR COURT

GRAPHIC SCALE
60 0 60 120



These Plans have been reviewed and APPROVED by the CITY OF WINDER

GEORGIA REGISTERED No. 3077 PROFESSIONAL SURVEYOR W. T. DUNAHOO

A TOPCON GTS-2B TOTAL STATION was used to obtain the linear and angular measurements used in the preparation of this plat.

The field data upon which this plat is based has a closure precision of one foot in 25,000 feet and an angular error of 2" per angle point and was adjusted using the COMPASS rule.

This survey has been calculated for closure and is found to be accurate within one foot in >100,000 feet.

IF- IRON PIN FOUND - 3/4" PIPE
IS- IRON PIN SET - OPEN TOP

- REVISED -
REVISED ON 11/21/2017 TO SUBDIVIDE INTO 2 TRACTS.

- REFERENCES -
1.) BEING LOT 13 OF W.H. JENNINGS SUBDIVISION.
2.) SURVEY FOR CLARESSA & WILSON POPPELL BY US DATED 04/29/1993.
3.) SURVEY FOR L.W. & BARBARA MOUNT BY US DATED 01/29/2000.

SURVEY FOR STATE OF GEORGIA

JASON McDANIEL

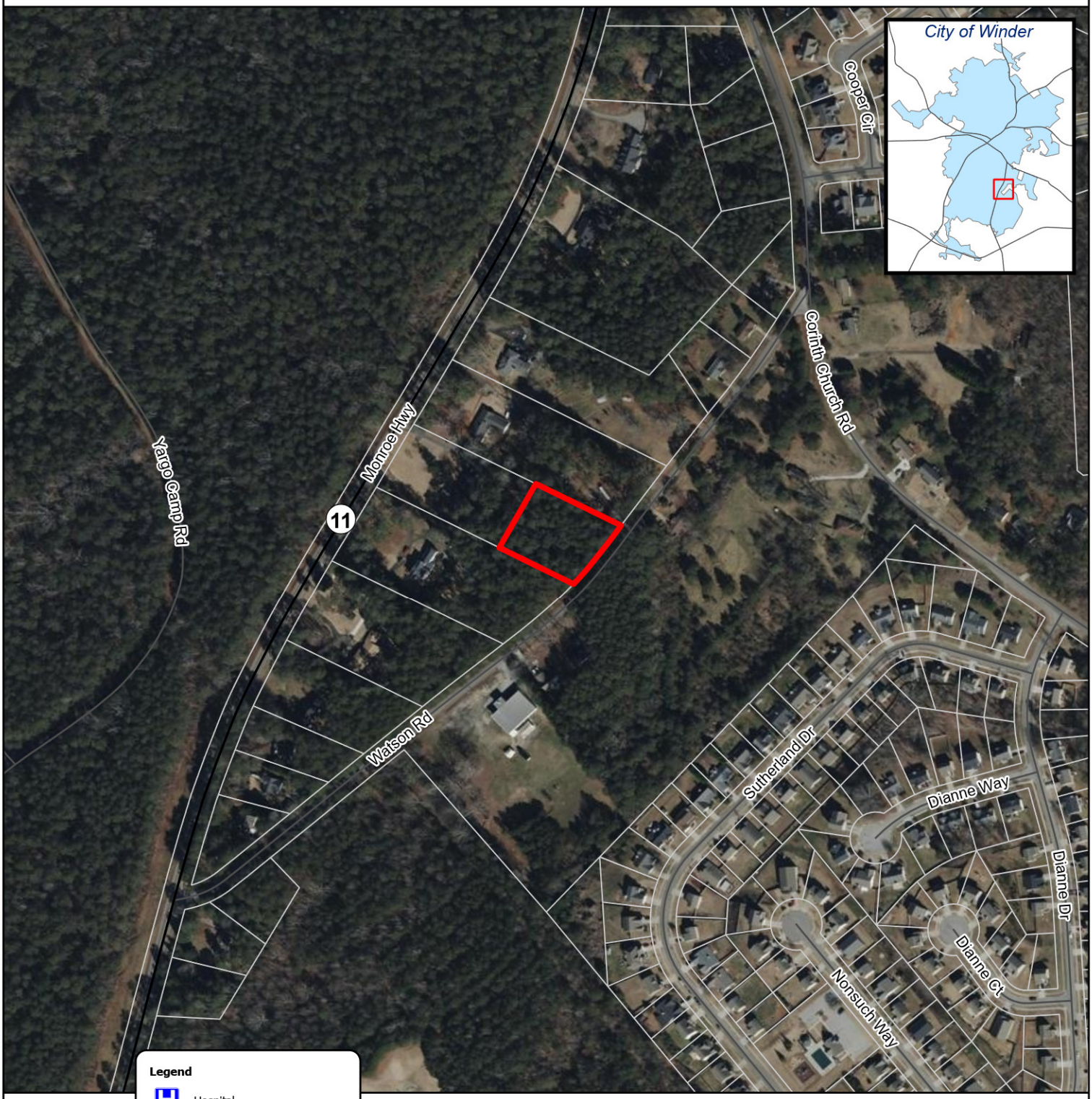
CITY	GMD	COUNTY	SCALE	DATE
WINDER	243	BARROW	1"=60'	2017

W. T. DUNAHOO AND ASSOCIATES, L.L.C.
P.O. BOX 183

Parcel # WN22 005A
435 Watson Rd.
Winder, Georgia 30680

Location Map

City of Winder
Planning & Development



Legend

- Hospital
- Major Roads
- Railroad
- Road Centerlines
- Subject Parcel - WN22 005A
- Barrow Parcels - 2025

N
W E
S

0 200 400 Feet

November 2025

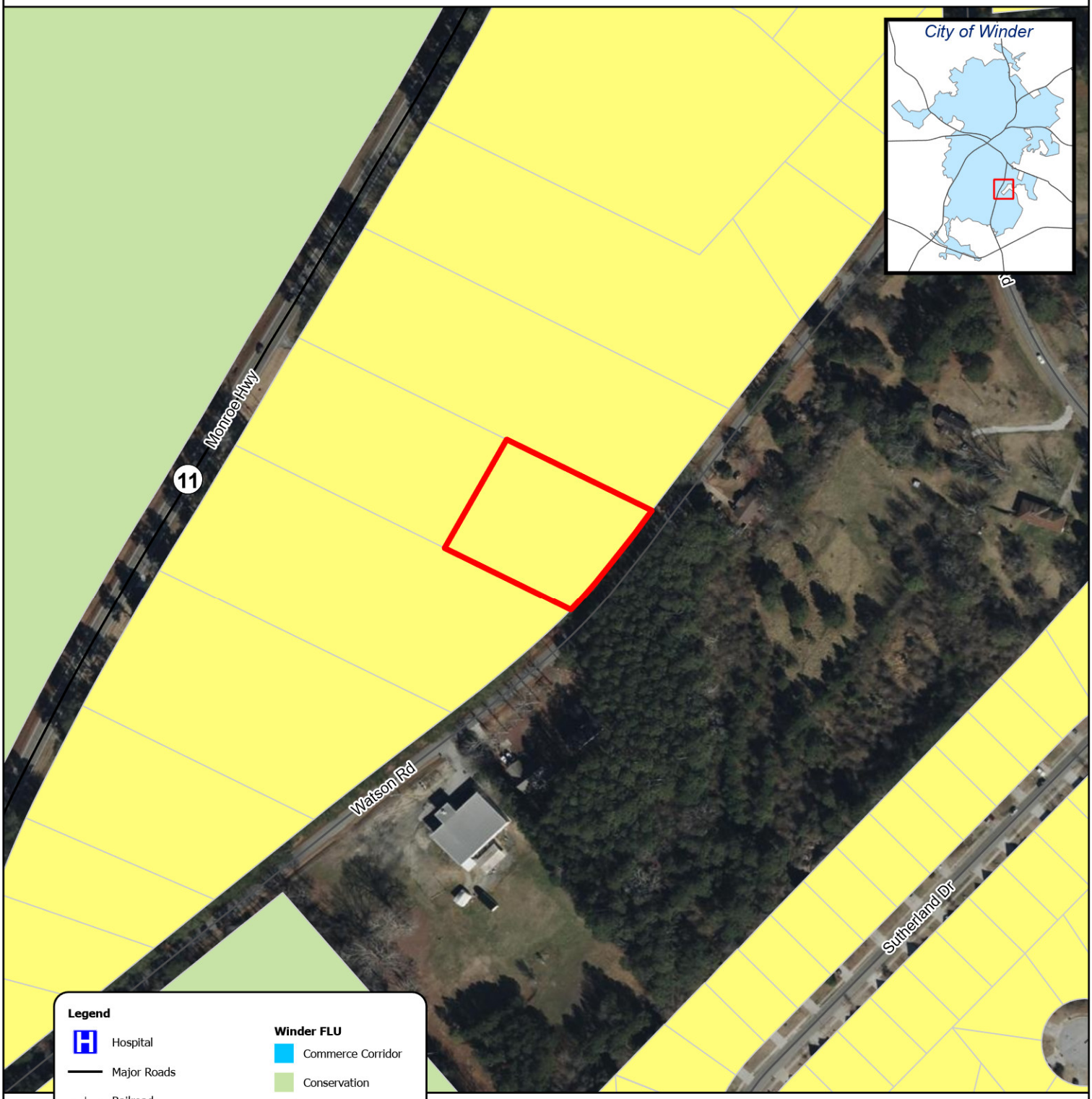
This map was compiled by the City of Winder GIS Department. The City of Winder GIS makes every effort to produce the most accurate information possible. The City assumes no responsibility for the legal accuracy of the information contained herein. All data is for informational purposes only. No warranties, expressed or implied are provided for the data herein, its use or interpretation. The City of Winder is not liable for any errors in the GIS data. This includes errors of omission, commission, errors concerning the content of the data, and relative and positional accuracy of the data. Each data may have been collected at different scales, times or definitions, resulting in inconsistencies among features represented together on this map. Any questions about the GIS mapping process can be answered by calling the City of Winder GIS Department.

Cadastral data compliments of Barrow County *Aerial Photography compliments of ESRI*

Parcel # WN22 005A
435 Watson Rd.
Winder, Georgia 30680

Future Land Use Map

City of Winder
Planning & Development



November 2025

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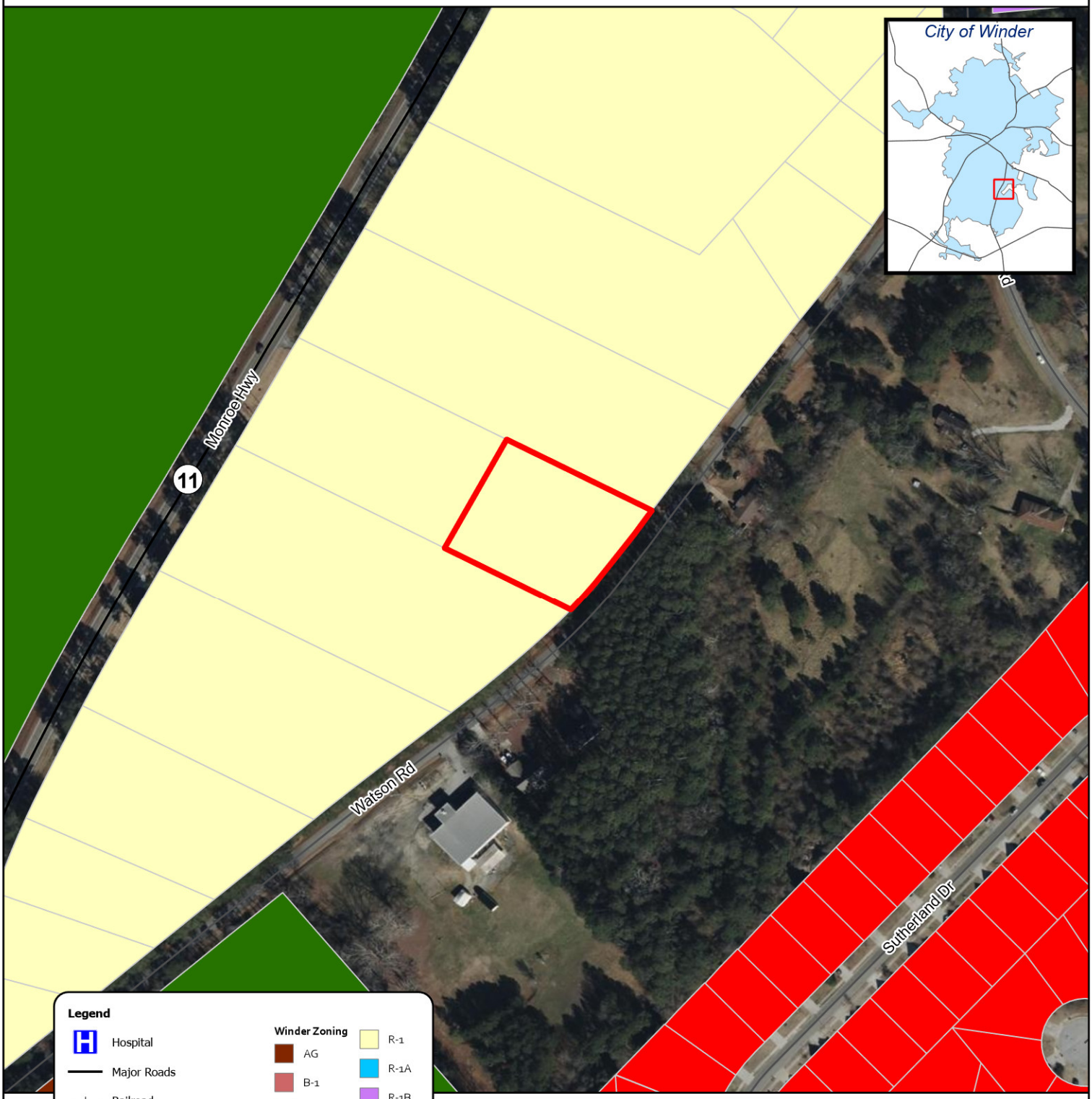
Cadastral data compliments of Barrow County

Aerial Photography compliments of ESRI

Parcel # WN22 005A
435 Watson Rd.
Winder, Georgia 30680

Zoning Map

City of Winder
Planning & Development



November 2025

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Cadastral data compliments of Barrow County

Aerial Photography compliments of ESRI

435 Watson Rd

To help with orientation of all photos, the first photo will be an aerial photo of the property with an X marker showing the approximate location from where the photo was taken, as well as an arrow depicting approximate angle the photo was taken.






WN22 007
WN22 006
WN22 005
XX091 002
XX091 003
WN22 005A
Winder
XX093 003
XX091 002A
WN22 004
XX091 002D
XX091 002B
WN23A 006
WN23 001
XX093 003C
XX093 003B
WN23A 008
WN23A 007




WN22 007
WN22 006
WN22 005
XX091 002
XX091 003
WN22 005A
Winder
Watson Rd
XX093 003
XX091 002A
WN22 004
XX091 002D
XX091 002B
WN23A 006
WN23 001
XX093 003C
XX093 003B
WN23A 008
WN23A 007




WN22 007
WN22 006
WN22 005
XX091 002
XX091 003
WN22 005A
Winder
Watson Rd
XX093 003
XX091 002A
WN22 004
XX091 002D
XX091 002B
WN23A 006
WN23 001
XX093 003C
XX093 003B
WN23A 008
WN23A 007



PLANNING DEPARTMENT STAFF REPORT

City Council Public Hearing Date: December 4, 2025

APPLICATION FOR REZONING & CONDITIONAL USE REQUESTS

Tax Map Numbers WN12 164

Applicant:	Stanton Porter
Owner:	1044 Adventure LLC
Site Address:	47 Porter St.
Request:	**(A).** Application for Rezoning from B-1: Neighborhood Commercial zone to B-2: General Commercial zone **(B).** Conditional Use to allow for vehicle leasing in a B-2: General Commercial zone
Staff Recommendation:	***(A).*** *Approval with Conditions,* ***(B).*** *Approval with Conditions*
Tax Map Parcel:	*WN12 164*
Land Area:	0.95-Acres

PROPOSAL:

The applicant is requesting **(A).** an application for rezoning from B-1: Neighborhood Commercial zone to B-2: General Commercial zone and **(B).** conditional use permit to allow for vehicle leasing in a B-2: General Commercial zone.

BACKGROUND:

The subject site consists of a 0.95-acre parcel which is an existing site consisting of a structure built in 1984 of approximately 4,800 heated square feet, according to Barrow County Tax Assessor's records. The subject site is currently zoned as B-1: Neighborhood Commercial zoning district. Per Section 6-3 of the City of Winder's Comprehensive Zoning Ordinance, the intent of B-1: Neighborhood Commercial zoned properties is "to provide for a variety of commercial uses that are compatible with a neighborhood scale."

The applicant has requested a rezone to B-2: General Commercial zoning. Per Section 6-4 of the City of Winder's Comprehensive Zoning Ordinance the intent of the B-2: General Commercial zoning district is to "provide for a wide variety of commercial uses appropriate for major corridors".

The applicant proposes to use the property as a vehicle leasing establishment, which is not permitted in the B-1: Neighborhood Commercial zoning district per the use chart of Section 4-1 of the Zoning Ordinance. Per Section 4-1 of the City of Winder's Comprehensive Zoning Ordinance "vehicle leasing" is permitted in a B-2: General Commercial zone with the approval of a conditional use permit. Therefore, prompting the application of rezoning for the subject parcel by the applicant.

The subject parcel was acquired by existing business owners to expand their rental business for "inflatables, rock climbing walls, small trains, and other amusement items." Per the letter of intent, the applicant is seeking approval of vehicle leasing to "allow customers a means of transporting their amusement item rentals." The existing rental business has retained an Occupational Tax Certificate (OTC) with the City of Winder since 2022 and recently expanded their business to the Porter Street location in May 2025.

The conditional use **(B).** is contingent upon an approval of the rezone request **(A).** If Item A (rezone) is denied by City Council, Item B cannot be approved.

Please note: Unless otherwise stated in any formal motion by City Council, staff considers the conceptual site plan submitted on behalf of the applicant of this request to be illustrative only. Approval of the application does not constitute approval of any final building or site plan.

SURROUNDING LAND USE:
The table below summarizes the nearby zoning districts and land uses:

Direction	Zoning	Current Land Use	Future Land Use
N	B-1: Neighborhood Commercial	Financial Institution, Law Firm, Rental Company	Downtown Gateway
S	B-1: Neighborhood Commercial	CSX Railroad, Restaurant, Car Dealership, Auto Repair Shop	Downtown Gateway
W	B-1: Neighborhood Commercial	Vacant Land, Single-family Residential	Downtown Gateway
E	B-1: Neighborhood Commercial	Vacant Land	Downtown Gateway

DISTRICT STANDARDS:
The table below summarizes the change of zoning standards if the application were to be approved:

Lot Dimensions	Current: B-1: Neighborhood Commercial	Proposed: B-2: General Commercial
Minimum Lot Area	10,000 square feet	30,000 square feet
Minimum Lot Width	None	None
Maximum Height	35 feet	75 feet
Front Yard Setback	10 feet	35 feet
Side Yard Setback	15 feet	15 feet
Side Street Setback	15 feet	15 feet
Rear Yard Setback	15 feet	15 feet
Maximum Building Coverage	50%	60%

COMPREHENSIVE PLAN:
The parcel is located within the Downtown Gateway character area of the City's Future Land Use Map within the 2023 Comprehensive Plan. "This character area represents multiple commercial and mixed-use corridors connecting the City's edges to downtown. Mixed-use, pedestrian friendly development and streetscaping will signal that these corridors are for more than just vehicle mobility. They are for community-serving services. Services in this area are intended to serve the entire City, and even others from the region coming into Winder. Businesses should remain accessible by car, but also should be walkable for nearby neighbors. The perception of this area will change as the City invests in streetscape and new road improvements, and investors redevelop under-utilized sites with a mix of uses. Where this area abuts less intense residential areas, the City will carefully manage transitions between the gateway and adjacent neighborhoods."

Future land use suggestions include commercial, mixed-use, higher density residential, government facilities, and parks. Appropriate zoning designations include B-1: Neighborhood Commercial, B-2: General Commercial, G: Government/Institutional, I: Industrial, PUD: Planned Unit Development, R-2: Two-family Residential, and R-3: Multifamily Residential.

OUTSTANDING CODE VIOLATIONS:
Vehicle rental/leasing business operating at this location in violation of City regulations. Code Enforcement has issued a citation, and the case is currently pending in Municipal Court.

CITY SERVICES AND UTILITIES:
The subject parcel is located within the defined service districts and is currently serviced for City of Winder water, wastewater, and natural gas. All extensions and tie-ins of utility infrastructure must be approved by the City of Winder as compliant with City regulations and practices and must be at the expense of the developer.

HISTORICAL DISTRICT:
The subject parcel is not located within the Historic District.

DOWNTOWN DEVELOPMENT AUTHORITY DISTRICT:
The subject parcel is located within the Downtown Development Authority District.

ENVIRONMENTAL:
The subject parcel does not contain any wetlands. The subject parcel is located in FEMA Flood Zone X: Area of minimal flood hazard. Any potential issues will be resolved during the permitting phase. The subject parcel is within the Marbury Creek Water Supply Watershed District and Yargo Small Drinking Watershed.

Ch. 24, Article VII, Section 24-106 of the City of Winder's Code of Ordinances, subsection (a) states *"Impervious surface limitations:* No more than twenty-five (25) per cent of the land area in the watershed may be covered by impervious surface within the watersheds listed in section 24-102(a)."

Section 24-102 (a) states "this article shall be applicable to the following water supply watershed districts as herein defined: Cedar Creek, Barber's Creek, Fort Yargo Lake, and Laurel Lane Reservoir."

There is no proposed increase in impervious area at this time.

BARROW COUNTY SCHOOL DISTRICT:
Winder Elementary, Russell Middle School, Winder-Barrow High School. This is an existing commercial property with no student impact on schools.

TRANSPORTATION ISSUES:
The subject parcel is located on and accessed from Porter Street; Porter Street is a dead-end street located between Beulah Street's intersections with W. Athens Street and W. May Street. Georgia Department of Transportation (GDOT) does not report traffic counts for Porter Street. GDOT reported traffic counts for W. Athens Street, approximately +/- 500 yards from the subject site, to be an actual annual average daily traffic (AADT) of 7,690 in 2024. GDOT reported traffic counts for W. May Street, approximately +/- 280 yards from the subject site, to be an estimated AADT of 16,000 in 2024.

SITE/DEVELOPMENT CONSIDERATIONS:
Per the requirements of Section 3-11 of the Zoning Ordinance, "vehicle leasing" uses require three (3) onsite parking spaces for each 1,000 square feet of building space. Adequate parking, in both number and design, should be verified at the property prior to the issuance of any Occupational Tax Certificate (Business License).

The existing structure is approximately 4,800 square foot requiring the subject parcel to accommodate at minimum fifteen (15) parking spaces. There are sixteen (16) parking spaces marked on the subject site per the survey provided, which would exceed the minimum parking requirements.

ANALYSIS:

(A). Request to Rezone:
The property is currently zoned B-1: Neighborhood Commercial. The intent of the B-1: Neighborhood Commercial zoning district is "to provide for a variety of commercial uses that are compatible with a neighborhood scale" The applicant is requesting a rezone to B-2: General Commercial zoning. The intent of the B-2: General Commercial zoning district is to "provide for a wide variety of commercial uses appropriate for major corridors".

REZONING ANALYSIS:
Per Section 11-5 of the City of Winder's Comprehensive Zoning Ordinance, the following standards shall be considered by the City Council in reviewing applications for proposed rezonings, change of zoning conditions, or text amendments:

(Language in bold is from the City of Winder Zoning Ordinance. Bulleted information that is not bolded are factors known to staff that may apply to the Ordinance criteria.)

- **Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.**
    - *The subject parcel may permit a use that is suitable in view of the use and development of adjacent and nearby property.*
    - *The subject parcel is adjacent to businesses and undeveloped land all zoned B-1: Neighborhood Commercial.*
    - *Adjacent and nearby property uses include a single-family residence, auto repair shop, restaurant, and vacant land.*
    - *While there are no directly adjacent properties zoned B-2: General Commercial, there are nearby properties along N Center Street all zoned B-2: General Commercial.*

- **Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.**
    - *The zoning proposal may not adversely affect the existing use or usability of adjacent or nearby property.*
    - *The zoning request would allow for more intense uses than currently zoned.*
    - *All adjacent properties are zoned B-1: Neighborhood Commercial.*

- *Parcels located one parcel east of the subject parcel are zoned B-2: General Commercial.*
- *The proposed zoning of the subject parcel to B-2: General Commercial is similar to the parcels along N. Center St., approximately +/- 40 yards away.*

- **Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.**
    - *The subject parcel's current zoning as B-1: Neighborhood Commercial has a reasonable economic use as currently zoned.*
    - *Permitted uses with the B-1: Neighborhood Commercial zone include place of worship, schools, all general retail (with some exceptions), restaurants, all personal services (with some exceptions), financial institutions, business and professional offices, etc.*

- **Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;**
    - *There are no factors known to staff that indicate the zoning proposal will result in a use which could cause an excessive or burdensome use of existing streets, utilities, or schools.*
    - *The City does not have any transportation facilities.*

- **Conformity with the Comprehensive Plan.**
    - *As currently zoned B-1: Neighborhood Commercial the subject parcel does conform with the appropriate zoning of the Downtown Gateway character area in which it is located.*
    - *As currently zoned B-1: Neighborhood Commercial, the subject parcel conforms with the suggested future land use of this area, which is commercial.*
    - *The proposed zoning of B-2: General Commercial, conforms with the Downtown Gateway character area's suggested future land use of this area which is commercial.*
    - *The proposed zoning of B-2: General Commercial, conforms with the Downtown Gateway character area's appropriate zoning which includes B-2: Neighborhood Commercial.*

- **Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.**
    - *There is no additional information known to staff of existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.*

Per Section 11-2.G. of the City of Winder's Comprehensive Zoning Ordinance "the Zoning Administrator shall transmit all applications for conditional use permits, rezonings, change of zoning conditions, or text amendments to City Council to approve, approve with conditions, or deny the application, with reasons set forth based on the standards provided Section 11-6". In addition, Section 11-2.I. states that "in deciding upon any application for rezoning or conditional use permit, the City Council may, on their own motion or upon the suggestion of the applicant, or on consideration of the recommendations of the Zoning Administrator, grant the application subject to any of the following conditions:

(Language in bold is from the City of Winder Zoning Ordinance. Bulleted information that is not bolded are factors known to staff that may apply to the Ordinance criteria.)

1. Such conditions deemed necessary to promote and protect the health, safety, and general welfare.
2. Such conditions deemed necessary to protect neighboring properties and to lessen any potentially
adverse effects of the zoning change.
3. Such conditions set forth on an approved site plan such as, but not limited to, the following:

- **i. Setback requirements from any lot line**
- **ii. Specified or prohibited locations for buildings, parking, loading or storage areas**
- **iii. Restrictions on land use activities to be permitted**
- **iv. Maximum building dimensions and height**
- **v. Landscaping or planted area which may include the location, type and maintenance of plant materials within a designated buffer area. Fences, walls, earth berms, or other landscape buffer provisions or protective measures**
- **vi. Preservation of existing trees and vegetation**
- **vii. Special conditions to eliminate or reduce undesirable views, light, glare, dust or odor**
- **viii. Hours of operation**
- **ix. Architectural details to be compatible with existing buildings in the area**
- **x. Adherence to specific site plans as adopted**
- **xi. Any other requirements that the City Council may deem appropriate and necessary for the protection of public health and welfare**

(B). CONDITIONAL USE ANALYSIS. To allow for vehicle leasing:

Section 2-1 of Winder's Zoning Ordinance defines a Conditional Use as "a use within certain zoning districts of this Zoning Ordinance which is not permitted as a matter of right, but may be

permitted within these districts by the City Council." Conditional uses are subject to discretionary review, where the designated review body must determine whether or not the proposed use satisfies the purposes section of the zoning ordinance and meets any specific requirements detailed in the ordinance. Unlike a prohibited use, a conditional use is permitted provided that the general and specific criteria relating to such use have been met.
(Language in bold is from the City of Winder Zoning Ordinance. Bulleted information that is not bolded are factors known to staff that may apply to the Ordinance criteria.)

A. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

- *The proposed use is suitable in view of the use and development of adjacent and nearby property.*
- *The location is surrounded by commercial businesses such as auto repair shop, restaurant, bank, and law firm.*
- *The applicant is proposing vehicle leasing as an accessory use to the primary use to provide optional transport of rental amusement equipment.*

B. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.

- *There are no conditions known by staff that the subject parcel's conditional use request would adversely affect the existing use or usability of nearby or adjacent property.*

C. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.

- *The property does have a reasonable economic use as currently zoned which is B-1: Neighborhood Commercial zone include place of worship, schools, all general retail (with some exceptions), restaurants, all personal services (with some exceptions), financial institutions, business and professional offices, etc.*
- *Should City Council approve a rezoning request to B-2: General Commercial, then the property would also have a reasonable economic use under the B-2 zoning.*

D. Whether the zoning proposal shall result in a use which will or could cause an excessive burdensome use of existing streets, transportation facilities, utilities, or schools;

- *The subject parcel's requested conditional use would not cause an excessive burden on the use of existing streets, utilities, or schools.*
- *The City does not have any transportation facilities.*

E. Conformity with the Comprehensive Plan.

- *The subject parcel is located within the Downtown Gateway Character Area of the 2023 Winder Comprehensive Plan.*

- *The current zoning, B-1: Neighborhood Commercial, is listed as an appropriate zone for the Downtown Gateway character area.*
- *The proposed zoning, B-2: General Commercial is also listed as an appropriate zone for the Downtown Gateway character area.*
- *The proposed use for "vehicle leasing" is listed as a commercial use within the City's use chart (Section 4-1) of the Comprehensive Zoning Ordinance, only permitted with the approval of a conditional use. Listed as a commercial use, this use aligns with suggested future land use which includes "commercial" for the Downtown Gateway character area.*

F. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

- *There are no other existing or changing conditions known by staff that affect the use and development of the property which give supporting grounds for either approval or disapproval.*

In addition, Section 11-2.I. states that "in deciding upon any application rezoning or permit, the City Council may, on their own motion or upon the suggestion of the applicant, or on consideration of the recommendations of the Zoning Administrator, grant the application subject to any of the following conditions:

(Language in bold is from the City of Winder Zoning Ordinance. Bulleted information that is not bolded are factors known to staff that may apply to the Ordinance criteria.)

1. **Such conditions deemed necessary to promote and protect the health, safety, and general welfare.**
2. **Such conditions deemed necessary to protect neighboring properties and to lessen any potentially adverse effects of the zoning change.**
3. **Such conditions set forth on an approved site plan such as, but not limited to, the following:**
    - **i. Setback requirements from any lot line**
    - **ii. Specified or prohibited locations for buildings, parking, loading or storage areas**
    - **iii. Restrictions on land use activities to be permitted**
    - **iv. Maximum building dimensions and height**
    - **v. Landscaping or planted area which may include the location, type, and maintenance of plant materials within a designated buffer area. Fences, walls, earth berms, or other landscape buffer provisions or protective measures**
    - **vi. Preservation of existing trees and vegetation**
    - **vii. Special conditions to eliminate or reduce undesirable views, light, glare, dust, or odor**

viii. **Hours of operation**
ix. **Architectural details to be compatible with existing buildings in the area**
x. **Adherence to specific site plans as adopted**
xi. **Any other requirements that the City Council may deem appropriate and necessary for the protection of public health and welfare.**

Per Section 11-2 (G) the Zoning Administrator shall transmit all applications for conditional use and/or rezones to the City Council, which shall make a decision to approve, approve with conditions, or deny the application, with reasons set forth based on the standards provided Section 11- 6.

STAFF RECOMMENDATION:

(A) Staff recommends **APPROVAL with Conditions** of the application for rezoning from a B-1: Neighborhood Commercial zoning district to a B-2: General Commercial zoning district should City Council determine that the request meets the criteria of Section 11-5 of the Comprehensive Zoning Ordinance.

Conditions:

1. This rezoning to B-2 is approved contingent upon the concurrent approval and continued operation of the conditional use for vehicle leasing as an accessory use to the primary amusement rental business. Should the property transfer ownership or the existing primary business use cease for a period of three months or more, the zoning shall automatically revert to B-1: Neighborhood Commercial without further action by City Council.

(B) Staff recommends **APPROVAL with Conditions** of the conditional use request to allow for the operation of "vehicle leasing" in a B-2: General Commercial zoning district with the following condition:

Conditions:

1. Vehicle leasing shall be limited to an accessory use only and shall remain incidental and subordinate to the principal use of the property as an amusement rental business. Vehicle leasing shall be provided solely for the purpose of supporting the primary business operation by offering a means of transportation for customers renting amusement equipment (e.g., inflatables, climbing walls, trains). No stand-alone vehicle leasing activity independent of the amusement rental use shall be permitted. No separate advertising, signage, or marketing of vehicle leasing as a primary business activity is allowed.
2. All vehicles intended for lease shall be parked exclusively on the east side of the subject parcel, away from the adjacent single-family residence located to the west, in order to minimize potential impacts on neighboring residential properties.

ATTACHMENTS:

1. Attachment 1 – Application for Rezone and Conditional Use
2. Attachment 2 – Location Map
3. Attachment 3 – Future Land Use Map
4. Attachment 4 – Zoning Map
5. Attachment 5 – Photographs of Site and Adjacent Properties

Zoning Map Amendment / Rezone Application

Date: 10/24/2025

Applicant / Owner

Applicant Name:	Stanton Porter	Owner Name:	1044 Adventure, LLC
Address:	P.O. Box 88	Address:	47 Porter Street
City, State, Zip:	Winder, Georgia 30680	City, State, Zip:	Winder, Georgia 30680
Phone:		Phone:	
Email:		Email:	
Company:			

Representative

Name:	Stanton Porter Law, LLC
Address:	P.O. Box 88
City, State, Zip:	Winder, Georgia 30680
Phone:	
Email:	

Project

Subject Site Address:	
Total Acreage or Square Feet of Subject Property:	0.95

Details

Identify the existing zoning district(s) for the subject property: B-1

Identify the zoning designation being applied for: B-2

Describe / Identify the existing land use(s) at the subject site: Inflatable and amusement item rentals

Describe / Identify the proposed land use(s) at the subject site: inflatable and amusement item rentals with vehicle leasing as an accessory to the business

Anticipated number of Single Family Residential Units: NA

Anticipated number of Multi Family Residential Units: NA

Anticipated number of Commercial Units: 1

Are there any restrictive covenants on the property? No
If yes, please submit covenants with application.

Please provide a summary of the project, the purpose of the application, and any unique aspects of the proposed project. (Attach additional documents / sheets as necessary)
Currently this property is being used as a rental business for inflatables, rock climbing walls, small trains, and other amusement items. The business' customers frequently need a means of transporting the rental items. As such, the applicant is requesting this re-zone and conditional use to allow vehicle rentals as an accessory to their business to allow customers a means of transporting their amusement item rentals.

Describe the existing conditions or improvements on the property, including any which are proposed to be removed or demolished. Identify which improvements are proposed to remain, be removed, and/or be demolished.

Identify and describe the location and extent of existing buffer areas, natural vegetation or fences existing and identify whether they are proposed to be removed, demolished, or remain.

Please identify any environmentally sensitive areas, historical structures or sites, archeological sites, and cemeteries and the plans for each.

Please provide a letter of intent addressing the decision criteria given in Sec 11-5 of the Zoning Ordinance and provide information and facts that you believe are relevant to and / or support your case:

A. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

B. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.

C. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.

D. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;

E. Conformity with the City of Winder Comprehensive Plan.

F. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal. <u>Required Documents to be submitted along with application:</u>
- Application Fee
- Letter of Intent
- Authorization of Property Owner
- Campaign Contributions Disclosure Form
- Recorded Plat
- Sketch/Concept Plan or Preliminary Plat for approval

Supplemental Documents encouraged including photographs of subject site, renderings of proposed land uses, building elevations.

Applicant acknowledges the following:

Any large development that exceeds the minimum thresholds for a Development of Regional Impact (DRI) review must complete that review prior to moving forward with the zoning request. The minimum development thresholds for DRI review can be found at (https://atlantaregional.org/community-development/comprehensive-planning/developments-of-regional-impact/). Please note that per State law, no rezoning action can be taken by the City until all state agencies have completed their review and comments.

All Applications for Rezone/Zoning Map Amendment are strongly encouraged to meet with the City of Winder staff Development Team prior to submitting the application.

Applications will not be processed until deemed complete by the City of Winder. Applicants may be required to submit a traffic, water, sewer, and/or school impact statement(s) or other information prior to the application being deemed complete.

For projects involving more than one subject parcel, the applicant may submit one set of supporting documents. However, a separate application with the necessary signatures and a separate application fee must be submitted for each parcel.

Stanton Porter	10/24/2025
Name	Date

Campaign Contributions Disclosure Form Required for all Zoning Actions

Applicant, or person representing property owner

OCGA § 36-67A-3[c] Disclosure of campaign contributions:

(a) When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant's application for the zoning action, campaign contributions aggregating $250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:

(1) The name and official position of the local government official to whom the campaign contribution was made; and

(2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(b) The disclosures required by subsection (a) of this Code section shall be filed within ten (10) days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

☐ I have**

☑ I have not

Within the two years immediately preceding this date, made any contribution(s) aggregating $250.00 or more to any local government official involved in the review or consideration of this application.

Stanton Porter	10/24/2025
Name	Date

**If you have made such contributions, you must provide the data required in subsection (a) above within ten (10) days of filing this application.

Conditional Use Application

Date: 10/24/2025

Applicant / Owner

Applicant Name:	Stanton Porter	Owner Name:	1044 Adventure, LLC
Address:	P.O. Box 88	Address:	47 Porter Street
City, State, Zip:	Winder, Georgia 30680	City, State, Zip:	Winder. Georgia 30680
Phone:		Phone:	
Email:		Email:	
Company:			

Representative

Name:	Stanton Porter Law, LLC
Address:	P.O. Box 88
City, State, Zip:	Winder, Georgia 30680
Phone:	
Email:	

Project

Subject Site Address:	47 Porter Street
Total Acreage or Square Feet of Subject Property:	0.95

Are there any restrictive covenants on the property? No
If yes, please submit covenants with application.

Conditional Use Details

Describe / Identify the existing land use(s) at the subject site: Inflatable and amusement item rentals.

Please provide a description of the conditional land use you are requesting. Attach additional documents / sheets and drawings as necessary to properly describe your request.
Currently this property is being used as a rental business for inflatables, rock climbing walls, small trains, and other amusement items. The business' customers frequently need a means of transporting the rental items. As such, the applicant is requesting this re-zone and conditional use to allow vehicle rentals as an accessory to their business to allow customers a means of transporting their amusement item rentals

Please identify any environmentally sensitive areas, historical structures or sites, archeological sites, and cemeteries and the plans for each.
NA

Please provide a letter of intent addressing the decision criteria given in Sections 4-15 and 11-2 of the Zoning Ordinance and provide information and facts that you believe are relevant to and / or support your case.

Required Documents to be submitted along with application:
- Application Fee
- Letter of Intent
- Property Owner Authorization Form
- Recorded Plat
- Sketch/Concept Plan or Preliminary Plat showing the proposed use and relevant information regarding the requested variance.

Supplemental Documents encouraged including photographs of subject site, renderings of proposed land uses, building elevations.

Applicant acknowledges the following:

All Applications for variance are encouraged to meet with the City of Winder staff Development Team prior to submitting the application.

Applications will not be processed until deemed complete by the City of Winder.

For projects involving more than one subject parcel, the applicant may submit one set of supporting documents. However, a separate application with the necessary signatures and a separate application fee must be submitted for each parcel.

By my signature below, I certify that the information contained in this application is true and correct to the best of my knowledge at the time of the application. I acknowledge that I understand and have complied with all of the submittal requirements and procedures, and that this application is a complete application submittal. I further understand that an incomplete application submittal may cause my application to be deferred to the next posted deadline date. I understand that the approval of this application does not constitute a waiver from any applicable local, state, or federal regulations.

Stanton Porter	10/24/2025
Name	Date

Campaign Contributions Disclosure Form Required for all Zoning Actions

Applicant, or person representing property owner

OCGA § 36-67A-3[c] Disclosure of campaign contributions:

(a) When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant's application for the zoning action, campaign contributions aggregating $250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:

(1) The name and official position of the local government official to whom the campaign contribution was made; and

(2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(b) The disclosures required by subsection (a) of this Code section shall be filed within ten (10) days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

☐ I have**

☑ I have not

Within the two years immediately preceding this date, made any contribution(s) aggregating $250.00 or more to any local government official involved in the review or consideration of this application.

Stanton Porter	10/24/2025
Name	Date

**If you have made such contributions, you must provide the data required in subsection (a) above within ten (10) days of filing this application.

STANTONPORTER LAW

Winder:
73 Church Street
P.O. Box 88
Winder, Georgia 30680

October 24, 2025

City of Winder City Council
25 East Midland Avenue
Winder, GA 30680

Re: Re-Zone from B-1 to B-2 and Conditional Use for Vehicle Leasing Application for 0.95 Acres, 47 Porter Street, Winder, GA 30680, Tax Parcel WN12 164.

Greetings:

This request concerns a 0.95 acre tract of land located 47 Porter Street, Winder, GA 30680. Currently this property is being used as a rental business for inflatables, rock climbing walls, small trains, and other amusement items. The business' customers frequently need a means of transporting the rental items. As such, the applicant is requesting this re-zone and conditional use to allow vehicle rentals as an accessory to their business to allow customers a means of transporting their amusement item rentals.

Regarding the factors that the City should consider, the following is provided:

1. This proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The property is well suited for commercial use based on its location.
2. This zoning proposal would not adversely affect the existing use or usability of adjacent or nearby property.
3. This zoning proposal will not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. Furthermore, fear of increased traffic is not a proper justification for the denial of this rezone.

In addition to these factors, the City should also consider the following matters:

(a) This property is already being used as a rental facility as currently zoned.
(b) There are no nonconforming uses on or adjacent to the subject property.

The denial of this proposed amendment, will result in substantial monetary damage to the owner. The subject property has been largely vacant for many years and cannot economically support the present value of the land as presently zoned. Furthermore, the denial of this request will violate the owner's rights of due process and equal protection, procedural and substantive, and violation of Article I, Section I, Paragraphs 1 and 2, and Article I, Section III, Paragraph 1 of the

Georgia Constitution and the Fifth and Fourteenth Amendments to the United States Constitution. Denial of the amendment request will destroy owner's property rights without first paying just compensation. A denial of this application would constitute an arbitrary and capricious act by the City of Winder without any rational basis therefor, constituting an abuse of discretion. A refusal to amend the future land use map for the subject property so as to permit the only feasible economic use of the property would be unconstitutional and would discriminate in an arbitrary and capricious and unreasonable manner between the owner and owners' of similarly situated property. This application meets the prescribed test set out by the Georgia Supreme Court to be used in establishing the constitutional balance between private property rights and zoning as an expression of the government's police power.

For the foregoing reasons, the applicant and owner respectfully request that this future land use map and character map application be approved.

Sincerely,

STANTON PORTER LAW, LLC

By: _____
Stanton E. Porter

Property Owner Authorization Form

I, Brian Schwebel, being duly sworn upon his/her oath, being of sound mind and legal age deposes and states the following:

I am the owner of the property located at 47 Porter Street, also known as Tax Map Parcel Number WN12 164.

My property interest in the identified property is of sufficient legal authority to represent, bind, dispose, sale, transfer, lease, and in all other respects control the property identified above.

By my signature hereon, I hereby authorize Stanton Porter to represent and/or utilize the above identified property in the following manner:

- Submit an application for re-zone and conditional use (identify type of application / permit sought) and act as the representative in the pursuit of the application/permit.
- Utilize the property as a home occupation for the purpose of vehicle leasing (describe business by name and type)
- Other:_____

Property Owner Name, Address, Telephone, Email 1044 Adventure, LLC 47 Porter Street, Winder, GA 30680,

Who swears before that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Signature of Owner

Date of Signature 10/24/25

Notary: Meghan Wyatt

Personally Appeared before me 10/24/25

Notary Signature and date

MEGHAN WYATT NOTARY PUBLIC GEORGIA WALTON COUNTY EXPIRES SEPTEMBER 14

Property Owner Authorization Form

I, Jennifer Schwebel, being duly sworn upon his/her oath, being of sound mind and legal age deposes and states the following:

I am the owner of the property located at 47 Porter Street, also known as Tax Map Parcel Number WN12 164.

My property interest in the identified property is of sufficient legal authority to represent, bind, dispose, sale, transfer, lease, and in all other respects control the property identified above.

By my signature hereon, I hereby authorize Stanton Porter to represent and/or utilize the above identified property in the following manner:

- Submit an application for re-zone and conditional use (identify type of application / permit sought) and act as the representative in the pursuit of the application/permit.
- Utilize the property as a home occupation for the purpose of vehicle leasing (describe business by name and type)
- Other:_____

Property Owner Name, Address, Telephone, Email 1044 Adventure, LLC 47 Porter Street, Winder, GA 30680,

Who swears before that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Signature of Owner Jschwebel

Date of Signature 10/24/25

Notary: Meghan Wyatt

Personally Appeared before me 10/24/25

Notary Signature and date

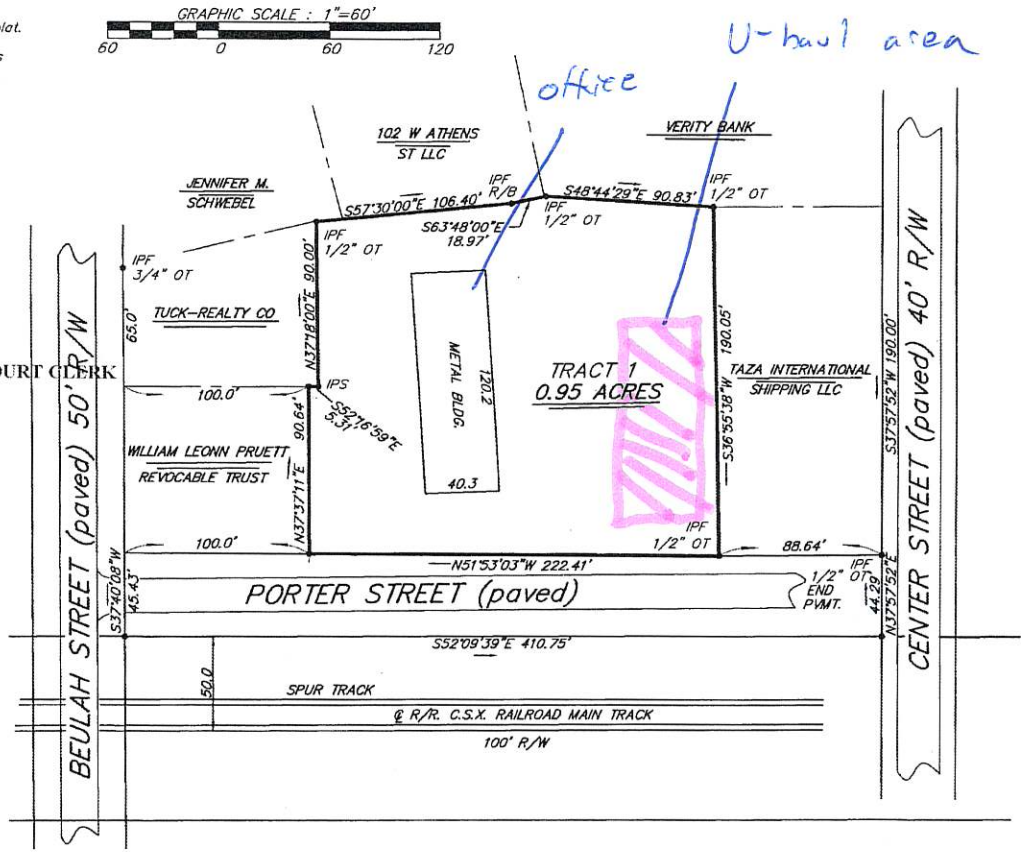
MEGHAN WYATT NOTARY PUBLIC GEORGIA WALTON COUNTY EXPIRES SEPTEMBER 14, 2029

A TOPCON GTS-2B TOTAL STATION was used to obtain the linear and angular measurements used in the preparation of this plat.

The field data upon which this plat is based has a closure precision of one foot in 11,997 feet and an angular error of 2" per angle point and was adjusted using the compass rule.

This survey has been calculated for closure and is found to be accurate within one foot in >11,997 feet.

FILED & RECORDED
DATE: 12/8/2015
TIME: 2:20pm
BOOK: 63
PAGE: 59
BARROW COUNTY, GEORGIA
REGINA MCINTYRE, SUPERIOR COURT CLERK



GEORGIA REGISTERED No. 1577 PROFESSIONAL SURVEYOR W. T. DUNAHOO

The survey was prepared in conformity with The Technical Standards for Property Surveys in Georgia as set forth in Chapter 180-7 of the Rules of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in the Georgia Plat Act O.C.G.A. 15-6-67.

~ LEGEND ~
R/W = RIGHT OF WAY
IPS = IRON PIN SET (1/2" OPEN TOP)
IPF = IRON PIN FOUND (1/2" REBAR)

NOTE:
BOUNDARY INFORMATION TAKEN FROM REFERENCES ONLY.
NO FIELD WORK DONE AT THIS TIME.

REFERENCE:
1. BEING OUR SURVEY FOR WINDER MANUFACTURING CO DATED 09/09/05.
2. BEING OUR SURVEY FOR KENNETH D. LUMPKIN DATED 09/09/05.
3. BEING OUR SURVEY FOR M.C. WADE DATED 10/17/79.
4. DEED REFERENCE BOOK 124 – PAGE 254.
5. DWELLING IS NOT LOCATED IN A FLOOD HAZARD AREA.

SURVEY FOR STATE OF GEORGIA

PRUETT OIL COMPANY

CITY	GMD	COUNTY	SCALE	DATE
WINDER	243	BARROW	1"=60'	12/8/2015

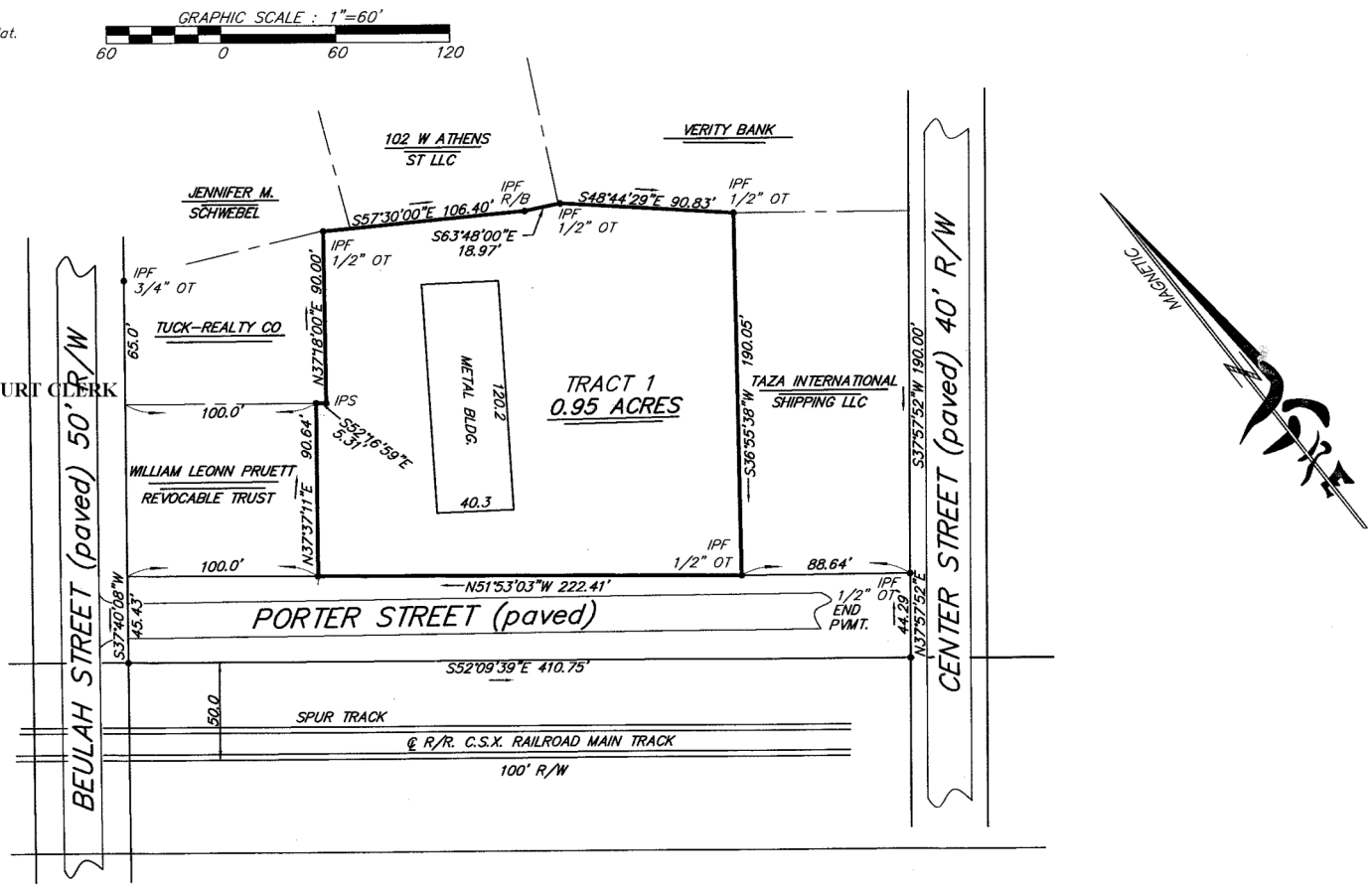
W. T. DUNAHOO AND ASSOCIATES, L.L.C.
P.O. BOX 183
302 W. MAY ST.
(770) 867-3911
WINDER, GEORGIA

A TOPCON GTS-2B TOTAL STATION was used to obtain the linear and angular measurements used in the preparation of this plat.

The field data upon which this plat is based has a closure precision of one foot in 11,997 feet and an angular error of 2" per angle point and was adjusted using the compass rule.

This survey has been calculated for closure and is found to be accurate within one foot in >11,997 feet.

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R/W = RIGHT OF WAY
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SURVEY FOR STATE OF GEORGIA

PRUETT OIL COMPANY

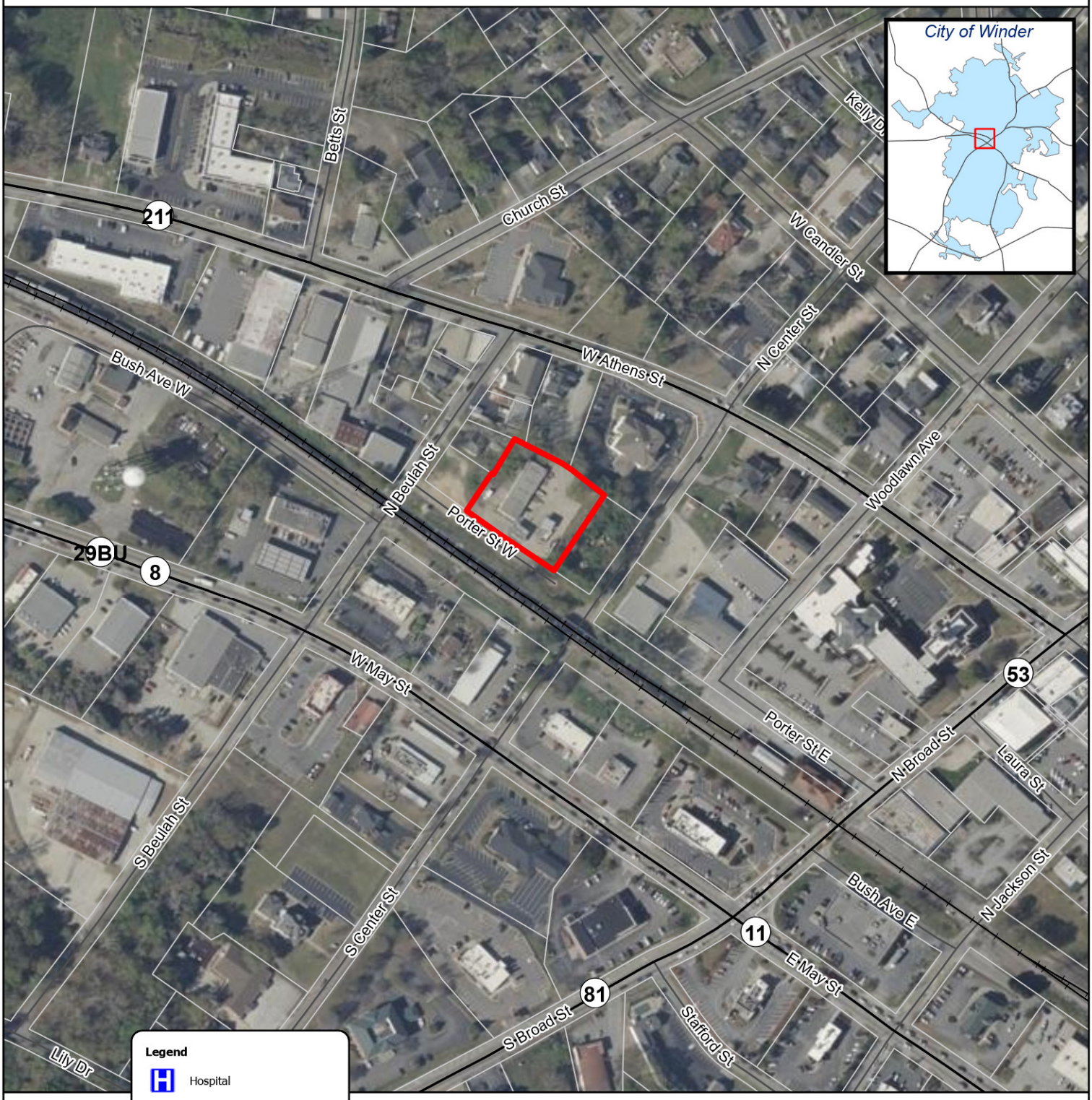
CITY	GMD	COUNTY	SCALE	DATE
WINDER	243	BARROW	1"=60'	12/8/2015

W. T. DUNAHOO AND ASSOCIATES, L.L.C.
P.O. BOX 183
302 W. MAY ST.
(770) 867-3911
WINDER, GEORGIA

Parcel # WN12 164
47 Porter St. W
Winder, Georgia 30680

Location Map

City of Winder
Planning & Development



November 2025

This map was compiled by the City of Winder GIS Department. The City of Winder GIS makes every effort to produce the most accurate information possible. The City assumes no responsibility for the legal accuracy of the information contained herein. All data is for informational purposes only. No warranties, expressed or implied are provided for the data herein, its use or interpretation. The City of Winder is not liable for any errors in the GIS data. This includes errors of omission, commission, errors concerning the content of the data, and relative and positional accuracy of the data. Each data may have been collected at different scales, times or definitions, resulting in inconsistencies among features represented together on this map. Any questions about the GIS mapping process can be answered by calling the City of Winder GIS Department.

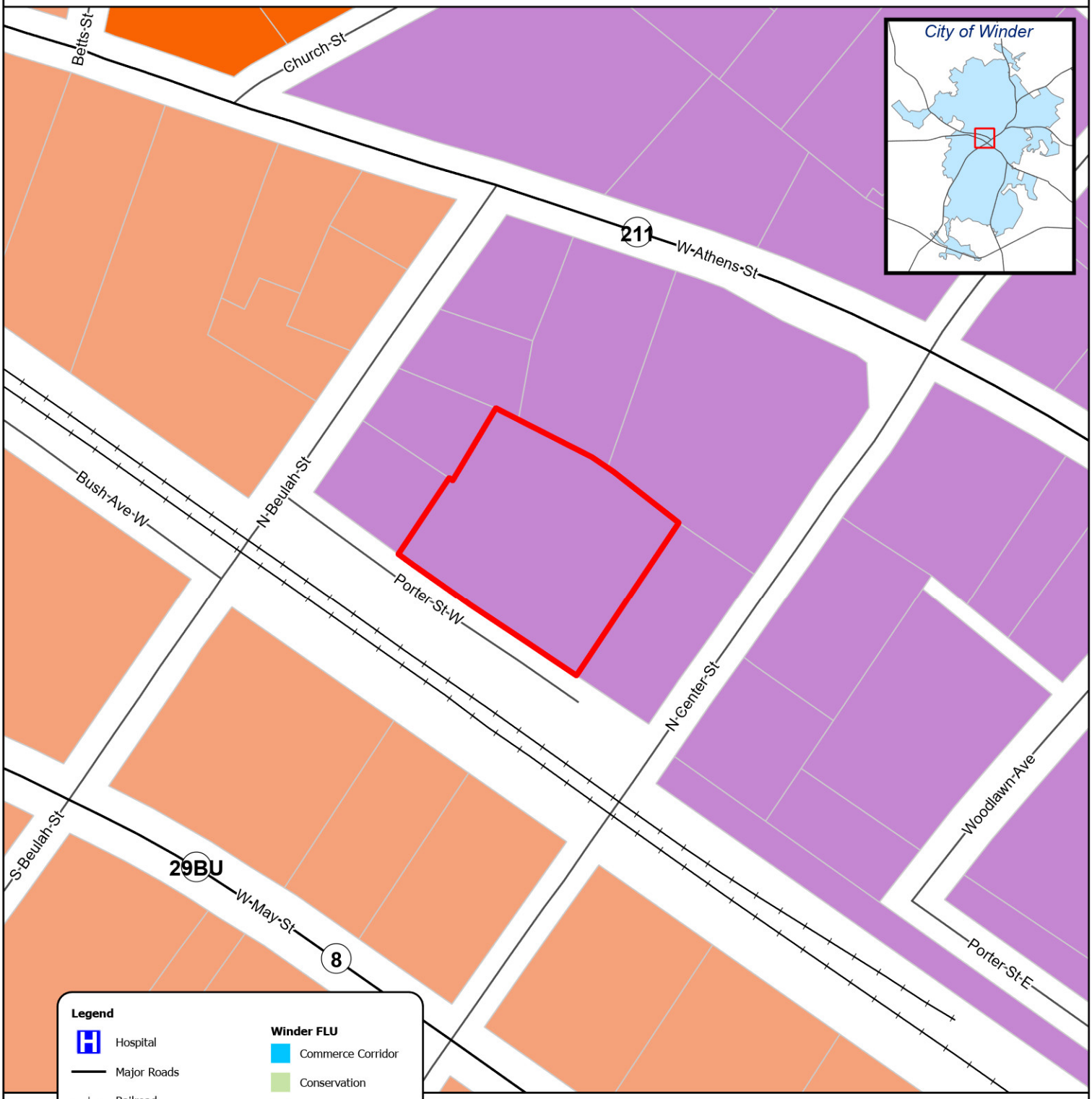
Cadastral data compliments of Barrow County

Aerial Photography compliments of ESRI

Parcel # WN12 164
47 Porter St. W
Winder, Georgia 30680

Future Land Use Map

City of Winder
Planning & Development



November 2025

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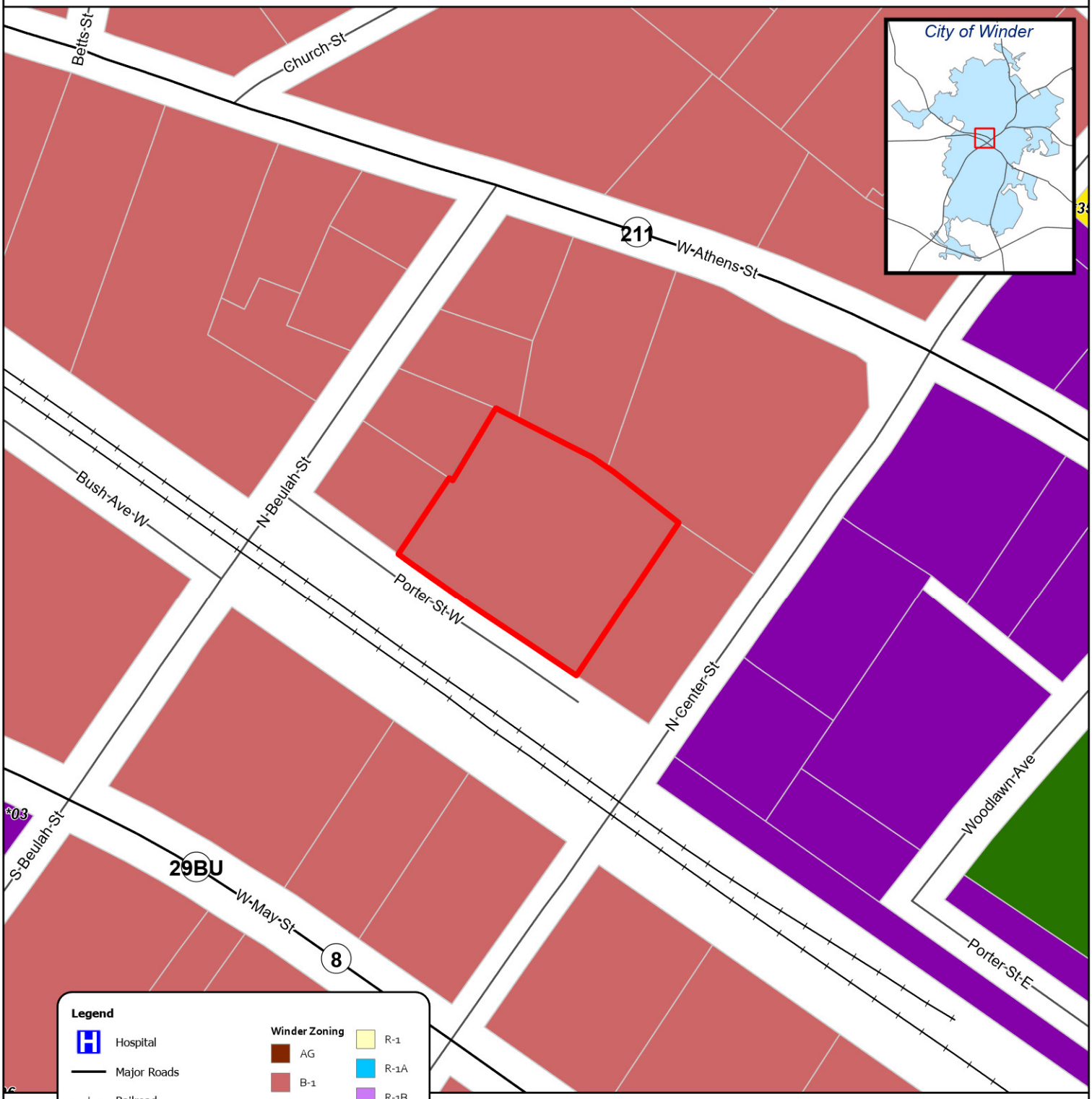
Cadastral data compliments of Barrow County

Aerial Photography compliments of ESRI

Parcel # WN12 164
47 Porter St. W
Winder, Georgia 30680

Zoning Map

City of Winder
Planning & Development



November 2025

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Cadastral data compliments of Barrow County

Aerial Photography compliments of ESRI

47 Porter St

To help with orientation of all photos, the first photo will be an aerial photo of the property with an X marker showing the approximate location from where the photo was taken, as well as an arrow depicting approximate angle the photo was taken.






WN12 029
WN12 031
WN12 033
WN12 034
WN12 030
WN12 156
WN12 155
WN12 157
WN12 154
WN12 153
WN12 164
Winder
WN12 160
WN12 299
WN12 286
W Athens St
WN12 284
WN12 167
WN12 168
WN12 169
N Center St
WN12 166
WN12 161
Bush Ave W
N Berrien St
Porter St W
WN12 036
WN12 152
WN12 151
WN12 150
WN12 172A
WN12 171
WN12 165
WN12 170
Woodlawn Ave
WN12 173




WN12 031
WN12 033
WN12 156
WN12 299
WN12 029
WN12 034
WN12 155
WN12 157
WN12 286
W Athens St
WN12 030
WN12 154
WN12 160
WN12 284
WN12 153
WN12 167
Bush Ave W
N Berrien St
Winder
WN12 164
N Center St
WN12
168
Porter St W
WN12 036
WN12 161
WN12 166
WN12 169
WN12 152
WN12 170
WN12 165
Woodlawn Ave
WN12 151
WN12 150
WN12 172A
WN12 171
WN12
173




WN12 031
WN12 033
WN12 156
WN12 299
WN12 029
WN12 034
WN12 155
WN12 157
WN12 286
W Athens St
WN12 030
WN12 284
WN12 154
WN12 160
WN12 153
WN12 167
Bush Ave W
N Beulah St
Winder
WN12 164
N Center St
WN12 168
Porter St W
WN12 036
WN12 161
WN12 166
WN12 169
WN12 152
WN12 170
WN12 165
Woodlawn Ave
WN12 151
WN12 150
WN12 172A
WN12 171
WN12 173



CE NOTES:

Violations-

-Vehicle rental/leasing business operating at this location in violation of city regulations. CE has issued a citation, and the case is currently pending in Municipal Court.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF WINDER, GEORGIA; TO CREATE SECTION 15-12 ENTITLED "GOLF CARTS AND PERSONAL TRANSPORTATION VEHICLES"; TO CLARIFY POLICY REGARDING GOLF CARTS ON THE STREETS WITHIN THE CITY LIMITS; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WHEREAS, the City of Winder, Georgia, ("City") is a municipal corporation duly organized and existing under the laws of the State of Georgia; and

WHEREAS, the City, by and through its City Council, seeks to permit golf carts and other personal transportation vehicles to operate within the city limits of the City of Winder, Georgia; and

WHEREAS, the Code of Ordinances for the City of Winder, Georgia ("Code") currently has no regulations pertaining to golf carts or personal transportation vehicles within the City limits; and

WHEREAS, the City seeks to regulate the use of golf carts and personal transportation vehicles to promote the safety, security, peace, and general welfare of the citizens of the City; and

WHEREAS, the Mayor and City Council have determined that amending the Code with the addition of Section 15-12 would be in the best interest of the public to provides for the regulation of safe use of golf carts and personal transportation vehicles within the City limits.

NOW THEREFORE, the City of Winder hereby Ordains as follows:

1.) **Incorporation of Recitals.** The above-stated recitals are true and correct and are incorporated as though fully set forth herein.

2.) **Code of Ordinances Amendment.** Section 15-12 of the Code of Ordinances for the City of Winder, Georgia is hereby amended by adding:

Sec. 15-12 – Golf Carts on City Streets

a) *Definitions.* The following definitions are provided for the purpose of interpretation and administration of this article:

Golf Cart/Golf Car (Golf Cart): any motorized vehicle designed for the purpose and exclusive use of conveying one or more persons and equipment to play the game of golf with a maximum average speed under fifteen (15) miles per hour on level roads, consistent with O.C.G.A. § 40-1-1(17.3).

Personal Transportation Vehicle (PTV): any motor vehicle having no fewer than three wheels and an unladen weight of 1,300 pounds or less which cannot operate at more than twenty (20) miles per hour, consistent with O.C.G.A. § 40-1-1(43.4).

b) *Authorization:* Golf Carts and PTVs may be operated within the City in accordance with this Section in the following areas:

1. Each street located within the City Limits of the City Winder with a posted speed limit of 35 miles per hour or less; and
2. Crossings of state highways at GDOT-designated intersections which are marked for Golf Cart/PTV use.

c) *Equipment Requirements*. Any Golf Cart or PTV operating upon City roads must be equipped with:

1. Functional and sufficient braking and steering systems;
2. Taillights, brake lights, horn, reverse warning device, hip restraint or seat belts; and
3. If operated between sunset and sunrise, must also have headlights, turn signals, and windshield.

d) *Operator Qualifications*. At all times during the operation of a Golf Cart or PTV upon City roads, all operators must:

1. Be sixteen (16) years or age or older; and
2. Possess a valid driver's license issued by their state of residence; and
3. Have proof of eligibility with them at all during the operation of the Golf Cart or PTV; and
4. Adhere to any and all state and local rules related to the operation of a vehicle upon public roads.

~~d) All operators must have proof of eligibility with them during times of vehicle operation. Any operator of a Golf Cart or PTV upon City roads must be:~~

~~1. Sixteen (16) years old or older with a valid Georgia driver's license, or~~
~~2. Aged twelve (12) to fifteen (15) when accompanied by a licensed adult, or~~
~~3. Aged fifteen (15) with a valid instructional permit as issued by the Georgia Department of Driver Services Drivers. All operators must have proof of eligibility with them during times of vehicle operation.~~

e) *Local Registration and Inspection*. The City may employ inspection procedures but reserves no liability for inspection results. In order to operate a Golf Cart or PTV upon City roads, owners must:

1. Register their Golf Cart/PTV with the City every three (3) years for a fee not exceeding $50 for each renewal period; and
2. Display city-issued registration decal permanently affixed to the vehicle.

f) *Signage and Crossings*. The City shall install signage on all intersecting state highways indicating "Golf Cart / PTV Crossing." Crossings of municipal streets shall be clearly marked.

g) *Insurance and Liability*. Owners of Golf Carts/PTVs must maintain liability insurance as required by state law. DUI and all applicable traffic laws will apply to Golf Cart/PTV operators just as they do for other motor vehicles.

h) *Enforcement and Penalties.* It shall be unlawful for a Golf Cart or PTV to be operated on the streets of the City except as expressly authorized in this section. Violations of this Section shall be subject to fines per Sec. 15-2 of this Chapter. Repeated offenses may result in decal suspension and prohibition from operating upon City roads for up to two years.

i) *Severability*. To the extent any portion of this Section is declared to be invalid, unenforceable, or nonbinding, that shall not affect the remaining portions of this Section.

j) *Effective Date.* All Golf Carts/PTVs seeking to operate upon City streets must comply with registration and inspective requirements set forth herein within 120 days of this Section taking effect.

3.) **Ratification.** Any and all prior acts taken by the Mayor and Council whether by ordinance, resolution, or motion, shall be ratified through the adoption of this Ordinance.

4.) **Additional Authorization.** The City Clerk and such other City officials as may be necessary or convenient are hereby authorized to take all actions necessary or convenient to effectuate the purposes of this Ordinance.

5.) **Severability.** To the extent any portion of this Ordinance is declared to be invalid, unenforceable, or nonbinding, that shall not affect the remaining portions of this Ordinance.

6.) **Repeal of Conflicting Provisions.** All Ordinances and parts of Ordinances are hereby repealed to the extent they are inconsistent with this Ordinance.

7.) **Effective Date.** This Ordinance shall take effect immediately upon the Mayor's signature.

SO ORDAINED this _____ day of _____, 2025.

THE CITY OF WINDER

_____
Jimmy Terrell, Mayor

ATTEST:

_____
Anna Childs, City Clerk

[seal]

APPROVED AS TO FORM:

Warren Tillery, City Attorney

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF WINDER, GEORGIA; TO CREATE SECTION 15-12 ENTITLED "GOLF CARTS AND PERSONAL TRANSPORTATION VEHICLES"; TO CLARIFY POLICY REGARDING GOLF CARTS ON THE STREETS WITHIN THE CITY LIMITS; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WHEREAS, the City of Winder, Georgia, ("City") is a municipal corporation duly organized and existing under the laws of the State of Georgia; and

WHEREAS, the City, by and through its City Council, seeks to permit golf carts and other personal transportation vehicles to operate within the city limits of the City of Winder, Georgia; and

WHEREAS, the Code of Ordinances for the City of Winder, Georgia ("Code") currently has no regulations pertaining to golf carts or personal transportation vehicles within the City limits; and

WHEREAS, the City seeks to regulate the use of golf carts and personal transportation vehicles to promote the safety, security, peace, and general welfare of the citizens of the City; and

WHEREAS, the Mayor and City Council have determined that amending the Code with the addition of Section 15-12 would be in the best interest of the public to provides for the regulation of safe use of golf carts and personal transportation vehicles within the City limits.

NOW THEREFORE, the City of Winder hereby Ordains as follows:

1.) **Incorporation of Recitals.** The above-stated recitals are true and correct and are incorporated as though fully set forth herein.

2.) **Code of Ordinances Amendment.** Section 15-12 of the Code of Ordinances for the City of Winder, Georgia is hereby amended by adding:

Sec. 15-12 – Golf Carts on City Streets

a) *Definitions.* The following definitions are provided for the purpose of interpretation and administration of this article:

Golf Cart/Golf Car (Golf Cart): any motorized vehicle designed for the purpose and exclusive use of conveying one or more persons and equipment to play the game of golf with a maximum average speed under fifteen (15) miles per hour on level roads, consistent with O.C.G.A. § 40-1-1(17.3).

Personal Transportation Vehicle (PTV): any motor vehicle having no fewer than three wheels and an unladen weight of 1,300 pounds or less which cannot operate at more than twenty (20) miles per hour, consistent with O.C.G.A. § 40-1-1(43.4).

b) *Authorization:* Golf Carts and PTVs may be operated within the City in accordance with this Section in the following areas:

1. Each street located within the City Limits of the City Winder with a posted speed limit of 35 miles per hour or less; and
2. Crossings of state highways at GDOT-designated intersections which are marked for Golf Cart/PTV use.

c) *Equipment Requirements.* Any Golf Cart or PTV operating upon City roads must be equipped with:

1. Functional and sufficient braking and steering systems;
2. Taillights, brake lights, horn, reverse warning device, hip restraint or seat belts; and
3. If operated between sunset and sunrise, must also have headlights, turn signals, and windshield.

d) *Operator Qualifications*. At all times during the operation of a Golf Cart or PTV upon City roads, all operators must:

1. Be sixteen (16) years of age or older; and
2. Possess a valid driver's license issued by their state of residence; and
3. Have proof of eligibility with them at all times during the operation of the Golf Cart or PTV; and
4. Adhere to any and all state and local rules related to the operation of a vehicle upon public roads.

e) *Local Registration and Inspection*. The City may employ inspection procedures but reserves no liability for inspection results. In order to operate a Golf Cart or PTV upon City roads, owners must:

1. Register their Golf Cart/PTV with the City every three (3) years for a fee not exceeding $50 for each renewal period; and
2. Display city-issued registration decal permanently affixed to the vehicle.

f) *Signage and Crossings*. The City shall install signage on all intersecting state highways indicating "Golf Cart / PTV Crossing." Crossings of municipal streets shall be clearly marked.

g) *Insurance and Liability*. Owners of Golf Carts/PTVs must maintain liability insurance as required by state law. DUI and all applicable traffic laws will apply to Golf Cart/PTV operators just as they do for other motor vehicles.

h) *Enforcement and Penalties.* It shall be unlawful for a Golf Cart or PTV to be operated on the streets of the City except as expressly authorized in this section. Violations of this Section shall be subject to fines per Sec. 15-2 of this Chapter. Repeated offenses may result in decal suspension and prohibition from operating upon City roads for up to two years.

i) *Severability*. To the extent any portion of this Section is declared to be invalid, unenforceable, or nonbinding, that shall not affect the remaining portions of this Section.

j) *Effective Date.* All Golf Carts/PTVs seeking to operate upon City streets must comply with registration and inspective requirements set forth herein within 120 days of this Section taking effect.

3.) **Ratification.** Any and all prior acts taken by the Mayor and Council whether by ordinance, resolution, or motion, shall be ratified through the adoption of this Ordinance.

4.) **Additional Authorization.** The City Clerk and such other City officials as may be necessary or convenient are hereby authorized to take all actions necessary or convenient to effectuate the purposes of this Ordinance.

5.) **Severability.** To the extent any portion of this Ordinance is declared to be invalid, unenforceable, or nonbinding, that shall not affect the remaining portions of this Ordinance.

6.) **Repeal of Conflicting Provisions.** All Ordinances and parts of Ordinances are hereby repealed to the extent they are inconsistent with this Ordinance.

7.) **Effective Date.** This Ordinance shall take effect immediately upon the Mayor's signature.

SO ORDAINED this _____ day of _____, 2025.

THE CITY OF WINDER

_____
Jimmy Terrell, Mayor

ATTEST:

_____
Anna Childs, City Clerk

[seal]

APPROVED AS TO FORM:

_____
Warren Tillery, City Attorney

ORDINANCE NO. _____

AN ORDINANCE TO AMEND A PORTION OF SECTION 18-11 OF THE CODE OF ORDINANCES, CITY OF WINDER, GEORGIA, BY CHANGING THE DEFINITION OF "PERSON HAVING A COMPLAINT OR COMPLAINANT"AND FOR OTHER PURPOSES

WHEREAS, the City of Winder, Georgia ("City") is a municipal corporation duly organized and existing under the laws of the State of Georgia; and,

WHEREAS, the City, by and through its City Council, is vested with the authority to adopt and/or amend ordinances; and,

WHEREAS, the City previously enacted an ethics ordinance; and,

WHEREAS, the Mayor and City Council wish to amend this ethics ordinance, specifically Section 18-11 of the Code of Ordinances, City of Winder, Georgia, as set forth herein.

NOW THEREFORE, THE MAYOR AND COUNCIL OF THE CITY OF WINDER, GEORGIA, HEREBY ORDAINS AS FOLLOWS:

1.) **Incorporation of Recitals.** The above-stated recitals are true and correct and are incorporated as though fully set forth herein.

2.) **Amendment.** A portion of Section 18-11 of the Code of Ordinances, City of Winder, Georgia is hereby amended by changing only the definition of "*person having a complaint or complainant*" as follows:

> *Person having a complaint or complainant* means any resident of the City of Winder, any real property owner in the City of Winder, any holder of a City of Winder occupational tax certificate or City of Winder business registration or license, City of Winder permit holder, City of Winder utility customer, or City of Winder agent, contractor, or employee.

3.) **Restatement.** All other portions to Section 18-11, other that the portion changed above, shall remain in full force and effect.

4.) **Authorization.** The Mayor, City Clerk, and such other City agents or officials as may be necessary or convenient are hereby authorized to take all actions necessary or convenient to effectuate the purposes of this Ordinance.

5.) **Severability.** To the extent any portion of this Ordinance is declared to be invalid, unenforceable, or nonbinding, that shall not affect the remaining portions of this Ordinance.

6.) **Repeal of Conflicting Provisions.** All Ordinances and parts of Ordinances are hereby repealed to the extent they are inconsistent with this Ordinance.

7.) **Effective Date.** This Ordinance shall take effect immediately upon its adoption

(Signature Page Follows)

BE IT SO ORDAINED, this _____ day of _____, 2025.

THE CITY OF WINDER

_____
Jimmy Terrell, Mayor

ATTEST:

_____
Anna Childs, City Clerk

[seal]

APPROVED AS TO FORM:

_____
Warren Tillery, City Attorney