

**BOARD OF COMMISSIONERS**  
30 N. BROAD STREET  
WINDER, GA 30680  
(770) 307-3000  
WWW.BARROWGA.ORG



**Board of Commissioners Voting  
Session Agenda  
Tuesday, February 10, 2026 - 6:00 PM**

**Pat Graham**  
Chairman  
**Joe Goodman**  
District 1  
**Kenny Shook**  
District 2  
**Rolando Alvarez**  
District 3  
**Alex Ward**  
District 4  
**Tim Walker**  
District 5  
**Deborah Lynn**  
District 6  
**Srikanth Yamala**  
County Manager

**I. Call to Order, Invocation, Pledge to Flag**

**II. Approval of Agenda**

**III. Remarks by Commissioners**

**IV. Approval of Minutes**

- a) January 27, 2026, Special Called minutes
- b) January 27, 2026, Executive Session minutes
- c) January 27, 2026, Voting Session minutes

**V. Public Comment on Agenda Items**

Limit to two minutes per person on agenda items which are not scheduled to have a public hearing.

**VI. Presentation**

- a) Presentation of the Barrow County unaudited financials for the Second Quarter of FY 2026.

**VII. Public Hearings**

- a) **BOC 2025-00005 RZ (XX011 005, XX011 010) 154 Hill's Shop Rd; MHB Lending LLC / Applicant; Raymond Hardy / Owner.** Request to rezone ±26.68 acres zoned AG and AR respectively to R-2 for a 36-lot single-family detached subdivision.
- b) **BOC2025-00019 (XX054 037A) 0 Tanners Bridge Rd; Bob Yang / Applicant; Shu Nu Hsiao / Owner.** Request for a Future Land Use Map amendment from Suburban Residential to 316 Innovation to rezone ± 14.32 acres from AG (Agriculture) to C-3 (Intense Commercial) for the construction of a commercial building.

- c) **BOC2025-00027 (XX104C 024) 842 Eastmont Rd; William Cleghorn / Applicant & Owner.** Request for a Special Use for metal siding on a structure larger than 500sqft per UDC Sec. 89-218. Variance request to UDC Sec. 89-218 to allow for an accessory use dwelling larger than 50% of the square footage of the principal building.
- d) **BOC2025-00028 (XX054 009) 1381 Loganville Hwy; Jefferey Deloach / Applicant; Clayton Whitehead / Owner.** Request to rezone ± 51.37 of a ±91.76 parcel from AG (Agriculture) to R-2 (Medium Density Residential) for a 99-lot open space subdivision. Request for a variance to UDC Sec. 89-465 to allow for 5ft side setbacks on the lots within the development.
- e) **BOC2025-00033 (XX004 010) 559 Quail Trail Rd; Scott Smith / Applicant; Danut Andronesi & Joja George / Owners.** Request to rezone ±2.92 acres from AR (Agriculture Residential) to R-1 (Low Density Single Family Residential) for an additional single-family residential lot.
- f) **BOC2025-00034 (XX078 001H) 416 J B Owens Rd; Les Patch / Applicant; Leslie Patch & Ronda Patch / Owners.** Request to rezone ± 1 acre from AG (Agriculture) to R-1 (Low Density Single Family Residential) for an additional single-family residential lot.
- g) **BOC2025-00036 (XX048 056) 755 County Line-Auburn Rd; Bruce Voellinger / Applicant; Bruce and Robin Voellinger / Owners.** Request to rezone ±4.53 acres from AG (Agriculture) to R-1 (Low Density Single Family Residential) for an additional single-family residential lot.
- h) **BOC2025-00039 (XX092 029) 406 E Midland Ave; Barry Edgar / Applicant and Owner.** Request to rezone ± 8.54 acres from AG (Agriculture) to R-1 (Low Density Single Family Residential) for a major residential subdivision.
- i) **2026-00002-BOC (XX042 009) 441 Chandler Rd; Barrow County Board of Commissioners / Applicant; Dorin Mateiovici/ Owner.** Request to amend the Future Land Use Map for ±7.8 acres to Suburban Residential as stated on the Staff recommendations on case BOC2025-00004 RZ.

### VIII. Old Business

- a) Consideration to approve the FY 2026 Piedmont Circuit Specialty Court Contract Agreement for Advantage Behavioral Health Systems.

### IX. New Business

- a) Consideration to approve the declaration of the attached list of capital assets following the government-wide inventory.

## **X. Executive Session**

Executive Session allows discussion of discuss 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. Adjournment**

Barrow County Government will assist citizens with special needs given proper notice (seven working days). Any requests for reasonable accommodations required by individuals to fully participate in any open meeting, program, or activity of Barrow County Government should be directed to the Clerk of Commission; 30 North Broad Street, Winder, GA 30680; telephone number is 770-307-3005.

# Item Cover Page

## BOARD OF COMMISSIONERS AGENDA ITEM REPORT

**DATE:** February 10, 2026

**SUBMITTED BY:** Abril Olivas, County Clerk

**ITEM TYPE:** Minutes

**AGENDA SECTION:** **Approval of Minutes**

**SUBJECT:** January 27, 2026, Special Called minutes

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**Options:**

- Approval of the minutes
- Denial of the minutes

**ATTACHMENTS:**

[January 27, 2026 Draft Special Called Minutes.pdf](#)



**Board of Commissioners Special Called  
Draft Minutes  
Tuesday, January 27, 2026 - 5:00 PM**

**I. Call to Order**

The meeting was called to order by Chairman Pat Graham at 5:00 p.m.

Attendee Name	Title	Status
Pat Graham	Chairman	Present
Joe Goodman	District 1	Absent
Kenny Shook	District 2	Present
Rolando Alvarez	District 3	Present
Alex Ward	District 4	Present
Tim Walker	District 5	Present
Deborah Lynn	District 6	Present
Srikanth Yamala	County Manager	Present

**Also Present:** Deputy County Manager Bill Nash and County Clerk Abril Olivas.

**II. Executive Session**

<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Pat Graham, Chairman
<b>SECONDER:</b>	Deborah Lynn, District 6
<b>AYES:</b>	Graham, Shook, Alvarez, Ward, Walker, Lynn

Motion to enter executive session at 5:00 p.m. Motion made by Graham, seconded by Lynn. Voting results shown in the box above.

<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Pat Graham, Chairman
<b>SECONDER:</b>	Rolando Alvarez, District 3
<b>AYES:</b>	Graham, Shook, Alvarez, Ward, Walker, Lynn

Motion to adjourn executive session and return to regular session at 5:52 p.m. Motion made by Graham, seconded by Alvarez. Voting results shown in the box above.

**III. Adjournment**

<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Pat Graham, Chairman
<b>SECONDER:</b>	Alex Ward, District 4
<b>AYES:</b>	Graham, Shook, Alvarez, Ward, Walker, Lynn

Motion to adjourn at 5:52 p.m. Motion made by Graham, seconded by Ward. Voting results shown in the box above.

**These Minutes have not been approved by the Barrow County Board of Commissioners.**

## Item Cover Page

### BOARD OF COMMISSIONERS AGENDA ITEM REPORT

**DATE:** February 10, 2026

**SUBMITTED BY:** Abril Olivas, County Clerk

**ITEM TYPE:** Minutes

**AGENDA SECTION:** **Approval of Minutes**

**SUBJECT:** January 27, 2026, Executive Session minutes

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**Options:**

- Approval of the minutes
- Denial of the minutes

**ATTACHMENTS:**

[January 27, 2026, Executive Session Affidavit.pdf](#)

STATE OF GEORGIA  
COUNTY OF BARROW

AFFIDAVIT OF BARROW COUNTY BOARD OF COMMISSIONERS

Members of the Barrow County Board of Commissioners; being duly sworn, state under oath that the following is true and accurate to the best of their knowledge and belief:

1.  
The Barrow County Board of Commissioners met in a duly advertised meeting on January 27, 2026.
2.  
During such meeting, the Board voted to go into closed session.
3.  
The executive session was called to order at 9:00 p.m.
- 4.

The subject matter of the closed portion of the meeting was devoted to the following within the exceptions provided by the open meetings law:

\_\_\_\_\_ Consultation with the county attorney or other legal counsel to discuss pending and potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the county or any officer or employee or in which the county or any officer or employee may be directly involved as provided in O.C.G.A. §50-14-2(1);

\_\_\_\_\_ Discussion of tax matters made confidential by state law as provided in O.C.G.A. §50-14-1(2) and O.C.G.A. §\_\_\_\_\_;

Discussion of the purchase, disposal or lease of property, ordering of an appraisal related to the acquisition or disposal of real estate, entering into a contract to purchase, dispose of, or lease property (subject to approval in a subsequent public vote), and/or entering into an option to purchase, dispose of, or lease real estate (subject to approval in subsequent public vote) as provided by O.C.G.A. § 50-14-3(b)(1)(B)(C)(D) and (E);

\_\_\_\_\_ Discussion or deliberation on the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a county officer or employee or interviewing applicants for the position of the executive head of an agency as provided in O.C.G.A § 50-14-3(b)(2);

\_\_\_\_\_ Other: \_\_\_\_\_ as provided in O.C.G.A §\_\_\_\_\_.

This 27th day of January 2026.

Barrow County Board of Commissioners

[Signature]  
Pat Graham, Chairman

[Signature]  
Kenny Shook, District 2

[Signature]  
Joe Goodman, District 1

[Signature]  
Alex Ward, District 4

[Signature]  
Rolando Alvarez, District 3

[Signature]  
Deborah Lynn, District 6

Sworn to and subscribed before me this 27th day of January 2026.

[Signature]  
Notary Public

My Commission Expires: October 17, 2027



# Item Cover Page

## BOARD OF COMMISSIONERS AGENDA ITEM REPORT

**DATE:** February 10, 2026

**SUBMITTED BY:** Abril Olivas, County Clerk

**ITEM TYPE:** Minutes

**AGENDA SECTION:** **Approval of Minutes**

**SUBJECT:** January 27, 2026, Voting Session minutes

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**Options:**

- Approval of the minutes
- Denial of the minutes

**ATTACHMENTS:**

[January 27, 2026 Draft Voting Session Minutes.pdf](#)



**Board of Commissioners Voting  
Session Draft Minutes  
Tuesday, January 27, 2026 - 6:00 PM**

**I. Call to Order, Invocation, Pledge to Flag**

The meeting was called to order by Chairman Pat Graham at 6:01 p.m.

Attendee Name	Title	Status
Pat Graham	Chairman	Present
Joe Goodman	District 1	Absent
Kenny Shook	District 2	Present
Rolando Alvarez	District 3	Present
Alex Ward	District 4	Present
Tim Walker	District 5	Present
Deborah Lynn	District 6	Present
Srikanth Yamala	County Manager	Present

**Also Present:** County Attorney Charles Ferguson and County Clerk Abril Olivas.

Commissioner Lynn led the invocation and pledge.

**II. Approval of Agenda**

<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Alex Ward, District 4
<b>SECONDER:</b>	Rolando Alvarez, District 3
<b>AYES:</b>	Graham, Shook, Alvarez, Ward, Walker, Lynn

Motion to approve. Motion made by Ward, seconded by Alvarez. Voting results shown in the box above.

**III. Remarks by Commissioners**

**IV. Approval of Minutes**

<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Tim Walker, District 5
<b>SECONDER:</b>	Deborah Lynn, District 6
<b>AYES:</b>	Graham, Shook, Alvarez, Ward, Walker, Lynn

Motion to approve. Motion made by Walker, seconded by Lynn. Voting results shown in the box above.

- a) January 13, 2026, Voting Session minutes
- b) January 22, 2026, Special Called minutes

**V. Public Comment on Agenda Items**

**VI. New Business**

- a) Consideration to approve the purchase of five (5) Dell Servers for the Historic Courthouse from Dell Technologies of Round Rock, TX, in the amount of \$59,684.40.

<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Kenny Shook, District 2
<b>SECONDER:</b>	Tim Walker, District 5
<b>AYES:</b>	Graham, Shook, Alvarez, Ward, Walker, Lynn

Motion to approve as presented. Motion made by Shook, seconded by Walker. Motion with the voting results shown in the box above.

- b) Consideration to approve the RFB2026-8 Northwest Elevated Water Storage Tank Construction Service Agreement from Pittsburg Tank & Tower Company Inc. of Henderson, KY, in the amount of \$4,780,150.00, and to authorize the Chairman to execute the agreement and approve the necessary budget amendment.

<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Pat Graham, Chairman
<b>SECONDER:</b>	Deborah Lynn, District 6
<b>AYES:</b>	Graham, Shook, Alvarez, Ward, Walker, Lynn

Motion to approve. Motion made by Graham, seconded by Lynn. Motion with the voting results shown in the box above.

- c) Consideration to approve the declaration of one (1) 2024 Ford Explorer as surplus and approve the purchase of one (1) new 2025 Ford Explorer for the Sheriff's Office from Akins Ford of Winder, GA, in the amount of \$49,417.00.

<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Alex Ward, District 4
<b>SECONDER:</b>	Rolando Alvarez, District 3
<b>AYES:</b>	Graham, Shook, Alvarez, Ward, Walker, Lynn

Motion to approve as presented. Motion made by Ward, seconded by Alvarez. Motion with the voting results shown in the box above.

- d) Consideration to approve the First Amendment to the Host Fee Agreement with Republic Services of Georgia and authorize the Chairman to execute the amendment subject to review and approval by the County Attorney.

<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Alex Ward, District 4
<b>SECONDER:</b>	Kenny Shook, District 2
<b>AYES:</b>	Graham, Shook, Alvarez, Ward, Walker, Lynn

Motion to approve the First Amendment to the Host Fee Agreement with Republic Services of Georgia and authorize the Chairman to execute the amendment subject to review and approval by the County Attorney. Motion made by Ward, seconded by Shook. Motion with the voting results shown in the box above.

- e) Consideration to approve a correction of a scrivener's error in the approved December 9, 2025 Voting Session Minutes related to VIII) a) BOC 2025-00006 RZ.

<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Pat Graham, Chairman
<b>SECONDER:</b>	Rolando Alvarez, District 3
<b>AYES:</b>	Graham, Shook, Alvarez, Ward, Walker, Lynn

Motion to approve. Motion made by Graham, seconded by Alvarez. Motion with the voting results shown in the box above.

**VII. Executive Session**

**VIII. Adjournment**

<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Pat Graham, Chairman
<b>SECONDER:</b>	Alex Ward, District 4
<b>AYES:</b>	Graham, Shook, Alvarez, Ward, Walker, Lynn

Motion to adjourn at 6:14 p.m. Motion made by Graham, seconded by Ward. Voting results shown in the box above.

**These Minutes have not been approved by the Barrow County Board of Commissioners.**

## Item Cover Page

### BOARD OF COMMISSIONERS AGENDA ITEM REPORT

**DATE:** February 10, 2026

**SUBMITTED BY:** Trey Wood, Finance

**ITEM TYPE:** Board Action

**AGENDA SECTION:** Presentation

**SUBJECT:** Presentation of the Barrow County unaudited financials for the Second Quarter of FY 2026.

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**Work Session:**

Voting Session

**Purpose:**

Presentation of the Barrow County unaudited financials for the Second Quarter of FY 2026.

**Background/Summary:**

Presentation of the Barrow County unaudited financials for the Second Quarter of FY 2026.

**ATTACHMENTS:**

[FY2026 2nd Quarter Financial Presentation.pdf](#)

# FY2026 Second Quarter Financial Update Unaudited

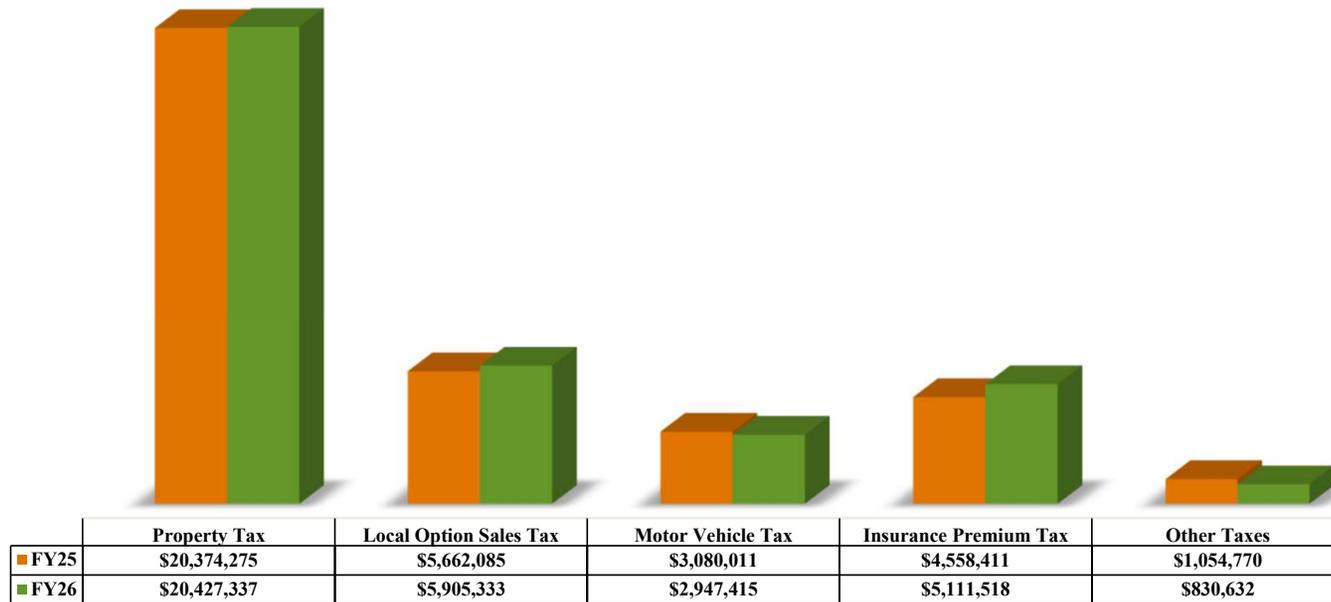
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FEBRUARY 10, 2026



## General Fund Tax Revenues FY2025 vs. FY2026

FY25 2 <sup>nd</sup> Qtr.	FY26 2 <sup>nd</sup> Qtr.
\$34,729,552	\$35,222,235

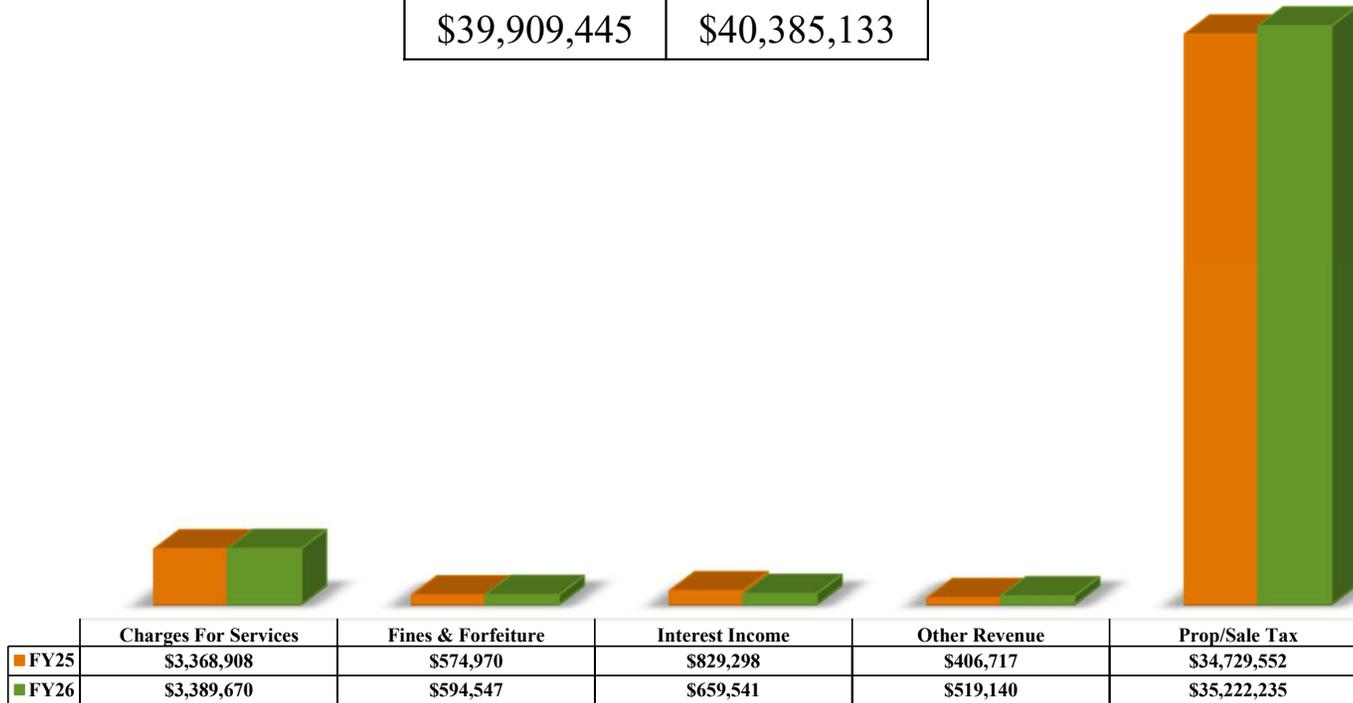


\*Other taxes includes beer & wine tax, real estate transfer tax, franchise tax, intangible tax & energy excise tax.



## General Fund Revenues FY2025 vs. FY2026

FY25 2 <sup>nd</sup> Qtr.	FY26 2 <sup>nd</sup> Qtr.
\$39,909,445	\$40,385,133

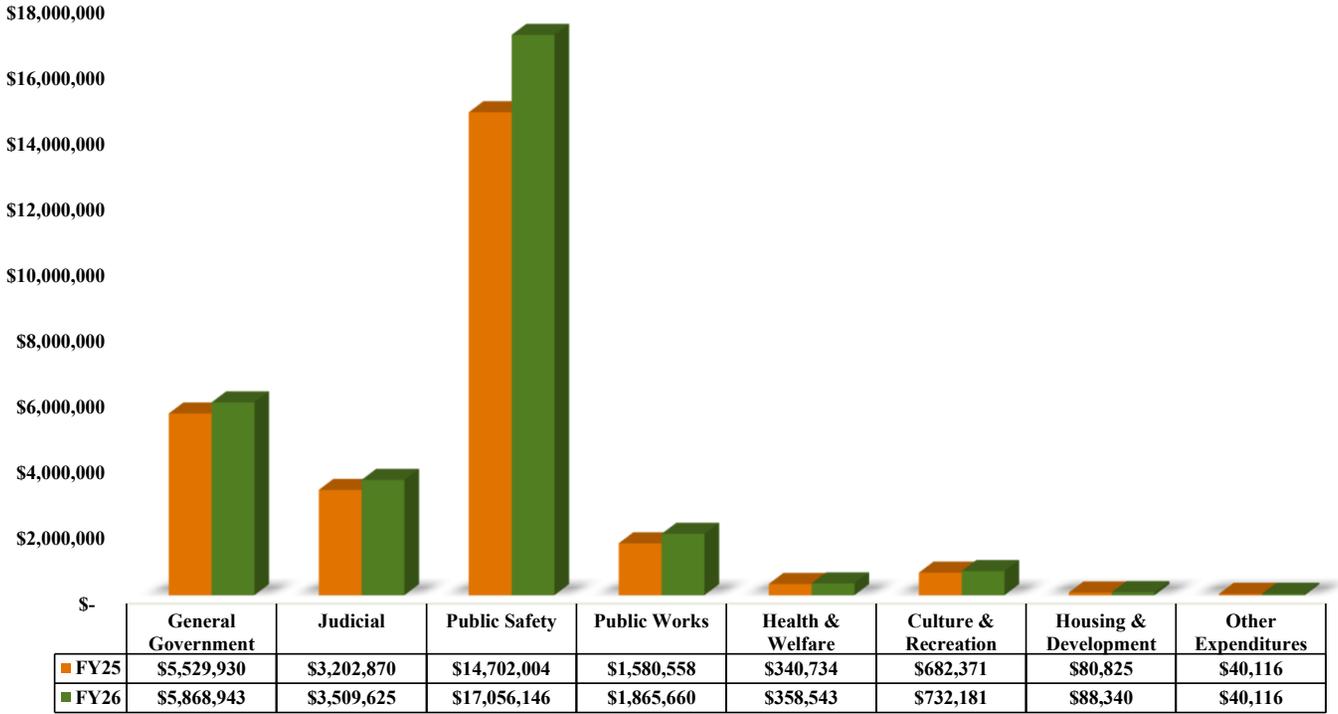


\*Other Revenues includes License & Permits, Donations & Other Financing Sources.

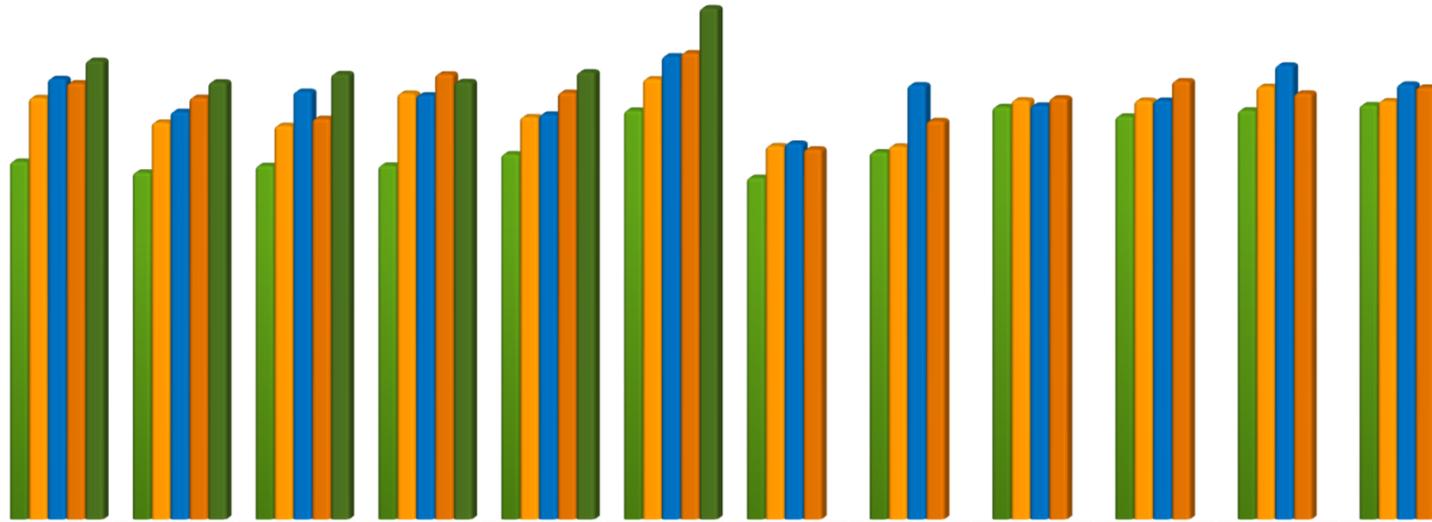


## General Fund Expenditures FY2025 vs. FY2026

FY25 2 <sup>nd</sup> Qtr.	FY26 2 <sup>nd</sup> Qtr.
\$26,159,409	\$29,519,554



## Five Year History of Collections - SPLOST



	July	August	September	October	November	December	January	February	March	April	May	June
FY2022	\$1,463,234	\$1,418,986	\$1,446,259	\$1,447,654	\$1,493,311	\$1,671,573	\$1,397,752	\$1,501,491	\$1,686,017	\$1,647,472	\$1,672,270	\$1,693,893
FY2023	\$1,722,842	\$1,622,491	\$1,609,126	\$1,740,470	\$1,644,778	\$1,799,335	\$1,526,313	\$1,524,761	\$1,713,090	\$1,711,763	\$1,768,561	\$1,709,539
FY2024	\$1,800,625	\$1,666,830	\$1,748,455	\$1,733,692	\$1,655,375	\$1,893,114	\$1,536,707	\$1,774,905	\$1,692,069	\$1,711,923	\$1,855,606	\$1,777,873
FY2025	\$1,783,027	\$1,723,707	\$1,638,203	\$1,819,235	\$1,744,443	\$1,905,227	\$1,513,301	\$1,629,036	\$1,721,331	\$1,791,304	\$1,741,304	\$1,765,713
FY2026	\$1,874,670	\$1,786,468	\$1,820,565	\$1,787,980	\$1,827,622	\$2,088,911						



**Barrow**  
COUNTY GEORGIA

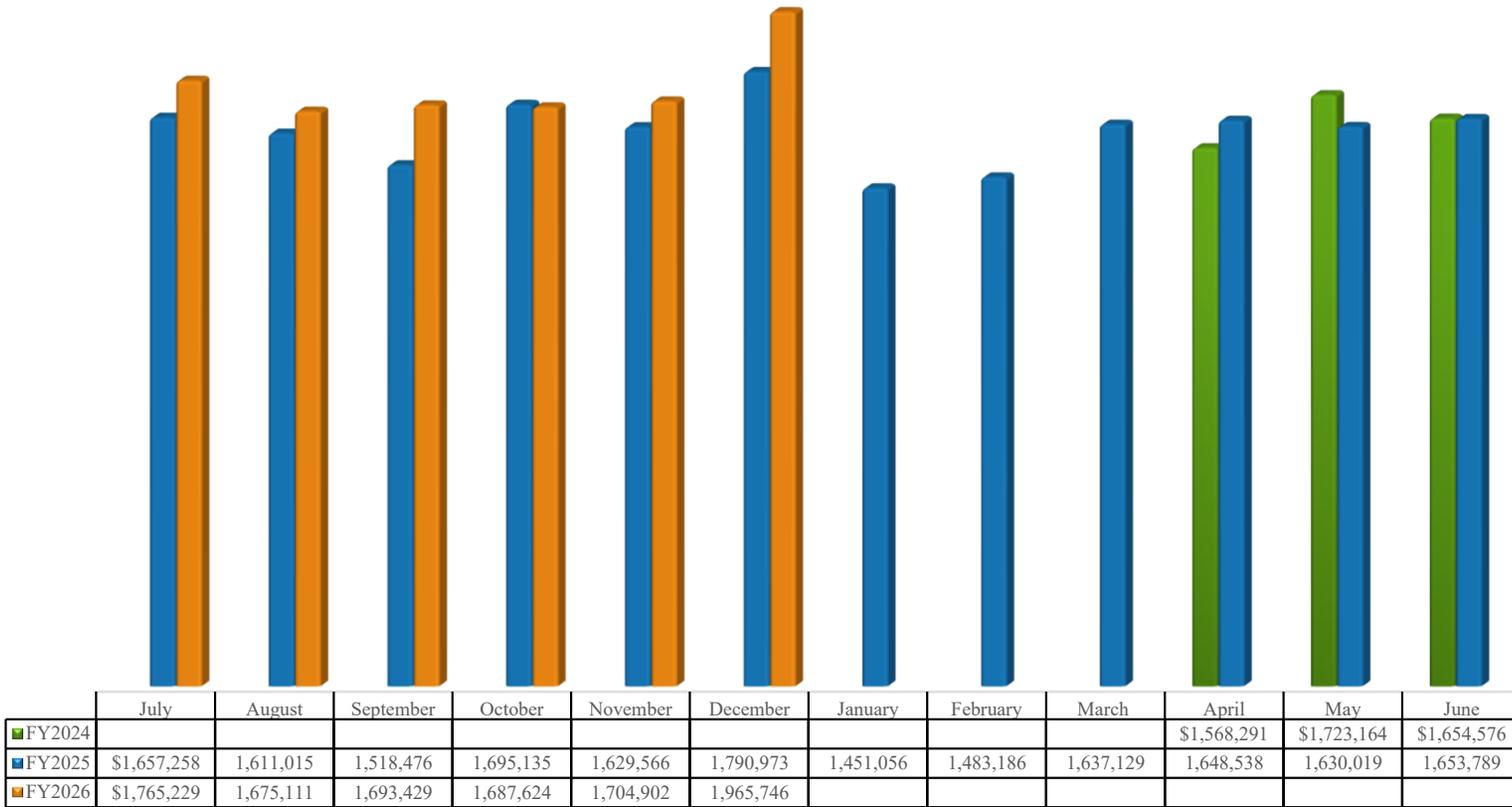
SPLOST 2022 Activity as of December 31, 2025

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<b>SPLOST 2022 Collected</b>	<b>\$ 67,947,832</b>
<b>County Level 1 Project (Fully Collected as of November 2025)</b>	<b>\$ 38,600,000</b>
<b>SPLOST 2022 Distributed to Cities &amp; Towns</b>	
<b>Auburn</b>	<b>\$ 2,699,452</b>
<b>Bethlehem</b>	<b>\$ 255,496</b>
<b>Braselton</b>	<b>\$ 634,336</b>
<b>Carl</b>	<b>\$ 82,816</b>
<b>Statham</b>	<b>\$ 1,000,489</b>
<b>Winder</b>	<b>\$ 6,321,159</b>
<b>SPLOST 2022 allocation for Barrow County</b>	<b>\$ 18,354,083</b>



## Five Year History of Collections - TSPLOST



TSPLOST Activity as of December 31, 2025

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**TSPLOST Collected** **\$ 34,844,211**

**TSPLOST Distributed to Cities & Towns**

**Auburn** **\$ 2,240,483**

**Bethlehem** **\$ 442,521**

**Braselton** **\$ 547,054**

**Carl** **\$ 191,643**

**Statham** **\$ 1,174,250**

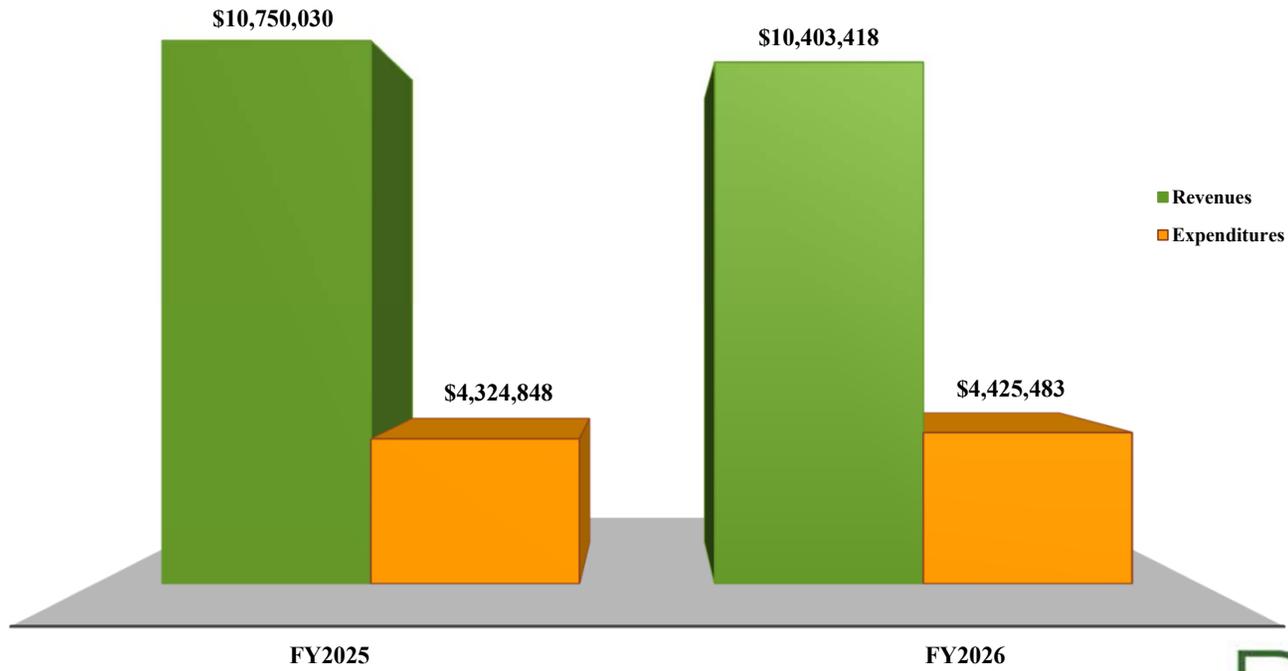
**Winder** **\$ 4,993,176**

**TSPLOST Allocation for Barrow County** **\$ 25,255,084**



Fire Fund FY2025 vs FY2026 as of December 31<sup>st</sup>

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■ Revenues  
■ Expenditures



Water & Sewerage Fund FY2025 vs FY2026 as of December 31<sup>st</sup>

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# Questions?

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## Item Cover Page

**BOARD OF COMMISSIONERS AGENDA ITEM REPORT**

**DATE:** February 10, 2026

**SUBMITTED BY:** Jennifer Lopez, Planning & Community Development

**ITEM TYPE:** Public Hearing

**AGENDA SECTION:** **Public Hearings**

**SUBJECT:** **BOC 2025-00005 RZ (XX011 005, XX011 010) 154 Hill's Shop Rd; MHB Lending LLC / Applicant; Raymond Hardy / Owner.**  
Request to rezone ±26.68 acres zoned AG and AR respectively to R-2 for a 36-lot single-family detached subdivision.

**Commission District:**  
District 5: Tim Walker

**Existing Land Use:**  
VACANT

**Existing Zoning:**  
XX011 010- AG (AGRICULTURE); XX011 005- AR ( AGRICULTURAL RESIDENTIAL)

**Future Land Use Map Category:**  
TRADITIONAL RESIDENTIAL

**Summary:**

The applicant is requesting to rezone ±26.68 acres from AG (Agricultural) and AR (Agricultural Residential) to R-2 Open Space (Medium Density Residential) to allow development of a single-family residential subdivision that is part of a larger coordinated project with Gwinnett County. The portion of the development located within Barrow County consists of two parcels totaling ±26.68 acres along Hill's Shop Road and proposes 48 single-family residential lots.

Within Barrow County, the proposed development results in a gross density of approximately 1.80 dwelling units per acre, which is lower than the R-2 Open Space required density of 2.3 du per acre. The concept plan provides approximately 14.75 acres (±55.3%) of open space, including primary conservation areas and common open space, exceeding the minimum requirements of the Unified Development Code.

**ATTACHMENTS:**

PC RECOMMENDATIONS.PDF  
STAFF RECOMMENDATION .pdf  
EXHIBIT A.pdf  
SITE PLAN.pdf  
LETTER OF INTENT.pdf  
ELEVATIONS.pdf  
PROFFERED CONDITIONS.pdf  
AERIAL MAP.pdf  
FUTURE LAND USE MAP.pdf  
ZONING MAP.pdf  
SUMMARY.pdf  
STAFF ANALYSIS.pdf  
APPLICATION.pdf

## Planning Commission Recommendation

Planning Commission Public Hearing held on **January 15, 2026**

**BOC2025-00005 (XX011 005, XX011 010) 154 Hill's Shop Rd; MHB Lending LLC / Applicant; Raymond Hardy / Owner.** Request to rezone ±26.68 acres from AG (Agricultural) and AR (Agricultural Residential) to R-2 (Medium Density Residential) for an open space residential subdivision.

### **Motion to recommend APPROVAL with Staff recommendations:**

1. All single-family residences shall have a minimum heated area of 1,800 sqft. for single-story homes and 2,000 sqft. for two-story homes.
2. All homes shall have a minimum two car garage. (Proffered)
3. All development shall comply with the R-2 Open Space district standards as set forth in the Barrow County Unified Development Code.
4. A minimum of 20 percent open space plus all primary conservation areas shall be provided and maintained in accordance with UDC requirements.
5. A mandatory Homeowners Association shall be established and shall be responsible for maintenance of all common areas/facilities and street frontage landscaping. (Proffered)
6. Homes shall be designed to incorporate the following: Front elevations to be designed with brick, stone, fiber cement siding, fiber cement cedar shake, fiber cement board and batten or a mixture thereof. Sides and rear elevations to be fiber cement siding. (Proffered)
7. All utilities shall be placed underground. (Proffered)
8. All grassed areas on dwelling lots shall be sodded. (Proffered)
9. The owner/developer shall install and maintain a 20-foot landscape strip, designed by a registered landscape architect and approved by the Director of Planning and Community Development (or designee), along the full length of the development on proposed conceptual road as shown on Exhibit A. The landscape strip must adjust with the topography to screen the side and rear yards. It shall include a six-foot-high, rot-resistant privacy fence along the full length of the development, positioned outside the property lines of individual lots. The landscape strip must, at a minimum, include evergreen trees suitable for local growing conditions between the privacy fence and the lots along the conceptual road of Exhibit A with trees being a minimum of six feet in height upon planting.
10. All stream buffers, floodplain areas, and primary conservation areas shall remain undisturbed except as permitted by applicable regulations.
11. Natural Vegetation shall remain on the property prior to the issuance of a

Development Permit. (Proffered)

12. Dedication of the required right-of-way to Barrow County shall be completed prior to final plat approval.
13. Utilities provided by Gwinnett County water and sewer through an intergovernmental agreement with Barrow County. Intergovernmental agreement must be in place prior to issuance of Land Disturbance Permit.
14. Amenity Areas to be provided in Gwinnett and Barrow and shall consist of a minimum the following amenities: a recreation area with swimming pool, pickleball courts, cabana and dog parks. (Proffered)
15. Any Fire Department comments shall be addressed during the development permit process, including submission of a life-safety plan and details for any proposed amenity structures.

Motion made by District 1; Joe Vann

Motion seconded by District 6; Jean Morrow

Motion **passed**

**THE BOARD OF COMMISSIONERS MEETING WILL BE HELD ON FEBRUARY 10 at 6:00 PM AT THE BARROW COUNTY HISTORIC COURTHOUSE, 30 NORTH BROAD STREET, WINDER, GA 30680; 2ND FLOOR IN THE BOARD ROOM.**

### **STAFF RECOMMENDATION**

Staff recommends **APPROVAL** of the request to rezone ±26.68 acres from AG and AR to R-2 Open Space to allow a 48-lot single-family residential subdivision, subject to the following conditions:

1. All single-family residences shall have a minimum heated area of 1,800 sqft. for single-story homes and 2,000 sqft. for two-story homes.
2. All homes shall have a minimum two car garage. (Proffered)
3. All development shall comply with the R-2 Open Space district standards as set forth in the Barrow County Unified Development Code.
4. A minimum of 20 percent open space plus all primary conservation areas shall be provided and maintained in accordance with UDC requirements.
5. A mandatory Homeowners Association shall be established and shall be responsible for maintenance of all common areas/facilities and street frontage landscaping. (Proffered)

6. Homes shall be designed to incorporate the following: Front elevations to be designed with brick, stone, fiber cement siding, fiber cement cedar shake, fiber cement board and batten or a mixture thereof. Sides and rear elevations to be fiber cement siding. (Proffered)
7. All utilities shall be placed underground. (Proffered)
8. All grassed areas on dwelling lots shall be sodded. (Proffered)
9. The owner/developer shall install and maintain a 20-foot landscape strip, designed by a registered landscape architect and approved by the Director of Planning and Community Development (or designee), along the full length of the development on proposed conceptual road as shown on Exhibit A. The landscape strip must adjust with the topography to screen the side and rear yards. It shall include a six-foot-high, rot-resistant privacy fence along the full length of the development, positioned outside the property lines of individual lots. The landscape strip must, at a minimum, include evergreen trees suitable for local growing conditions between the privacy fence and the lots along the conceptual road of Exhibit A with trees being a minimum of six feet in height upon planting.
10. All stream buffers, floodplain areas, and primary conservation areas shall remain undisturbed except as permitted by applicable regulations.
11. Natural Vegetation shall remain on the property prior to the issuance of a Development Permit. (Proffered)
12. Dedication of the required right-of-way to Barrow County shall be completed prior to final plat approval.
13. Utilities provided by Gwinnett County water and sewer through an intergovernmental agreement with Barrow County. Intergovernmental agreement must be in place prior to issuance of Land Disturbance Permit.
14. Amenity Areas to be provided in Gwinnett and Barrow and shall consist of a minimum the following amenities: a recreation area with swimming pool, pickleball courts, cabana and dog parks. (Proffered)
15. Any Fire Department comments shall be addressed during the development permit process, including submission of a life-safety plan and details for any proposed amenity structures.



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### **PLANNING STUDY**

**BOC2025-00005 (XX011 005, XX011 010) 154 Hill's Shop Rd; MHB Lending LLC / Applicant; Raymond Hardy / Owner.** Request to rezone ±26.68 acres from AG (Agricultural) and AR (Agricultural Residential) to R-2 (Medium Density Residential) for an open space residential subdivision.

### **STAFF RECOMMENDATION**

Staff recommends **APPROVAL** of the request to rezone ±26.68 acres from AG and AR to R-2 Open Space to allow a 48-lot single-family residential subdivision, subject to the following conditions:

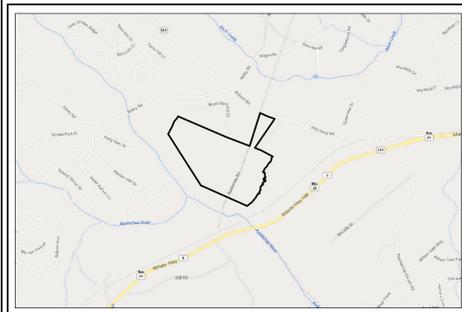
1. All single-family residences shall have a minimum heated area of 1,800 sq. ft. for single-story homes and 2,000 sq. ft. for two-story homes. (Proffered)
2. All development shall comply with the R-2 Open Space district standards as set forth in the Barrow County Unified Development Code.
3. A minimum of 20 percent open space plus all primary conservation areas shall be provided and maintained in accordance with UDC requirements.
4. All open space, amenities, stormwater facilities, and buffers shall be owned and maintained by a mandatory homeowners' association.
5. Exterior building materials shall consist of brick, stone, stucco, or fiber-cement siding, or a combination thereof, on all sides.
6. Sod and landscaping shall be installed and maintained on all single-family lots.
7. The owner/developer shall install and maintain a 20-foot landscape strip, designed by a registered landscape architect and approved by the Director of Planning and Community Development (or designee), along the full length of the development on proposed conceptual road as shown on Exhibit A. The landscape strip must adjust with the topography to screen the side and rear yards. It shall include a six-foot-high, rot-resistant privacy fence along the full length of the development, positioned outside the property lines of individual lots. The landscape strip must, at a minimum, include evergreen trees suitable for local growing conditions between the privacy fence and the lots along the conceptual road of Exhibit A with trees being a minimum of six feet in height upon planting.



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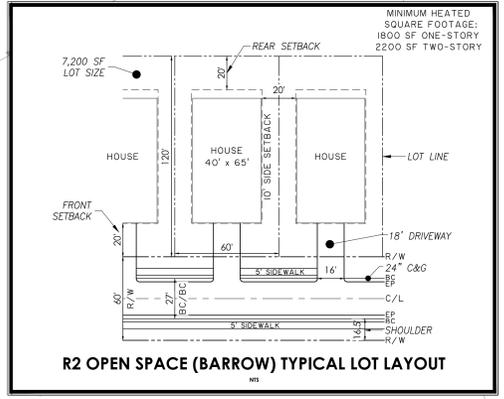
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8. All stream buffers, floodplain areas, and primary conservation areas shall remain undisturbed except as permitted by applicable regulations.
9. Dedication of the required right-of-way to Barrow County shall be completed prior to final plat approval.
10. Utilities provided by Gwinnett County water and sewer through an intergovernmental agreement with Barrow County. Intergovernmental agreement must be in place prior to issuance of Land Disturbance Permit.
11. Any Fire Department comments shall be addressed during the development permit process, including submission of a life-safety plan and details for any proposed amenity structures.



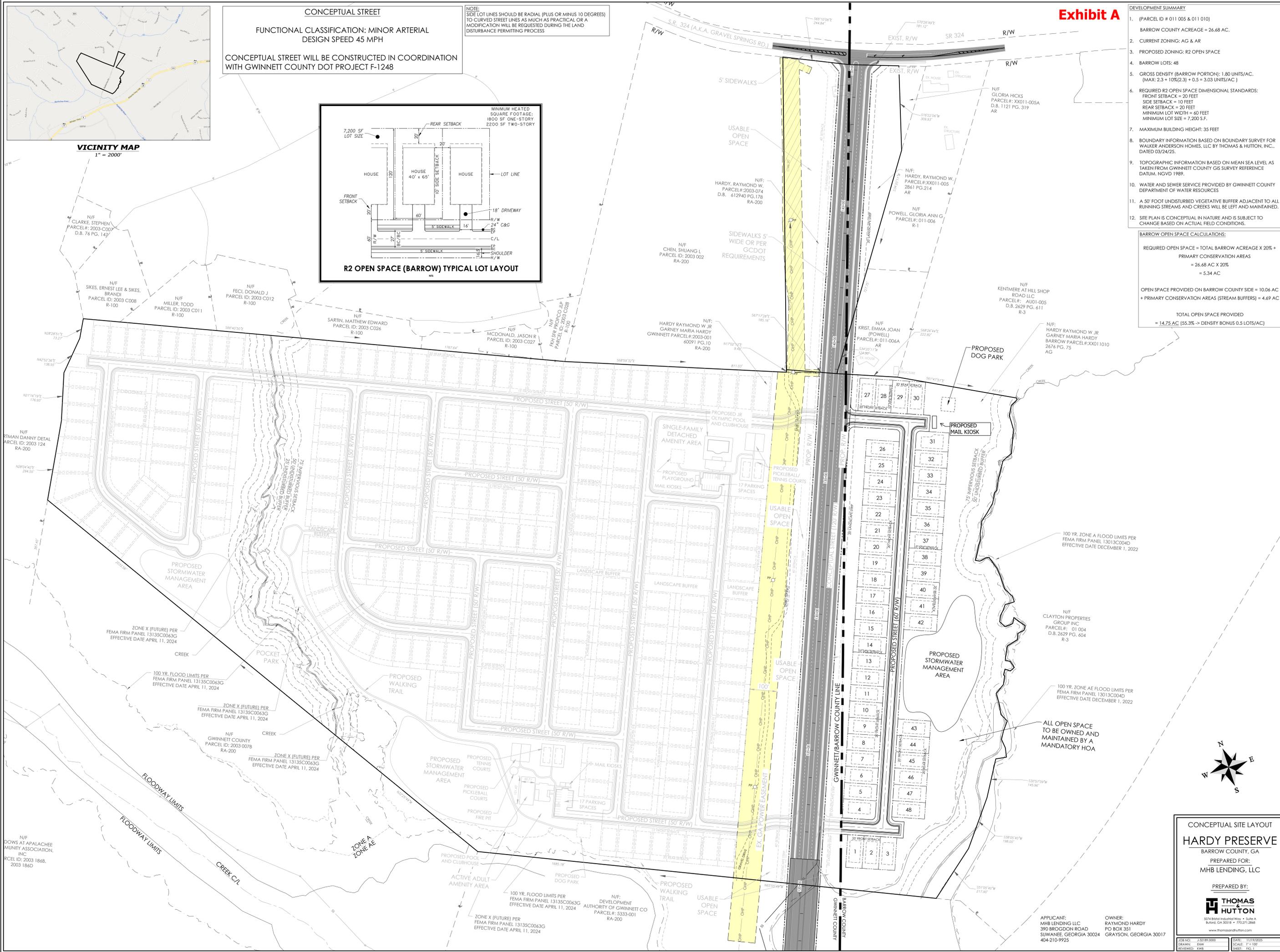
CONCEPTUAL STREET  
FUNCTIONAL CLASSIFICATION: MINOR ARTERIAL  
DESIGN SPEED 45 MPH  
CONCEPTUAL STREET WILL BE CONSTRUCTED IN COORDINATION WITH GWINNETT COUNTY DOT PROJECT F-1248

NOTE:  
SIDE LOT LINES SHOULD BE RADIAL (PLUS OR MINUS 10 DEGREES) TO CURVED STREET LINES AS MUCH AS PRACTICAL OR A MODIFICATION WILL BE REQUESTED DURING THE LAND DISTURBANCE PERMITTING PROCESS



- DEVELOPMENT SUMMARY
1. (PARCEL ID # 011 005 & 011 010) BARROW COUNTY ACREAGE = 26.68 AC.
2. CURRENT ZONING: AG & AR
3. PROPOSED ZONING: R2 OPEN SPACE
4. BARROW LOTS: 48
5. GROSS DENSITY (BARROW PORTION): 1.80 UNITS/AC. (MAX: 2.3 + 10%[2.3] + 0.5 = 3.03 UNITS/AC)
6. REQUIRED R2 OPEN SPACE DIMENSIONAL STANDARDS: FRONT SETBACK = 20 FEET, SIDE SETBACK = 10 FEET, REAR SETBACK = 20 FEET, MINIMUM LOT WIDTH = 60 FEET, MINIMUM LOT SIZE = 7,200 S.F.
7. MAXIMUM BUILDING HEIGHT: 35 FEET
8. BOUNDARY INFORMATION BASED ON BOUNDARY SURVEY FOR WALKER ANDERSON HOMES, LLC BY THOMAS & HUTTON, INC., DATED 03/24/25.
9. TOPOGRAPHIC INFORMATION BASED ON MEAN SEA LEVEL AS TAKEN FROM GWINNETT COUNTY GIS SURVEY REFERENCE DATUM, NGVD 1989.
10. WATER AND SEWER SERVICE PROVIDED BY GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES
11. A 50' FOOT UNDISTURBED VEGETATIVE BUFFER ADJACENT TO ALL RUNNING STREAMS AND CREEKS WILL BE LEFT AND MAINTAINED.
12. SITE PLAN IS CONCEPTUAL IN NATURE AND IS SUBJECT TO CHANGE BASED ON ACTUAL FIELD CONDITIONS.

BARROW OPEN SPACE CALCULATIONS:  
REQUIRED OPEN SPACE = TOTAL BARROW ACREAGE X 20% + PRIMARY CONSERVATION AREAS = 26.68 AC X 20% + 5.34 AC = 11.68 AC  
OPEN SPACE PROVIDED ON BARROW COUNTY SIDE = 10.06 AC + PRIMARY CONSERVATION AREAS (STREAM BUFFERS) = 4.69 AC  
TOTAL OPEN SPACE PROVIDED = 14.75 AC (55.3% -> DENSITY BONUS 0.5 LOTS/AC)



CONCEPTUAL SITE LAYOUT  
HARDY PRESERVE  
BARROW COUNTY, GA  
PREPARED FOR:  
MHB LENDING, LLC



APPLICANT: MHB LENDING LLC  
OWNER: RAYMOND HARDY  
390 BROGDON ROAD, SUWANEE, GEORGIA 30024  
404-210-9925

Table with 2 columns: Description (DESIGNED, DRAWN, REVIEWED) and Name (KWS, KWS, KWS). Includes a date field: DATE: 11/19/2025.



August 21, 2025

**LETTER OF INTENT FOR REZONING**

Hardy Preserve  
**Rezoning Application**  
**Barrow County, Georgia**

**Applicant:**  
MHB Lending, LLC

**Property:**  
Tax Parcels 011 005 and 011 010  
+/- 26.68 Acres of Land  
Located at 154 Hill's Shop Road and Auburn Road  
Unincorporated Barrow County

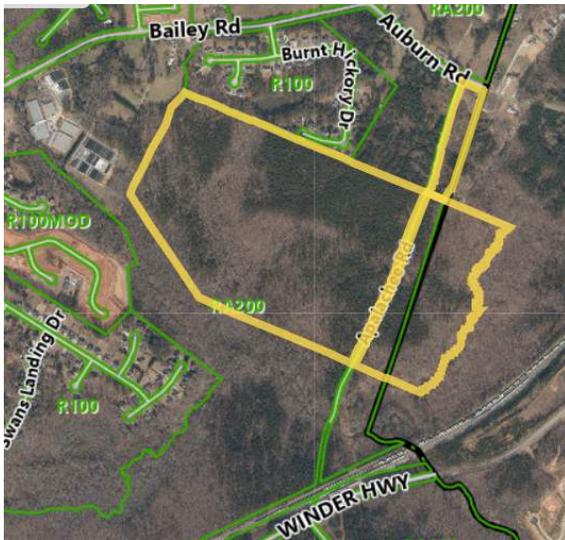
**From AG & AR to R2 Open Space**

**Summary:**

- 1) Single Family Residential Subdivision
- 2) Acreage: 26.68 acres
- 3) Zoning Requested: R2 Open Space
- 4) Number of proposed lots: 36 Lots Proposed
- 5) Minimum Square Footage: 1,800 square feet one-story & 2,000 square feet 2-story
- 6) Density: 1.35 Units per acre
- 7) Parking Spaces: 15 spaces for amenity area
- 8) Maximum Height: 35 feet
- 9) No requested changes in buffers

**I. INTRODUCTION**

This Application for Rezoning is submitted for a 26.68-acre assemblage of land located at 154 Hill’s Shop Road, west of US Business 29. The Property is an assemblage of two (2) tax parcels located in Gwinnett County and two (2) tax parcels located in Barrow County. The total acreage of the parcels is approximately 134 acres, and this application relates to the 26.68 acres on the Barrow portion of the Property. The Property is reflected in the conceptual zoning plan prepared by Thomas & Hutton, dated 8.20.2025 and filed with this Application. The Gwinnett Portion of the property is currently in the zoning process with the Gwinnett County Planning Department. The Property that is the subject of this Rezoning application is further identified below from the Gwinnett County and Barrow County GIS Maps.



The Property is currently zoned AG (Agricultural District) and AR (Agricultural-residential District) pursuant to the Barrow County Zoning Map. The Applicant, MHB Lending LLC, now seeks approval to rezone the Property to R2 Open Space to develop a distinctive and attractive single-family residential detached subdivision with a total of 36 lots (294 lots in Gwinnett County and 36 lots in Barrow County).

**II. DESCRIPTION OF THE PROPERTY AND SURROUNDING AREA**

As stated above, the Property consists of four (4) tax parcels and contains a total of approximately 134 acres.<sup>1</sup> Tax Parcels 2-003-001 and 2-003-074 are in Gwinnett County and parcels 011 005 and 011 010 are located in Barrow County. The Property is bordered to the east by a single-family detached and attached townhome subdivision, Kentmere, located in the City Limits of Auburn and is zoned PSV (Planned Suburban Village) with a density of 5.07 units per acre.

<sup>1</sup> Overall Development

## Future Development Map Barrow County



The two subject properties are located within the Traditional Residential Area on the Barrow Future Development Map shown above. The Traditional Neighborhood as outlined in Chapter 5 of the Barrow Comprehensive Plan states the intent is to “preserve established neighborhoods and create quality infill development that respects the prevailing single-family character”. Future Land Uses outlined in Chapter Five also lists Single-family homes on smaller lots, townhomes, duplexes, triplexes, quadplexes, and cottage-style homes (minimum of 2 dwelling units an acre; maximum of 6 dwelling units an acre). These areas are predominantly single-family residential with the goal to encourage gentle density through smaller footprint homes. As such, a single-family detached residential subdivision with 36 lots in Barrow County with a density of 1.35 units per acre, is far below allowable maximum bonus density of 3.03 units per acre and would be appropriate for this area. More importantly, the development would help achieve the housing goals of Barrow County and provide additional attainable housing supply.

### **III. PROJECT SUMMARY**

As shown on the site plan dated 8.20.2025 and filed with this Application, the Applicant proposes to develop the Property into a single-family detached subdivision. The Applicant is proposing to rezone approximately 26.68 acres in Barrow County from AG and AR to R2 Open Space subdivision accommodate the development of a residential community with 36 lots for a gross density of 1.35 units per acre. As indicated above, the site is in close proximity to single-family residential subdivisions, and the proposed density is less, and the nature of this development is compatible with existing and

surrounding properties. The proposed development would provide attractive residences with a minimum of 1,800 heated square feet on single-story dwellings, and 2,200 heated square feet on two-story dwellings, which is complementary to the size of homes in the area. The architectural style of the homes would be constructed with a variety of facades, including brick, stacked stone, hardi-plank, shake, board and batten, architectural shingles, and two car garages. For reference, sample elevations have been included with this Application.

The proposed development will have up to three entrances located on a new road connecting Auburn Road to the Rowan property via a new multilane parkway to be built in partnership with Gwinnett County Department of Transportation for a portion of project F-1248. The entrances will be landscaped and maintained by the mandatory Homeowners Association. The development would include open space in excess of the required open space in R2 Open Space with multiple designated amenities and common space areas, one including pool, cabana and pickleball courts located along the eastern side of the proposed Connector Road. Also, along the street frontage will be a 20-foot landscape strip planted with trees to screen the homes from the parkway as shown on the zoning concept plan. The project is designed to be pedestrian friendly with connecting sidewalks internally and along the future multilane road.

The property will be served by Gwinnett County Water and Sewer, and capacity is available for the size of this project, as the applicant has worked with Gwinnett County DWR throughout the planning process. Gwinnett County will work with Barrow County for an Intergovernmental Agreement (IGA) for service delivery.

#### **IV. CONCLUSION**

As outlined above we feel that this community will be an asset to Barrow County and respectfully request that this Application to rezone the Property R2 Open Space be approved. We welcome the opportunity to meet with the Barrow County Planning Department staff to answer any questions or to address any concerns relating to this Letter of Intent or supporting materials.

Thank you for consideration of this rezoning request.

Sincerely,  
Corbitt Woods  
MHB Lending LLC



3002





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(770) 307-3021  
[www.barrowcountyplanning.org](http://www.barrowcountyplanning.org)

### PROFFERED CONDITIONS

As part of an application for any zoning action, a property owner may proffer, in writing, proposed conditions to apply and be part of the rezoning being requested by the applicant. Proffered conditions may include written statements, development plans, profiles, elevations, or other demonstrative materials.

Please list any written proffered conditions below:

1. Minimum Heated square footage: 1,800 square feet one-story/2,000 square feet two-story
2. Amenity area, pool, clubhouse, dog park, courts
3. Architectural Treatments: variety of facades, including brick, stacked stone, hardi-plank, shake, board and batten, 2 Car Garages, architectural shingles
4. Please also see letter of intent and conceptual zoning plan

Any development plans, profiles, elevations, or other demonstrative materials presented as proffered conditions shall be referenced below and attached to this application:

Please see attached elevations.

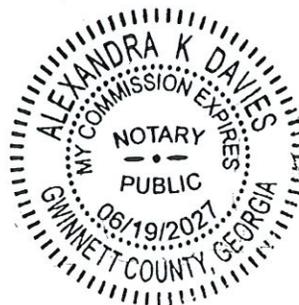
I do hereby submit these proffered conditions as an attachment to my application and request that they be considered along with same.

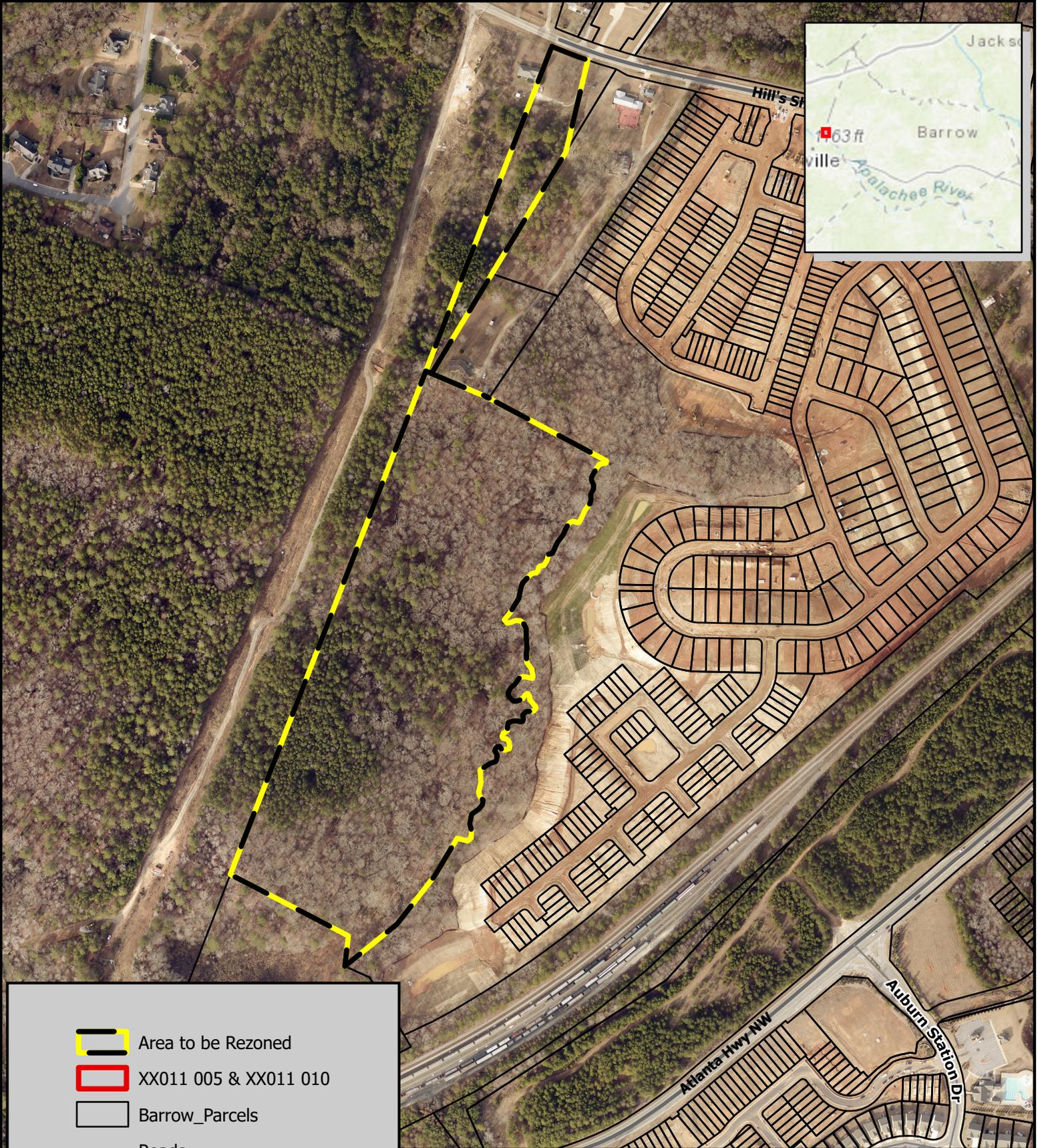
Applicant's Signature: MHB Lending, LLC  
Corbett Woods

Applicant's Name: MHB Lending LLC/ Corbett Woods Date: 8/20/25

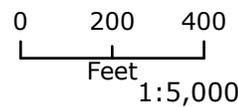
SUBSCRIBED AND SWORN BEFORE ME  
ON THIS THE 20 DAY OF August, 2025.

Alexandra J. Davies  
NOTARY PUBLIC  
My Commission Expires: 06/19/2027

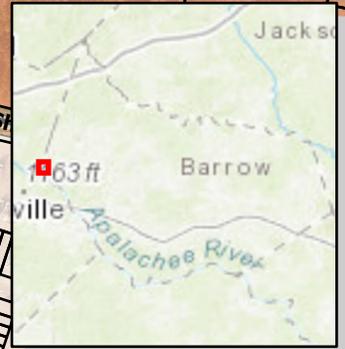
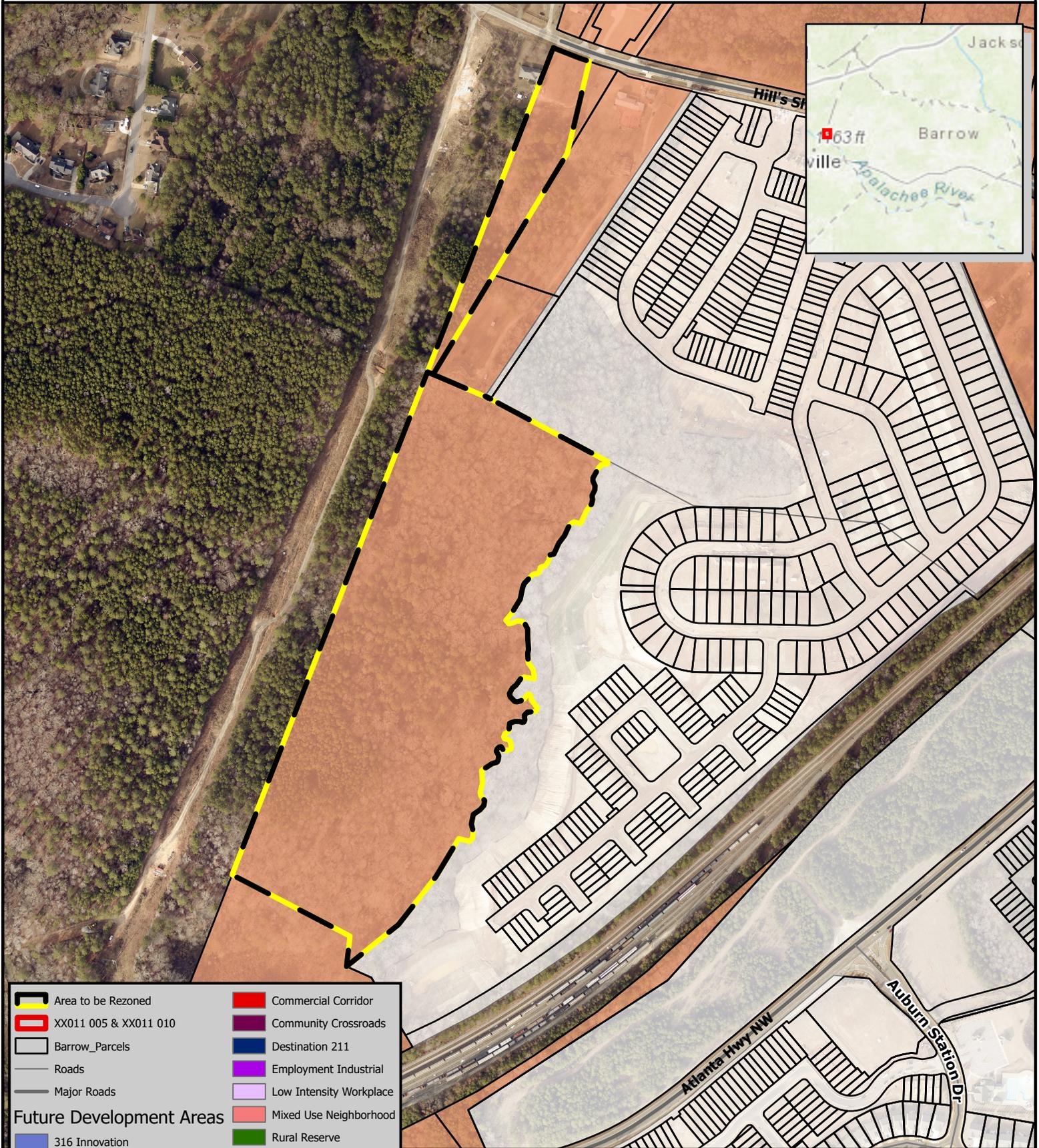




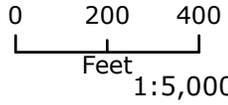
-  Area to be Rezoned
-  XX011 005 & XX011 010
-  Barrow\_Parcels
-  Roads
-  Major Roads



DISCLAIMER  
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INFORMATION CONTAINED  
HEREIN. **40**



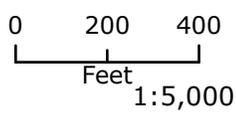
- Area to be Rezoned
- XX011 005 & XX011 010
- Barrow\_Parcel
- Roads
- Major Roads
- 316 Innovation
- City of Auburn
- City of Statham
- City of Winder
- Commercial Corridor
- Community Crossroads
- Destination 211
- Employment Industrial
- Low Intensity Workplace
- Mixed Use Neighborhood
- Rural Reserve
- Rural Residential
- Suburban Residential
- Town of Braselton
- Traditional Residential



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 INFORMATION CONTAINED  
 HEREIN. **41**



	Area to be Rezoned		AR		M2
	XX011 005 & XX011 010		City		MH
	Barrow_Parcels		City		OI
	Roads		City		R1
	Major Roads		C1		R2
<b>Zoning Districts</b>			C2		R3
	AC		C3		City
	AG		City		City
			M1		



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### **PLANNING STUDY**

**BOC2025-00005 (XX011 005, XX011 010) 154 Hill's Shop Rd; MHB Lending LLC / Applicant; Raymond Hardy / Owner.** Request to rezone ±26.68 acres from AG (Agricultural) and AR (Agricultural Residential) to R-2 (Medium Density Residential) for an open space residential subdivision.

### **SUMMARY**

The applicant is requesting to rezone ±26.68 acres from AG (Agricultural) and AR (Agricultural Residential) to R-2 Open Space (Medium Density Residential) to allow development of a single-family residential subdivision that is part of a larger coordinated project with Gwinnett County. The portion of the development located within Barrow County consists of two parcels totaling ±26.68 acres along Hill's Shop Road and proposes 48 single-family residential lots.

Within Barrow County, the proposed development results in a gross density of approximately 1.80 dwelling units per acre, which is lower than the R-2 Open Space required density of 2.3 du per acre. The concept plan provides approximately 14.75 acres (±55.3%) of open space, including primary conservation areas and common open space, exceeding the minimum requirements of the Unified Development Code.



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### **PLANNING STUDY**

**BOC2025-00005 (XX011 005, XX011 010) 154 Hill's Shop Rd; MHB Lending LLC / Applicant; Raymond Hardy / Owner.** Request to rezone ±26.68 acres from AG (Agricultural) and AR (Agricultural Residential) to R-2 (Medium Density Residential) for an open space residential subdivision.

### **DEPARTMENT / AGENCY COMMENTS**

Request for comments sent on (9/3/2025)

**GDOT** - No Comments Received as of 1/6/2026

**Transportation – Reviewed by Jessica Jackson, Transportation Manager**

No Comments Received as of 1/6/2026

**Fire – Comments received 9/11/2025**

The location will be required to provide a full set of site plans, with a life safety page showing the following. All road widths, fire hydrant locations, etc. Furthermore, if any assembly amenities are planned those structures will be required to be submitted as well.

**Environmental Health** –No Comments Received as of 1/6/2026

**Board of Education** – No Comments Received as of 1/6/2026

### **STAFF ANALYSIS**

1. **Is the proposed use consistent with the stated purpose of the zoning district that is being requested?**

Yes. The R-2 Open Space district is intended to accommodate medium-density residential subdivisions that preserve open space and natural features. The proposed development meets this intent.

2. **Is the proposed use suitable in view of the zoning and development of adjacent and nearby property?**



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Yes. Surrounding properties include a mix of residential subdivisions and agricultural uses. The proposed development is compatible with existing and anticipated development patterns.

**3. Will the proposed use not adversely affect the existing use or usability of adjacent and nearby property?**

No adverse impacts are anticipated. Required buffers, open space preservation, and internal circulation mitigate potential impacts.

**4. Is the proposed use compatible with the goals, objectives, purpose, and intent of the Comprehensive Plan?**

Yes. The Traditional Residential designation supports residential neighborhoods with a mix of densities and integrated open space.

**5. Are there substantial reasons why the property cannot or should not be used as currently zoned?**

Yes. The existing AG and AR districts do not allow the proposed clustered residential development or open space subdivision design.

**6. Will the proposed uses not cause an excessive or burdensome use of public facilities or services?**

No. Water and sewer service will be provided by Gwinnett County under an intergovernmental agreement, and no excessive burden on Barrow County facilities is anticipated.

**7. Is the proposed use supported by new or changing conditions not anticipated by the Comprehensive Plan or reflected in the existing zoning on the property or surrounding properties?**

Yes. The area continues to experience residential growth and coordinated development activity consistent with regional planning efforts.

**8. Does the proposed use reflect a reasonable balance between public health, safety, welfare, and private property rights?**

Yes. The proposal allows reasonable development while preserving environmental features, open space, and community amenities.



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# PC BOC APPLICATION

Barrow County Board of Commissioners

Submitted On:

Aug 22, 2025, 09:47AM EDT

## Rezone / Special Use / Future Land Use Map Amendment / Change in Conditions Application

<b>Tax Map and Parcel Number</b>	011 005 and 011 010
<b>Location / Address</b>	<b>Street Address:</b> 154 Hill's Shop Road & 0 address <b>City:</b> Auburn <b>State:</b> GA <b>Zip:</b> 30011
<b>Briefly Describe the Request (including any variance requests, if applicable):</b>	Rezone two parcels from AR (011 005) and AG (011 010) to R2 Open Space
<b>What type of Zoning Action are you applying for? (Please check all that apply.)</b>	Rezone
<b>Are you applying for a variance in conjunction with another Zoning Action</b>	No
<b>Existing Zoning District</b>	AG - Agricultural
<b>Proposed Zoning District</b>	R-2 - Medium Density Residential
<b>Applicant Name</b>	MHB Lending LLC
<b>Applicant Address</b>	<b>Street Address:</b> [REDACTED] <b>City:</b> [REDACTED] <b>State:</b> [REDACTED] <b>Zip:</b> [REDACTED]
<b>Applicant Phone Number</b>	[REDACTED]
<b>Applicant Email</b>	[REDACTED]
<b>Applicant is the...</b>	Contract Purchaser
<b>Who will be the main point of contact for this application?</b>	Applicant
<b>Property Owner(s) Name</b>	Raymond Hardy
<b>Property Owner(s) Address</b>	<b>Street Address:</b> [REDACTED] <b>City:</b> [REDACTED] <b>State:</b> [REDACTED] <b>Zip:</b> [REDACTED]
<b>Property Owner(s) Phone Number</b>	[REDACTED]
<b>Property Owner(s) Email</b>	[REDACTED]



# Item Cover Page

**BOARD OF COMMISSIONERS AGENDA ITEM REPORT**

**DATE:** February 10, 2026

**SUBMITTED BY:** Jennifer Lopez, Planning & Community Development

**ITEM TYPE:** Public Hearing

**AGENDA SECTION:** **Public Hearings**

**SUBJECT:** **BOC2025-00019 (XX054 037A) 0 Tanners Bridge Rd; Bob Yang / Applicant; Shu Nu Hsiao / Owner.** Request for a Future Land Use Map amendment from Suburban Residential to 316 Innovation to rezone ± 14.32 acres from AG (Agriculture) to C-3 (Intense Commercial) for the construction of a commercial building.

**Commission District:**  
District 4: Alex Ward

**Existing Land Use:**  
VACANT PROPERTY

**Existing Zoning:**  
AG (AGRICULTURAL)

**Future Land Use Map Category:**  
SUBURBAN RESIDENTIAL

**Summary:**

Applicant is requesting a Future Land Use Map (FLUM) amendment from Suburban Residential to 316 Innovation to rezone ±14.32 acres from AG (Agriculture) to C-3 (Intense Commercial) for the construction of a commercial building. This property is located at the northern corner of Tanners Bridge Rd and Hwy 81 and is also located within the Highway Corridor Overlay (HCO). Hwy 81 is a state highway and maintained by the Georgia DOT, however Tanners Bridge Road is maintained by the county with the intersection being maintained by GDOT. Applicant is requesting a FLUM amendment in order to rezone to C-3 as Suburban Residential does not support a C-3 zoning for that area. The building will be serviced by City of Winder water and private septic system per the letters provided by the applicant.

Currently, the southern intersection corner was rezoned to C-3 and intersection corners to the west/southwest were rezoned to C-2 prior to the current Comprehensive Plan adopted in late 2023.

**ATTACHMENTS:**

[PC RECOMMENDATIONS.PDF](#)

[STAFF RECOMMENDATION.pdf](#)

[SITE PLANS.pdf](#)

[ELEVATIONS.pdf](#)

[LETTER OF INTENT.pdf](#)

[PROFFERED CONDITIONS.pdf](#)

[AERIAL MAP WITH HCO.pdf](#)

[AERIAL MAP.pdf](#)

[FUTURE LAND USE MAP.pdf](#)

[ZONING MAP.pdf](#)

[SUMMARY.pdf](#)

[STAFF ANALYSIS & AGENCY COMMENTS.pdf](#)

[APPLICATION.pdf](#)

## Planning Commission Recommendation

Planning Commission Public Hearing held on **January 15, 2026**

**BOC2025-00019 (XX054 037A) 0 Tanners Bridge Rd; Bob Yang / Applicant; Shu Nu Hsiao / Owner.** Request for a Future Land Use Map amendment from Suburban Residential to 316 Innovation to rezone ± 14.32 acres from AG (Agriculture) to C-3 (Intense Commercial) for the construction of a commercial building.

**Motion to recommend APPROVAL** of the FLUM Amendment to Commercial Corridor and rezone ± 14.32 acres from AG (Agriculture) to C-2 (Community Commercial). Staff recommends the following conditions:

1. All aspects of the Highway Corridor Overlay shall be followed.
2. Night Sky lighting requirements of UDC Article XV shall be implemented.
3. All C-2 zoning requirements shall be met.

Motion made by District 1; Joe Vann

Motion seconded by District 3; Robert Lanham

Motion **passed**

**THE BOARD OF COMMISSIONERS MEETING WILL BE HELD ON **FEBRUARY 10, 2026** at 6:00 PM AT THE BARROW COUNTY HISTORIC COURTHOUSE, 30 NORTH BROAD STREET, WINDER, GA 30680; 2ND FLOOR IN THE BOARD ROOM.**

## STAFF RECOMMENDATION

Staff recommends **Denial** to the Future Land Use Map Amendment from Suburban Residential to 316 Innovation Corridor as based on findings that the proposed Future Land Use is not consistent with the character area set forth by the Comprehensive Plan.

Staff recommends **Denial** of the rezoning of ±14.32 acres from AG (Agriculture) to C-3 (Intense Commercial).

In the event the board decides to approve a Future Land Use Map amendment change, staff suggests a change to Commercial Corridor character area and rezone the property to a less intense zoning of C-2 Community Commercial, which supports the proposed uses with the following conditions:

1. All aspects of the Highway Corridor Overlay shall be followed.
2. Night Sky lighting requirements of UDC Article XV shall be implemented.
3. All C-2 zoning requirements shall be met.



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### **PLANNING STUDY**

**BOC2025-00019 (XX054 037A) 0 Tanners Bridge Rd; Bob Yang / Applicant; Shu Nu Hsiao / Owner.** Request for a Future Land Use Map amendment from Suburban Residential to 316 Innovation to rezone ± 14.32 acres from AG (Agriculture) to C-3 (Intense Commercial) for the construction of a commercial building.

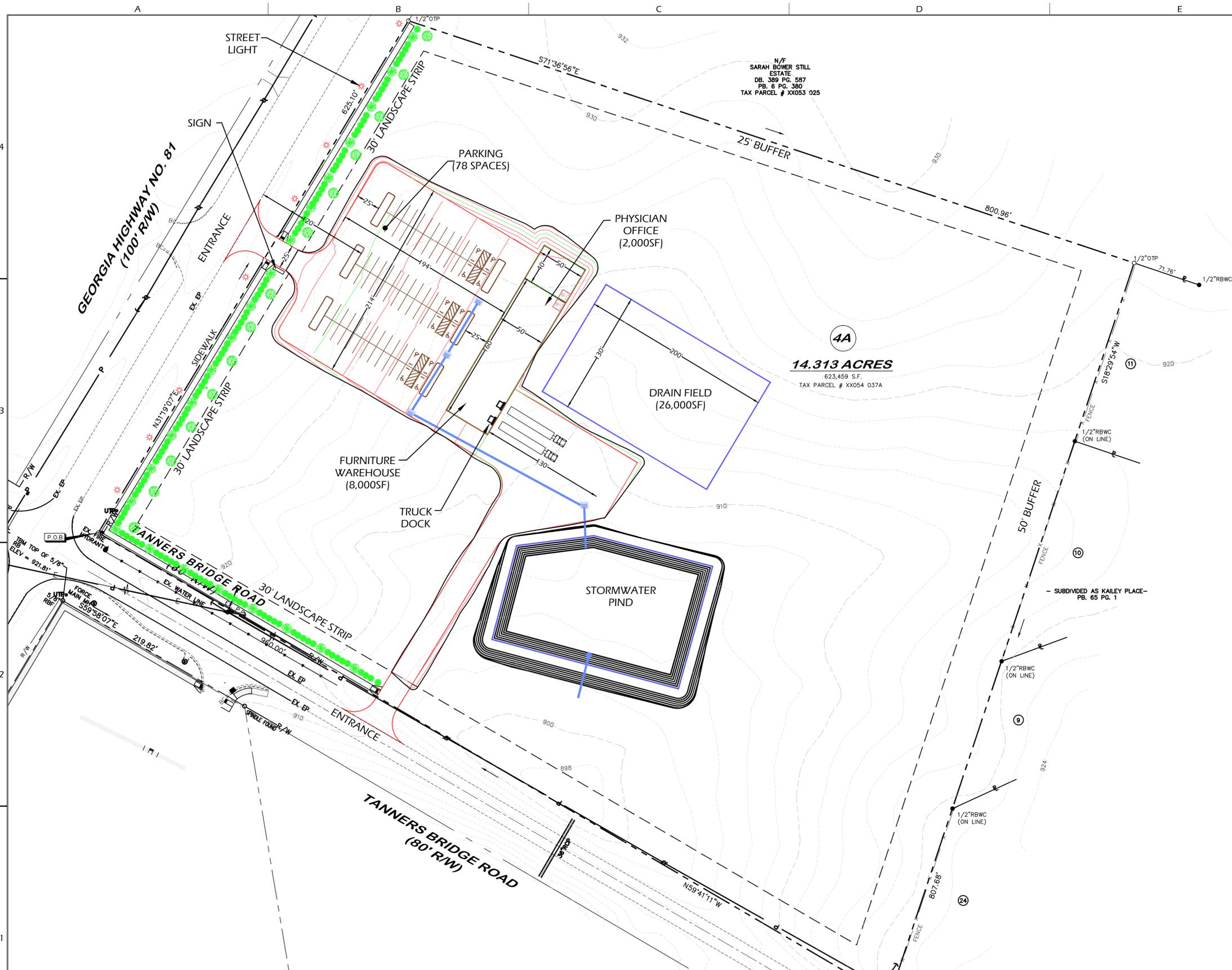
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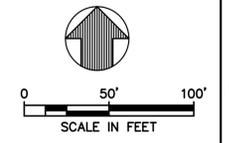
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**LEGEND**

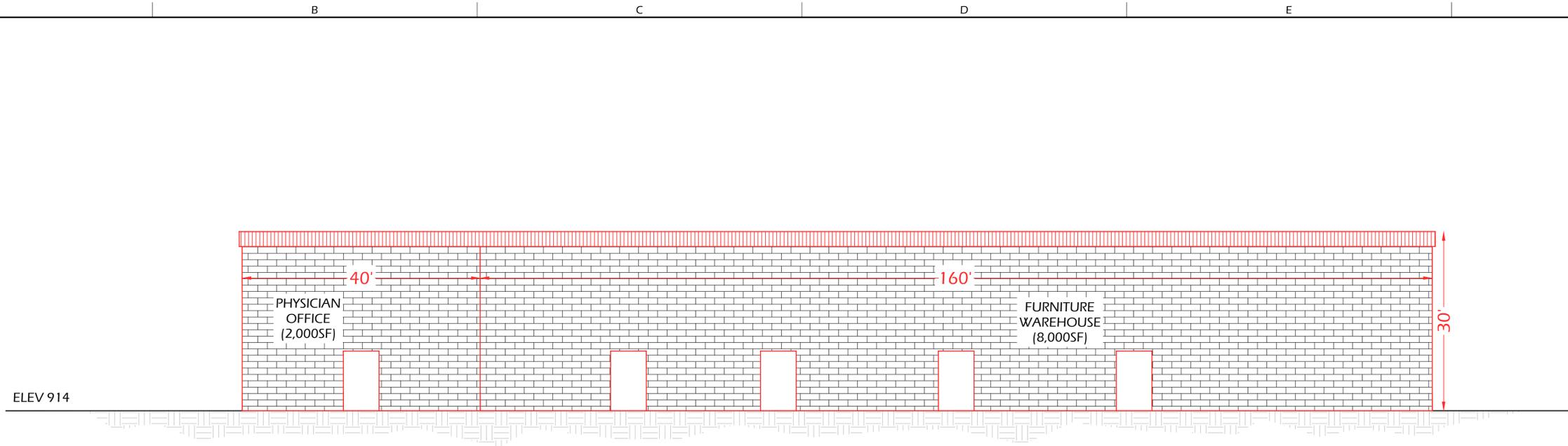
	STORM DRAIN INLET
	STORM DRAIN PIPE
	PROPERTY BOUNDARY

- NOTES**
1. TOPOGRAPHIC AND BOUNDARY SURVEY PROVIDED BY NORTHEAST LAND SURVEYING, LLC OF BRASELTON, GEORGIA. DATE OF FIELD SURVEY 9/9/25.
  2. HORIZONTAL DATUM IS GEORGIA STATE PLANE WEST ZONE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983. (NAD83)
  3. VERTICAL DATUM IS NORTH AMERICAN VERTICAL DATUM OF 1988. (NAVD88)
  4. NO PORTION OF THE SUBJECT PROPERTY IS LOCATED WITHIN A FLOOD HAZARD AREA AS PER BARROW COUNTY F.I.R.M. COMMUNITY PANEL NO. 13013C0120D, DATED DECEMBER 1, 2022.



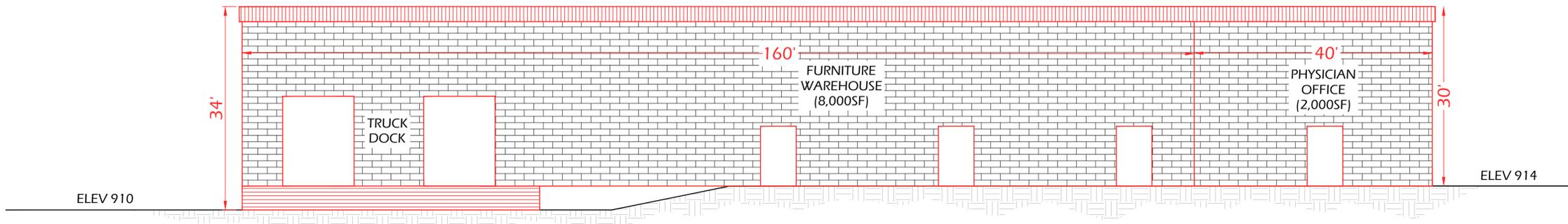
D:\gab yang\XX054 037A.dwg 9/20/2025 8:29 PM SAMUEL SIN

OWNER/ DEVELOPER PRIMARY PERMITTEE: <b>GRACE &amp; FAITH LIGHTHOUSE</b>		24 HOUR - EMERGENCY CONTACT: <b>BOB YANG</b>		PREPARED BY: <b>SAMUEL SIN</b>		SITE: TAX PARCEL XX054 037A CITY OF BETHLEHEM BARROW COUNTY, GA		TITLE: <b>SITE PLAN</b>	
PROJECT: <b>PROPOSED SITE PLAN</b>		DESIGN BY: S.SIN DATE BY: SEP 2025		DRAWN BY: S.SIN PROJECT NO.: -		CHECKED BY: S.SIN FILE: XX054 037A		REVIEWED BY: S.SIN SHEET NO.: 1 OF 2	
REV. DATE DESCRIPTION DRN APP		0 9/23/25 DRAFT SS SS		APPROVED BY: S.SIN		REV: 0		1 OF 2	



BUILDING ELEVATION VIEW (FRONT)

NOTE: BUILDING WITH BRICK EXTERIOR.



BUILDING ELEVATION VIEW (BACK)

D:\Bob Yang\XX054 037A.dwg, 9/20/2025 8:29 PM, SAMUEL SIN

					OWNER/ DEVELOPER PRIMARY PERMITTEE :		24 HOUR - EMERGENCY CONTACT:		PREPARED BY:		SITE:		TITLE:	
					GRACE & FAITH LIGHTHOUSE		BOB YANG		SAMUEL SIN		TAX PARCEL XX054 037A CITY OF BETHLEHEM BARROW COUNTY, GA		BUILDING ELEVATION VIEW	
					[Redacted]		[Redacted]		[Redacted]		PROJECT:		DESIGN BY: S.SIN DATE BY: SEP 2025	
					[Redacted]		[Redacted]		[Redacted]		PROPOSED SITE PLAN		DRAWN BY: S.SIN PROJECT NO.: -	
					[Redacted]		[Redacted]		[Redacted]				CHECKED BY: S.SIN FILE: XX054 037A	
					[Redacted]		[Redacted]		[Redacted]				REVIEWED BY: S.SIN SHEET NO.: 2 OF 2 REV: 0	
					[Redacted]		[Redacted]		[Redacted]				APPROVED BY: S.SIN	

## Letter of Intent

We, Grace and Faith Lighthouse LLC, plan to construct a 10,000 sqft furniture store and doctor office at HWY81 (Loganville HWY) and Tanners Bridge road (XX054 037A). So we intent to rezone this parcel from its current AG use to C3 use. We are **applying for FLUM (Future Land Use Map Amendment) from current designation “Suburban Residential” to proposed designation “316 Innovation Corridor” which compatible with for C3 commercial use of warehouse and office.**

The reasons behind this rezoning application are;

1. Since there is NO public sewer at this location, we have to build something requires low gallon per day (GPD) structure based on Michelle Huff from Barrow county environmental health Dept.
2. The increase population from new subdivisions surrounding this intersection needs furniture showroom and warehouse. There is not a professional and specialized high-end furniture store with large showrooms.
3. Future North Georgia Healthcare group will build a hospital nearby and will have need for variety of physician office needs.



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[www.barrowcountyplanning.org](http://www.barrowcountyplanning.org)

**PROFFERED CONDITIONS**

As part of an application for any zoning action, a property owner may proffer, in writing, proposed conditions to apply and be part of the rezoning being requested by the applicant. Proffered conditions may include written statements, development plans, profiles, elevations, or other demonstrative materials.

Please list any written proffered conditions below:

This corner lot is cross the street with Dollar General and Self storage, it will be perfect for a shopping center development at HWY81 (loganville HWY) and Tom miller road

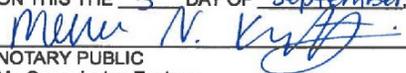
Any development plans, profiles, elevations, or other demonstrative materials presented as proffered conditions shall be referenced below and attached to this application:

please see attached development plan for shopping center.

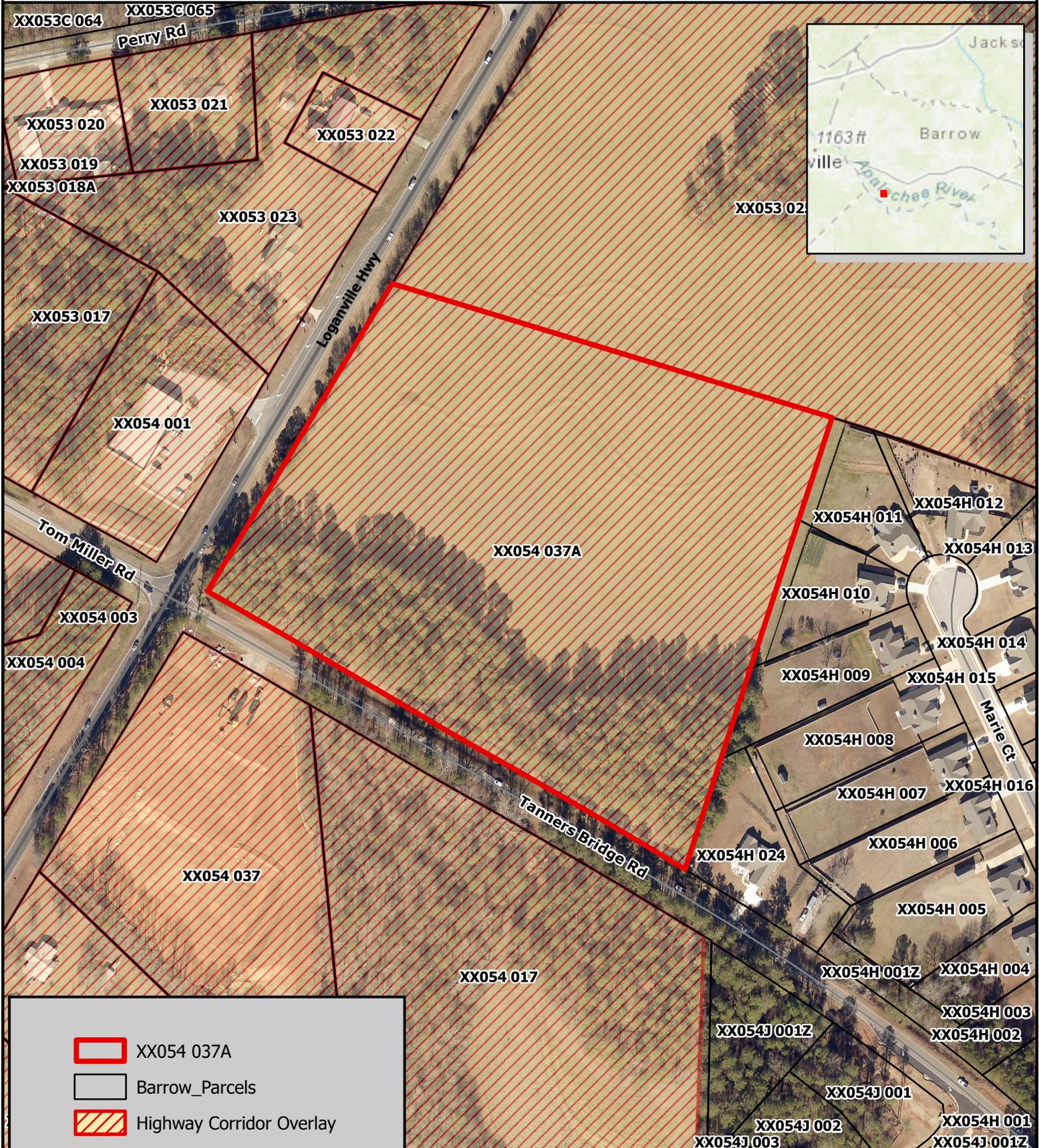
I do hereby submit these proffered conditions as an attachment to my application and request that they be considered along with same.

Applicant's Signature: 

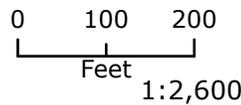
Applicant's Name: Yuanhang Yang Date: 08/28/2025

SUBSCRIBED AND SWORN BEFORE ME  
 ON THIS THE 5 DAY OF September, 20 25  
  
 NOTARY PUBLIC  
 My Commission Expires: \_\_\_\_\_





	XX054 037A
	Barrow_Parcels
	Highway Corridor Overlay
	Roads
	Major Roads

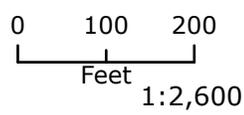


DISCLAIMER  
THIS MAP WAS COMPILED BY  
BARROW COUNTY. THE COUNTY  
ASSUMES NO RESPONSIBILITY  
FOR THE LEGAL ACCURACY OF THE  
INFORMATION CONTAINED  
HEREIN. **57**

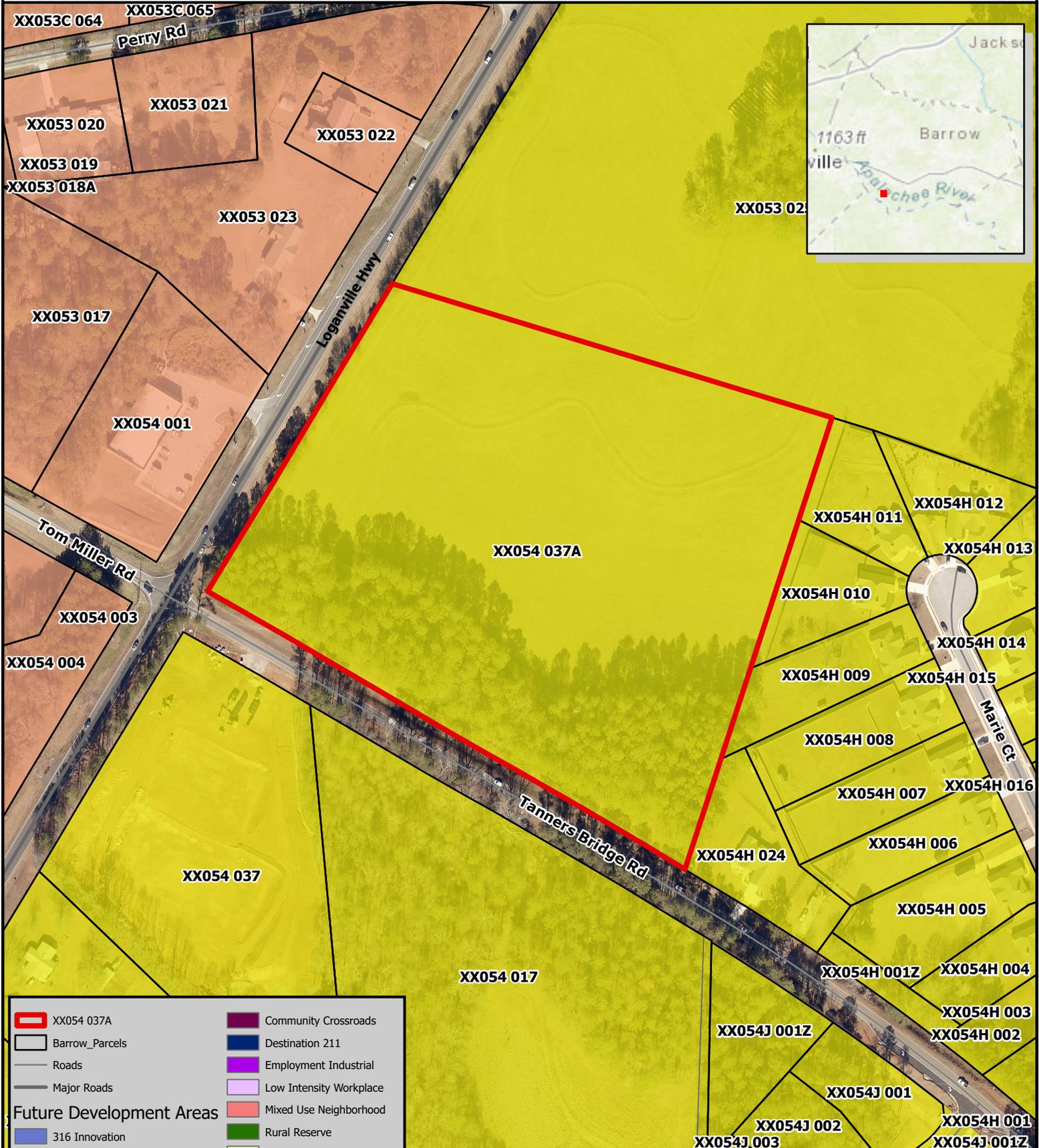
# BOC 2025-00019



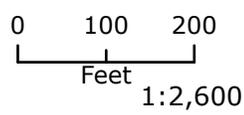
-  XX054 037A
-  Barrow\_Parcels
-  Roads
-  Major Roads



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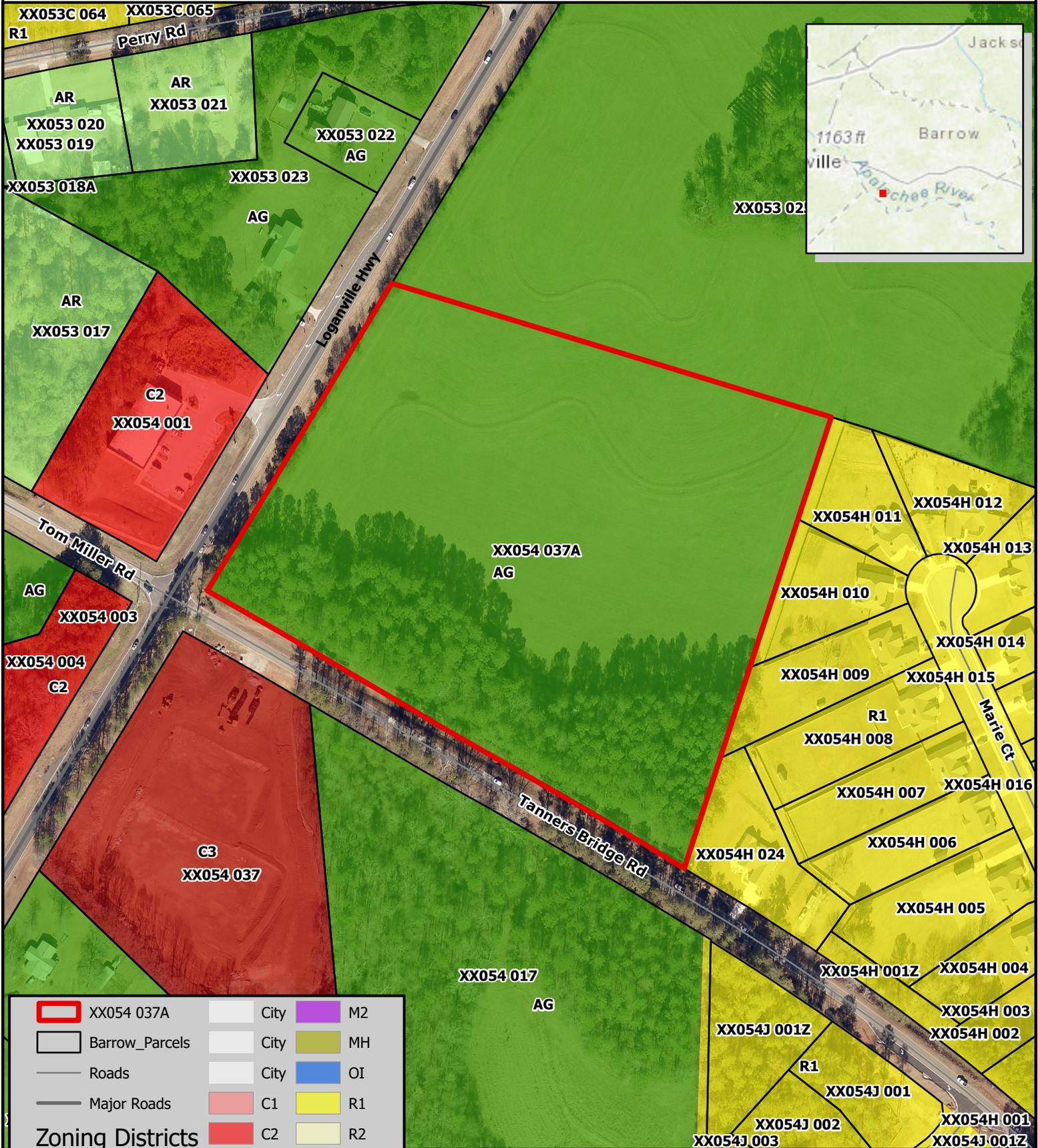


	XX054 037A		Community Crossroads
	Barrow_Parcels		Destination 211
	Roads		Employment Industrial
	Major Roads		Low Intensity Workplace
<b>Future Development Areas</b>			Mixed Use Neighborhood
	316 Innovation		Rural Reserve
	City of Auburn		Rural Residential
	City of Statham		Suburban Residential
	City of Winder		Town of Braselton
	Commercial Corridor		Traditional Residential

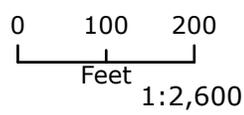


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# BOC 2025-00019



	XX054 037A		City		M2
	Barrow_Parcels		City		MH
	Roads		City		OI
	Major Roads		C1		R1
<b>Zoning Districts</b>			C2		R2
	AC		C3		R3
	AG		City		City
	AR		M1		City



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HEREIN. **60**



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### **PLANNING STUDY**

**BOC2025-00019 (XX054 037A) 0 Tanners Bridge Rd; Bob Yang / Applicant; Shu Nu Hsiao / Owner.** Request for a Future Land Use Map amendment from Suburban Residential to 316 Innovation to rezone ± 14.32 acres from AG (Agriculture) to C-3 (Intense Commercial) for the construction of a commercial building.

### **SUMMARY**

Applicant is requesting a Future Land Use Map (FLUM) amendment from Suburban Residential to 316 Innovation to rezone ±14.32 acres from AG (Agriculture) to C-3 (Intense Commercial) for the construction of a commercial building. This property is located at the northern corner of Tanners Bridge Rd and Hwy 81 and is also located within the Highway Corridor Overlay (HCO). Hwy 81 is a state highway and maintained by the Georgia DOT, however Tanners Bridge Road is maintained by the county with the intersection being maintained by GDOT. Applicant is requesting a FLUM amendment in order to rezone to C-3 as Suburban Residential does not support a C-3 zoning for that area. The building will be serviced by City of Winder water and private septic system per the letters provided by the applicant. Currently, the southern intersection corner was rezoned to C-3 and intersection corners to the west/southwest were rezoned to C-2 prior to the current Comprehensive Plan adopted in late 2023.



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### **PLANNING STUDY**

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### **STAFF ANALYSIS**

**1. Is the proposed use consistent with the stated purpose of the zoning district that is being requested?**

Yes, the proposed use of C-3 is consistent with the purpose of the zoning district requested as it is specific for intense commercial to allow for larger shopping plazas.

**2. Is the proposed use suitable in view of the zoning and development of adjacent and nearby property?**

The proposed use is suitable in the area as the properties in the corners adjacent to this one are also zoned C-2 and C-3 with a Dollar General and Self-Storage located in two of the corners.

**3. Will the proposed use not adversely affect the existing use of usability of adjacent or nearby property?**

The proposed use will not adversely affect the existing use as the adjacent properties across the street are of similar zoning off of Hwy 81. The property behind this one is a subdivision, however zoning buffers will be required to be put in place.

**4. Is the proposed use compatible with the goals, objectives, purpose, and intent of the Comprehensive Plan?**

The proposed use is not compatible with the goals, objectives, purpose and intent of the comprehensive plan as this area's goal is to be seen as residential property as opposed to the commercial property requested.

**5. Are there substantial reasons why the property cannot or should not be used as currently zoned?**

There are not any substantial reasons as to why the property cannot be used as currently zoned.



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**6. Will the proposed uses not cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, water or sewer facilities, and fire protection?**

The proposed use will not limit the streets, schools, water or sewer facilities as the applicant proposes a commercial space on a septic that will not impact the schools or sewer system. There may be some burdensome aspects in regard to the street as that is a difficult intersection however improvements are to be made in the future by GDOT to that intersection.

**7. Is the proposed use supported by new or changing conditions not anticipated by the Comprehensive Plan or reflected in the existing zoning on the property of surrounding properties?**

The proposed use is not supported by any new or changing conditions of the Comprehensive Plan as the property lies in the Suburban Residential character area which calls for more residential aspects as opposed to the commercial one proposed.

**8. Does the proposed use reflect a reasonable balance between the promotions of the public health, safety, morality, or general welfare and the right to unrestricted use of property?**

The proposed use does reflect a reasonable balance between the promotions of the public health, safety and morality, or general welfare and the right to unrestricted use of the property.

**DEPARTMENT / AGENCY COMMENTS**

Request for comments sent on (December 8, 2025)

**GDOT - Reviewed by Hunter Boyle, Traffic Operations Supervisor**

“Will require permitting with GDOT. Left turn lanes on SR 81 due to trucks, shift drive across from Dollar General, improve the radii at the Tanners Bridge intersection, and move the sidewalk onto public R/W.”



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**Transportation – Reviewed by Jessica Jackson, Transportation Manager**

- “1) Coordinate with GDOT on the upcoming intersection improvement.
- 2) Located inside the Highway Corridor Overlay and all requirements apply - see code for details on special lighting, 6' sidewalks, etc.
- 3) Hwy 81 entrance requires GDOT coordination.
- 4) Entrance on Tanners Bridge Road requires a decel lane.”

**Fire – Reviewed by Capt. Jessie Knight**

“Due to the nature of business this location will purpose a significantly higher full load than a typical business. This location will need to be in continuous communication with our office to ensure all aspect of the applicable fire codes are adhered to.”

**Board of Education – No Comment Received**



**Barrow County**  
 Barrow County Historic Courthouse  
 30 North Broad Street  
 Winder, GA 30680

# RECORD DETAILS

Plan NO.: **BOC2025-00019**

Plan Type: **Zoning Action**

Work Classification: **Zoning Action**

Plan Status: **In Review**

Apply Date: **09/15/2025**

**Expiration:**

**Location Address**

**Parcel Number**

**0 Tanners Bridge Rd**

**XX054 037A**

**Contacts**

Shu Nu Hsiao

**Property Owner**

bob yang

**Applicant**

**Description:** plan to construct a 10,000 sqft furniture store and doctor office at HWY81 (Loganville HWY) and Tanners Bridge road (XX054 037A). So we intent to rezone this parcel from its current AG use to C3 use. We are applying for FLUM (Future Land Use Map Amendment) for commercial use, Rezone from AG to C3.

**Valuation:**           \$0.00          

**Total Sq Feet:**           0.00          

Fees	Amount
FLUM Amendment req. added to rezone	\$200.00
Rezone Multi Family/Commercial/Industrial	\$1,500.00
<b>Total:</b>	<b>\$1,700.00</b>

Payments	Amt Paid
<b>Total Fees</b>	
<b>Amount Due:</b>	

<u>Condition Name</u>	<u>Description</u>	<u>Comments</u>
-----------------------	--------------------	-----------------

**Additional Information**

**Tax Parcel of Subject Property(s):** XX054 037A

**Intent for the Subject Property:** : plan to construct a 10,000 sqft furniture store and doctor office at HWY81 (Loganville HWY) and Tanners Bridge road (XX054 037A). So we intent to rezone this parcel from its current AG use to C3 use. We are applying for FLUM (Future Land Use Map Amendment) for commercial use, Rezone from AG to C3.

**Additional Application Requests:** FLUM Amendment req. added to rezone

**Is this Residential or Non-Residential?:** Non-Residential

**Use Type:** : Commercial/Industrial

**Is the Proposed Project Served by Sewer or Septic:** Septic

**Requested Zoning:** c-3

**Planning Application Types:** Rezone - Future Land Use Map Amendment, Rezone - Multi-Family or Commercial or Industrial

**Requested Future Land Use:** c-3

Issued By:

September 15, 2025

Date

# Item Cover Page

## BOARD OF COMMISSIONERS AGENDA ITEM REPORT

**DATE:** February 10, 2026

**SUBMITTED BY:** Jennifer Lopez, Planning & Community Development

**ITEM TYPE:** Public Hearing

**AGENDA SECTION:** **Public Hearings**

**SUBJECT:** **BOC2025-00027 (XX104C 024) 842 Eastmont Rd; William Cleghorn / Applicant & Owner.** Request for a Special Use for metal siding on a structure larger than 500sqft per UDC Sec. 89-218. Variance request to UDC Sec. 89-218 to allow for an accessory use dwelling larger than 50% of the square footage of the principal building.

**Commission District:**  
District 2: Kenny Shook

**Existing Land Use:**  
RESIDENTIAL SINGLE-FAMILY HOME

**Existing Zoning:**  
R-1 (LOW DENSITY SINGLE FAMILY RESIDENTIAL)

**Future Land Use Map Category:**  
RURAL RESERVE

**Summary:**

The applicant is requesting to rezone ± 7.12 acres located at 976 Manning Gin Road from AG (Agricultural) to R-1 (Low Density Single-Family Residential) to allow the creation of five (5) residential lots.

Proposed tracts are as follows:

Tract 1 – 1.34 acres; Tract 2 – 1.05 acres; Tract 3 – 1.57 acres; Tract 4 – 1.24 acres; and Tract 5 – 1.89 acres.

The subject property is currently vacant and primarily open with gentle rolling topography. A regulated floodplain traverses the rear of all five proposed tracts, following a natural drainage

channel across the site. A submitted soil map indicates predominantly well-drained soils suitable for individual septic systems, with limited hydric soils located within the floodplain corridor. All lots will be served by Barrow County public water and individual on-site septic systems, with access possibly provided by a single shared entrance along Manning Gin Road, as the site plan does not specify.

The Future Land Use Map supports the requested R-1 Single-family Residential with the Rural Residential character area. Rural Residential appropriate zonings are AG, AR & R-1 Residential.

**ATTACHMENTS:**

[PC RECOMMENDATIONS.pdf](#)

[STAFF RECOMMENDATION.pdf](#)

[SITE PLAN.pdf](#)

[LETTER OF INTENT.pdf](#)

[PROFFERED CONDITIONS.pdf](#)

[AERIAL MAP.pdf](#)

[FUTURE LAND USE MAP.pdf](#)

[ZONING MAP.pdf](#)

[SUMMARY.pdf](#)

[STAFF ANALYSIS.pdf](#)

[APPLICATION.pdf](#)

## Planning Commission Recommendation

Planning Commission Public Hearing held on **January 15, 2026**

**BOC 2025-00027 (XX104C 024) 842 Eastmont Rd; William Cleghorn / Applicant & Owner;**  
Request for a Special Use for metal siding on a structure larger than 500sqft per UDC Sec. 89-218. Variance request to UDC Sec. 89-218 to allow for an accessory use dwelling larger than 50% of the square footage of the principal building.

**Motion to recommend APPROVAL** for the Special Use for metal sliding on a structure larger than 500sqft with staff recommendation.

Motion made by District 4; Jimmy Abdou

Motion seconded by District 3; Robert Lanham

Motion **passed**

**Motion to recommend DENIAL** of the Variance to the UDC 89-218 to allow for an accessory structure use dwelling larger than 50% of the square footage of the principal building.

Motion made by District 4; Jimmy Abdou

Motion seconded by District 3; Robert Lanham

Motion **passed**

**THE BOARD OF COMMISSIONERS MEETING WILL BE HELD ON **FEBRUARY 10, 2026** at 6:00 PM AT THE BARROW COUNTY HISTORIC COURTHOUSE, 30 NORTH BROAD STREET, WINDER, GA 30680; 2ND FLOOR IN THE BOARD ROOM.**

## STAFF RECOMMENDATION

Staff recommends **APPROVAL** of the Special Use request to UDC Sec. 89-218 to allow an accessory structure with metal siding exceeding 500 sq ft.

Such approval shall be accompanied by the following conditions:

1. The exterior siding shall consist of architectural-grade metal panels with concealed or color-matched fasteners.

2. The exterior of the accessory structure shall be consistent with that of the primary residence.
3. The accessory structure shall be used for personal use only as a storage building, with no business to be operated out of the structure.
4. The accessory structure shall not be utilized as a residential structure.
5. The accessory structure shall be located as depicted on the submitted site plan.
6. The accessory structure shall not be greater than 839 sq ft.
7. Screening or landscaping shall be installed along visible elevations where practicable.

Staff recommends **DENIAL** of the variance request to UDC Sec. 89-218 to exceed 50% of the principal dwelling's floor area.



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7. Screening or landscaping shall be installed along visible elevations where practicable.

Staff recommends **DENIAL** of the variance request to UDC Sec. 89-218 to exceed 50% of the principal dwelling's floor area.

Front of house

Driveway

50ft off of Property line



XX104C 023

XX104C 018

Eastment Rd

XX104C 024



XX103 038

XX104C 025

30x30 garage/shop

15ft off of Side Property line

## Letter of Intent

I, William Cleghorne, am the owner of 842 Eastmont Rd Winder, Ga 30680. I am in the process of trying to obtain a permit to build a 30x30 shop/garage with metal siding on the left side of my property. I need extra storage for things such as a camper, truck, tools, car, lawnmower, fishing boat, etc. I try my best to keep everything I have well taken care of so adding this shop/garage would help maintain the longevity of the items I have worked hard for over the years. There are some variances that I am requesting to ensure proper location and type of building that will last me a lifetime.



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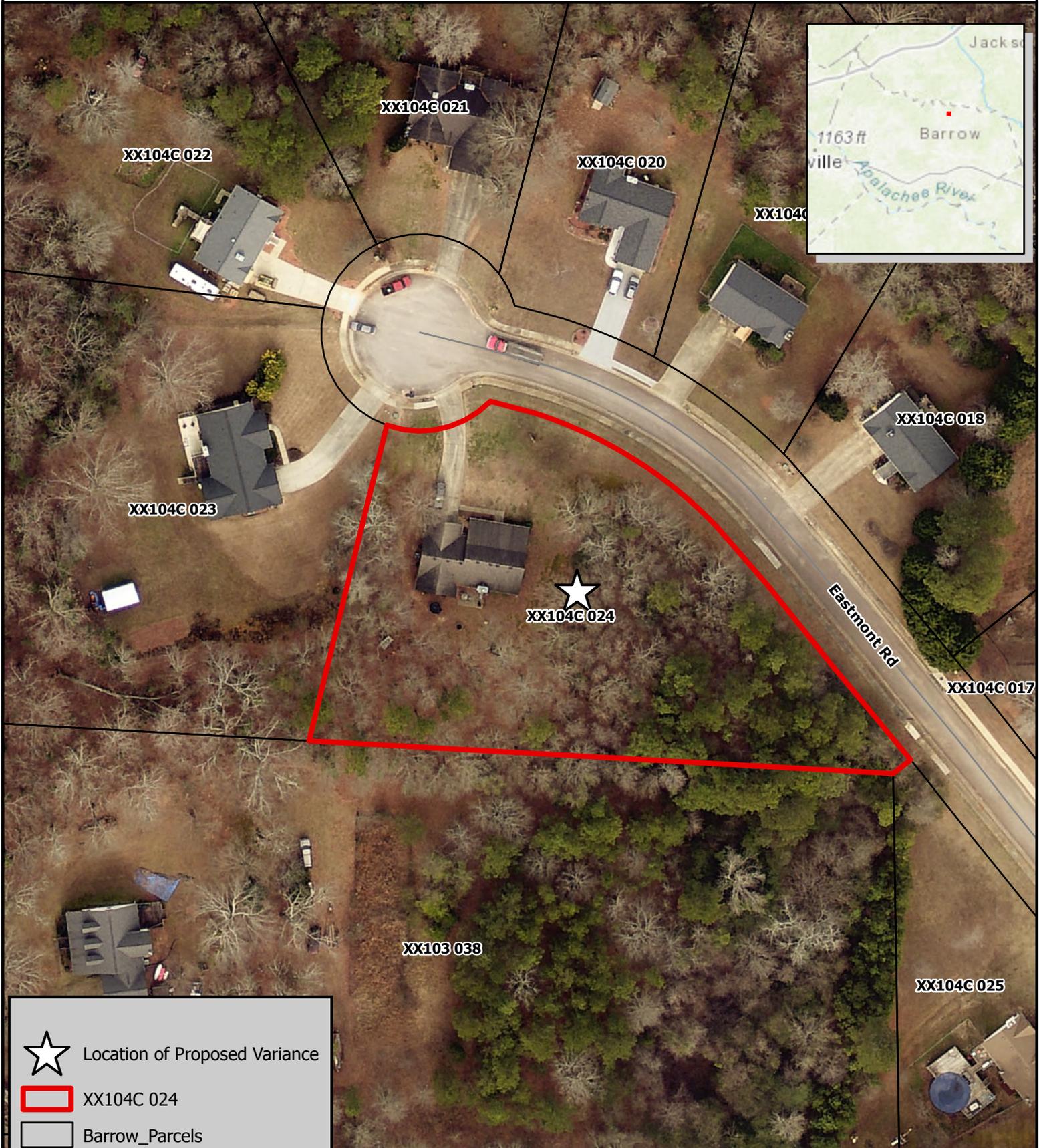
Applicant's Signature: Will Cleghorne

Applicant's Name: William Cleghorne Date: 10/02/2025

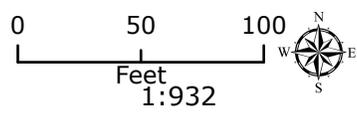
SUBSCRIBED AND SWORN BEFORE ME  
ON THIS THE 13 DAY OF October, 2025.

[Signature]  
NOTARY PUBLIC  
My Commission Expires: 10-02-2029

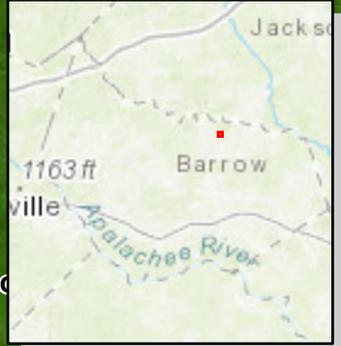




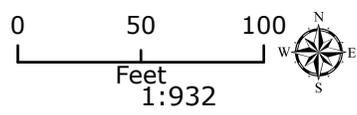
-  Location of Proposed Variance
-  XX104C 024
-  Barrow\_Parcels
-  Roads
-  Major Roads



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HEREIN. **74**

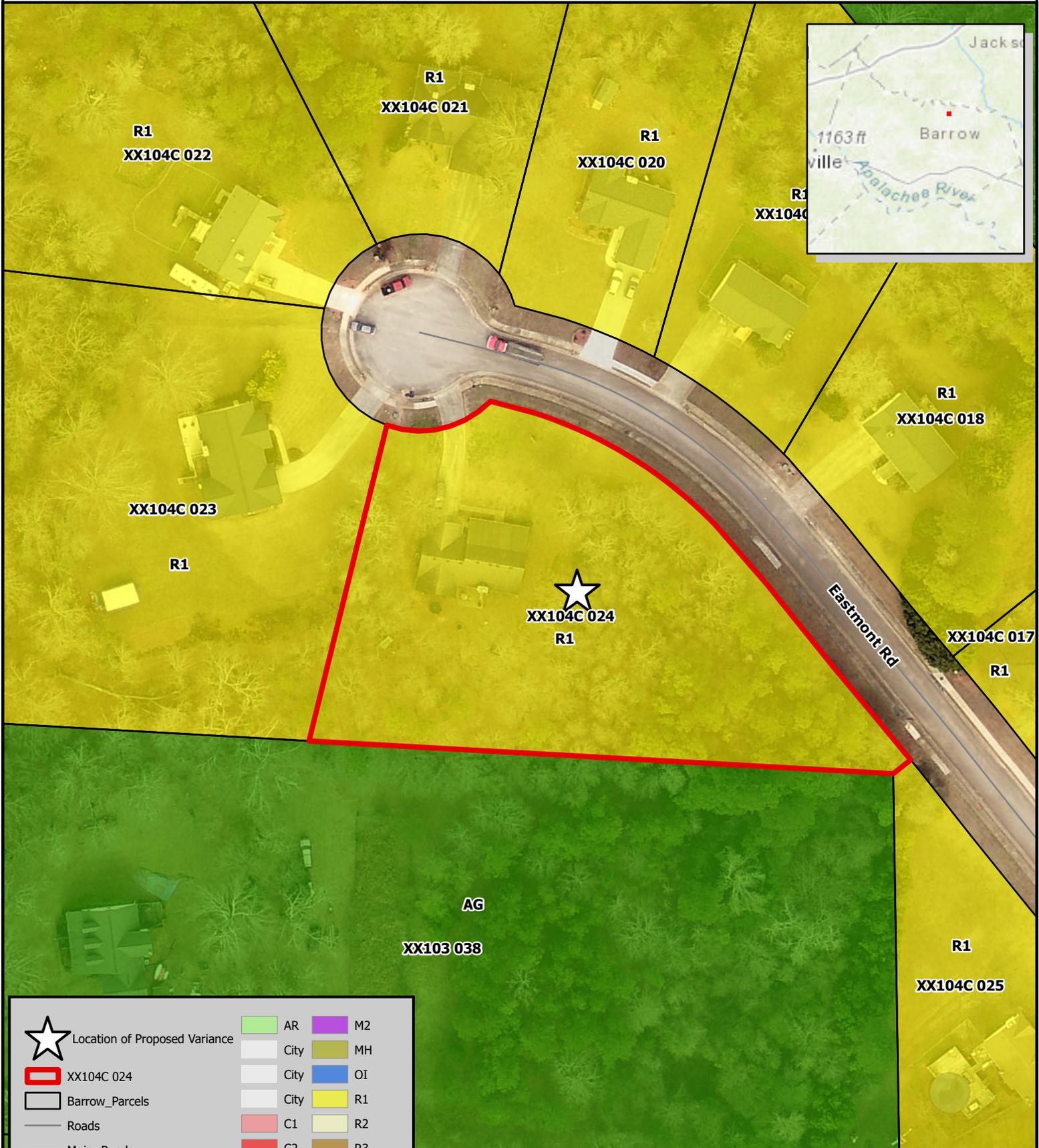


	Location of Proposed Variance		Commercial Corridor
	XX104C 024		Community Crossroads
	Barrow_Parcels		Destination 211
	Roads		Employment Industrial
	Major Roads		Low Intensity Workplace
<b>Future Development Areas</b>			Mixed Use Neighborhood
	316 Innovation		Rural Reserve
	City of Auburn		Rural Residential
	City of Statham		Suburban Residential
	City of Winder		Town of Braselton
			Traditional Residential

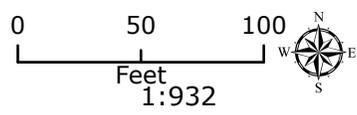


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# BOC 2025-00027



	Location of Proposed Variance		AR		M2
	XX104C 024		City		MH
	Barrow_Parcels		City		OI
	Roads		City		R1
	Major Roads		C1		R2
<b>Zoning Districts</b>			C2		R3
	AC		C3		City
	AG		City		City
			M1		



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## **PLANNING STUDY**

**BOC 2025-00027 (XX104C 024) 842 Eastmont Rd; William Cleghorn / Applicant & Owner;**  
Request for a Special Use for metal siding on a structure larger than 500sqft per UDC Sec. 89-218. Variance request to UDC Sec. 89-218 to allow for an accessory use dwelling larger than 50% of the square footage of the principal building.

## **SUMMARY**

The applicant is requesting a Special Use approval to UDC Sec. 89-218 to allow metal siding on an accessory structure exceeding 500 square feet. The proposed structure is a 30' x 30' (±900 sq ft) detached accessory building located on the left side of the existing single-family residence. The structure will be used for personal storage of equipment, vehicles, and household items and is not intended for commercial use.

The applicant is also requesting a Variance to UDC Sec. 89-218 to allow the accessory structure to exceed 50% of the heated square footage of the principal building.



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### **PLANNING STUDY**

**BOC 2025-00027 (XX104C 024) 842 Eastmont Rd; William Cleghorn / Applicant & Owner;**  
Request for a Special Use for metal siding on a structure larger than 500sqft per UDC Sec. 89-218. Variance request to UDC Sec. 89-218 to allow for an accessory use dwelling larger than 50% of the square footage of the principal building.

### **DEPARTMENT / AGENCY COMMENTS**

Request for comments sent on 11/04/2025

#### **GDOT – Reviewed**

No comments received as 12/11/25

#### **Transportation – Reviewed**

No comments received as 12/11/25

#### **Fire – Reviewed by Capt. Jessie Knight**

FD has no comments at this time; this request pertains to a residential dwelling property.

#### **Environmental Health – Reviewed**

Environmental Health issued approval on **October 27, 2025**, for the proposed 30' × 30' structure with the following conditions:

- No plumbing is permitted within the structure.
- The owner must ensure the structure does not interfere with the existing septic tank or repair area.
- Approval is not a guarantee of system performance; no site visit was performed to verify system functionality.
- Septic tank should be pumped every five years for proper maintenance.

#### **Board of Education – Reviewed**

No comments received as 12/11/25

### **SPECIAL USE STAFF ANALYSIS**

**1. Is the proposed use consistent with the stated purpose of the zoning district that is being requested?**

Yes. R-1 allows accessory residential structures subject to compliance with architectural and placement standards. Metal siding over 500 sq ft requires Special Use approval.

**2. Is the proposed special use compatible with the goals, objectives, purpose, and intent of the comprehensive plan?**

Yes. The Rural Reserve category supports low-density residential uses with accessory structures that are compatible in design and scale.

**3. Will the proposed use impede the normal and orderly development of surrounding property for uses predominant in that area?**

Staff does not anticipate that the proposal will impede the development of surrounding properties. Adjacent parcels are utilized for low-density residential purposes.

**4. Is the location and the character of the proposed use consistent with a desirable pattern of development for the locality in general?**

Yes, provided the accessory structure incorporates compatible architectural standards and is adequately screened from adjacent properties.

**5. Is or will the type of street providing access to the use adequate to serve the proposed special use?**

Yes. The street providing access to the use is adequate to serve the proposed special use.

**6. Is or will access into and out of the property be adequate to provide for traffic and pedestrian safety, the anticipated volume of traffic flow, and access by emergency vehicles?**

Yes. Access to the proposed structure will utilize the **existing driveway**, and no new curb cut is proposed.

**7. Are or will public facilities such as schools, water or sewer utilities, and police or fire protection be adequate to serve this special use?**

Yes. The use does not intensify residential density. Water and septic service already exist on the property.

8. **Are or will refuse, service, parking and loading areas on the property be located or screened to protect other properties in the area from such adverse effects as noise, light, glare, or odor?**

The use is not anticipated to generate adverse service impacts. Screening may be provided to mitigate visibility.

9. **Will the hours and manner of operation of the special use have no adverse effects on other properties in the area?**

Yes. The use is residential in nature and not anticipated to create adverse operational impacts.

10. **Will the height, size, or location of the buildings or other structures on the property be compatible with the height, size or location of buildings or other structures on neighboring properties?**

Yes. While larger than typical sheds, accessory structures of this size may be compatible on large-lot residential parcels if appropriately sited.

### **VARIANCE STAFF ANALYSIS**

1. **Will the variance cause substantial detriment to the public good?**

No, the variance is not expected to cause substantial detriment to the public good, however, granting the variance may encourage similar requests and erode neighborhood consistency.

2. **Will the variance be injurious to the use and enjoyment of the environment or of other property in the immediate vicinity?**

The variance is not anticipated to be injurious to nearby properties or the environment.

3. **Will the variance diminish or impair property values within the surrounding neighborhood?**

The variance is not likely to diminish or impair property values, provided the structure is constructed with appropriate materials and maintained. The request does not change land use intensity or introduce commercial activity.

4. **Will the variance impair the purpose and intent of the Development Code?**

Yes. Approval would impair the intent of UDC Sec. 89-218(c)(2), which establishes a **quantitative size limit** to ensure accessory structures remain subordinate to principal buildings. No hardship has been demonstrated necessitating increased size.



**Barrow County**  
 Barrow County Historic Courthouse  
 30 North Broad Street  
 Winder, GA 30680

# RECORD DETAILS

Plan NO.: BOC2025-00027

Plan Type: Zoning Action

Work Classification: Zoning Action

Plan Status: In Review

Apply Date: 10/16/2025

**Expiration:**

**Location Address**

**Parcel Number**

842 EASTMONT RD, WINDER, GA 30680

XX104C 024

**Contacts**

William Cleghorne

**Property Owner**

Will Cleghorne

**Applicant**

842 Eastmont Rd, Winder, GA 30680

**Description:** Building a 30x30 shop/garage

**Valuation:** \$0.00

**Total Sq Feet:** 0.00

Fees	Amount
Change in Condition Variance	\$600.00
Special Use	\$800.00
Variance request added to rezone req.	\$200.00
<b>Total:</b>	<b>\$1,600.00</b>

Payments	Amt Paid
<b>Total Fees</b>	
<b>Amount Due:</b>	

Condition Name

Description

Comments

**Additional Information**

**Tax Parcel of Subject Property(s):** XX104C 024  
**Street Address:** 842 EASTMONT RD  
**Intent for the Subject Property:** : Building a 30x30 shop/garage for storage on the left side of my house.  
**Is this Residential or Non-Residential?:** Residential  
**Use Type:** : Single Family  
**Is the Proposed Project Served by Sewer or Septic:** Septic  
**Property Division Type:** Not applicable  
**Subdivision Name:** EASTMONT  
**Planning Application Types:** Special Use, Variance (In combination with other applications)  
**Which type of condition is being requested?:** Change in Condition Variance  
**Variances to UDC Section:** (89-218)  
**Special Use Request of UDC Section:** (89-218)

Issued By:

October 16, 2025

Date

## Item Cover Page

**BOARD OF COMMISSIONERS AGENDA ITEM REPORT**

**DATE:** February 10, 2026

**SUBMITTED BY:** Jennifer Lopez, Planning & Community Development

**ITEM TYPE:** Public Hearing

**AGENDA SECTION:** **Public Hearings**

**SUBJECT:** **BOC2025-00028 (XX054 009) 1381 Loganville Hwy; Jefferey Deloach / Applicant; Clayton Whitehead / Owner.** Request to rezone ± 51.37 of a ±91.76 parcel from AG (Agriculture) to R-2 (Medium Density Residential) for a 99-lot open space subdivision. Request for a variance to UDC Sec. 89-465 to allow for 5ft side setbacks on the lots within the development.

**Commission District:**  
District 4: Alex Ward

**Existing Land Use:**  
SINGLE-FAMILY HOME

**Existing Zoning:**  
AG (AGRICULTURAL)

**Future Land Use Map Category:**  
TRADITIONAL RESIDENTIAL

**Summary:**

The applicant is requesting to rezone ±51.37 acres from AG to R-2 (Medium Density Residential) to develop a 99-lot single-family detached open space subdivision. The concept plan shows internal public streets, water and sewer service, and common open space to be owned and maintained by a homeowners’ association. A variance to UDC Sec. 89-465 is requested to allow 5-ft side yard setbacks on subdivision lots.

Portions of the property lie within **FEMA Flood Zone A**, and the concept plan identifies floodplain and stream buffer areas to be preserved as open space. Final engineering will be required to comply with all applicable floodplain, stormwater, and environmental protection

standards.

The property also lies within the **Highway Corridor Overlay District**, requiring compliance with overlay design and streetscape standards. The Future Land Use Map identifies the area as Traditional Residential, supporting single-family neighborhoods at similar densities.

**ATTACHMENTS:**

- [PC RECOMMENDATIONS.pdf](#)
- [STAFF RECOMMENDATION.pdf](#)
- [Exhibit A.pdf](#)
- [SITE PLAN.pdf](#)
- [LETTER OF INTENT.pdf](#)
- [PROFFERED CONDITIONS.pdf](#)
- [AERIAL MAP.pdf](#)
- [FUTURE LAND USE MAP.pdf](#)
- [HCO MAP.pdf](#)
- [SUMMARY.pdf](#)
- [ZONING MAP.pdf](#)
- [DEPT COMMENTS & STAFF ANALYSIS.pdf](#)
- [APPLICATION.pdf](#)

## Planning Commission Recommendation

Planning Commission Public Hearing held on **January 15, 2026**

**BOC2025-00028 (XX054 009) 1381 Loganville Hwy; Jefferey Deloach / Applicant; Clayton Whitehead / Owner;** Request to rezone ± 51.37 of a ±91.76 parcel from AG (Agriculture) to R-2 (Medium Density Residential) for a 99-lot open space subdivision. Request for a variance to UDC Sec. 89-465 to allow for 5ft side setbacks on the lots within the development.

### **Motion to recommend APPROVAL with staff recommendations**

Motion made by District 3; Robert Lanham

Motion seconded by District 4; Jimmy Abdou

Motion **passed**

### **Motion to recommend DENIAL for the Variance to UDC Sec 89-465 to allow 5ft side setbacks.**

Motion made by District 3; Robert Lanham

Motion seconded by District 4; Jimmy Abdou

Motion **passed**

**THE BOARD OF COMMISSIONERS MEETING WILL BE HELD ON **FEBRUARY 10, 2026** at 6:00 PM AT THE BARROW COUNTY HISTORIC COURTHOUSE, 30 NORTH BROAD STREET, WINDER, GA 30680; 2ND FLOOR IN THE BOARD ROOM.**

## STAFF RECOMMENDATION

Staff recommends **APPROVAL** of the request to rezone ±51.37 acres from AG to R-2 to allow a 99-lot open space subdivision, subject to the following conditions:

1. All residential units shall comply with the proffered minimum floor area standards: 50% of the lots shall have dwellings with a minimum of 1,800 square feet and the remaining lots shall have dwellings with a minimum of 2,000 square feet of heated gross floor area, as provided in the applicant's proffered conditions (Exhibit A).

2. The exterior of any and all residential units constructed on the property shall consist of brick, stone, stucco, masonry siding, or any combination thereof.
3. Landscaping and sod shall be installed and maintained in all disturbed areas.
4. Floodplain and stream buffer areas shall remain undisturbed and preserved as open space.
5. All new development shall comply with all standards of the Highway Corridor Overlay District Article XVI of the UDC.
6. All open space and common areas shall be owned and maintained by the homeowners' association.
7. A minimum **100-ft arterial building setback** shall be maintained along Loganville Highway.
8. A minimum **20-ft building separation** shall be maintained between principal residences in accordance with open space subdivision standards.

Staff recommends **DENIAL** of the variance request to UDC Sec. 89-465 to allow 5-ft side yard setbacks. The requested reduction conflicts with the required minimum **20-ft** structure



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### **PLANNING STUDY**

**BOC2025-00028 (XX054 009) 1381 Loganville Hwy; Jefferey Deloach / Applicant; Clayton Whitehead / Owner;** Request to rezone ± 51.37 of a ±91.76 parcel from AG (Agriculture) to R-2 (Medium Density Residential) for a 99-lot open space subdivision. Request for a variance to UDC Sec. 89-465 to allow for 5ft side setbacks on the lots within the development.

### **STAFF RECOMMENDATION**

Staff recommends **APPROVAL** of the request to rezone ±51.37 acres from AG to R-2 to allow a 99-lot open space subdivision, subject to the following conditions:

1. All residential units shall comply with the proffered minimum floor area standards: 50% of the lots shall have dwellings with a minimum of 1,800 square feet, and the remaining lots shall have dwellings with a minimum of 2,000 square feet of heated gross floor area, as provided in the applicant's proffered conditions (Exhibit A).
2. The exterior of any and all residential units constructed on the property shall consist of brick, stone, stucco, masonry siding, or any combination thereof.
3. Landscaping and sod shall be installed and maintained in all disturbed areas.
4. Floodplain and stream buffer areas shall remain undisturbed and preserved as open space.
5. All new development shall comply with all standards of the Highway Corridor Overlay District Article XVI of the UDC.
6. All open space and common areas shall be owned and maintained by the homeowners' association.
7. A minimum **100-ft arterial building setback** shall be maintained along Loganville Highway.
8. A minimum **20-ft building separation** shall be maintained between principal residences in accordance with open space subdivision standards.

Staff recommends **DENIAL** of the variance request to UDC Sec. 89-465 to allow 5-ft side yard setbacks. The requested reduction conflicts with the required minimum **20-ft** structure separation for open space subdivisions and would impair the purpose and intent of the Development Code.

# EXHIBIT A



Planning & Community Development  
30 N. Broad St. Winder, GA 30680  
(770) 307-3021  
[www.barrowcountyplanning.org](http://www.barrowcountyplanning.org)

## PROFFERED CONDITIONS

As part of an application for any zoning action, a property owner may proffer, in writing, proposed conditions to apply and be part of the rezoning being requested by the applicant. Proffered conditions may include written statements, development plans, profiles, elevations, or other demonstrative materials.

Please list any written proffered conditions below:

*See Exhibit 1, attached*

Any development plans, profiles, elevations, or other demonstrative materials presented as proffered conditions shall be referenced below and attached to this application:

I do hereby submit these proffered conditions as an attachment to my application and request that they be considered along with same.

Applicant's Signature: *Jeffrey W. DeLoach*

Applicant's Name: *Jeffrey W. DeLoach* Date: *10/21/2025*

SUBSCRIBED AND SWORN BEFORE ME  
ON THIS THE *21<sup>st</sup>* DAY OF *October*, 20*25*.

*[Signature]*

NOTARY PUBLIC  
My Commission Expires: *3/23/28*

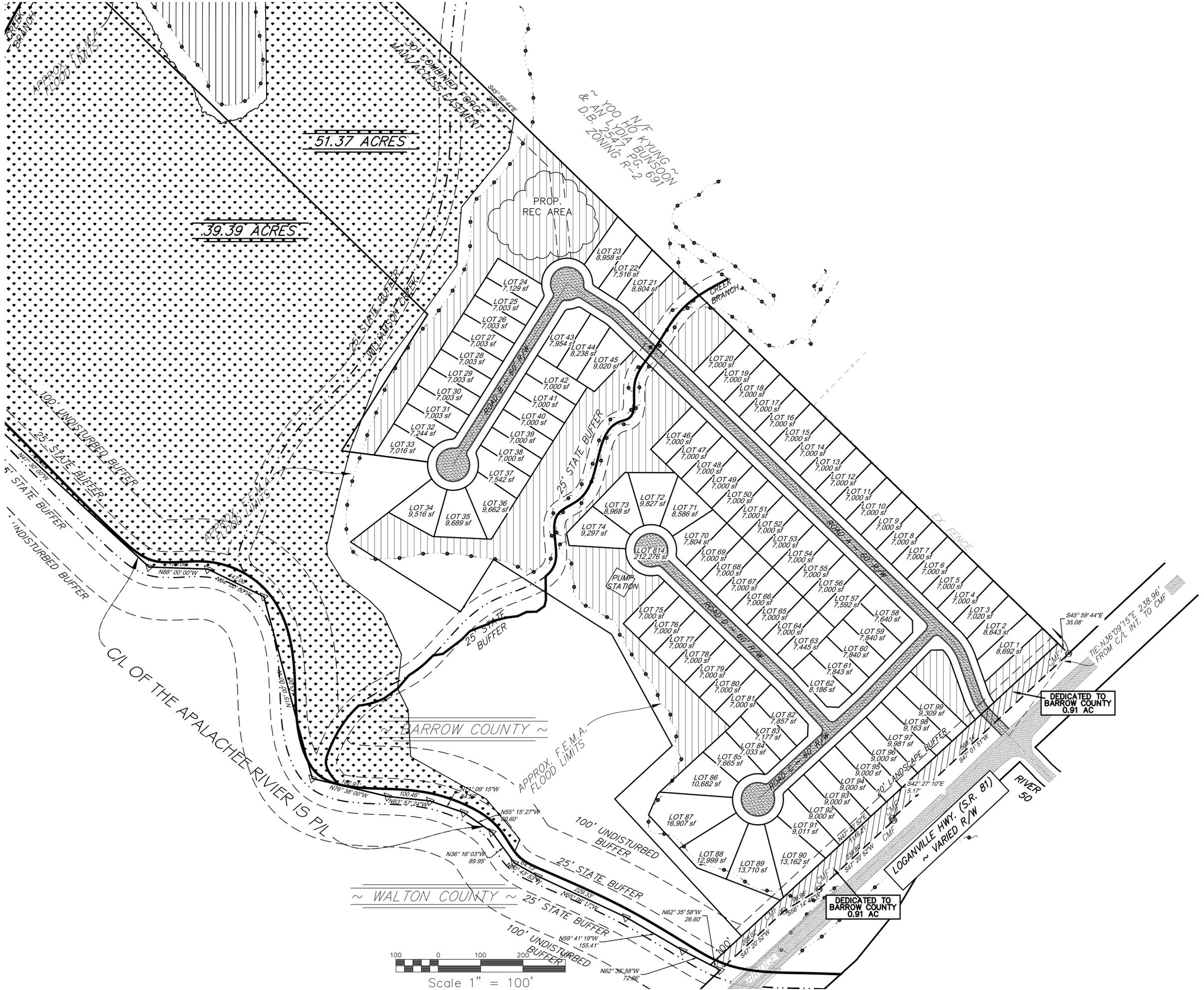
Michal Susanne Moss  
NOTARY PUBLIC  
CLARKE COUNTY, GEORGIA  
My Commission Expires 03/23/2028

**Exhibit 1**

***Proposed Proffered Conditions***

1. All homes shall comply with Barrow County Regulations for Single-Family Dwellings in R-2 zoned property.
2. Minimum requirement is brick or stone up to the water table on the front and sides of each home.
3. Masonry stoops and steps on the front and side of each home shall have a minimum width of 5'
4. Roofs shall have the following pitch:
  - a. 10/12 minimum on main body front to back
  - b. 9/12 minimum on ranch-style homes
  - c. 12/12 minimum on accent gables unless approved by ARC
5. All dwelling facades shall be constructed of wood, siding, cement fiber siding, brick, stone, stucco, or other masonry-type products. Vinyl and aluminum siding are prohibited.
6. All yards shall be sodded
7. All shingles shall be architectural shingles
8. Fifty percent (50%) of the lots shall have houses with a minimum square footage of 1800 sq. feet, and the remaining lots shall have minimum square footage of 2000 sq. feet.
9. All homes shall obtain Architectural Review Committee approval prior to beginning construction. The Declaration of Covenants for the subdivision shall provide design standards not only for the home, but also for the yard, fences, and retaining walls, along with a specific list of restrictions for the development.
10. All common area landscaping shall be maintained by the HOA with a professional landscaping company being employed to keep all grass fertilized and mowed on a regular basis and all landscaping properly maintained.
11. Owner / Developer shall install, and the HOA shall maintain, a 20-foot landscape strip to be designed by a landscape architect and approved by the Planning and Community Development Director (or their designee) for the full length of the development along Loganville Highway.
12. Signage shall be provided at the entrance(s) to the development, which shall be ground based, monument style.





REVISION:	
DATE:	

ALL MATERIAL, CONSTRUCTION, AND WORKMANSHIP ON THIS PROJECT SHALL BE IN ACCORDANCE WITH THE SPECIFICATIONS AND REQUIREMENTS OF THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING ALL UTILITY OWNERS, DETERMINING THE LOCATION OF ALL EXISTING UNDERGROUND UTILITIES, INCLUDING BUT NOT LIMITED TO WATER, GAS, AND SEWER, AND SHALL BE RESPONSIBLE FOR ANY DAMAGES DUE TO HIS OPERATION. THE DESIGNER DISCLAIMS ANY RESPONSIBILITY FOR DESIGN CHANGES MADE BY OTHERS. THE CONTRACTOR SHALL CALL THE UTILITIES PROTECTION CENTER THREE WORKING DAYS BEFORE DIGGING. IN METRO ATLANTA DIAL 407/35-5000. THROUGHOUT GEORGIA DIAL 800/262-7441.

**Sullins Engineering, LLC**  
 CONTACT: MATTHEW SULLINS  
 CIVIL ENGINEERS ~ LAND PLANNERS

PROPOSED LAYOUT PLAN FOR:  
**1381 LOGANVILLE HWY**  
 LOCATED IN:  
 PARCEL: XX064 009 GMD: 1742  
 BARROW COUNTY, GEORGIA



DATE	10/15/2025	JOB #	3646
SHEET 2			

Z:\325 - 3631\3646\3646 REZONE 9-25-2025.DWG - 10/15/2025 10:43 AM



Epps, Holloway, DeLoach & Hoipkemier, LLC

Kevin E. Epps  
 Kelly C. Holloway  
 Jeffrey W. DeLoach  
 Adam L. Hoipkemier  
 Tyler M. Gaines  
 M. Claire Kimbrell  
 Lucas V. Boggs

David A. Quilliams, of counsel  
 Morris H. Wiltshire, Jr., of counsel

**UPDATED LETTER OF INTENT FOR REZONING  
 AND VARIANCE APPLICATIONS**

Applicant: WB Real Estate Holdings, LLC (“Applicant”)  
 Owner: Clayton Whitehead/Estate of Mary J. Whitehead  
 Location: 1381 Loganville Hwy  
 Description: Rezoning from AG to R-2 (Open Space Subdivision) with variance from  
 Sec. 89-465(c)(1)(a) of the UDC  
 Tax Parcel Nos: XX054 009, XX054 008  
 Total Acreage: Approximately 51.37 acres to be rezoned  
 Proposed Density: 1.93 lots per acre in unincorporated Barrow County  
 Total Lots Proposed: 99  
 Open Space: 10.73 Acres  
 Date: October 28, 2025

**Summary of Requested Action:**

This Letter of Intent is being submitted with the Rezoning Application pursuant to the Unified Development Code of Barrow County (hereinafter, “UDC”). Applicant seeks to rezone approximately 51.37 acres from AG to R-2 (Open Space Subdivision) and leave the balance of the property totaling 39.39 acres with its current AG zoning designation. Applicant has a contract to purchase the Property.

With this rezone request, Applicant is requesting one variance from Sec. 89-465(c)(1)(a) of the UDC to permit a five (5) foot side setback. The subject property is designated as Traditional Neighborhood on the Future Development Map, which coincides with this zoning application for the R-2 designation. The Property is located in the Highway Corridor Overlay (HCO) District, so its development will comply with all requirements of the HCO.

**Location:**

The subject property is located on the Northwestern side of Loganville Highway at the



border of Barrow County and Walton County (the “Property”).

**Project Description**

Applicant requests that 51.37 acres of the Property be rezoned to the R-2 zoning classification for development as an Open Space Subdivision in accordance with Sections 89-463, 89-465, and 89-469 of the UDC. The application proposes leaving one 39.39-acre lot zoned AG.

The UDC describes Open Space Subdivisions stating, “[w]herein the zoning district density limitation may be increased as provided in this article and the minimum lot size is reduced to allow for maximum flexibility on a site and in order to create conservation areas, open space and recreational amenities for the residents.”<sup>1</sup> The proposed development includes 99 lots on the 51.37 acres within unincorporated Barrow County, which is a density of 1.93 units per acre and is below the maximum permitted by the UDC (2.40 units per acre). Public water will be provided by the City of Winder and sanitary sewer service will be provided by Barrow County. The Concept Plan provides for one entrance from Loganville Highway that aligns with the entrance to the subdivision on the other side of the highway. As shown on the Concept Plan, the proposed development provides for the stream buffer required by Section 89-970 of the UDC.

Based upon the residential market in Barrow County, the trends in home ownership, and significant increases in home prices, Applicant proposes this development with a variation in the sizes of homes. Specifically, this subdivision will have no more than 50 percent of the lots constructed with homes at least 1800 square feet. The remainder of the lots shall have homes at least 2000 square feet.

The design of the proposed development is intended to foster a family-focused community with available amenities providing for outdoor recreation and enjoyment. In the open space, the development will provide the recreation area required by Table 5.4 within Sect. 89-469 of the UDC. In connection with the open space subdivision, there is a total of 10.73 acres being dedicated to open space, which exceeds the twenty percent required. The development proposes a walking path along the force main easement to provide access to an open area in the northwestern portion

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<sup>1</sup> Sec. 89-463 of the UDC.

of the Property, which can be used for recreational activities, such as a dog park. There will be a homeowner's association that is responsible for maintaining all common areas in the development and governing the architectural review committee (ARC) for the subdivision.

Additionally, this proposed development will provide a high-quality construction product with a variety of roof lines and elevations available to appeal to many types of homeowners. Each home must be some combination of brick, stone, stucco, wood siding, cement fiber cement siding, or other masonry-type products. No vinyl or aluminum siding will be permitted. The heights of the homes will fully comply with Barrow County Code.

#### **Existing Zoning and Proposed Zoning**

The Property is currently zoned AG and has enjoyed limited utility. It has never been developed with its current zoning designation. The proposed rezoning to R-2 (Open Space) is compatible with the Future Development Map and with adjacent zoning and development. This proposed development will satisfy an important need for high-quality residential development for Barrow County residents in a corridor that has been designated for neighborhood development (Traditional Neighborhood). Importantly, the proposed development complies with the standards set forth in Sec. 89-1315(e) of the UDC, as shown in the analysis attached as Exhibit A.

#### **Proposed Variance**

This application includes a request for one variance from Sec. 89-465(c)(1)(a) of the UDC. Specifically, Applicant is requesting a variance to allow a 5-foot side setback for buildings on lots in this development. In the absence of a variance, Sec. 89-465(c)(1)(a) requires, "Principal buildings within the development, if separated, shall not be less than 20 feet apart," which amounts to 10-foot side setbacks. This variance request is necessary to allow flexibility in locating the houses on the lots, which are 50 feet wide. The topography of this land provides challenges for development, was a cause of the width of the lots being 50 feet and is a reason for the request to reduce the side setbacks to 5 feet.

#### **Reservation of Constitution Rights**

As contemplated by Georgia law, this statement is intended to make Barrow County aware of the Applicant's Constitutional objections to Barrow County denying the requested applications.

This request for rezoning and for a variance is proper given the nature of the property at issue, as well as adjacent zoning and development. Specifically, the instant Application is seeking to rezone the Property to a zoning that is consistent with the Future Land Development Map and the UDC. Failure to grant the Application would deny the Applicant and property owners an economically viable use of the Property while not substantially advancing legitimate state interests.

We are hopeful that Barrow County will approve this Application, which will (1) allow the property owner to make productive use of the Property and (2) provide quality residential housing in the county. As required by law, this notice is being provided to advise you that, if necessary, Applicant and property owners will enforce their legal rights and remedies available under law. Specifically, among other Constitutional violations, failure to grant this Application would result in a taking of real property without just and adequate compensation and would constitute a denial of equal protection and due process in violation of both the Georgia Constitution and the Constitution of the United States and would be contrary to the standards set out in *Guhl v. Holcomb Bridge Road Corp.*, 238 Ga. 322 (1977).

The Application submitted, along with the concept plan and accompanying documents, show that the criteria contained within the UDC have been met so that the rezoning and issuance of a variance should be granted. Based upon all of the foregoing, we sincerely request that you give favorable consideration to this Application and approve the requests as submitted.

Sincerely,

**EPPS HOLLOWAY DELOACH  
& HOIPKEMIER, LLC**



Jeffrey W. DeLoach

cc: WB Real Estate Holdings, LLC (via email)

## EXHIBIT A

### *Analysis of Requirements of Section 89-1315(e)(1) of UDC*

- a. Is the proposed use consistent with the stated purpose of the zoning district that is being requested?

**Yes, the proposed ninety-nine lot residential development is appropriate and permissible for the R-2 Medium Density Residential District that is being requested.**

- b. Is the proposed use suitable in view of the zoning and development of adjacent and nearby property?

**Yes, the Property is bordered on the west, north and east, by tracts of land that are zoned R-2. The property directly across Loganville Hwy from the entrance to the proposed development is an R-1 zoned residential development.**

- c. Will the proposed use not adversely affect the existing use or usability of adjacent or nearby property?

**The proposed use will not adversely affect the existing use or usability of adjacent and nearby property, which uses are all compatible with this Property having an R-2 zoning designation.**

- d. Is the proposed use compatible with the goals, objectives, purpose and intent of the comprehensive plan?

**Yes, the proposed rezoning to R-2 is compatible with the Traditional Neighborhood character area of the Future Land Use Map.**

- e. Are there substantial reasons why the property cannot or should not be used as currently zoned?

**This property is 91.67 acres, has challenging topography, is in close proximity to the Apalachee River and is unlikely to ever be used or developed with its current AG zoning designation.**

- f. Will the proposed use not cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, water or sewer utilities, and police or fire protection?

**No, this development will not cause excessive impact to public facilities and services. Water service is available from the City of Winder and sewer service is available from Barrow County. While there will be some additional traffic created by this development, it**

**is consistent with what is expected for the development of this section of Loganville Highway and is not excessive. Likewise, the proposed 99 lots may add some children to the school system, but it is expected that this development will be a mix of family types, including couples with school-aged children, but also younger couples without children and retirees or “empty-nesters.” Based upon the mix of expected residents and the small size of the proposed development, there is no expectation that it will cause excessive or burdensome use of public facilities or services.**

- g. Is the proposed use supported by new or changing conditions not anticipated by the comprehensive plan or reflected in the existing zoning on the property or surrounding properties?

**No, there are not new or changing conditions, but instead, the proposed use is supported by the comprehensive plan and future land use map.**

- h. Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property?

**Yes, the proposed R-2 (Open Space) residential subdivision provides for a compatible use with the surrounding properties. This proposed zoning district reflects an appropriate balance between the public interest and the owner’s right to develop the property.**



Planning & Community Development  
30 N. Broad St. Winder, GA 30680  
(770) 307-3021  
[www.barrowcountyplanning.org](http://www.barrowcountyplanning.org)

**PROFFERED CONDITIONS**

As part of an application for any zoning action, a property owner may proffer, in writing, proposed conditions to apply and be part of the rezoning being requested by the applicant. Proffered conditions may include written statements, development plans, profiles, elevations, or other demonstrative materials.

Please list any written proffered conditions below:

*See Exhibit 1, attached*

Any development plans, profiles, elevations, or other demonstrative materials presented as proffered conditions shall be referenced below and attached to this application:

I do hereby submit these proffered conditions as an attachment to my application and request that they be considered along with same.

Applicant's Signature: *Jeffrey W. DeLoach*

Applicant's Name: *Jeffrey W. DeLoach* Date: *10/21/2025*

SUBSCRIBED AND SWORN BEFORE ME  
ON THIS THE *21st* DAY OF *October*, 20*25*.

*[Signature]*

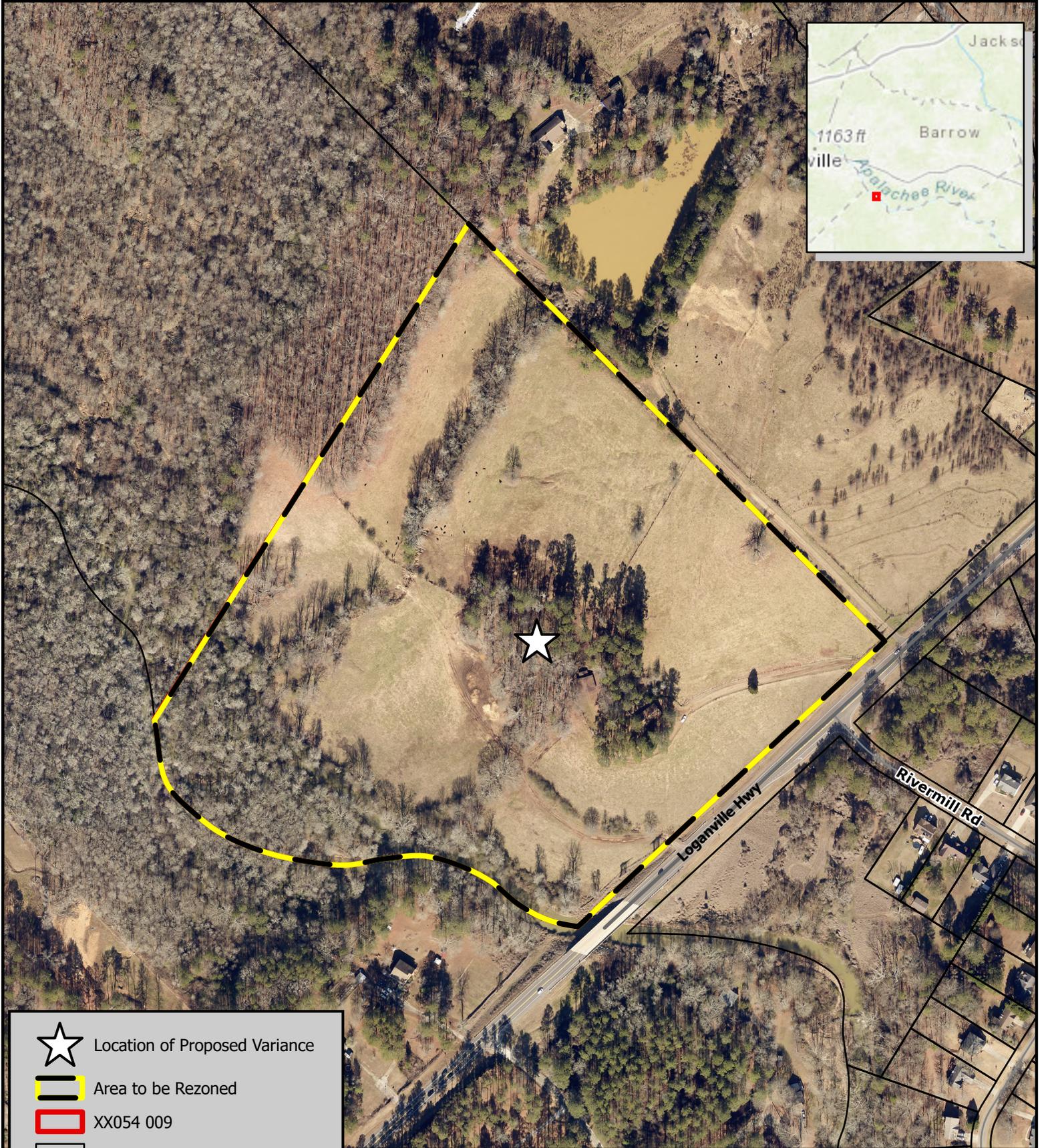
NOTARY PUBLIC  
My Commission Expires: *3/23/28*

Michal Susanne Moss  
NOTARY PUBLIC  
CLARKE COUNTY, GEORGIA  
My Commission Expires 03/23/2028

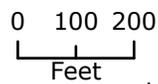
**Exhibit 1**

***Proposed Proffered Conditions***

1. All homes shall comply with Barrow County Regulations for Single-Family Dwellings in R-2 zoned property.
2. Minimum requirement is brick or stone up to the water table on the front and sides of each home.
3. Masonry stoops and steps on the front and side of each home shall have a minimum width of 5'
4. Roofs shall have the following pitch:
  - a. 10/12 minimum on main body front to back
  - b. 9/12 minimum on ranch-style homes
  - c. 12/12 minimum on accent gables unless approved by ARC
5. All dwelling facades shall be constructed of wood, siding, cement fiber siding, brick, stone, stucco, or other masonry-type products. Vinyl and aluminum siding are prohibited.
6. All yards shall be sodded
7. All shingles shall be architectural shingles
8. Fifty percent (50%) of the lots shall have houses with a minimum square footage of 1800 sq. feet, and the remaining lots shall have minimum square footage of 2000 sq. feet.
9. All homes shall obtain Architectural Review Committee approval prior to beginning construction. The Declaration of Covenants for the subdivision shall provide design standards not only for the home, but also for the yard, fences, and retaining walls, along with a specific list of restrictions for the development.
10. All common area landscaping shall be maintained by the HOA with a professional landscaping company being employed to keep all grass fertilized and mowed on a regular basis and all landscaping properly maintained.
11. Owner / Developer shall install, and the HOA shall maintain, a 20-foot landscape strip to be designed by a landscape architect and approved by the Planning and Community Development Director (or their designee) for the full length of the development along Loganville Highway.
12. Signage shall be provided at the entrance(s) to the development, which shall be ground based, monument style.



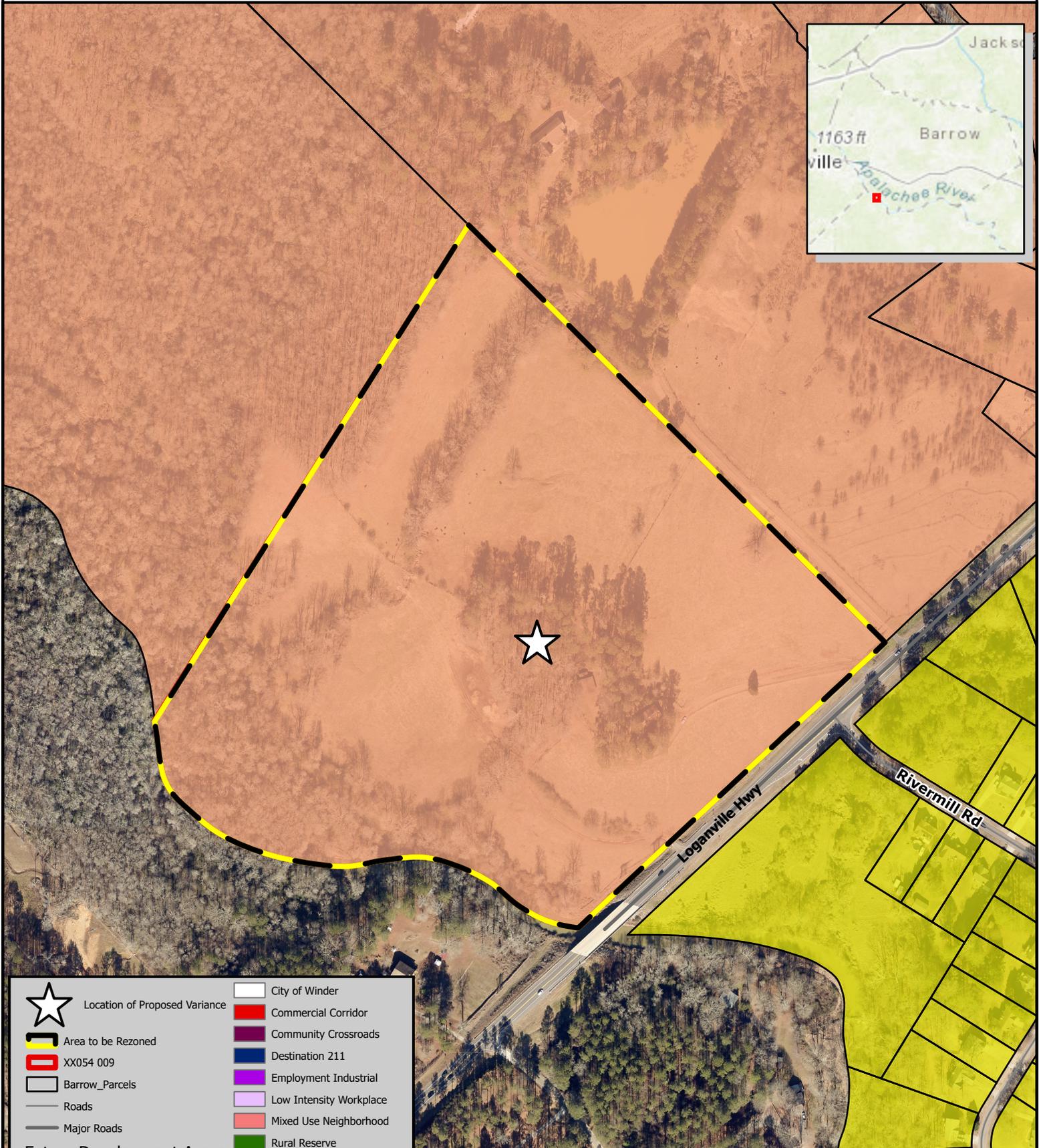
-  Location of Proposed Variance
-  Area to be Rezoned
-  XX054 009
-  Barrow\_Parcels
-  Roads
-  Major Roads



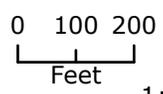
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DISCLAIMER  
THIS MAP WAS COMPILED BY  
BARROW COUNTY. THE COUNTY  
ASSUMES NO RESPONSIBILITY  
FOR THE LEGAL ACCURACY OF THE  
INFORMATION CONTAINED  
HEREIN. **99**



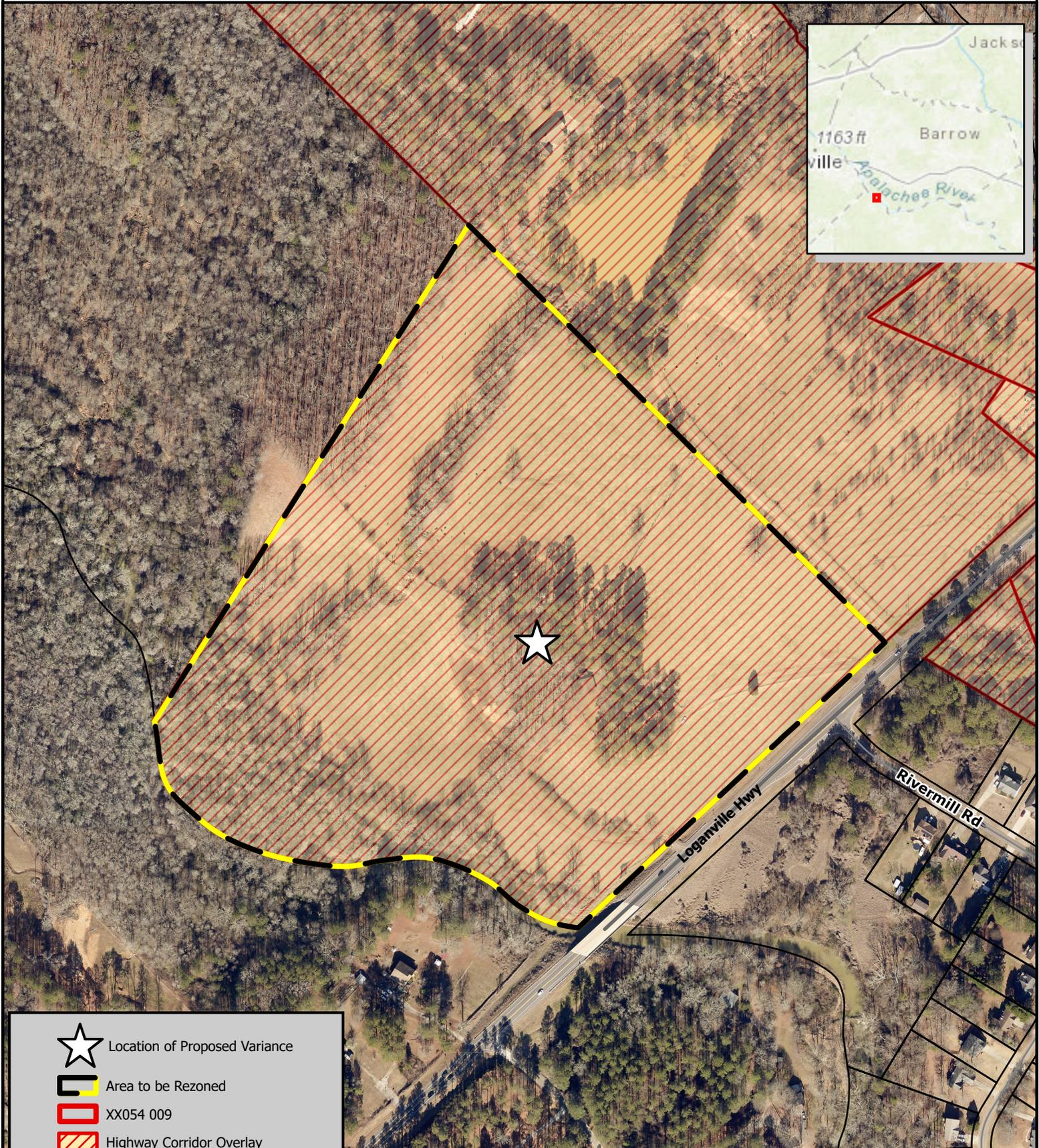
	Location of Proposed Variance		City of Winder
	Area to be Rezoned		Commercial Corridor
	XX054 009		Community Crossroads
	Barrow_Parcels		Destination 211
	Roads		Employment Industrial
	Major Roads		Low Intensity Workplace
<b>Future Development Areas</b>			Mixed Use Neighborhood
	316 Innovation		Rural Reserve
	City of Auburn		Rural Residential
	City of Statham		Suburban Residential
			Town of Braselton
			Traditional Residential



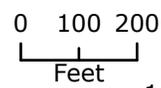
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INFORMATION CONTAIN  
HEREIN. **100**



-  Location of Proposed Variance
-  Area to be Rezoned
-  XX054 009
-  Highway Corridor Overlay
-  Barrow\_Parcels
-  Roads
-  Major Roads



1:3,948



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## **PLANNING STUDY**

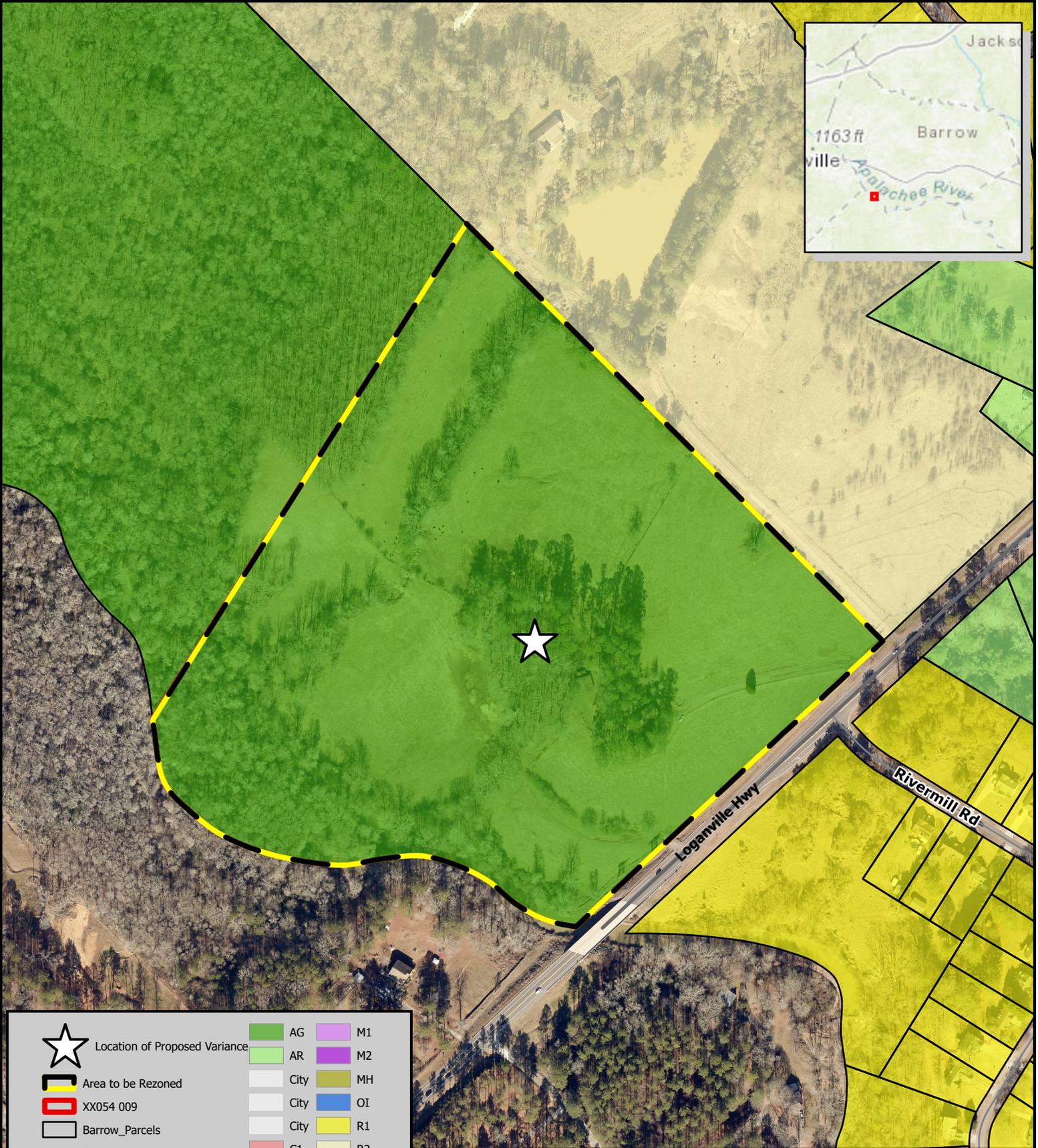
**BOC2025-00028 (XX054 009) 1381 Loganville Hwy; Jeffrey Deloach / Applicant; Clayton Whitehead / Owner;** Request to rezone ± 51.37 of a ±91.76 parcel from AG (Agriculture) to R-2 (Medium Density Residential) for a 99-lot open space subdivision. Request for a variance to UDC Sec. 89-465 to allow for 5ft side setbacks on the lots within the development.

## **SUMMARY**

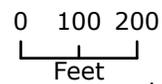
The applicant is requesting to rezone ±51.37 acres from AG to R-2 (Medium Density Residential) to develop a 99-lot single-family detached open space subdivision. The concept plan shows internal public streets, water and sewer service, and common open space to be owned and maintained by a homeowners' association. A variance to UDC Sec. 89-465 is requested to allow 5-ft side yard setbacks on subdivision lots.

Portions of the property lie within **FEMA Flood Zone A**, and the concept plan identifies floodplain and stream buffer areas to be preserved as open space. Final engineering will be required to comply with all applicable floodplain, stormwater, and environmental protection standards.

The property also lies within the **Highway Corridor Overlay District**, requiring compliance with overlay design and streetscape standards. The Future Land Use Map identifies the area as Traditional Residential, supporting single-family neighborhoods at similar densities.



	Location of Proposed Variance		AG		M1
	Area to be Rezoned		AR		M2
	XX054 009		City		MH
	Barrow_Parcels		City		OI
	Roads		City		R1
	Major Roads		C1		R2
<b>Zoning Districts</b>			C2		R3
	AC		C3		City
			City		City



1:3,948



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### **PLANNING STUDY**

**BOC2025-00028 (XX054 009) 1381 Loganville Hwy; Jefferey Deloach / Applicant; Clayton Whitehead / Owner;** Request to rezone ± 51.37 of a ±91.76 parcel from AG (Agriculture) to R-2 (Medium Density Residential) for a 99-lot open space subdivision. Request for a variance to UDC Sec. 89-465 to allow for 5ft side setbacks on the lots within the development.

### **DEPARTMENT / AGENCY COMMENTS**

Request for comments sent on 11/04/2025

#### **GDOT – Reviewed**

No comments received as 12/11/25

#### **Transportation – Reviewed**

Coordination with GDOT needed for entrance

#### **Fire Department – Reviewed**

No comments from the FD at this time, we will review the plans for Fire code compliance during the formal submittal. Please ensure the plans meet all requirements of the 2018 edition of the International Fire Code.

#### **Barrow County School System (BCSS) – reviewed by Matt Thompson**

The applicant has requested that 51.37 acres be rezoned from AG to R-2 for the development of a 99-unit single-family residential subdivision. The proposed 99 lot subdivision would be accessed off a new residential drive located directly across from the intersection of Loganville Hwy (S.R. 81) and River Mill Road. This proposed development lies within the YES/HMMS/AHS enrollment zone, which is currently the fastest growing enrollment zone for BCSS. Based on prior housing studies a development of this nature would be expected to add 22 elementary, 11 middle, and 13 high school students for a total enrollment impact estimate of 46 students. Given the rapid pace of development in this area of the county, we anticipate the use of external units to house students or potential rezones will likely be necessary at some point in the future.

### **STAFF ANALYSIS**

**1. Is the proposed use consistent with the stated purpose of the zoning district that is being requested?**

Yes. The R-2 district supports medium-density single-family detached subdivisions with open space, consistent with the applicant's proposal.

**2. Is the proposed use suitable in view of the zoning and development of adjacent and nearby property?**

Surrounding properties are primarily agricultural and residential. The proposed use is suitable in this context.

**3. Will the proposed use not adversely affect the existing use or usability of adjacent or nearby property?**

Potential impacts related to traffic, utilities, school capacity, and stormwater runoff can be mitigated through development review, infrastructure improvements, and compliance with the Development Code. Adherence to updated school safety conditions (deceleration lane) will further reduce potential impacts.

**4. Is the proposed use compatible with the goals, objectives, purpose, and intent of the Comprehensive Plan?**

Yes. The Traditional Residential FLUM category supports single-family neighborhoods at this density and recognizes continued growth along major transportation corridors.

**5. Are there substantial reasons why the property cannot or should not be used as currently zoned?**

Yes, the existing AG zoning does not reflect the planned residential character of the corridor or availability of utilities.

**6. Will the proposed uses not cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, water or sewer facilities, and fire protection?**

While the development will contribute additional students to an already fast-growing school zone, the projected impact of 46 students is consistent with expectations for subdivisions of this size. Required transportation improvements and utility capacity analysis will help ensure adequate service levels.

**7. Is the proposed use supported by new or changing conditions not anticipated by the Comprehensive Plan or reflected in the existing zoning on the property of surrounding properties?**

Yes. The corridor continues to urbanize with residential growth, utility expansion, and increased traffic volumes, supporting a transition from agricultural to residential zoning.

**8. Does the proposed use reflect a reasonable balance between the promotions of the public health, safety, morality, or general welfare and the right to unrestricted use of property?**

Yes. The proposed subdivision provides additional housing in an appropriate growth area while maintaining open space, environmental protections, and transportation safety measures.

### **VARIANCE STAFF ANALYSIS**

**1. Will the variance cause substantial detriment to the public good?**

No, although reduced setbacks could decrease building separation and privacy, they are not anticipated to cause substantial detriment when evaluated site-wide.

**2. Will the variance be injurious to the use and enjoyment of the environment or of other property in the immediate vicinity?**

The variance is not anticipated to be injurious to nearby properties or the environment.

**3. Will the variance diminish or impair property values within the surrounding neighborhood?**

The variance is not likely to diminish or impair property values; however, reduced setbacks may impact privacy, access, and building spacing if not carefully managed.

**4. Will the variance impair the purpose and intent of the Development Code?**

Yes, the requested reduction from the required 15-foot side setback to 5 feet represents a substantial decrease and may result in principal structures being located less than 20 feet apart, which would be inconsistent with required building separation standards applicable to open space subdivisions.



**Barrow County**  
 Barrow County Historic Courthouse  
 30 North Broad Street  
 Winder, GA 30680

# RECORD DETAILS

Plan NO.: **BOC2025-00028**

Plan Type: **Zoning Action**

Work Classification: **Zoning Action**

Plan Status: **Submitted - Online**

Apply Date: **10/21/2025**

**Expiration:**

**Location Address**

**Parcel Number**

**1381 LOGANVILLE HWY, BETHLEHEM, GA 30620**

**XX054 009**

**Contacts**

Clayton Whitehead

**Property Owner**

Jeffrey DeLoach

**Applicant**

**Description:** Rezoning from AG to R-2 (Open Space Subdivision) with variance from Sec. 89-465(c)(1)(a) of the UDC and rezoning to R-1 for remainder of parcel

**Valuation:**           \$0.00          

**Total Sq Feet:**           0.00          

Fees	Amount
Major Subdivision	\$1,500.00
Variance request added to rezone req.	\$200.00
<b>Total:</b>	<b>\$1,700.00</b>

Payments	Amt Paid
<b>Total Fees</b>	
<b>Amount Due:</b>	

<u>Condition Name</u>	<u>Description</u>	<u>Comments</u>
-----------------------	--------------------	-----------------

**Additional Information**

**Tax Parcel of Subject Property(s):** XX054 009

**Street Address:** 1381 LOGANVILLE HWY

**Intent for the Subject Property:** Applicant seeks to rezone approximately 51.37 acres from AG to R-2 (Open Space Subdivision) to develop a 99 lot subdivision.

**Is this Residential or Non-Residential?:** Residential

**Use Type:** : Single Family

**Is the Proposed Project Served by Sewer or Septic:** Sewer

**Property Division Type:** Major Subdivision

**Is there a Master Plan Development?:** No

**Requested Zoning:** R-2 for 51.37 acres and R-1 for 39.39 acres

**Planning Application Types:** Rezone - Major Subdivision, Variance (In combination with other applications)

**Reason for changing conditions:** N/A

**Variances to UDC Section:** One variance from Sec. 89-465(c)(1)(a) of the UDC to allow a 5-foot side setback for buildings on lots in development.

**Special Use Request of UDC Section:** N/A

**Requested Future Land Use:** same-Traditional Neighborhood

Issued By: \_\_\_\_\_

October 21, 2025

Date

# Item Cover Page

## BOARD OF COMMISSIONERS AGENDA ITEM REPORT

**DATE:** February 10, 2026

**SUBMITTED BY:** Jennifer Lopez, Planning & Community Development

**ITEM TYPE:** Public Hearing

**AGENDA SECTION:** **Public Hearings**

**SUBJECT:** **BOC2025-00033 (XX004 010) 559 Quail Trail Rd; Scott Smith / Applicant; Danut Andronesi & Joja George / Owners.** Request to rezone ±2.92 acres from AR (Agriculture Residential) to R-1 (Low Density Single Family Residential) for an additional single-family residential lot.

**Commission District:**  
District 5: Tim Walker

**Existing Land Use:**  
SINGLE FAMILY MANUFACTURD HOME

**Existing Zoning:**  
AR (AGRICULTURAL RESIDENTIAL)

**Future Land Use Map Category:**  
SUBURBAN RESIDENTIAL

**Summary:**  
Applicant is seeking to rezone ±2.92 acres from AR (Agriculture Residential) to R-1 (Low Density Single Family Residential) to subdivide the parcel into two lots for the construction of two new homes. This parcel is located within a platted subdivision of River Ridge Acres a 15 -lot subdivision and falls within the Suburban Residential character area. The Suburban Residential character area calls for areas that are preserved with more green space and lower density homes. There is currently a mobile home and two sheds on the property that are proposed to be removed. The new lots are set to be serviced by septic and public water per the availability letters submitted from Environmental Health and Barrow County Utilities Department. The proposed acreage of the two new tracts per the site plan dated December 2, 2025 provided by the applicant, may be found in the table below.

<b>Tract No.</b>	Proposed Acreage and Access	Sufficient acreage for septic system installation?
<b>Tract 1:</b>	Tract 1 will consist of 1.40 acres	Yes – sufficient acreage for septic and water availability from Barrow County Utilities.
<b>Tract 2:</b>	Tract 2 will consist of 1.51 acres	Yes – sufficient acreage for the septic and water availability from Barrow County Utilities.

**ATTACHMENTS:**

- [PC RECOMMENDATIONS.pdf](#)
- [STAFF RECOMMENDATION.pdf](#)
- [SITE PLAN.pdf](#)
- [LETTER OF INTENT.pdf](#)
- [PROFFERED CONDITIONS .pdf](#)
- [AERIAL MAP.pdf](#)
- [FUTURE LAND USE MAP.pdf](#)
- [ZONING MAP.pdf](#)
- [SUMMARY.docx.pdf](#)
- [DEPT COMMENT & STAFF ANALYSIS.pdf](#)
- [APPLICATION.pdf](#)

## Planning Commission Recommendation

Planning Commission Public Hearing held on **January 15, 2026**

**BOC2025-00033 (XX004 010) 559 Quail Trail Rd; Scott Smith / Applicant; Danut Andronesi & Joja George / Owners.** Request to rezone ±2.92 acres from AR (Agriculture Residential) to R-1 (Low Density Single Family Residential) for an additional single-family residential lot.

**Motion to recommend APPROVAL with staff recommendations.**

Motion made by District 3; Robert Lanham

Motion seconded by District 6; Jean Morrow

Motion PASSED

**THE BOARD OF COMMISSIONERS MEETING WILL BE HELD ON **FEBRUARY 10, 2026** at 6:00 PM AT THE BARROW COUNTY HISTORIC COURTHOUSE, 30 NORTH BROAD STREET, WINDER, GA 30680; 2ND FLOOR IN THE BOARD ROOM.**

### STAFF RECOMMENDATION

Staff recommends **APPROVAL** of the request to rezone ±2.92 acres from AR (Agriculture Residential) to R-1 (Low Density Single-Family Residential) to subdivide for the construction of two new residential units.

Such approval shall be accompanied by the following conditions:

1. The exterior of any and all residential units constructed on the property shall consist of brick, stone, stucco, or masonry siding, or any combination thereof.
2. Sod and landscaping shall be installed and maintained in the disturbed areas of all front yards and 15' of side yards on the property.



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### **PLANNING STUDY**

**BOC2025-00033 (XX004 010) 559 Quail Trail Rd; Scott Smith / Applicant; Danut Andronesi & Joja George / Owners.** Request to rezone ±2.92 acres from AR (Agriculture Residential) to R-1 (Low Density Single Family Residential) for an additional single-family residential lot.

### **STAFF RECOMMENDATION**

Staff recommends **APPROVAL** of the request to rezone ±2.92 acres from AR (Agriculture Residential) to R-1 (Low Density Single-Family Residential) to subdivide for the construction of two new residential units.

Such approval shall be accompanied by the following conditions:

1. The exterior of any and all residential units constructed on the property shall consist of brick, stone, stucco, or masonry siding, or any combination thereof.
2. Sod and landscaping shall be installed and maintained in the disturbed areas of all front yards and 15' of side yards on the property.



### LEGEND

R/W	RIGHT OF WAY	FES	FLARED END SECTION
WM	WATER METER	JB	JUNCTION BOX
B/L	BUILDING LINE	HW	HEADWALL
PL	PROPERTY LINE	CL	CENTER LINE
PH	FIRE HYDRANT	DR	DRAINAGE DIRECTION
W	VALVE	HN	HOUSE NUMBER
WM	WATER MAIN	IPF	IRON PIN FOUND
MH	MANHOLE	IPS	IRON PIN SET
DE	SEWER LINE	R	ELECTRIC POWER
SE	DRAINAGE EASEMENT	RC	RADIUS OF CURVATURE
G	GAS LINE	CB	DOUBLE WING CATCH BASIN
PP	POWER POLE	CB	SINGLE WING CATCH BASIN
N&C	NAIL IN CAP	PP	POWER POLE
LP	LIGHT POLE	A	ARC OF CURVE
EE	EXISTING ELEVATION	INV	INVERT
RB	REBAR	DI	DROP INLET
O.T.P.	OPEN TOP PIPE	PE	PROPOSED ELEVATION
		POB	POINT OF BEGINNING

**TOTAL AREA:**  
127,284 SQ. FT/ 2.92 ACRES

NOW OR FORMERLY  
KELLY M. KEEFER  
DEED BOOK 2815, PAGE 523  
PLAT BOOK 10, PAGE 73  
ZONED : AG

NOW OR FORMERLY  
NICOLAE SERBAN AND ALINA SEREBAN  
ZONED : AG

RIVER RIDGE ACRES  
PLAT BOOK 17, PAGE 15  
LOT 6

**SUBJECT PARCEL**  
559 QUAIL TRAIL ROAD  
PIN: XX004 010  
ZONED: AR

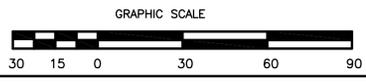
### General Notes:

SURVEY AS PER IRON PINS FOUND, AND DEED BOOK 1550, PAGE 1 AND THE FINAL PLAT OF RIVER RIDGE ACRES RECORDED IN PLAT BOOK 17, PAGE 15.

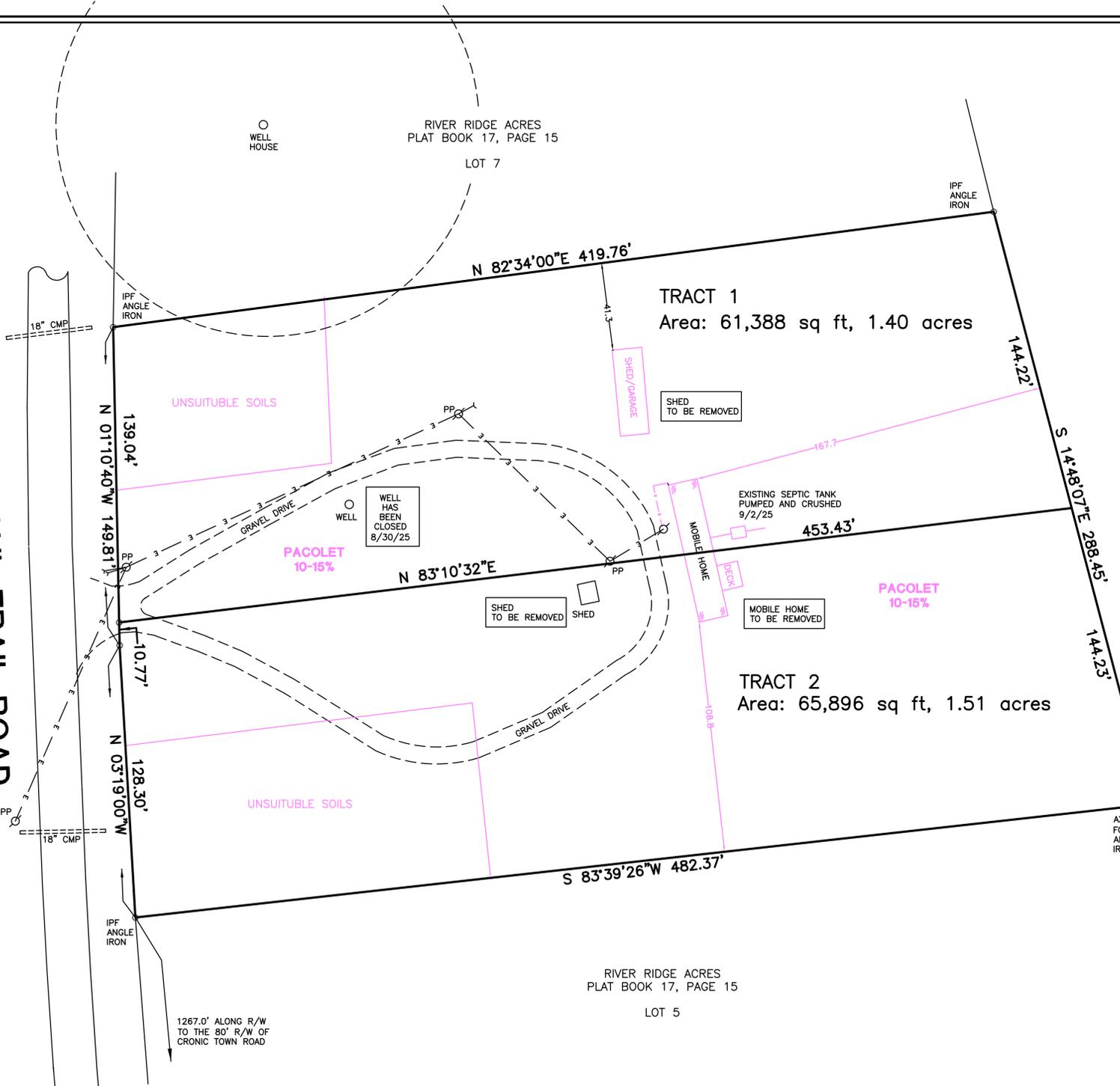
SURVEY DONE WITHOUT THE BENEFIT OF A TITLE COMMITMENT AND PROPERTY IS SUBJECT TO ALL MATTERS OF TITLE.

SUBJECT TRACT DOES NOT LIE WITHIN A 100 YEAR FLOOD DISTRICT AS PER F.I.R.M. PANEL NO. 13013C0040D, EFFECTIVE DATE 12/1/2022

SOILS SHOWN AS PER A LEVEL III SOILS STUDY PREPARED BY KEY ENGINEERING SOLUTIONS-US, INC. DATED FEBRUARY 17, 2025



**QUAIL TRAIL ROAD**  
60 R/W



**SURVEY DATA.**  
TOTAL AREA: 127,284 SQ. FT / 2.92 ACRES  
ERROR OF CLOSURE PLAT: 1 FT IN 249,546 FEET  
ERROR OF CLOSURE FIELD: 1 FT IN 19,610 FEET  
ANGULAR ERROR: 5" PER ANGLE POINT  
ADJUSTED BY: LEAST SQUARES  
EQUIPMENT USED: TOPCON GT-1003 TOTAL STATION  
FIELD WORK COMPLETED ON JUNE 30, 2025

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON AND NO WARRANTIES EXTEND TO ANY UNNAMED PERSON WITHOUT A RE-CERTIFICATION BY THE SURVEYOR NAMING SAID PERSON

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THIS DRAWING AND ITS REPRODUCTIONS ARE THE PROPERTY OF THE SURVEYOR AND MAY NOT BE REPRODUCED, PUBLISHED OR USED IN ANY WAY WITHOUT THE WRITTEN CONSENT OF THE SURVEYOR.

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67



J. Scott Smith 7/1/25  
J. SCOTT SMITH, PLS 3014 DATE

REVISIONS		DESCRIPTION
NO.	DATE	
3	12/2/25	JSS SHED NOTE 2
2	10/26/25	JSS MH NOTE/SHED NOTE
1	8/27/25	JSS WELL ON ADJ. PROP.

**DIVERSIFIED TECHNICAL GROUP, L.L.C.**  
LAND SURVEYORS - LAND PLANNERS  
Land Surveying Firm License# 587



**Boundary Survey**  
Danut Andronesi  
George Joja  
GMD(S): 1740  
BARROW COUNTY, GEORGIA

DATE	DRAWN	CHECKED
7/1/25	J.S.S.	J.S.S.

SCALE 1" = 30'

**SHEET TITLE**  
Boundary Survey

**PROJECT NUMBER**  
25155

**DRAWING NUMBER**  
1

## Letter of Intent

It is the intent of the owners of parcel XX004 010, currently Zoned AR to be divided into two separate tracts for residential use proposed Zoning is R1.

The existing mobile home will be removed, the shed will be removed.

Houses will be built in accordance with R1 standards in reference to min. heated space (1,600 single story or 1,850 two story) and height etc.

Current Owners  
JOJA GEORGE  
DANUT ANDRONESI



559 QUAIL TRAIL RD

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30 N. Broad St. Winder, GA 30680  
(770) 307-3021  
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**PROFFERED CONDITIONS**

As part of an application for any zoning action, a property owner may proffer, in writing, proposed conditions to apply and be part of the rezoning being requested by the applicant. Proffered conditions may include written statements, development plans, profiles, elevations, or other demonstrative materials.

Please list any written proffered conditions below:

NONE

Any development plans, profiles, elevations, or other demonstrative materials presented as proffered conditions shall be referenced below and attached to this application:

NONE

I do hereby submit these proffered conditions as an attachment to my application and request that they be considered along with same.

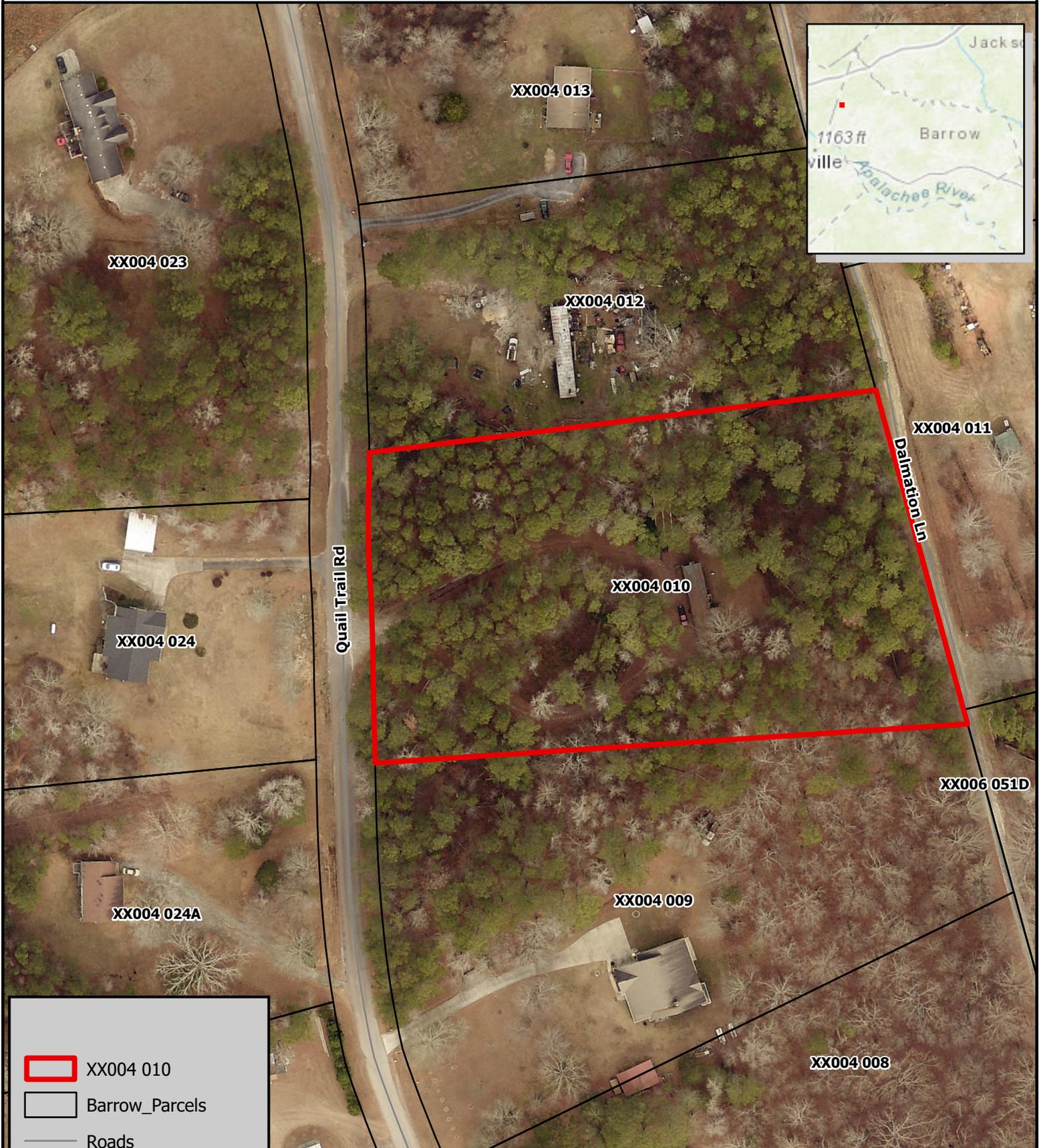
Applicant's Signature: [Signature]

Applicant's Name: Danut Andronesi Date: 11/08/2025

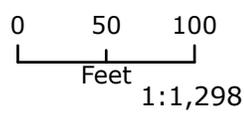
SUBSCRIBED AND SWORN BEFORE ME  
ON THIS THE 8 DAY OF November, 20 25

NOTARY PUBLIC  
My Commission Expires: May 5, 2026

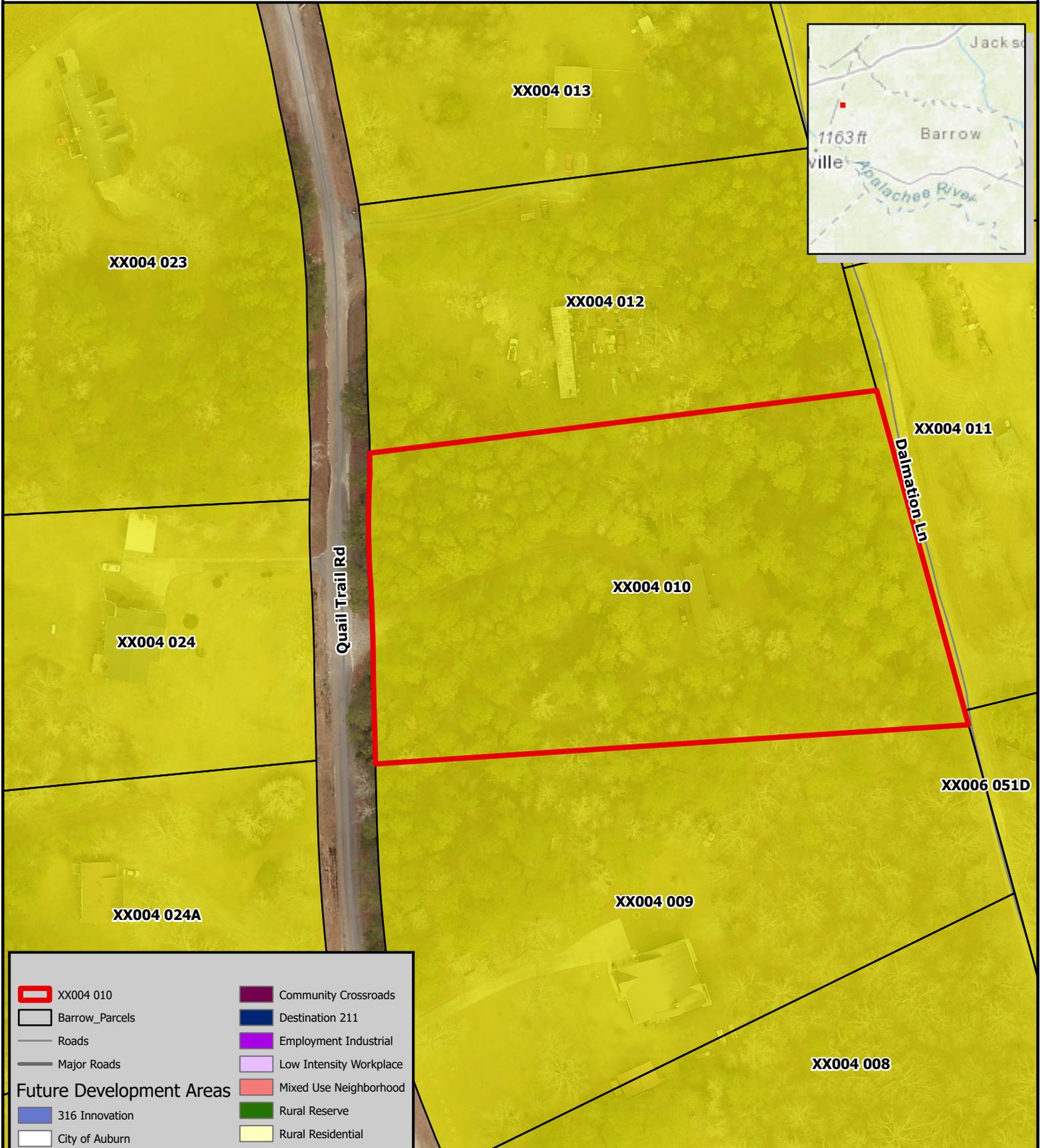
JODI PEACOCK  
NOTARY PUBLIC  
Gwinnett County  
State of Georgia  
My Comm. Expires May 05, 2026



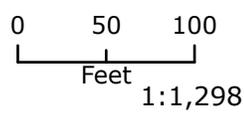
-  XX004 010
-  Barrow\_Parcels
-  Roads
-  Major Roads



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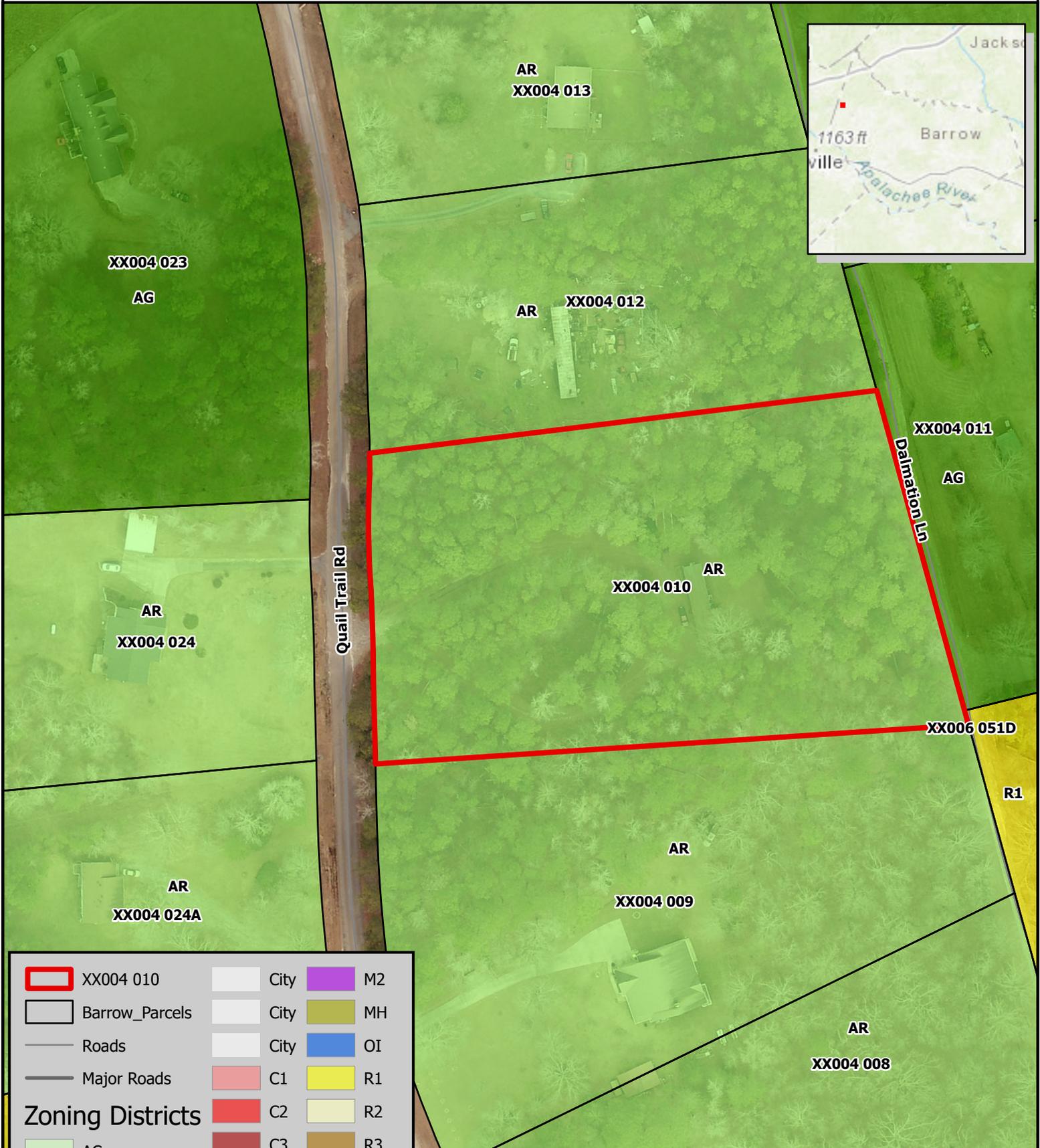


 XX004 010	 Community Crossroads
 Barrow_Parcels	 Destination 211
 Roads	 Employment Industrial
 Major Roads	 Low Intensity Workplace
<b>Future Development Areas</b>	 Mixed Use Neighborhood
 316 Innovation	 Rural Reserve
 City of Auburn	 Rural Residential
 City of Statham	 Suburban Residential
 City of Winder	 Town of Braselton
 Commercial Corridor	 Traditional Residential

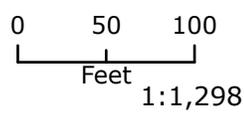


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# BOC 2025-00033



	XX004 010		City		M2
	Barrow_Parcels		City		MH
	Roads		City		OI
	Major Roads		C1		R1
<b>Zoning Districts</b>			C2		R2
	AC		C3		R3
	AG		City		City
	AR		M1		City



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**PLANNING STUDY**

**BOC2025-00033 (XX004 010) 559 Quail Trail Rd; Scott Smith / Applicant; Danut Andronesi & Joja George / Owners.** Request to rezone ±2.92 acres from AR (Agriculture Residential) to R-1 (Low Density Single Family Residential) for an additional single-family residential lot.

**SUMMARY**

Applicant is seeking to rezone ±2.92 acres from AR (Agriculture Residential) to R-1 (Low Density Single Family Residential) to subdivide the parcel into two lots for the construction of two new homes. This parcel is located within a platted subdivision of River Ridge Acres, a 15 -lot subdivision and falls within the Suburban Residential character area. The Suburban Residential character area calls for areas that are preserved with more green space and lower density homes. There are currently a mobile home and two sheds on the property that are proposed to be removed. The new lots are set to be serviced by septic and public water per the availability letters submitted from Environmental Health and Barrow County Utilities Department. The proposed acreage of the two new tracts per the site plan dated December 2, 2025, provided by the applicant, may be found in the table below.

<b>Tract No.</b>	<b>Proposed Acreage and Access</b>	<b>Sufficient acreage for septic system installation?</b>
<b>Tract 1:</b>	Tract 1 will consist of 1.40 acres	Yes – sufficient acreage for septic and water availability from Barrow County Utilities.
<b>Tract 2:</b>	Tract 2 will consist of 1.51 acres	Yes – sufficient acreage for the septic and water availability from Barrow County Utilities.



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### **PLANNING STUDY**

**BOC2025-00033 (XX004 010) 559 Quail Trail Rd; Scott Smith / Applicant; Danut Andronesi & Joja George / Owners.** Request to rezone ±2.92 acres from AR (Agriculture Residential) to R-1 (Low Density Single Family Residential) for an additional single-family residential lot.

### **DEPARTMENT / AGENCY COMMENTS**

Request for comments sent on (9/3/2025)

**GDOT** – No Comments received as of 1/6/2026

**Transportation** – Reviewed by Jessica Jackson, Transportation Manager

"Driveway permits will be required"

**Fire** – Reviewed by Capt. Jessie Knight

"No comments from the FMO"

**Board of Education** – No comments received as of 1/6/2026

### **STAFF ANALYSIS**

**1. Is the proposed use consistent with the stated purpose of the zoning district that is being requested?**

The proposed use is consistent with the stated purpose of the R-1 zoning district of low-density single-family homes. Applicant states in the Letter of Intent that it will be for residential purposes.

**2. Is the proposed use suitable in view of the zoning and development of adjacent and nearby property?**

The proposed use is suitable for the zoning and development of the adjacent properties nearby. The adjacent properties are zoned AR however the Future Development Map allows for R-1 zoning per the Comprehensive plan that for sees the development pattern to move into that direction. There are R-1 zoned parcels further down the street within the same subdivision.

**3. Will the proposed use not adversely affect the existing use of usability of adjacent or nearby property?**

The proposed use will not adversely affect the existing use of usability for adjacent or nearby property. The homes adjacent are all single-family homes on Agriculture or R-1 zoned property.

**4. Is the proposed use compatible with the goals, objectives, purpose, and intent of the Comprehensive Plan?**

The proposed use is compatible with the Comprehensive Plan as this character area; Suburban Residential; allows for a more preserved green space with lower density homes.

**5. Are there substantial reasons why the property cannot or should not be used as currently zoned?**

The property as currently zoned does not fall within the Future Land Map designation for the mapped-out development pattern. The Future Land Use map designates this area to be for R-1 to R-2 zoning to allow for lower density homes while still maintaining the green space in the area.

**6. Will the proposed uses not cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, water or sewer facilities, and fire protection?**

The proposed use will not cause excessive or burdensome use of public facilities. Per the Environmental Health letter provided the new homes will be serviced by septic system and public water. Public water will be provided by Barrow County Utilities. Department of Transportation, Fire and BCSS have not made any comments currently, but we do not see these homes having an impact on those departments.

**7. Is the proposed use supported by new or changing conditions not anticipated by the Comprehensive Plan or reflected in the existing zoning on the property of surrounding properties?**

The proposed use is and will be supported by any new or changing conditions as it will follow the current code and any future homes will be built to building code as well. The proposed rezone for the property falls along with the pattern of development for the area.

**8. Does the proposed use reflect a reasonable balance between the promotions of public health, safety, morality, or general welfare and the right to unrestricted use of property?**

The proposed use does reflect a reasonable balance between the promotions of public health, safety, morality, or general welfare and the right to unrestricted use of the property.



**Barrow County**  
 Barrow County Historic Courthouse  
 30 North Broad Street  
 Winder, GA 30680

# RECORD DETAILS

Plan NO.: **BOC2025-00033**

Plan Type: **Zoning Action**

Work Classification: **Zoning Action**

Plan Status: **In Review**

Apply Date: **10/29/2025**

**Expiration:**

**Location Address**

**Parcel Number**

**559 QUAIL TRAIL RD, AUBURN, GA 30011**

**XX004 010**

**Contacts**

Danut Andronesi

**Property Owner**

Scott Smith

**Applicant**

**Description:**

Valuation:           \$0.00          

Total Sq Feet:           0.00          

Fees	Amount
Rezone Individual Lot Split	\$500.00
<b>Total:</b>	<b>\$500.00</b>

Payments	Amt Paid
<b>Total Fees</b>	
<b>Amount Due:</b>	

Condition Name

Description

Comments

**Additional Information**

**Tax Parcel of Subject Property(s):** XX004 010  
**Street Address:** 559 QUAIL TRAIL RD  
**Intent for the Subject Property:** : Rezone from Ag to R1  
**Is this Residential or Non-Residential?:** Residential  
**Use Type:** : Single Family  
**Is the Proposed Project Served by Sewer or Septic:** Septic  
**Subdivision Name:** RIVER RIDGE ACRES  
**Planning Application Types:** Rezone - Individual Lot Split

Issued By: \_\_\_\_\_

October 29, 2025

Date

## Item Cover Page

**BOARD OF COMMISSIONERS AGENDA ITEM REPORT**

**DATE:** February 10, 2026

**SUBMITTED BY:** Jennifer Lopez, Planning & Community Development

**ITEM TYPE:** Public Hearing

**AGENDA SECTION:** **Public Hearings**

**SUBJECT:** **BOC2025-00034 (XX078 001H) 416 J B Owens Rd; Les Patch / Applicant; Leslie Patch & Ronda Patch / Owners.** Request to rezone ± 1 acre from AG (Agriculture) to R-1 (Low Density Single Family Residential) for an additional single-family residential lot.

**Commission District:**  
District 3: Rolando Alvarez

**Existing Land Use:**  
SINGLE FAMILY MOBILE HOME (TO BE DEMOLISHED)

**Existing Zoning:**  
AG (AGRICULTURAL)

**Future Land Use Map Category:**  
SUBURBAN RESIDENTIAL

**Summary:**  
Applicant is requesting to rezone 1 acre of a ±7.75-acre parcel from AG (Agriculture) to R-1 (Low Density Single Family Residential) to subdivide the property for the construction of a new home. This property is located on J B Owens Rd and is not a part of a platted subdivision and is in the Suburban Residential character area that allows for R-1 zoning. The Suburban Residential character area calls for a more preserved area while still allowing for smaller developments of homes. The current and new home will be serviced by septic with availability to public water based off the letters provided by the applicant from Environmental Health and City of Winder water. The proposed acreage of the two new tracts per the site plan provided by the applicant, may be found in the table below.

<b>Tract No.</b>	Proposed Acreage and Access	Sufficient acreage for septic system installation?
<b>Tract 1:</b>	Tract 1 will consist of 1 acre	Yes – will be serviced by septic and City of Winder water.
<b>Tract 2:</b>	Tract 2 will consist of 6.714 acres	Yes – existing home to remain on this lot and serviced by septic and City of Winder water.

**ATTACHMENTS:**

- [PC RECOMMENDATIONS.pdf](#)
- [STAFF RECOMMENDATION.pdf](#)
- [SITE PLAN.pdf](#)
- [LETTER OF INTENT.pdf](#)
- [PROFFERED CONDITIONS.pdf](#)
- [AERIAL MAP.pdf](#)
- [FUTURE LAND USE MAP.pdf](#)
- [ZONING MAP.pdf](#)
- [SUMMARY.pdf](#)
- [DEPT COMMENTS & STAFF ANALYSIS.pdf](#)
- [APPLICATION.pdf](#)

## **Planning Commission Recommendation**

Planning Commission Public Hearing held on **January 15, 2026**

**BOC2025-00034 (XX078 001H) 416 J B Owens Rd; Les Patch / Applicant; Leslie Patch & Ronda Patch / Owners.** Request to rezone ± 1 acre from AG (Agriculture) to R-1 (Low Density Single Family Residential) for an additional single-family residential lot.

### **Motion to recommend APPROVAL with staff recommendations**

Motion made by District 6; Jean Morrow

Motion seconded by District 1; Joe Vann

Motion PASSED

**THE BOARD OF COMMISSIONERS MEETING WILL BE HELD ON **FEBRUARY 10, 2026** at 6:00 PM AT THE BARROW COUNTY HISTORIC COURTHOUSE, 30 NORTH BROAD STREET, WINDER, GA 30680; 2ND FLOOR IN THE BOARD ROOM.**

### **STAFF RECOMMENDATION**

Staff recommends **APPROVAL** of the request to rezone 1 acre from AG (Agriculture) to R-1 (Low Density Single Family Residential) to subdivide for a new single-family residence.

Such approval shall be accompanied by the following conditions:

1. The exterior of any and all residential units constructed on the property shall consist of brick, stone, stucco, or masonry siding, or any combination thereof.
2. Sod and landscaping shall be installed and maintained in the disturbed areas of all front yards and 15' of side yards on the property.
3. Coordination with the Barrow County Transportation required prior to recording of the plat so that shared drives be required, associated easements are recorded on the plat.
4. The lot shall include a turn-a-round space incorporated within the driveway to help prevent backing into J B Owens Rd.



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### **PLANNING STUDY**

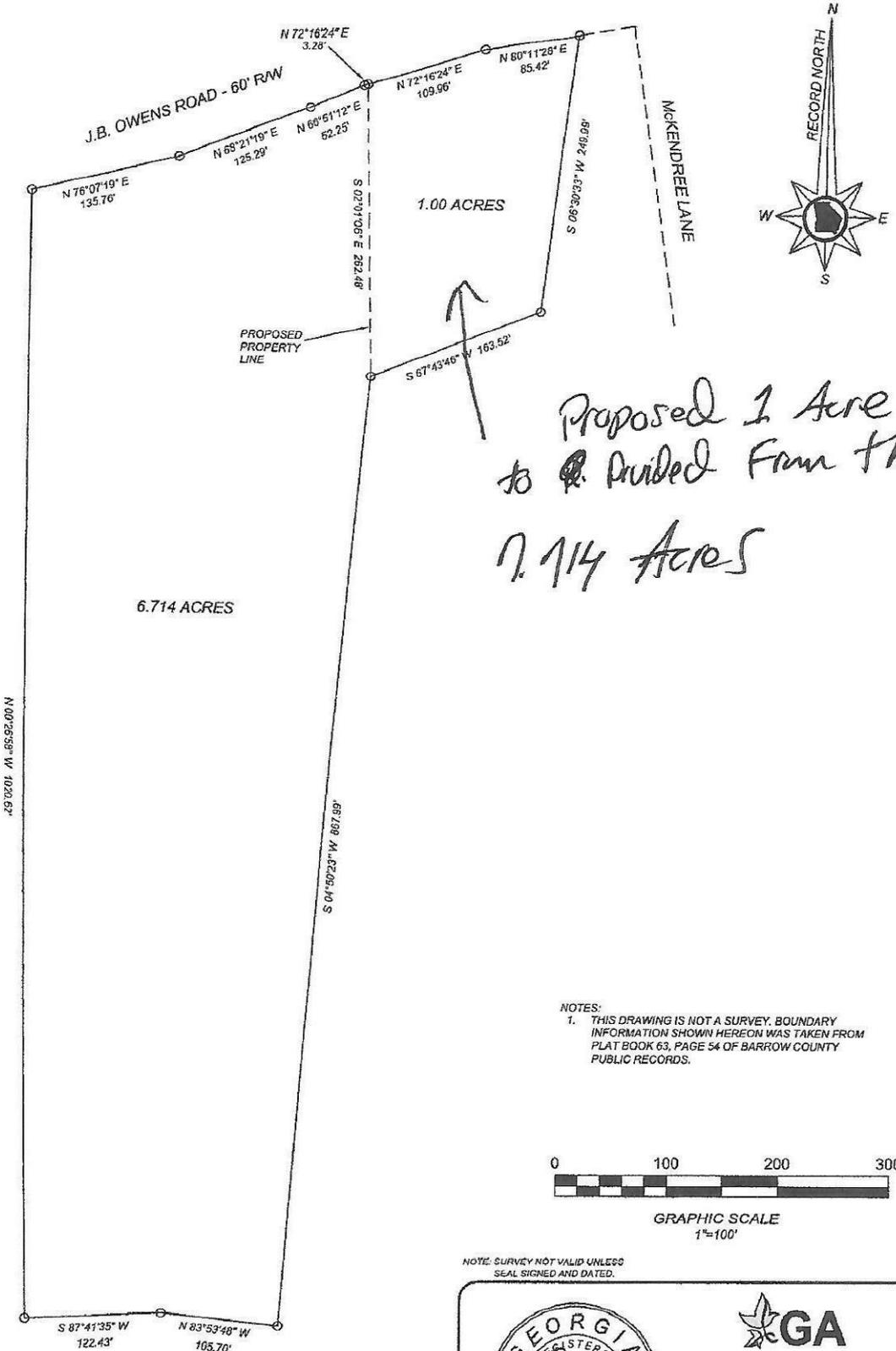
**BOC2025-00034 (XX078 001H) 416 J B Owens Rd; Les Patch / Applicant; Leslie Patch & Ronda Patch / Owners.** Request to rezone ± 1 acre from AG (Agriculture) to R-1 (Low Density Single Family Residential) for an additional single-family residential lot.

### **STAFF RECOMMENDATION**

Staff recommends **APPROVAL** of the request to rezone 1 acre from AG (Agriculture) to R-1 (Low Density Single Family Residential) to subdivide for a new single-family residence.

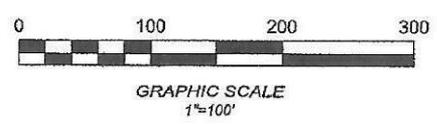
Such approval shall be accompanied by the following conditions:

1. The exterior of any and all residential units constructed on the property shall consist of brick, stone, stucco, or masonry siding, or any combination thereof.
2. Sod and landscaping shall be installed and maintained in the disturbed areas of all front yards and 15' of side yards on the property.
3. Coordination with the Barrow County Transportation required prior to recording of the plat so that shared drives be required, associated easements are recorded on the plat.
4. The lot shall include a turn-a-round space incorporated within the driveway to help prevent backing into J B Owens Rd.



Proposed 1 Acre  
to be divided from the  
7.714 Acres

NOTES:  
1. THIS DRAWING IS NOT A SURVEY. BOUNDARY INFORMATION SHOWN HEREON WAS TAKEN FROM PLAT BOOK 63, PAGE 54 OF BARROW COUNTY PUBLIC RECORDS.



NOTE: SURVEY NOT VALID UNLESS SEAL SIGNED AND DATED.

**GA**  
LAND SURVEYOR  
**404-384-9577**  
GA LAND SURVEYOR, LLC  
3355 ANNANDALE LANE, STE 1  
SUWANEE, GA 30024

DATE: MARCH 30, 2023		ISSUE	
SCALE: 1"=100'		NO.	DATE
ACREAGE		DESCRIPTION	
LAND LOT(S)			
DISTRICT: GMD 249	SECTION:		
CITY:			
COUNTY: BARROW	STATE: GEORGIA		
SURVEYED:	DRAWN:		
CHECKED:	APPROVED:		
PROJECT # 23-155			

EXHIBIT PLAT FOR:  
**LES PATCH**

416 J.B. OWENS ROAD

GMD 249, BARROW COUNTY, GEORGIA  
TAX PARCEL No. XX078 001H

Les Patch  
416 Jb Owens rd  
Bethlehem Ga 30620

## Letter of Intent

From the 7.75 acres i have i want to rezone one acre  
I want to use the one acre lot to build a residential Home

## PROFFERED CONDITIONS

As part of an application for any zoning action, a property owner may proffer, in writing, proposed conditions to apply and be part of the rezoning being requested by the applicant. Proffered conditions may include written statements, development plans, profiles, elevations, or other demonstrative materials.

Please list any written proffered conditions below:

Any development plans, profiles, elevations, or other demonstrative materials presented as proffered conditions shall be referenced below and attached to this application:

I do hereby submit these proffered conditions as an attachment to my application and request that they be considered along with same.

Applicant's Signature: Leslie C Patch Jr

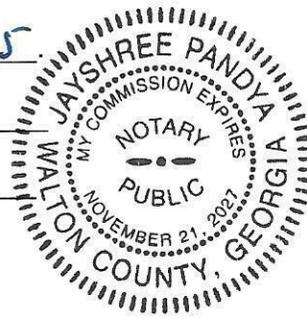
Applicant's Name: Leslie C Patch JR Date: 09/30/2025

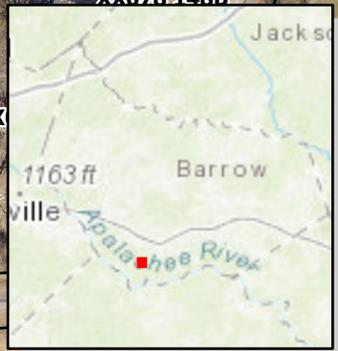
SUBSCRIBED AND SWORN BEFORE ME  
ON THIS THE 30 DAY OF September, 2025

J Pandya

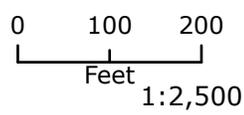
NOTARY PUBLIC

My Commission Expires: Nov 21 / 2027

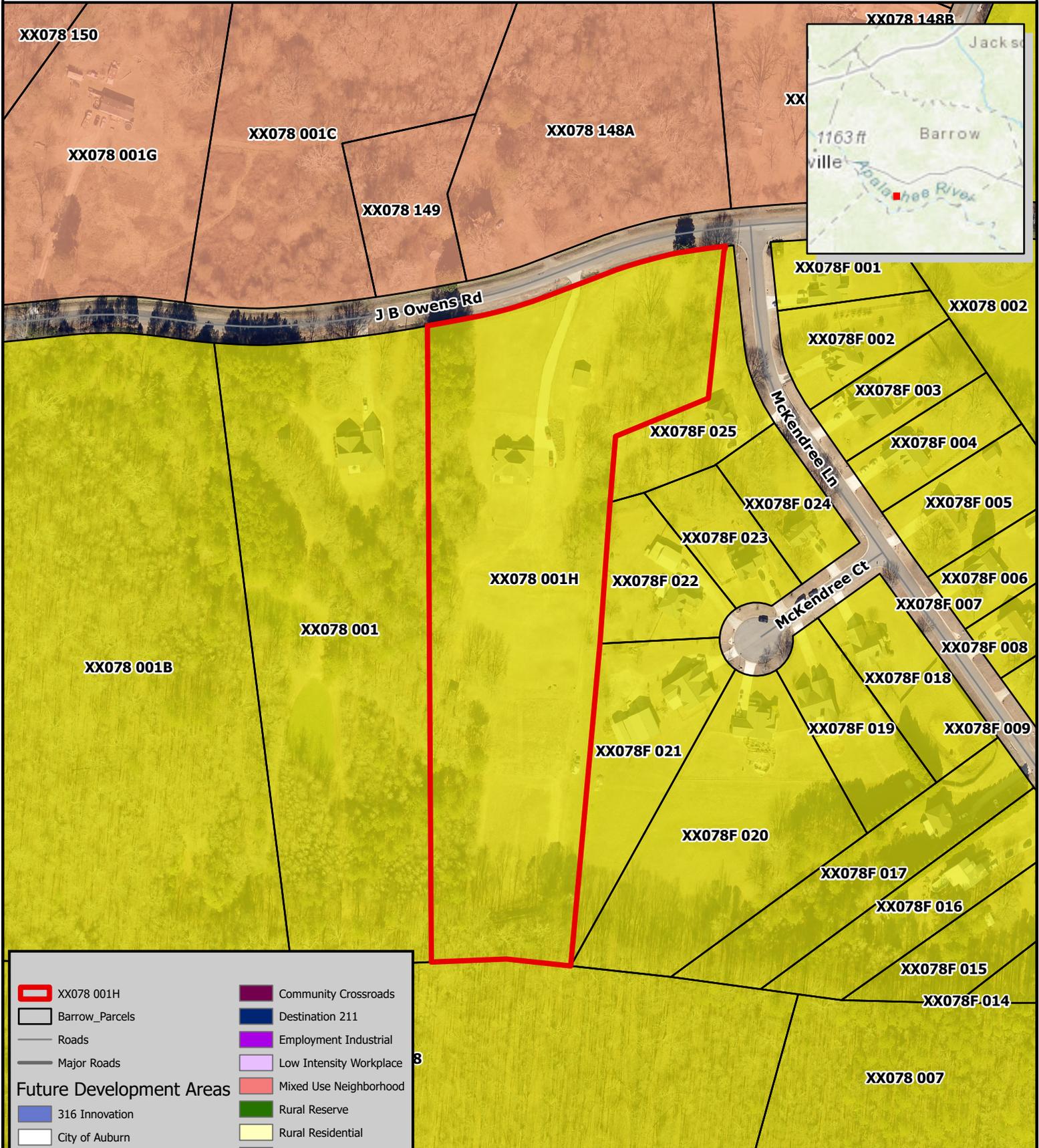




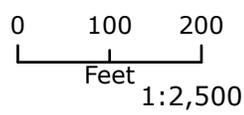
-  XX078 001H
-  Barrow\_Parcels
-  Roads
-  Major Roads



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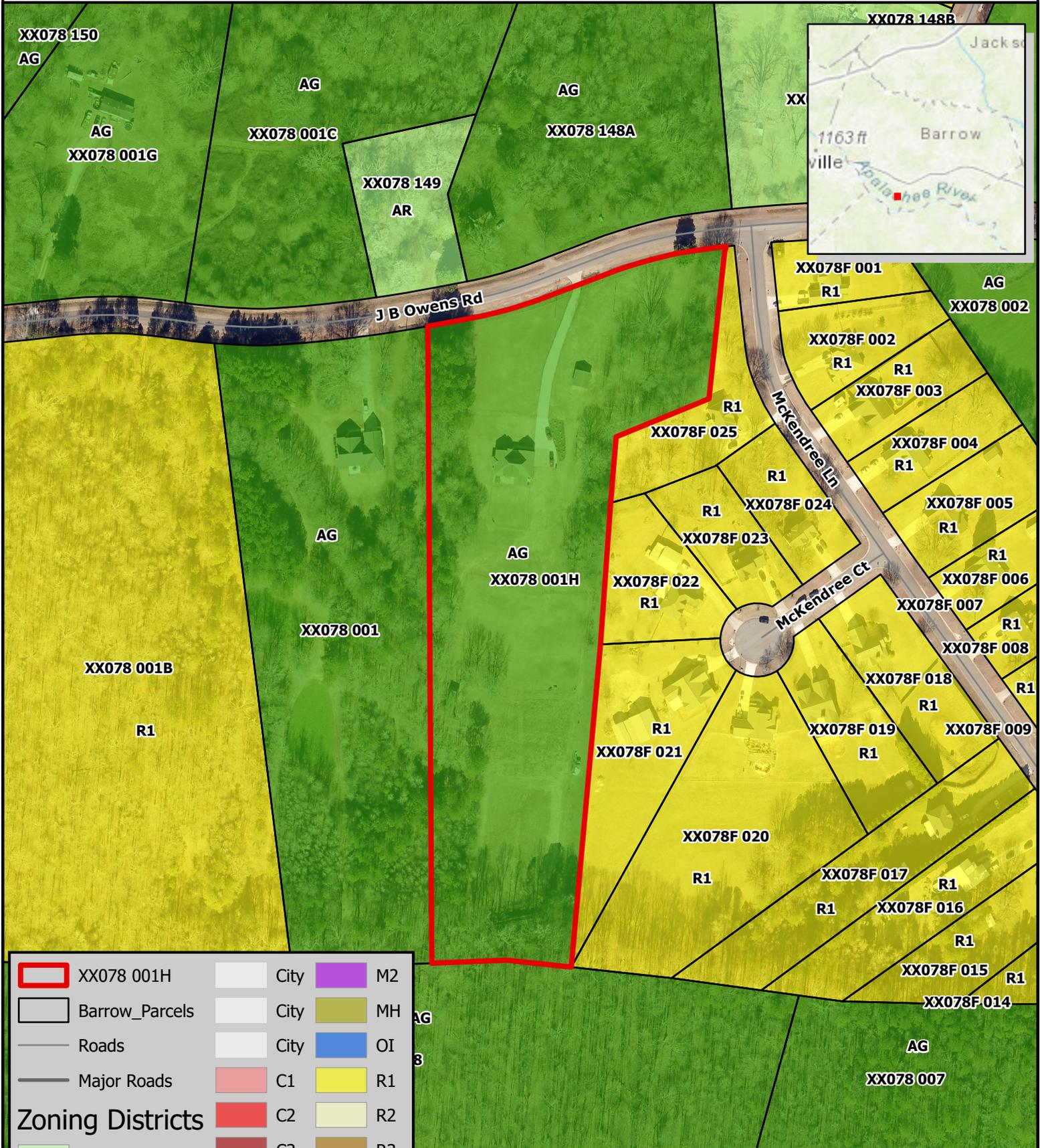


	XX078 001H		Community Crossroads
	Barrow_Parcels		Destination 211
	Roads		Employment Industrial
	Major Roads		Low Intensity Workplace
<b>Future Development Areas</b>			Mixed Use Neighborhood
	316 Innovation		Rural Reserve
	City of Auburn		Rural Residential
	City of Statham		Suburban Residential
	City of Winder		Town of Braselton
	Commercial Corridor		Traditional Residential

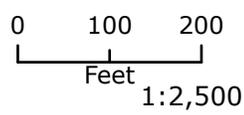


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# BOC 2025-00034



	XX078 001H		City		M2
	Barrow_Parcels		City		MH
	Roads		City		OI
	Major Roads		C1		R1
<b>Zoning Districts</b>			C2		R2
	AC		C3		R3
	AG		City		City
	AR		M1		City



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**PLANNING STUDY**

**BOC2025-00034 (XX078 001H) 416 J B Owens Rd; Les Patch / Applicant; Leslie Patch & Ronda Patch / Owners.** Request to rezone ± 1 acre from AG (Agriculture) to R-1 (Low Density Single Family Residential) for an additional single-family residential lot.

**SUMMARY**

Applicant is requesting to rezone 1 acre of a ±7.75-acre parcel from AG (Agriculture) to R-1 (Low Density Single Family Residential) to subdivide the property for the construction of a new home. This property is located on J B Owens Rd and is not a part of a platted subdivision and is in the Suburban Residential character area that allows for R-1 zoning. The Suburban Residential character area calls for a more preserved area while still allowing for smaller developments of homes. The current and new home will be serviced by septic with availability to public water based off the letters provided by the applicant from Environmental Health and City of Winder water. The proposed acreage of the two new tracts per the site plan provided by the applicant, may be found in the table below.

<b>Tract No.</b>	<b>Proposed Acreage and Access</b>	<b>Sufficient acreage for septic system installation?</b>
<b>Tract 1:</b>	Tract 1 will consist of 1 acre	Yes – will be serviced by septic and City of Winder water.
<b>Tract 2:</b>	Tract 2 will consist of 6.714 acres	Yes – existing home to remain on this lot and serviced by septic and City of Winder water.



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### **PLANNING STUDY**

**BOC2025-00034 (XX078 001H) 416 J B Owens Rd; Les Patch / Applicant; Leslie Patch & Ronda Patch / Owners.** Request to rezone ± 1 acre from AG (Agriculture) to R-1 (Low Density Single Family Residential) for an additional single-family residential lot.

### **DEPARTMENT / AGENCY COMMENTS**

Request for comments sent on (9/3/2025)

**GDOT** - No Comments Received as of 1/6/2026

**Transportation – Reviewed by Jessica Jackson, Transportation Manager**  
"Driveway permit required"

**Fire – – Reviewed by Capt. Jessie Knight**  
"No comments from the FMO"

**Board of Education –** No Comments Received as of 1/6/2026

### **STAFF ANALYSIS**

**1. Is the proposed use consistent with the stated purpose of the zoning district that is being requested?**

The proposed use is consistent with the stated purpose of the zoning district for R-1 with a minimum 1 acre. The plan is not site specific however the new construction home will have to meet the setback requirements for this zoning.

**2. Is the proposed use suitable in view of the zoning and development of adjacent and nearby property?**

The proposed use is suitable in the view of zoning and development as the adjacent properties to the east of the proposed new tract is zoned R-1 while on the west where the remaining AG tract will remain is an adjacent AG tract.

**3. Will the proposed use not adversely affect the existing use of usability of adjacent or nearby property?**



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The proposed use will not adversely affect the existing use of adjacent properties as it is following the pattern of development for the area.

**4. Is the proposed use compatible with the goals, objectives, purpose, and intent of the Comprehensive Plan?**

The proposed use is compatible with the goals, objectives, purpose and intent of the Comprehensive Plan as this area designated as Suburban Residential character area which calls for preserving established neighborhoods while still allowing minimal development.

**5. Are there substantial reasons why the property cannot or should not be used as currently zoned?**

The property as zoned AG is not compatible with the Suburban Residential character area does not allow for AG and calls for R-1 and R-2 residential area calling for more neighborhoods and not as large estate lots for this area.

**6. Will the proposed uses not cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, water or sewer facilities, and fire protection?**

The proposed use will not cause an excessive or burdensome use of public facilities or services. Environmental Health has stated the proposed tract is meeting their requirements for a septic system and will not impact the sewer system. City of Winder provided a water and gas availability system that should not impact the surrounding properties.

**7. Is the proposed use supported by new or changing conditions not anticipated by the Comprehensive Plan or reflected in the existing zoning on the property of surrounding properties?**

The proposed use is and will be supported by any new or changing conditions as it will follow the current code and future home to be built to building code as well. The proposed rezone for the one acre of the property falls along with the pattern of development for the area.

**8. Does the proposed use reflect a reasonable balance between the promotions of the public health, safety, morality, or general welfare and the right to unrestricted use of property?**

The proposed use does reflect a reasonable balance between the promotions of the public health, safety, morality, or general welfare and the right to unrestricted use of the property.



**Barrow County**  
 Barrow County Historic Courthouse  
 30 North Broad Street  
 Winder, GA 30680

# RECORD DETAILS

Plan NO.: **BOC2025-00034**

Plan Type: **Zoning Action**

Work Classification: **Zoning Action**

Plan Status: **Submitted - Online**

Apply Date: **11/03/2025**

**Expiration:**

**Location Address**

**Parcel Number**

**416 J B OWENS RD, BETHLEHEM, GA 30620**

**XX078 001H**

**Contacts**

LESLIE C PATCH JR

**Property Owner**

LES PATCH

**Applicant**

**Description:** To rezone one acre from the 7.7 acres

**Valuation:**           \$0.00          

**Total Sq Feet:**           0.00          

Fees	Amount
Rezone Individual Lot Split	\$500.00
<b>Total:</b>	<b>\$500.00</b>

Payments	Amt Paid
<b>Total Fees</b>	
<b>Amount Due:</b>	

Condition Name

Description

Comments

**Additional Information**

**Tax Parcel of Subject Property(s):** XX078 001H  
**Street Address:** 416 J B OWENS RD  
**Intent for the Subject Property:** : to build one residential home  
**Is this Residential or Non-Residential?:** Residential  
**Use Type:** : Single Family  
**Is the Proposed Project Served by Sewer or Septic:** Septic  
**Zoning:** AG  
**Planning Application Types:** Rezone - Individual Lot Split  
**Future Land Use:** Suburban Residential

Issued By: \_\_\_\_\_

November 03, 2025

Date

# Item Cover Page

**BOARD OF COMMISSIONERS AGENDA ITEM REPORT**

**DATE:** February 10, 2026

**SUBMITTED BY:** Jennifer Lopez, Planning & Community Development

**ITEM TYPE:** Public Hearing

**AGENDA SECTION:** **Public Hearings**

**SUBJECT:** **BOC2025-00036 (XX048 056) 755 County Line-Auburn Rd; Bruce Voellinger / Applicant; Bruce and Robin Voellinger / Owners.** Request to rezone ±4.53 acres from AG (Agriculture) to R-1 (Low Density Single Family Residential) for an additional single-family residential lot.

**Commission District:**  
District 5: Tim Walker

**Existing Land Use:**  
SINGLE FAMILY

**Existing Zoning:**  
AG (AGRICULTURAL)

**Future Land Use Map Category:**  
RURAL RESIDENTIAL

**Summary:**

Applicant is requesting to rezone ±4.5 acres from AG (Agriculture) to R-1 (Low Density Single Family Residential) to subdivide the property into two tracks. This property is located close to the intersection of County Line-Auburn Rd and Hwy 211 and does fall within the Highway Corridor Overlay. The parcel is in the Rural Residential character area which serves as the transitional area between rural farming areas into a more suburban of larger subdivisions. There is currently a single-family home located on the western side of the property that is serviced by septic and public water. Approval letters from Environmental Health and City of Winder Utilities have been provided to state the availability of water and room for septic for the new home is available. The proposed acreage of the two new tracts per the site plan provided by the applicant, may be found in the table below.

<b>Tract No.</b>	Proposed Acreage and Access	Sufficient acreage for septic system installation?
<b>Tract 1:</b>	Tract 1 will consist of 2.30 acres	Yes – sufficient acreage and will be serviced by City of Winder water.
<b>Tract 2:</b>	Tract 2 will consist of 2.23 acres	Yes – the existing home will remain on current septic and serviced by Winder water.

**ATTACHMENTS:**

- [PC RECOMMENDATIONS.PDF](#)
- [STAFF RECOMMENDATION.pdf](#)
- [SITE PLAN.pdf](#)
- [LETTER OF INTENT.pdf](#)
- [PROFFERED CONDITIONS.pdf](#)
- [AERIAL MAP WITH HCO.pdf](#)
- [AERIAL MAP.pdf](#)
- [FUTURE LAND USE MAP.pdf](#)
- [ZONING MAP.pdf](#)
- [SUMMARY.pdf](#)
- [DEPT COMMENTS & STAFF ANALYSIS.pdf](#)
- [APPLICATION.pdf](#)

## Planning Commission Recommendation

Planning Commission Public Hearing held on **January 15, 2026**

**BOC2025-00036 (XX048 056) 755 County Line-Auburn Rd; Bruce Voellinger / Applicant; Bruce and Robin Voellinger / Owners.** Request to rezone ±4.53 acres from AG (Agriculture) to R-1 (Low Density Single Family Residential) for an additional single-family residential lot.

### **Motion to recommend APPROVAL with staff recommendations**

Motion made by District 1; Joe Vann

Motion seconded by District 4; Jimmy Abdou

Motion PASSED

**THE BOARD OF COMMISSIONERS MEETING WILL BE HELD ON **FEBRUARY 10, 2026** at 6:00 PM AT THE BARROW COUNTY HISTORIC COURTHOUSE, 30 NORTH BROAD STREET, WINDER, GA 30680; 2ND FLOOR IN THE BOARD ROOM.**

### STAFF RECOMMENDATION

Staff recommends **APPROVAL** of the request to Rezone ± 4.5 acres from AG (Agriculture) to R-1 (Low Density Single Family Residential) to subdivide for a new single-family residence.

Such approval shall be accompanied by the following conditions:

1. The exterior of any and all residential units constructed on the property shall consist of brick, stone, stucco, or masonry siding, or any combination thereof.
2. Sod and landscaping shall be installed and maintained in the disturbed areas of all front yards and 15' of side yards on the property.
3. Coordination with the Barrow County Transportation required prior to recording the plat so that should shared drives be required associated easements are recorded on the plat.
4. The lots shall include a turn-a-round space incorporated within the driveway to help prevent backing into County Line-Auburn Rd.
5. Front building set back is to be 100' from the arterial road.



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### **PLANNING STUDY**

**BOC2025-00036 (XX048 056) 755 County Line-Auburn Rd; Bruce Voellinger / Applicant; Bruce and Robin Voellinger / Owners.** Request to rezone ±4.53 acres from AG (Agriculture) to R-1 (Low Density Single Family Residential) for an additional single-family residential lot.

### **STAFF RECOMMENDATION**

Staff recommends **APPROVAL** of the request to Rezone ± 4.5 acres from AG (Agriculture) to R-1 (Low Density Single Family Residential) to subdivide for a new single-family residence.

Such approval shall be accompanied by the following conditions:

1. The exterior of any and all residential units constructed on the property shall consist of brick, stone, stucco, or masonry siding, or any combination thereof.
2. Sod and landscaping shall be installed and maintained in the disturbed areas of all front yards and 15' of side yards on the property.
3. Coordination with the Barrow County Transportation required prior to recording the plat so that shared drives be required associated easements are recorded on the plat.
4. The lots shall include a turn-a-round space incorporated within the driveway to help prevent backing into County Line-Auburn Rd.
5. Front building set back is to be 100' from the arterial road.

~ ANNA YATCHUK ~

~ PHILLIP & MIHAELA GROSS ~

~ DONALD & CONNIE KEE ~

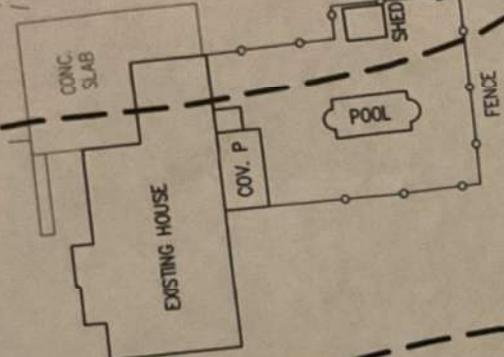
~ WALLACE R. GERMAN Sr. ~

S 14°34'00" E 118.30'

S 16°00'00" E 500.00'

GRAVEL DRIVE

RION 5-10%



RION 5-10%

**TRACT 2  
2.23 ACRES**

159.60'

STUDY LIMIT

23.4

S 15°47'37" E 611.41'

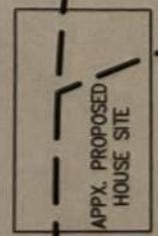
STUDY LIMIT

DURHAM 2-5%

SWALE / OLD ROAD BED (CONCAVE)

RION 5-10%

**TRACT 1  
2.30 ACRES**



RION TAX-ADJUNCT 2-5%

RION 2-5%

CECIL 2-5%

159.60'

N 15°55'00" W 639.50'

~ WARREN S. & MARTHA J. HOOD ~

Greetings!

My sister and her husband would like to move to Georgia and build a house on our property. Currently we have 4.5 acres which we would like to split in half and build a home similar to ours which is a one-story dwelling.

Thank you for your consideration,

Robin and Bruce Voellinger



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(770) 307-3021  
[www.barrowcountyplanning.org](http://www.barrowcountyplanning.org)

**PROFFERED CONDITIONS**

As part of an application for any zoning action, a property owner may proffer, in writing, proposed conditions to apply and be part of the rezoning being requested by the applicant. Proffered conditions may include written statements, development plans, profiles, elevations, or other demonstrative materials.

Please list any written proffered conditions below:

N/A

Any development plans, profiles, elevations, or other demonstrative materials presented as proffered conditions shall be referenced below and attached to this application:

N/A

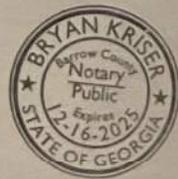
I do hereby submit these proffered conditions as an attachment to my application and request that they be considered along with same.

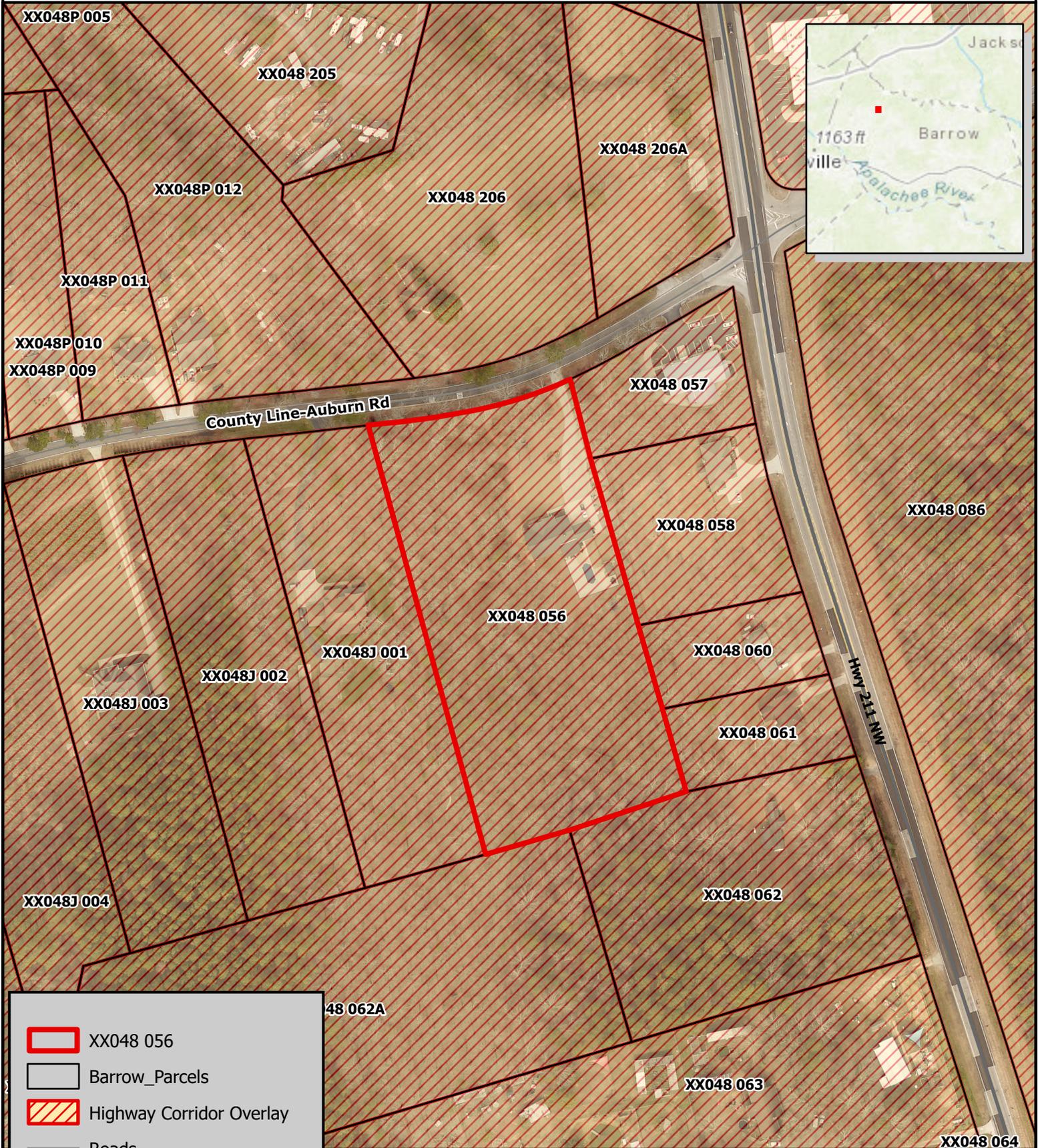
Applicant's Signature: Bruce Voallinger

Applicant's Name: Bruce Voallinger Date: 11-4-2015

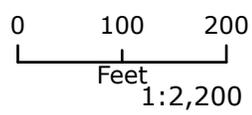
SUBSCRIBED AND SWORN BEFORE ME  
ON THIS THE 4th DAY OF NOV, 2015

NOTARY PUBLIC  
My Commission Expires: 12/16/2015





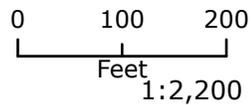
-  XX048 056
-  Barrow\_Parcels
-  Highway Corridor Overlay
-  Roads
-  Major Roads



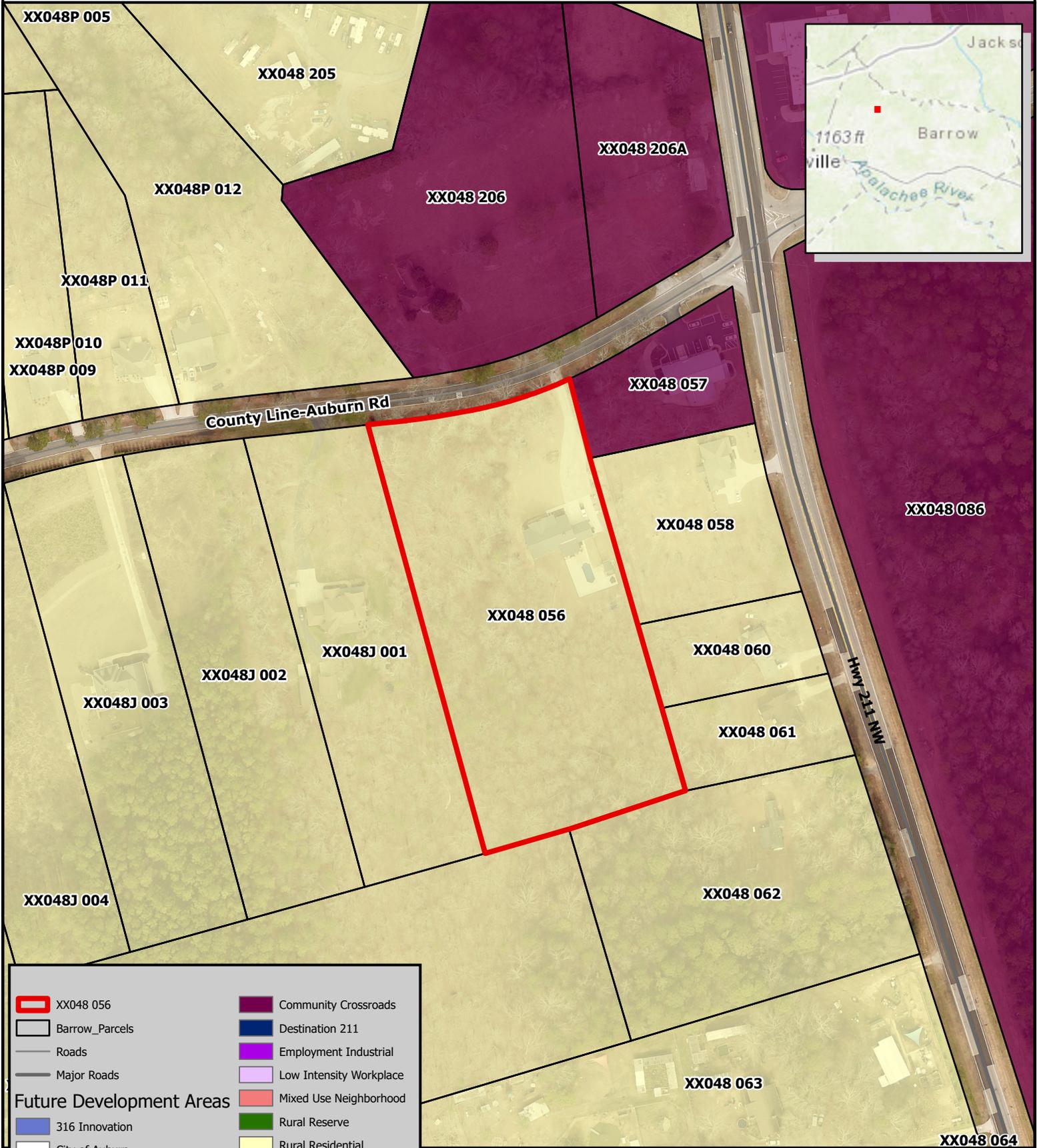
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INFORMATION CONTAIN  
HEREIN. **143**



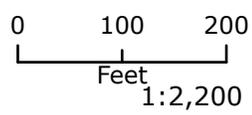
-  XX048 056
-  Barrow\_Parcels
-  Roads
-  Major Roads



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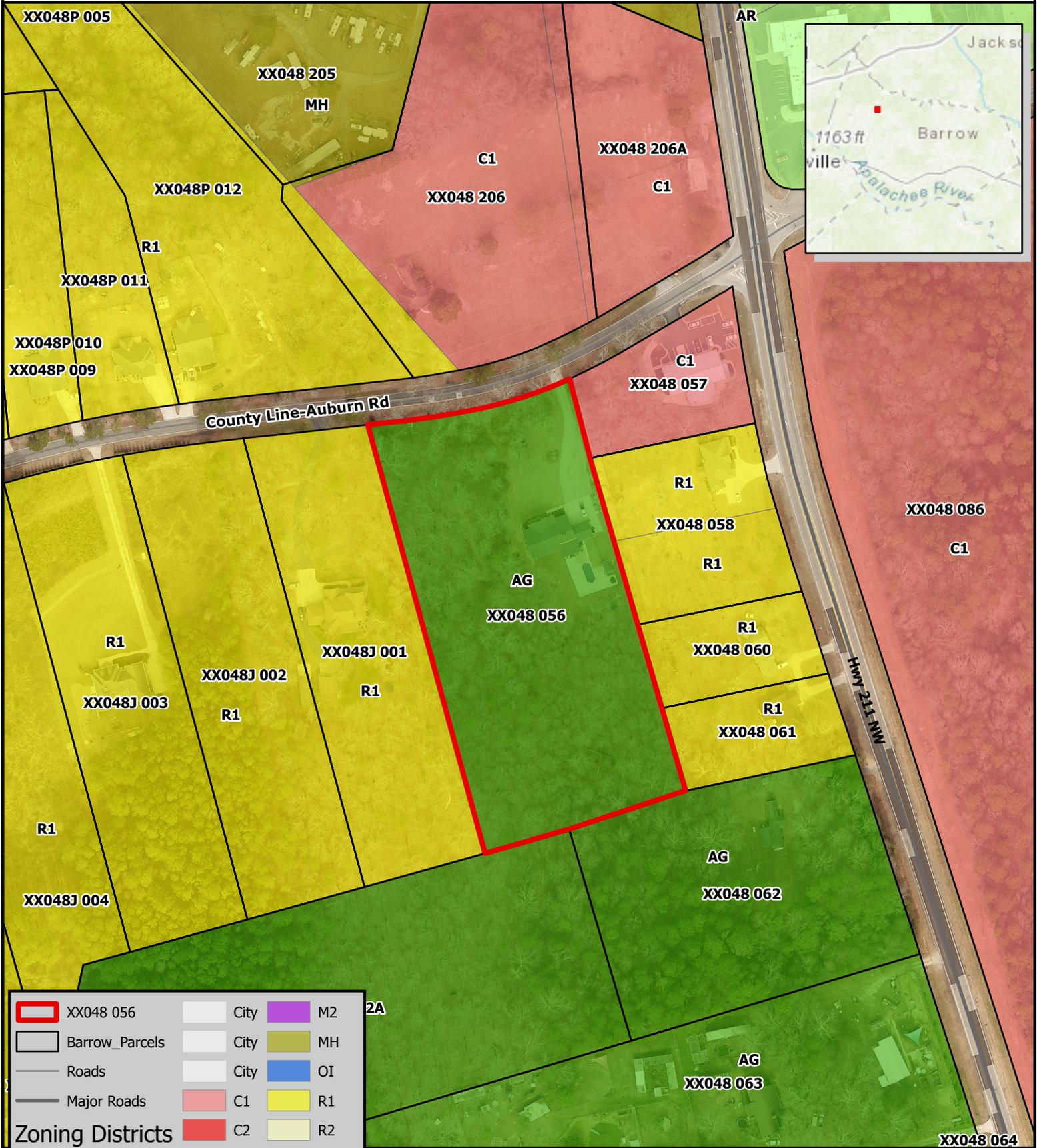


 XX048 056	 Community Crossroads
 Barrow_Parcels	 Destination 211
 Roads	 Employment Industrial
 Major Roads	 Low Intensity Workplace
<b>Future Development Areas</b>	 Mixed Use Neighborhood
 316 Innovation	 Rural Reserve
 City of Auburn	 Rural Residential
 City of Statham	 Suburban Residential
 City of Winder	 Town of Braselton
 Commercial Corridor	 Traditional Residential

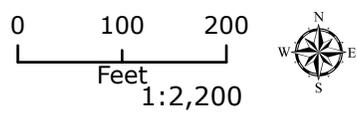


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HEREIN. **145**

# BOC 2025-00036



	XX048 056		City		M2
	Barrow_Parcels		City		MH
	Roads		City		OI
	Major Roads		C1		R1
<b>Zoning Districts</b>			C2		R2
	AC		C3		R3
	AG		City		City
	AR		M1		City



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**PLANNING STUDY**

**BOC2025-00036 (XX048 056) 755 County Line-Auburn Rd; Bruce Voellinger / Applicant; Bruce and Robin Voellinger / Owners.** Request to rezone ±4.53 acres from AG (Agriculture) to R-1 (Low Density Single Family Residential) for an additional single-family residential lot.

**SUMMARY**

Applicant is requesting to rezone ±4.5 acres from AG (Agriculture) to R-1 (Low Density Single Family Residential) to subdivide the property into two tracts. This property is located close to the intersection of County Line-Auburn Rd and Hwy 211 and does fall within the Highway Corridor Overlay. The parcel is in the Rural Residential character area which serves as the transitional area between rural farming areas into a more suburban of larger subdivisions. There is currently a single-family home located on the western side of the property that is serviced by septic and public water. Approval letters from Environmental Health and City of Winder Utilities have been provided to state the availability of water and room for septic for the new home is available. The proposed acreage of the two new tracts per the site plan provided by the applicant, may be found in the table below.

<b>Tract No.</b>	<b>Proposed Acreage and Access</b>	<b>Sufficient acreage for septic system installation?</b>
<b>Tract 1:</b>	Tract 1 will consist of 2.30 acres	Yes – sufficient acreage and will be serviced by City of Winder water.
<b>Tract 2:</b>	Tract 2 will consist of 2.23 acres	Yes – the existing home will remain on current septic and serviced by Winder water.



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### **PLANNING STUDY**

**BOC2025-00036 (XX048 056) 755 County Line-Auburn Rd; Bruce Voellinger / Applicant; Bruce and Robin Voellinger / Owners.** Request to rezone ±4.53 acres from AG (Agriculture) to R-1 (Low Density Single Family Residential) for an additional single-family residential lot.

### **DEPARTMENT / AGENCY COMMENTS**

Request for comments sent on (9/3/2025)

**GDOT** - No Comments Received as of 1/6/2026

**Transportation – Reviewed by Jessica Jackson, Transportation Manager**  
Driveway permit required

**Fire –** No Comments Received as of 1/6/2026

**Board of Education –** No Comments Received as of 1/6/2026

### **STAFF ANALYSIS**

- 1. Is the proposed use consistent with the stated purpose of the zoning district that is being requested?**  
Yes, the proposed use of constructing a new single-family home is consistent with the zoning district for R-1 which allows for single family homes.
- 2. Is the proposed use suitable in view of the zoning and development of adjacent and nearby property?**  
Yes, the surrounding and adjacent properties are zoned R-1 which is consistent with the pattern of the area.
- 3. Will the proposed use not adversely affect the existing use or usability of adjacent or nearby property?**  
No, the proposed use will not adversely affect the existing use of surrounding properties as they are all of the same zoning proposed R-1 and one is of a C-1 zoning that is used as office space and a church.



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**4. Is the proposed use compatible with the goals, objectives, purpose, and intent of the Comprehensive Plan?**

The proposed use is compatible with the goals, objectives, purpose and intent of the Comprehensive Plan as the Comp Plan asks for larger lots with more open space to create a transitional area between Rural and Suburban. Applicant proposes two larger lots with a minimum of 2 acres each to maintain the larger green space.

**5. Are there substantial reasons why the property cannot or should not be used as currently zoned?**

The property as currently zoned is not in conformance with the current zone as AG zoning requires a minimum 5-acre lot this lot is under that requirement at 4.53 acres. This parcel cannot be used as currently zoned as per the UDC as all requirements for this zoning requires a minimum of 5- acres.

**6. Will the proposed uses not cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, water or sewer facilities, and fire protection?**

No, the proposed use will not cause an excessive or burdensome use of public facilities as City of Winder has advised availability of water for this new home and it will also be on septic not impacting the sewer facilities. The proposed plan only includes one additional home which shall cause for minimal impact on fire, streets and schools.

**7. Is the proposed use supported by new or changing conditions not anticipated by the Comprehensive Plan or reflected in the existing zoning on the property of surrounding properties?**

The proposed use is supported by the new or changing conditions as this area is a transitional area between rural and suburban character areas. It is also supported by the code to rezone to R-1 as it is more conforming than its current zoning of AG.

**8. Does the proposed use reflect a reasonable balance between the promotions of the public health, safety, morality, or general welfare and the right to unrestricted use of property?**

The proposed use does reflect a reasonable balance between the promotions of the public health, safety, morality, or general welfare and the right to unrestricted use of the property.



**Barrow County**  
 Barrow County Historic Courthouse  
 30 North Broad Street  
 Winder, GA 30680

# RECORD DETAILS

Plan NO.: BOC2025-00036

Plan Type: Zoning Action

Work Classification: Zoning Action

Plan Status: Submitted - Online

Apply Date: 11/09/2025

**Expiration:**

**Location Address**

**Parcel Number**

755 COUNTY LINE-AUBURN RD, WINDER, GA 30680

XX048 056

**Contacts**

Bruce Voellinger **Property Owner**

Bruce Voellinger **Property Owner**

Bruce Voellinger **Applicant**

**Description:** Agricultural to residential

**Valuation:** \$0.00

**Total Sq Feet:** 0.00

Fees	Amount
Rezone Individual Lot Split	\$500.00
<b>Total:</b>	<b>\$500.00</b>

Payments	Amt Paid
<b>Total Fees</b>	
<b>Amount Due:</b>	

<u>Condition Name</u>	<u>Description</u>	<u>Comments</u>
-----------------------	--------------------	-----------------

**Additional Information**

**Tax Parcel of Subject Property(s):** XX048 056  
**Street Address:** 755 COUNTY LINE-AUBURN RD  
**Intent for the Subject Property:** : Build a home for relative  
**Is this Residential or Non-Residential?:** Non-Residential  
**Use Type:** : Single Family  
**Is the Proposed Project Served by Sewer or Septic:** Septic  
**Property Division Type:** Individual lot split  
**Is there a Master Plan Development?:** No  
**Requested Zoning:** Residential  
**Planning Application Types:** Rezone - Individual Lot Split  
**Reason for changing conditions:** Build a home for relatives  
**Which type of condition is being requested?:** Change in Condition Individual Residential Lot  
**Variances to UDC Section:** Na  
**Special Use Request of UDC Section:** Na  
**Requested Future Land Use:** Residential

Issued By:

November 09, 2025

Date

## Item Cover Page

**BOARD OF COMMISSIONERS AGENDA ITEM REPORT**

**DATE:** February 10, 2026

**SUBMITTED BY:** Jennifer Lopez, Planning & Community Development

**ITEM TYPE:** Public Hearing

**AGENDA SECTION:** **Public Hearings**

**SUBJECT:** **BOC2025-00039 (XX092 029) 406 E Midland Ave; Barry Edgar / Applicant and Owner.** Request to rezone ± 8.54 acres from AG (Agriculture) to R-1 (Low Density Single Family Residential) for a major residential subdivision.

**Commission District:**  
District 3: Rolando Alvarez

**Existing Land Use:**  
SINGLE FAMILY RESIDENTIAL

**Existing Zoning:**  
AG (AGRICULTURAL)

**Future Land Use Map Category:**  
SUBURBAN RESIDENTIAL

**Summary:**

The applicant is requesting to rezone ±8.54 acres from **AG (Agriculture)** to **R-1 (Low Density Single-Family Residential)** to allow the development of a major residential subdivision. The proposed subdivision will consist of eight single-family residential lots.

The subject property is currently developed with a single-family residence and is surrounded by a mix of residential and undeveloped properties. The Future Land Use Map designates the property as **Suburban Residential**, which supports low-density single-family development with preserved open space and compatibility with surrounding residential neighborhoods.

There is an **existing floodplain located toward the rear of the property**, which limits the developable area and is intended to remain undeveloped in accordance with applicable regulations.

**ATTACHMENTS:**

PC RECOMMENDATIONS.pdf  
STAFF RECOMMENDATION.pdf  
Exhibit A.pdf  
SITE PLAN.pdf  
LETTER OF INTENT.pdf  
PROFFERED CONDITIONS.pdf  
AERIAL MAP.pdf  
FUTURE LAND USE MAP.pdf  
ZONING MAP.pdf  
SUMMARY.pdf  
DEPT COMMENTS & STAFF ANALYSIS.pdf  
APPLICATION.pdf

## Planning Commission Recommendation

Planning Commission Public Hearing held on **January 15, 2026**

**BOC2025-00039 (XX092 029) 406 E Midland Ave; Barry Edgar / Applicant and Owner**. Request to rezone ± 8.54 acres from AG (Agriculture) to R-1 (Low Density Single Family Residential) for a major residential subdivision.

### **Motion to recommend APPROVAL with staff recommendations**

Motion made by District 4; Jimmy Abdou

Motion seconded by District 6; Jean Morrow

Motion PASSED

**THE BOARD OF COMMISSIONERS MEETING WILL BE HELD ON **FEBRUARY 10, 2026** at 6:00 PM AT THE BARROW COUNTY HISTORIC COURTHOUSE, 30 NORTH BROAD STREET, WINDER, GA 30680; 2ND FLOOR IN THE BOARD ROOM.**

### STAFF RECOMMENDATION

Staff recommends **APPROVAL** of the request to rezone ±8.54 acres from **AG (Agriculture)** to **R-1 (Low Density Single-Family Residential)** for a major residential subdivision, based on findings that the proposed zoning district is consistent with the **Suburban Residential** character area of the Comprehensive Plan.

1. The exterior of any and all residential units constructed on the property shall consist of brick, stone, stucco, or fiber-cement siding, or any combination thereof.
2. Sod and landscaping shall be installed and maintained in the disturbed areas of all front yards and fifteen (15) feet of side yards on each lot.
3. A six-foot (6') rot-resistant privacy fence shall be installed as shown on the rezoning concept plan (Exhibit A).



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### **PLANNING STUDY**

**BOC2025-00039 (XX092 029) 406 E Midland Ave; Barry Edgar / Applicant and Owner.** Request to rezone ± 8.54 acres from AG (Agriculture) to R-1 (Low Density Single Family Residential) for a major residential subdivision.

### **STAFF RECOMMENDATION**

Staff recommends **APPROVAL** of the request to rezone ±8.54 acres from **AG (Agriculture)** to **R-1 (Low Density Single-Family Residential)** for a major residential subdivision, based on findings that the proposed zoning district is consistent with the **Suburban Residential** character area of the Comprehensive Plan.

1. The exterior of any and all residential units constructed on the property shall consist of brick, stone, stucco, or fiber-cement siding, or any combination thereof.
2. Sod and landscaping shall be installed and maintained in the disturbed areas of all front yards and fifteen (15) feet of side yards on each lot.
3. A six-foot (6') rot-resistant privacy fence shall be installed as shown on the rezoning concept plan (Exhibit A).

**GENERAL NOTES**

- DOMESTIC WATER SUPPLY TO BE CITY OF WINDER
- SANITARY SEWER TO BE INDIVIDUAL SEPTIC SYSTEMS
- CURRENT ZONING: AG
- TO BE REZONED: R1 CONVENTIONAL SUBDIVISION
- MINIMUM LOT WIDTH 100FT
- JOSEY COURT(NEW COUNTY ROW): ~800 LF

**BOUNDARY SURVEY**

- BOUNDARY REFERENCED FROM PLAT PREPARED BY WT DUNAHOO for BILL G. EDGAR DATED 11-18-09.
- SOURCE OF DATUM IS MEAN SEA LEVEL

**FLOOD NOTE:**

FLOOD HAZARD AREA EXISTS ON SITE AS PER F.I.R.M. COMMUNITY PANEL No. 13013C0127D, DATED 12/01/21

**BUILDING SETBACKS R1:**

- FRONT: 35' FROM R/W OF ROADS
- SIDE: 15' FROM PROPERTY LINES
- REAR: 40' FROM PROPERTY LINES

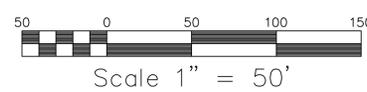
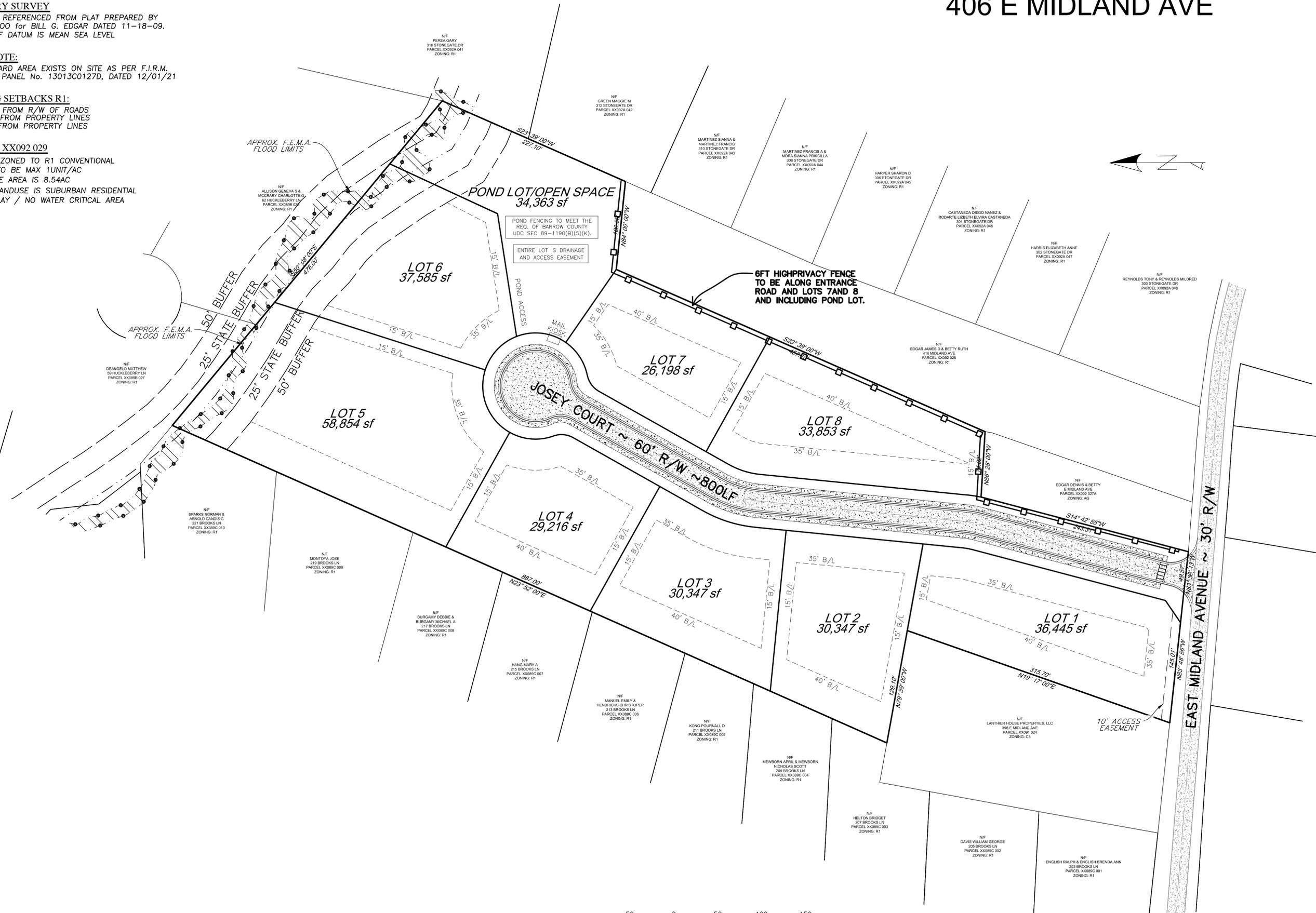
**PARCELS XX092 029**

- TO BE REZONED TO R1 CONVENTIONAL
- DENSITY TO BE MAX 1UNIT/AC
- TOTAL SITE AREA IS 8.54AC
- FUTURE LANDUSE IS SUBURBAN RESIDENTIAL
- NO OVERLAY / NO WATER CRITICAL AREA

**EXHIBIT A**

**R1 CONVENTIONAL SUBDIVISION**

**406 E MIDLAND AVE**



REVISION:	
DATE:	

ALL MATERIAL, CONSTRUCTION, AND WORKMANSHIP ON THIS PROJECT SHALL BE IN ACCORDANCE WITH THE SPECIFICATIONS AND REQUIREMENTS AND SHALL BE PERFORMED IN A WORKMANLIKE MANNER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING ALL UTILITY OWNERS, DETERMINING THE LOCATION OF ALL EXISTING UNDERGROUND UTILITIES, INCLUDING (BUT NOT LIMITED TO) GAS, WATER, AND SEWER, PRIOR TO CONSTRUCTION AND SHALL BE RESPONSIBLE FOR ANY DAMAGES DUE TO HIS OPERATION, CONSTRUCTION, AND SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS. THE CONTRACTOR SHALL CALL THE UTILITIES PROTECTION CENTER THREE WORKING DAYS BEFORE DIGGING. IN METRO ATLANTA DIAL 404/735-5000. THROUGHOUT GEORGIA DIAL 800/282-7441.

**Sullins Engineering, LLC**  
 CONTACT: MATTHEW SULLINS  
 CIVIL ENGINEERS ~ LAND PLANNERS

**JOSEY'S CROSSING**  
 REZONE CONCEPT PLAN FOR:  
 LOCATED IN:  
 PARCEL: XX092 029 GMD: 243  
 BARROW COUNTY, GEORGIA



DATE	JOB #
11/20/2025	4002
SHEET 1	

**GENERAL NOTES**

- DOMESTIC WATER SUPPLY TO BE CITY OF WINDER
- SANITARY SEWER TO BE INDIVIDUAL SEPTIC SYSTEMS
- CURRENT ZONING: AG
- TO BE REZONED: R1 CONVENTIONAL SUBDIVISION
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FLOOD HAZARD AREA EXISTS ON SITE AS PER F.I.R.M. COMMUNITY PANEL No. 13013C0127D, DATED 12/01/21

**BUILDING SETBACKS R1:**

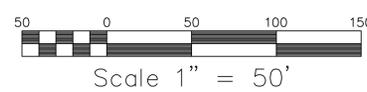
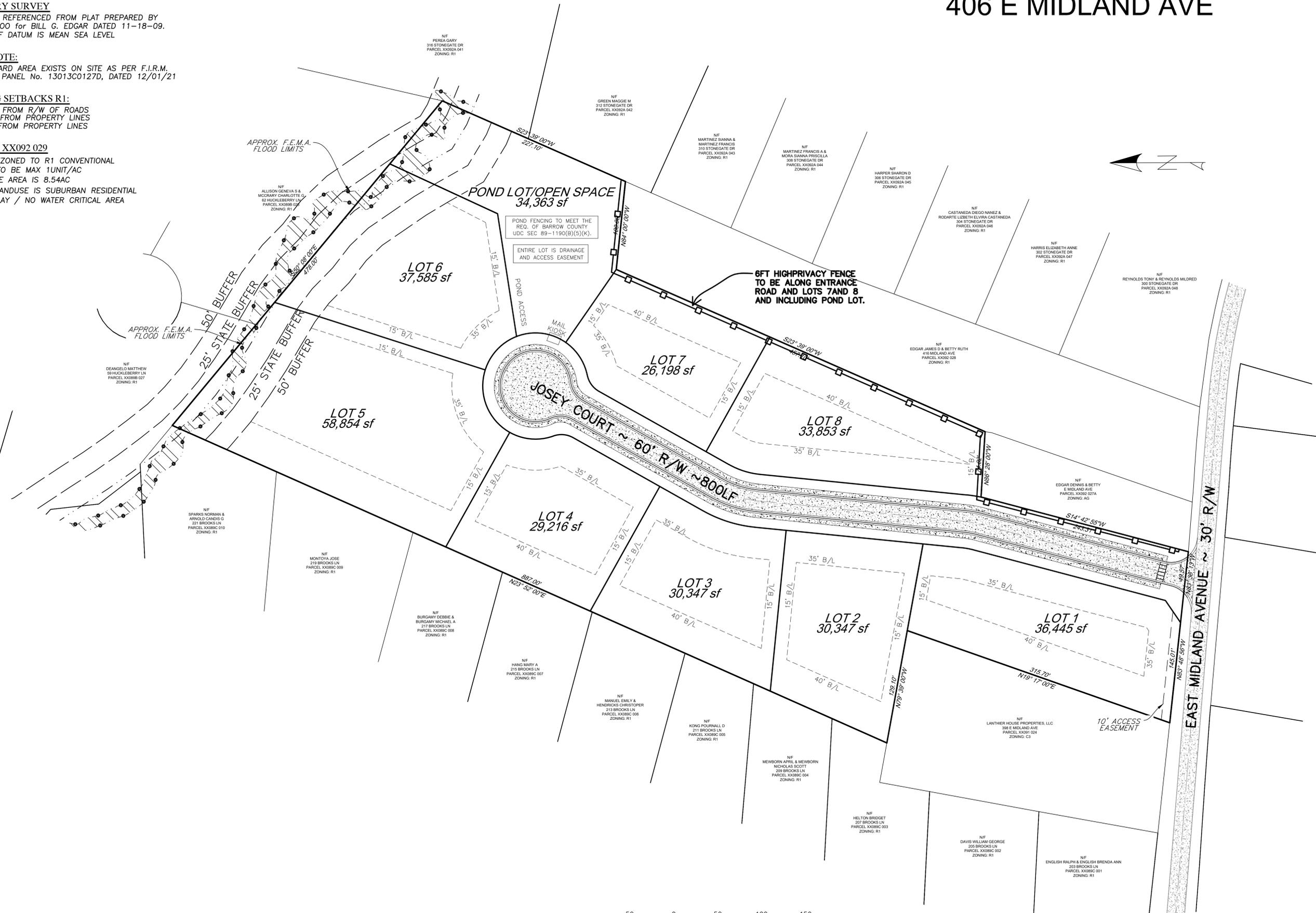
- FRONT: 35' FROM R/W OF ROADS
- SIDE: 15' FROM PROPERTY LINES
- REAR: 40' FROM PROPERTY LINES

**PARCELS XX092 029**

- TO BE REZONED TO R1 CONVENTIONAL
- DENSITY TO BE MAX 1UNIT/AC
- TOTAL SITE AREA IS 8.54AC
- FUTURE LANDUSE IS SUBURBAN RESIDENTIAL
- NO OVERLAY / NO WATER CRITICAL AREA

# R1 CONVENTIONAL SUBDIVISION

## 406 E MIDLAND AVE



REVISION:	
DATE:	

ALL MATERIAL, CONSTRUCTION, AND WORKMANSHIP ON THIS PROJECT SHALL BE IN ACCORDANCE WITH THE SPECIFICATIONS AND REQUIREMENTS AND SHALL BE PERFORMED IN A WORKMANLIKE MANNER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING ALL UTILITY OWNERS, DETERMINING THE LOCATION OF ALL EXISTING UNDERGROUND UTILITIES, INCLUDING (BUT NOT LIMITED TO) WATER, GAS, AND CABLE, PRIOR TO CONSTRUCTION AND SHALL BE RESPONSIBLE FOR ANY DAMAGES DUE TO HIS OPERATION. THE DESIGNER DISCLAIMS ANY RESPONSIBILITY FOR DESIGN CHANGES MADE BY OTHERS. THE CONTRACTOR SHALL CALL THE UTILITIES PROTECTION CENTER THREE WORKING DAYS BEFORE DIGGING. IN METRO ATLANTA DIAL 404/735-5000. THROUGHOUT GEORGIA DIAL 800/282-7441.

**Sullins Engineering, LLC**  
 CONTACT: MATTHEW SULLINS  
 CIVIL ENGINEERS ~ LAND PLANNERS

**JOSEY'S CROSSING**  
 REZONE CONCEPT PLAN FOR:  
 LOCATED IN:  
 PARCEL: XX092 029 GMD: 243  
 BARROW COUNTY, GEORGIA



DATE	JOB #
11/20/2025	4002
SHEET 1	

**Property Address: 406 East Midland Avenue, Winder, Georgia 30680**

**Parcel Number: XX092 029**

**To Whom It May Concern,**

**My name is Barry Edgar and I own the property identified as Parcel Number XX092 029. I am applying for a rezone of the property from "Agricultural" to "R-1 Conventional Subdivision". Eight single family residential lots are proposed. See the attached Concept Plan for Josey's Crossing for more information. Thank you for your consideration of this request.**

**Sincerely,**



**Barry Edgar**



## PROFFERED CONDITIONS

As part of an application for any zoning action, a property owner may proffer, in writing, proposed conditions to apply and be part of the rezoning being requested by the applicant. Proffered conditions may include written statements, development plans, profiles, elevations, or other demonstrative materials.

Please list any written proffered conditions below:

- 6 foot privacy fence as shown on the rezoning concept plan.

Any development plans, profiles, elevations, or other demonstrative materials presented as proffered conditions shall be referenced below and attached to this application:

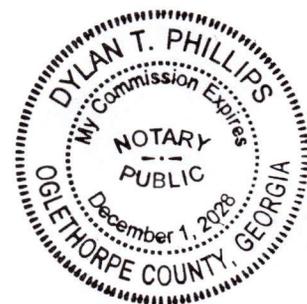
I do hereby submit these proffered conditions as an attachment to my application and request that they be considered along with same.

Applicant's Signature: \_\_\_\_\_  


Applicant's Name: \_\_\_\_\_ Barry Edgar \_\_\_\_\_ Date: \_\_\_\_\_ 11/11/25 \_\_\_\_\_

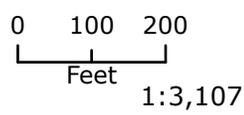
SUBSCRIBED AND SWORN BEFORE ME  
ON THIS THE 11<sup>th</sup> DAY OF November, 2029.

Dylan Phillips  
\_\_\_\_\_  
NOTARY PUBLIC  
My Commission Expires: \_\_\_\_\_ 12/1/28 \_\_\_\_\_

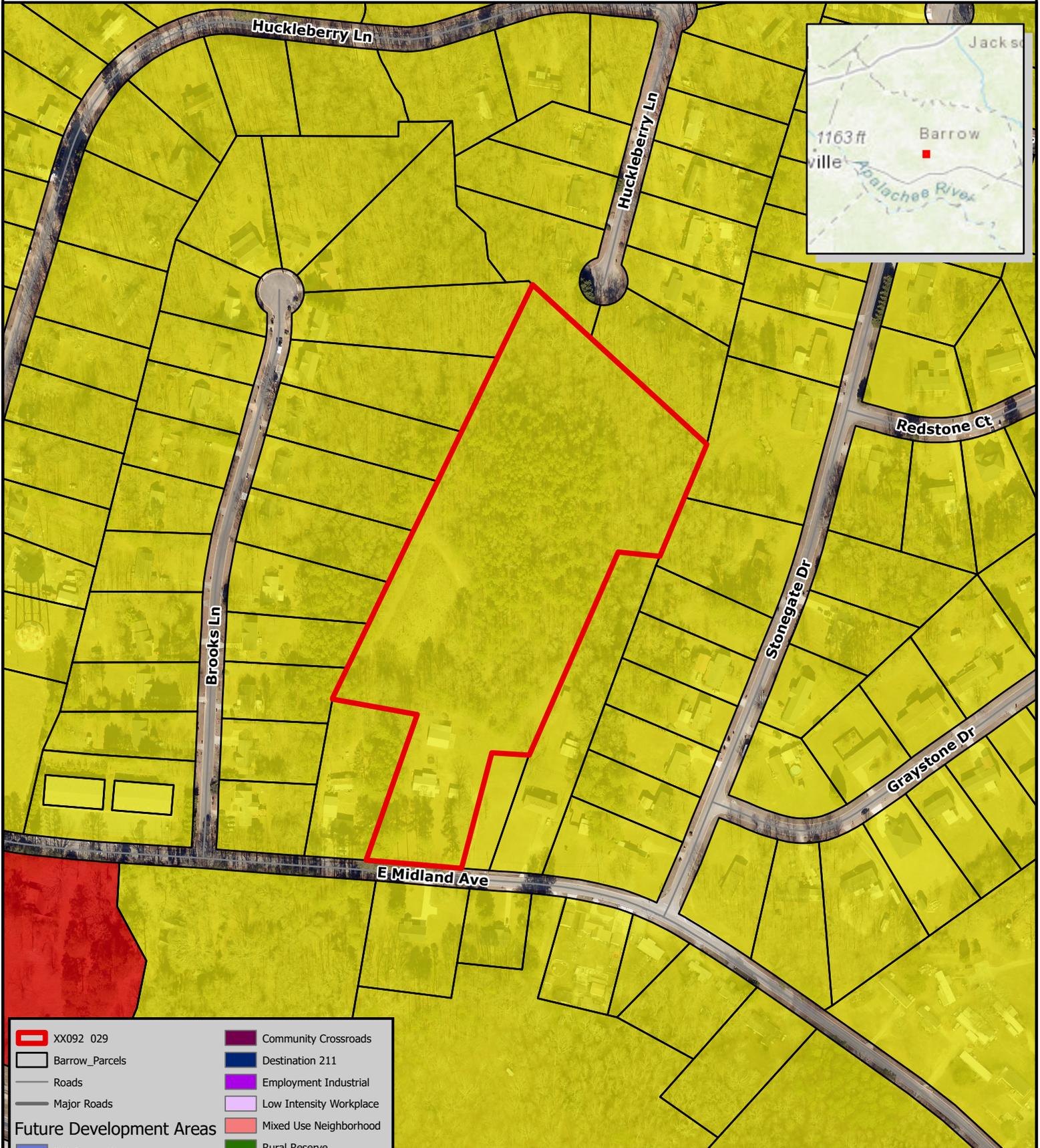




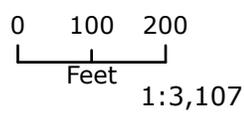
-  XX092 029
-  Barrow\_Parcels
-  Roads
-  Major Roads



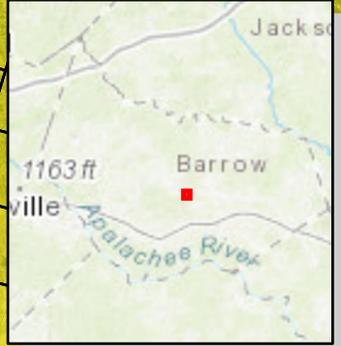
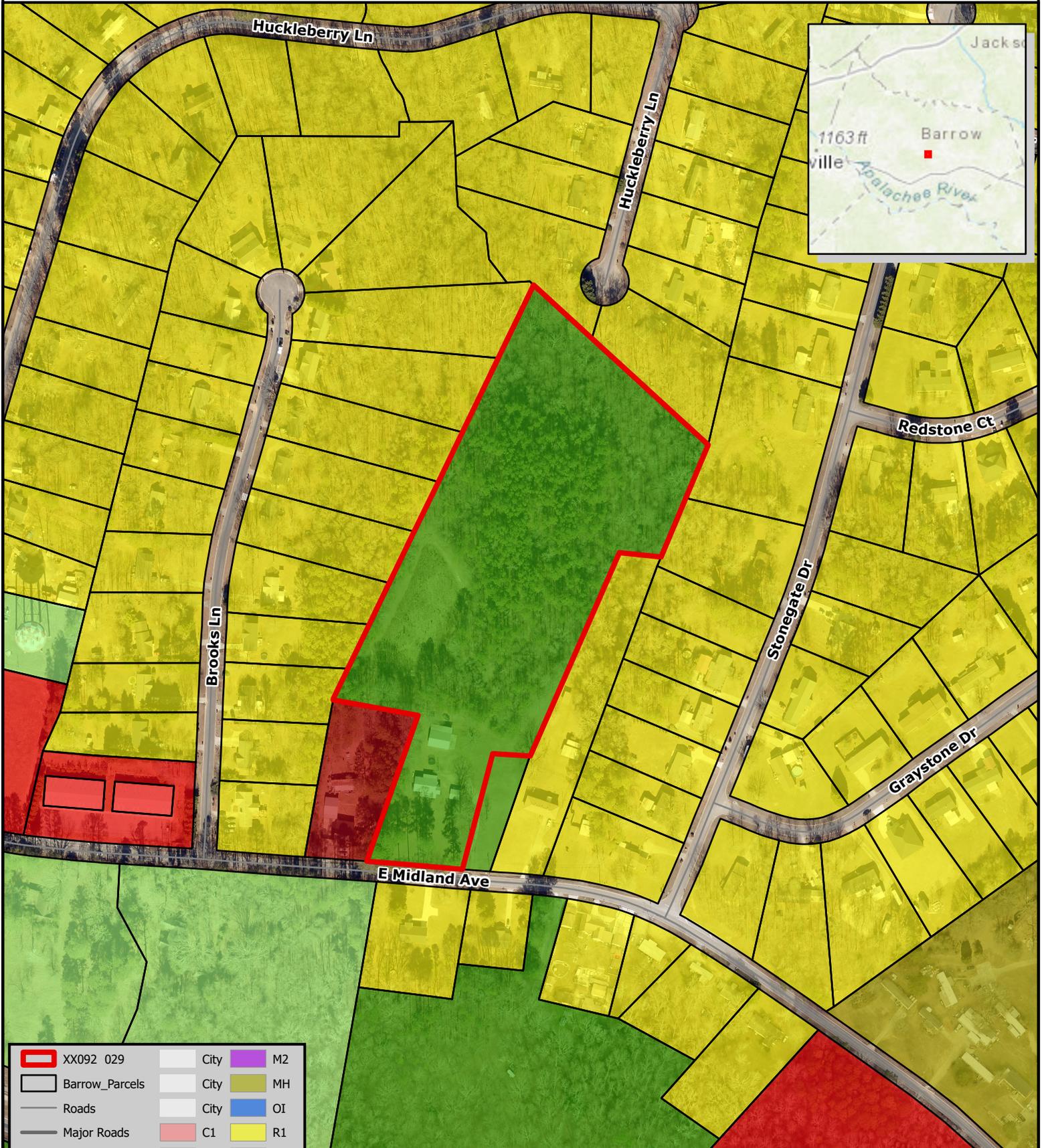
DISCLAIMER  
THIS MAP WAS COMPILED BY  
BARROW COUNTY. THE COUNTY  
ASSUMES NO RESPONSIBILITY  
FOR THE LEGAL ACCURACY OF THE  
INFORMATION CONTAIN  
HEREIN. **159**



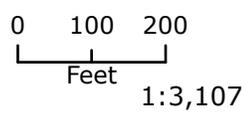
	XX092 029		Community Crossroads
	Barrow_Parcels		Destination 211
	Roads		Employment Industrial
	Major Roads		Low Intensity Workplace
<b>Future Development Areas</b>			Mixed Use Neighborhood
	316 Innovation		Rural Reserve
	City of Auburn		Rural Residential
	City of Statham		Suburban Residential
	City of Winder		Town of Braselton
	Commercial Corridor		Traditional Residential



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XX092 029	City	M2
Barrow_Parcels	City	MH
Roads	City	OI
Major Roads	C1	R1
<b>Zoning Districts</b>	C2	R2
	C3	R3
	City	City
	M1	City
AC		
AG		
AR		



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HEREIN. **161**



Planning & Community Development • 30 N. Broad St., Winder, GA 30680  
(770) 307-3034 • [planning@barrowga.org](mailto:planning@barrowga.org)

## **PLANNING STUDY**

**BOC2025-00039 (XX092 029) 406 E Midland Ave; Barry Edgar / Applicant and Owner.** Request to rezone ± 8.54 acres from AG (Agriculture) to R-1 (Low Density Single Family Residential) for a major residential subdivision.

## **SUMMARY**

The applicant is requesting to rezone ±8.54 acres from **AG (Agriculture)** to **R-1 (Low Density Single-Family Residential)** to allow the development of a major residential subdivision. The proposed subdivision will consist of eight single-family residential lots.

The subject property is currently developed with a single-family residence and is surrounded by a mix of residential and undeveloped properties. The Future Land Use Map designates the property as **Suburban Residential**, which supports low-density single-family development with preserved open space and compatibility with surrounding residential neighborhoods.

There is an **existing floodplain located toward the rear of the property**, which limits the developable area and is intended to remain undeveloped in accordance with applicable regulations.



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### **PLANNING STUDY**

**BOC2025-00039 (XX092 029) 406 E Midland Ave; Barry Edgar / Applicant and Owner.** Request to rezone ± 8.54 acres from AG (Agriculture) to R-1 (Low Density Single Family Residential) for a major residential subdivision.

### **DEPARTMENT / AGENCY COMMENTS**

Request for comments sent on (9/3/2025)

**GDOT** – No Comments received as of 1/6/2026

**Transportation** – Reviewed by Jessica Jackson, Transportation Manager

No comments received as of 1/6/2026

**Fire** – No comments received as of 1/6/2026

**Board of Education** – No comments received as of 1/6/2026

**Environmental Health** – No Comments Received as of 1/6/2026

**Water** – Reviewed by Dean Garrett

Parcel located in Winder water service area

**Sewer** – Reviewed by Dean Garrett

Parcel located in Winder sewer service area

### **STAFF ANALYSIS**

**1. Is the proposed use consistent with the stated purpose of the zoning district that is being requested?**

Yes. The R-1 zoning district is intended to accommodate low-density single-family residential development. The proposed subdivision is consistent with the purpose of the district.

**2. Is the proposed use suitable in view of the zoning and development of adjacent and nearby property?**

Yes. Adjacent and nearby properties include existing single-family residential uses and vacant land. The proposed development is suitable in this context.

**3. Will the proposed use not adversely affect the existing use or usability of adjacent or nearby property?**

Staff does not anticipate that the proposed use will adversely affect adjacent or nearby properties. Development will be subject to applicable subdivision, access, and environmental standards

**4. Is the proposed use compatible with the goals, objectives, purpose, and intent of the Comprehensive Plan?**

Yes, the proposed use is compatible with the goals, objectives, purpose, and intent of the Comprehensive Plan,

**5. Are there substantial reasons why the property cannot or should not be used as currently zoned?**

Yes. The AG zoning district is intended for agricultural uses and does not reflect the existing residential development pattern or the Future Land Use Map designation.

**6. Will the proposed use not cause an excessive or burdensome use of public facilities or services?**

Staff does not anticipate that the proposed use will result in an excessive or burdensome use of public facilities or services.

**7. Is the proposed use supported by new or changing conditions not anticipated by the Comprehensive Plan or reflected in the existing zoning?**

Yes. The area has continued to transition toward residential development supported by public utilities and subdivision infrastructure.

**8. Does the proposed use reflect a reasonable balance between the promotion of the public welfare and the right to unrestricted use of property?**

Yes. The proposed subdivision allows reasonable residential development while maintaining compliance with applicable environmental and development standards.



**Barrow County**  
 Barrow County Historic Courthouse  
 30 North Broad Street  
 Winder, GA 30680

# RECORD DETAILS

Plan NO.: BOC2025-00039

Plan Type: Zoning Action

Work Classification: Zoning Action

Plan Status: In Review

Apply Date: 11/24/2025

**Expiration:**

**Location Address**

**Parcel Number**

406 MIDLAND AVE, WINDER, GA 30680

XX092 029

**Contacts**

Barry Edgar

**Property Owner**

Barry Edgar

**Applicant**

**Description:** Request to rezone from AG to R-1

**Valuation:** \$0.00

**Total Sq Feet:** 0.00

Fees	Amount
Major Subdivision	\$1,500.00
<b>Total:</b>	<b>\$1,500.00</b>

Payments	Amt Paid
<b>Total Fees</b>	<b>\$1,500.00</b>
Credit Card	\$1,500.00
<b>Amount Due:</b>	<b>\$0.00</b>

Condition Name

Description

Comments

**Additional Information**

**Tax Parcel of Subject Property(s):** XX092 029  
**Street Address:** 406 E MIDLAND AVE  
**Intent for the Subject Property:** : Rezone for an 8 lot subdivision  
**Is this Residential or Non-Residential?:** Residential  
**Use Type:** : Single Family  
**Is the Proposed Project Served by Sewer or Septic:** Septic  
**Property Division Type:** Major Subdivision  
**Is there a Master Plan Development?:** No  
**Requested Zoning:** R-1  
**Zoning:** AG  
**Subdivision Name:** Josey's Crossing  
**Planning Application Types:** Rezone - Major Subdivision  
**Future Land Use:** Suburban Residential

Issued By:

November 24, 2025

Date

## Item Cover Page

### BOARD OF COMMISSIONERS AGENDA ITEM REPORT

**DATE:** February 10, 2026

**SUBMITTED BY:** Jennifer Lopez, Planning & Community Development

**ITEM TYPE:** Public Hearing

**AGENDA SECTION:** **Public Hearings**

**SUBJECT:** **2026-00002-BOC (XX042 009) 441 Chandler Rd; Barrow County Board of Commissioners / Applicant; Dorin Mateiovici/ Owner.** Request to amend the Future Land Use Map for ±7.8 acres to Suburban Residential as stated on the Staff recommendations on case BOC2025-00004 RZ.

---

**Commission District:**

District 4: Alex Ward

**Existing Land Use:**

AGRICULTURAL RESIDENTIAL TRACT

**Existing Zoning:**

AG (AGRICULTURAL DISTRICT)

**Future Land Use Map Category:**

EMPLOYMENT INDUSTRIAL

**ATTACHMENTS:**

[ACTION NOTICE RZ BOC2025-00004.pdf](#)



Planning & Community  
Development  
30 N. Broad Street Winder,  
Georgia 30680  
(770) 307-3034  
planning@barrowga.org

---

## Board of Commissioners Action Notice

### THIS WILL SERVE AS THE OFFICIAL NOTICE

**BOC 2025-00004 RZ (XX042 009) 441 Chandler Rd; Jakob Sullins /Applicant; Dorin Mateiovici/ Owner;** Future Land Use Map (FLUM) amendment from Employment Industrial to Suburban Residential to support residential use. Request to rezone  $\pm 2.06$  acres of a  $\pm 7.8$ -acre parcel from AG to R-1 for an existing single- family home.

On **November 10, 2025**

The Barrow County Board of Commissioners **APPROVED** FLUM amendment to Suburban Residential.

The Barrow County Board of Commissioners **APPROVED** of the rezoning of  $\pm 2.06$  acres from AG to R-1 with the following conditions:

1. The applicant shall record the 0.27-acre right-of-way dedication prior to the issuance of building permits.
2. All residential structures constructed on the property shall have a minimum of 2,000 square feet of heated gross floor area.
3. The exterior of any and all residential units constructed on the property shall consist of brick, stone, stucco, masonry siding, or any combination thereof.
4. Sod and landscaping shall be installed and maintained in the disturbed areas of all front yards and 15' of side yards on the property.
5. Once the plat has been recorded to divide the property, Planning Department to bring the parcel before the BOC to revert the FLUM back to the Employment Industrial Character.

**END OF NOTICE**

ACTION NOTICE Page 1 of 1

# Item Cover Page

**BOARD OF COMMISSIONERS AGENDA ITEM REPORT**

**DATE:** February 10, 2026

**SUBMITTED BY:** Victoria Bowman, Courts

**ITEM TYPE:** Contract

**AGENDA SECTION:** **Old Business**

**SUBJECT:** Consideration to approve the FY 2026 Piedmont Circuit Specialty Court Contract Agreement for Advantage Behavioral Health Systems.

**Purpose:**

Approve the FY 2026 Specialty Court Contract Renewal Agreement for Advantage Behavioral Health Systems.

**Background/Summary:**

Advantage BHS has been the contracted Treatment Provider for the Piedmont Circuit Wellness Court program since 2010. Designated the region’s Community Service Board, they have provided effective intensive outpatient mental health treatment for participants in the Piedmont Circuit Wellness Court programs in Barrow County, GA. Their exceptional service has contributed to the Piedmont Circuit Wellness Court’s designation as a Model Court by the Council of Accountability Court Judges, a designation awarded to only ten programs in the state of Georgia. ABHS is paid via funding from the Accountability Grants for the Piedmont Circuit Wellness Court and was included in the budget for the FY 2026.

Staff recommends approval of the FY 2026 Piedmont Circuit Specialty Court Contract Agreement for Advantage Behavioral Health Systems.

**Options:**

- Approval of the FY 2026 Contract with Advantage BHS
- Denial of the FY 2026 Contract with Advantage BHS

**Finance Officer Comments (if applicable):**

If approved, the agreement with Advantage Behavioral will be funded by the Piedmont Circuit

Wellness Court State Grant for FY 2026.

Funding Source	Account	FY 2026 Approved Budget	FY 2026 Year To Date Expenditures	FY 2026 Remaining Budget
Grants Fund	2502151-523850-SG073	\$40,720.00	\$7,695.00	\$33,025.00

- 
- The Advantage BHS agreement is funded through the Piedmont Circuit Wellness Court State Grant (SG073).
- Advantage BHS has been the contracted Treatment Provider for the Wellness Court program since 2010.
- This contract will be in place for the next 5 years.
- The County Attorney reviewed the contracts and did not suggest or make any changes.

**ATTACHMENTS:**

[ABHS Agreement - Barrow County Wellness Court.pdf](#)

## PROFESSIONAL SERVICES AGREEMENT

**THIS AGREEMENT** is effective as of this **1st** day of **July**, 2025, by and between **Barrow County**, a political subdivision of the State of Georgia, acting by and through its governing authority, the Barrow County Board of Commissioners (“County”), and **Advantage Behavioral Health Systems**, a Georgia Community Service Board created and operating pursuant to O.C.G.A. § 37-2-6 et seq., (hereinafter "Contractor" or “ABHS”), collectively referred to as the "Parties".

### WITNESSETH THAT:

**WHEREAS**, the County and the Superior Court of Barrow County (the “Court”) desire to retain a Contractor to provide certain services generally described as Court Liaison Services (the “Work”); and

**WHEREAS**, the County finds that specialized knowledge, skills, and training are necessary to perform the Work contemplated under this Agreement; and

**WHEREAS**, the Contractor has represented that it is qualified by training and experience to perform the Work; and

**WHEREAS**, the Contractor desires to perform the Work under the terms and conditions set forth in this Agreement; and

**WHEREAS**, the public interest will be served by this Agreement;

**NOW, THEREFORE**, the Parties hereto do mutually agree as follows:

#### **I. SCOPE OF SERVICES AND TERMINATION DATE**

##### **A. Project Description**

The Project is described as Wellness Court Case Management Services.

##### **B. The Work**

The Work to be completed under this Agreement (the “Work”) consists of the following:

The Contractor shall perform the following services for those adult offenders referred by the Court to the Contractor:

A. Individualized Clinical Assessments/Evaluations. The Contractor shall administer a court-approved clinical assessment to each adult offender referred by the Court **on an as-needed basis**. At a minimum, the assessment shall include a bio-psychosocial assessment and a face-to-face interview. Types of information obtained through the assessment would include, but not be limited to:

1. Alcohol and other drug use history
2. Mental health history
3. Physical health history
4. Education
5. Emotional/health barriers

6. Employment
7. Family dynamics
8. Housing
9. Physical health/nutrition
10. Spirituality
11. Social support systems
12. Transportation
13. Treatment history
14. Criminal history
15. Special population needs
  - a. Based on drug of choice
  - b. Co-existing disorders
  - c. Gender, ethnic, and cultural considerations
  - d. Other health issues (e.g., HIV and Hepatitis C)
  - e. Sexual orientation
  - f. Domestic violence
  - g. Sexual abuse
16. All assessment summaries must include a diagnostic impression, recommendation and justification for referral into Treatment Court Services that is signed by a Certified Addictions Counselor Level II or Licensed or Associate licensed Masters-Level clinician.

B. Treatment Plan. As part of the clinical intake process, the Contractor shall develop a participant-specific treatment plan (inclusive of relapse prevention methods, the “Treatment Plan”) with measurable goals and objectives and provide the plan to the designated Court liaison. In addition, the Contractor, in conjunction with the Court team shall identify specific treatment objectives and life skills that the participant should attain before moving to the next phase of the program These goals will be documented in a “Court Participation Plan” that shall be maintained by the Court Coordinator. The Court Participant Plan may be amended at any time based upon input from the Case Manager and court team.

1. A copy of the Treatment Plan for each client must be provided to the participant within the first two (2) weeks of their counseling outlining the short and long-term goals the client will work on over the treatment period. . All progress notes must reflect how the client is working towards their goal completion.

C. Outpatient Treatment. The Contractor shall offer all participants a clinically sound, highly structured multi-phase treatment program consisting of evidence based treatment curriculum. Both parties acknowledge that the treatment curriculum is subject to change upon the discussion and agreement of the parties and must adhere to any state treatment standards for such services.

1. Content of Individual/Group Treatment Sessions. Individual and Group treatment sessions shall consist of education/skill building and therapy. The sessions shall address addiction, relapse prevention planning, criminogenic thinking errors, life skills, anger management, parenting, bereavement, sexual relationships, gender specific, health/medical, personal safety planning, and other clinically relevant treatment issues. Treatment staff shall utilize evidence-based practices with a manualized curriculum to the extent feasible based upon the financial resources of the Court and treatment provider and to the extent appropriate for each participant.

2. Structure of Group Sessions. All treatment/education programs may be open-ended; however, a procedure should be established to orient new group members to the open-ended treatment group.
3. Priority for Services. Contractor will give program participants priority for services with ABHS.
4. Time of delivery of treatment services. Treatment will be offered during any times amenable to the Contractor's schedule. Participants will be required to work cooperatively with the Contractor to schedule individual sessions, if any. The Contractor may (at times not specified herein) be asked to assist with emergency/crisis management services.
5. Family. The Contractor may upon his/her discretion discuss matters with participant's family members only upon proper execution of consent/release documents by the participant.
6. Outsourcing; Residential; Psychological and Psychiatric Services. The Contractor will assist with referral of participants who need residential treatment and/or outsourced/additional treatment. The Contractor will assist with referral of participants with suspected psychological or psychiatric issues to a treatment referral source and will communicate such suspected issues to the Court or its designated liaison including plan of action related to referral needed.

D. Court Liaison Services. The Contractor shall provide the following services:

1. Referrals. Referrals should be evaluated and processed by the Treatment Court's liaison or Treatment Court Case Manager as appropriate.
2. Court Liaison. In the event that the Contractor provides the services of a Treatment Liaison such services must adhere to the attached Exhibit "C, Treatment Liaison Scope of Work," incorporated herein by reference. The Contractor reserves the right to select the person(s) performing the duties but any such person(s) must be approved by the Court. The Contractor shall devote the appropriate amount of time as is necessary to ensure that the services are provided to the covered participants.

The Contractor will provide for a Treatment Liaison dedicated to the Court as follows:

1. Contractor will retain responsibility for the care of its clients and patients and will maintain supervision of Treatment Liaison insofar as their presence and assignments affect the operation of the Contractor and its care, direct and indirect, of its clients and patients.
2. Contractor will provide a cell phone, computer/laptop and Electronic Health Record training for the Treatment Liaison
3. The Treatment Liaison will have access to adequate facilities for use in accordance with the client's treatment objectives and plan developed through

cooperative planning by the Court treatment team and the Contractor's staff. The Contractor will use its best efforts to make conference space and classrooms available as may be necessary for teaching and planning activities in connection with court participants.

4. Contractor shall provide for the orientation, supervision, and training of the Treatment Liaison as to the philosophies, rules, regulations and policies of the Contractor and those required by overseeing agents (including but not limited to the Department of Behavioral Health and Developmental Disabilities-DBHDD ("DBHDD"), Beacon Health, and Department of Community Health-("DCH"). The Court Coordinator and the Contractor shall collaborate to train the Treatment Liaison in the philosophy, rules, and regulations of Accountability Courts.
5. Contractor shall provide instruction, direction, and supervision to assure the Treatment Liaison provides training to participants as to the philosophies, rules, regulations and policies of the Contractor and the Court.
6. Contractor will manage all responsibilities associated linking referred clients to appropriate level of care services-for behavioral health services (within or outside of Contractor's services) .
7. Contractor will manage all responsibilities associated with reimbursement for services through Medicaid, Medicare, Private Insurance, and/or through DBHDD State Contracted services for any client who has been assessed and admitted into ongoing services with Contractor

E. Additional specifications. RESERVED

F. Communication. The Contractor shall utilize the Court's liaison as the Centralized Clearinghouse of Information/Communications.

- a. Treatment Court liaison shall provide progress summaries to the Court at a rate agreed upon by the Court and Contractor.
  1. Treatment progress reports shall consist of general details as to the participants who received treatment for the week, their compliance and/or non-compliance with treatment and their treatment status. A reporting form or process will be provided by the Treatment Court.
  2. The Contractor will maintain a confidential notes system (that is not shared with the Court unless requested and/or such sharing is deemed necessary by the Contractor) of relevant information shared by participants to Contractor during treatment or case management sessions – in accordance with recognized treatment protocols.
- b. The Court shall meet on a regular basis (and/or at such dates/times deemed necessary by the Treatment Court's liaison and/or Contractor) with the Treatment Court's liaison so that there may be a "briefing" (or information

gathering session) as to the participants who received (and/or are to receive) treatment services for the specified time frame.

- c. The Court shall review all relevant information maintained by the Treatment Court's liaison (and/or posted in a designated information posting site/location) which may be relevant to treatment, such as changes in address, medication(s), health, drug screens, etc.
  - d. The Contractor's Treatment Liaison counselor or other knowledgeable representative shall attend Treatment Court "staffing" sessions and/or participant court reviews.
- G. Emergency/Call Status: The Contractor will provide to all participants instructions regarding how to access Behavioral Health Link (BHL), the state-wide Single Point of Entry/Access crisis provider used by Advantage Behavioral Health Systems. BHL services are covered by the Department of Behavioral Health and Developmental Disability and therefore do not incur costs
- H. Trainings and Court Sessions: The Contractor will not charge the Court separately for attendance of its personnel at any court-sanctioned trainings, conferences, programs or court sessions. Such attendance is covered by the overall scope of services of treatment.

C. **Schedule, Completion Date, and Term of Agreement**

Contractor warrants and represents that it will perform its services in a prompt and timely manner, which shall not impose delays on the progress of the Work. This Agreement shall commence upon execution of the Agreement by both parties. Contractor shall perform required services as called for but not extending beyond the Court's fiscal year (from July to June of each year). **This contract may be renewed by the parties for up to five (5) additional one year periods.** In the event of termination of this Agreement by the Contractor or by the Court, the Contractor shall be entitled to receive payment only for work actually performed prior to termination.

## II. WORK CHANGES

A. Changes in the Work to be performed under this Agreement by altering, adding to, or deducting from the Work shall be incorporated in written change orders executed by the Contractor and the Court. Such change orders shall specify the changes ordered and any necessary adjustment of compensation and completion time. The parties will negotiate to reach an agreement. If an agreement cannot be reached, the original contract scope of work stands.

B. Any Work added to the scope of this Agreement by a change order shall be executed under all the applicable conditions of this Agreement. No claim for additional compensation or extension of time shall be recognized, unless contained in a written change order duly executed on behalf of the Court and the Contractor.

## III. COMPENSATION AND METHOD OF PAYMENT

### A. Treatment Case Management Services.

**Cost for Court Case Management Services will be based time allotment of the staff dedicated to the Accountability Court Programs. This cost is based on a fully licensed master's level clinician, fringe benefits, and overhead. Cost is \$2405 per month.**

**Evaluations/ Screening Assessments.** The Contractor shall be compensated a one-time flat rate of **\$280 per participant** for conducting substance abuse/mental health screening evaluation for potential program participants, as requested by the court.

E. **Invoices & Payments.** Backup information and documentation for all invoices must be provided. The Contractor must submit invoices to the Court's liaison by the 10<sup>th</sup> of each month for all services performed for the previous month. The Court shall pay the Contractor within thirty (30) days after approval of the invoice by Court staff. Contractor agrees to render invoices electronically and accept electronic payment through the Automated Clearing House Network (ACH); arrangements for electronic processing are to be made through the EPurchasing Department within ten (10) working days from the date of final execution of this Agreement. Payments will not be hand delivered.

## IV. COVENANTS OF CONTRACTOR

### A. Expertise of Contractor

Contractor accepts the relationship of trust and confidence established between it and the Court, recognizing that the Court's intention and purpose in entering into this Agreement is to engage an entity with the requisite capacity, experience, and skill and judgment to provide the services in pursuit of the timely and competent completion of the Work undertaken by Contractor under this Agreement.

### B. County's Reliance on the Work

The Contractor acknowledges and agrees that the Court does not undertake to approve or

pass upon matters of expertise of the Contractor and, therefore, the Court bears no responsibility for Contractor's services performed under this Agreement.

**C. Contractor's Representative**

Tochuku Ikedionwu or her designee, shall be authorized to act on Contractor's behalf with respect to the coordination of Work as Contractor's designated representative.

**E. Responsibility of Contractor and Indemnification of County**

The Contractor agrees to indemnify the County for liabilities caused by the acts or omissions of its employees or agents to the extent coverage is provided by the insurance identified in Exhibit "A".

**F. Independent Contractor**

Contractor hereby covenants and declares that it is engaged in an independent business and agrees to perform the services as an independent contractor and not as the agent or employee of the Court. The Contractor agrees to be solely responsible for its own matters relating to the time and place the services are performed; the instrumentalities, tools, supplies and/or materials necessary to complete the services; hiring of Contractors, agents or employees to complete the services; and the payment of employees, including compliance with Social Security, withholding and all other regulations governing such matters. The Contractor agrees to be solely responsible for its own acts and those of its subordinates, employees, and subcontractors during the life of this Agreement. Any provisions of this Agreement that may appear to give the Court the right to direct Contractor as to the details of the services to be performed by Contractor or to exercise a measure of control over such services will be deemed to mean that Contractor shall follow the directions of the Court with regard to the results of such services only.

**G. Insurance**

(1) Requirements:

Contractor agrees to maintain, at a minimum, automobile insurance coverage complying with State law requirements for any automobile that is used in relation to the Work. Contractor also agrees to maintain, at a minimum, insurance coverages as shown on the insurance certificate(s) attached hereto as Exhibit "A."

**H. Records, Reports**

(1) Records:

- (a) Records shall be established and maintained by the Contractor in accordance with requirements prescribed by the Court with respect to all matters covered by this Agreement. Except as otherwise authorized, such records shall be maintained for a period of three years from the date that final payment is made under this Agreement. Furthermore, records that are the subject of audit findings shall be retained for three years or until such audit findings have been resolved, whichever is later.
- (b) All costs shall be supported by properly executed payrolls, time records, invoices, contracts, or vouchers, or other official documentation evidencing

in proper detail the nature and propriety of the charges. All checks, payrolls, invoices, contracts, vouchers, orders or other accounting documents pertaining in whole or in part to this Agreement shall be clearly identified and readily accessible.

(2) Reports and Information:

Upon request, the Contractor shall furnish to the Court any and all statements, records, reports, data and information related to matters covered by this Agreement in the form requested by the Court.

**I. Conflicts of Interest**

Contractor agrees that it shall not engage in any activity or conduct that would result in a violation of the applicable Code of Ethics.

**J. Confidentiality**

Contractor acknowledges that it may receive confidential information of the Court and that it will protect the confidentiality of any such confidential information and will require any of its subcontractors, consultants, and/or staff to likewise protect such confidential information. The Contractor agrees that confidential information it receives or such reports, information, opinions or conclusions that Contractor creates under this Agreement shall not be made available to, or discussed with, any individual or organization, including the news media, without prior written approval of the Court. The Contractor shall exercise reasonable precautions to prevent the unauthorized disclosure and use of Court information whether specifically deemed confidential or not

- (1) The Contractor shall not disclose to anyone or any entity, other than the designated Court Staff or other court-approved individuals, any description or information concerning the work produced as a result of this AGREEMENT without written permission of the Court.
- (2) The Contractor acknowledges that in receiving, storing, processing, sharing, or otherwise using or dealing with any treatment information, the Contractor is bound by all Federal and State laws and regulations that govern and guarantee the treatment rights of individuals receiving substance abuse treatment services.
- (3) The Contractor shall comply with all confidentiality laws and shall be familiar with the following monograph: *Federal Confidentiality Laws and How they Affect Mental Health/Drug Court Practitioners*, National Mental Health/Drug Court Institute (1999).
- (4) The Contractor shall comply with all HIPAA and related laws and regulations dealing with releasing and sharing and medical and health care information. The Contractor shall ensure that it and its employees and agents use and disclose "Protected Health Information" of patients (as defined in the Health Insurance Portability and Accountability Act ("HIPAA") privacy rules at 45 C.F.R. § 164.501, et seq.) that The Contractor receives pursuant to this Agreement only to the extent necessary: (i) to perform its specific obligations under this Agreement; and (ii) for its own management and administration and to carry out its legal responsibilities in compliance with 45 C.F.R. § 164.504(e)(2)(i)(A), (e)(4), and all

other current or future applicable laws or regulations. Nothing in this Agreement shall be deemed to authorize The Contractor to use or disclose Protected Health Information in violation of any applicable law or regulation, including but not limited to HIPAA privacy rules at 45 C.F.R. § 164.501, *et seq.*

- (5) The Contractor shall obtain appropriate releases/waivers before releasing a participant's treatment information.
- (6) The Contractor shall make every effort to ensure that confidentiality of participant's identity and information is maintained, inclusive of but not limited to ensuring that the treatment location is secure (and not within the hearing range of outsiders), as well as educating participants about the confidentiality of group/individual treatment sessions.
- (7) The Contractor shall maintain confidentiality of Court participants separate from information on participants in any of its other programs at all times, regardless of relationship or family involvement among these participants. All confidentiality laws related to obtaining appropriate releases/waivers shall be followed by all concerned parties should information need to be disclosed for treatment purposes.

**K. Licenses, Certifications and Permits**

The Contractor covenants and declares that it has obtained all diplomas, certificates, licenses, permits or the like required of the Contractor by any and all national, state, regional, county, local boards, agencies, commissions, committees or other regulatory bodies in order to perform the services contracted for under this Agreement. All work performed by Contractor under this Agreement shall be in accordance with applicable legal requirements and shall meet the standard of quality ordinarily expected of competent professionals.

The Contractor must have, or be in the process of obtaining under clinical supervision, a professional counseling certification or similar training related to alcohol and substance abuse and insurance. Such certification (or training) and insurance must be maintained during the duration of the contract period. Such training must meet that *Treatment Standards/Provider Qualifications* as established and/or updated by the State of Georgia Judicial Council Standing Committee on Drug Courts, incorporated herein by reference as Exhibit "D".

If a provider in the employ of the Contractor is in the process of obtaining certification, he/she shall be responsible for maintaining requisite supervision by a, licensed individual. Said supervisor shall be approved by the Drug Court's liaison and there shall be a confidentiality agreement between the Contractor and the supervisor.

The Contractor shall comply with all laws of the State of Georgia and United States, as well as treatment and social work and/or professional counseling ethical standards and shall maintain requisite certifications, licensures, and insurance necessary for delivery of services described herein and subject to the Drug Court's approval.

**L. Authority to Contract**

The Contractor covenants and declares that it has obtained all necessary approvals of its board of directors, to bind Contractor to the terms of this Agreement, if applicable.

## V. COVENANTS OF THE COURT

### A. Right of Entry

The Court shall provide for right of entry for Contractor and all necessary equipment in order for Contractor to complete the Work.

### B. County's Representative

The Court Coordinator shall be authorized to act on the Court's behalf with respect to the Work as the Court's designated representative.

## VI. TERMINATION

A. The Court shall have the right to terminate this Agreement for any reason whatsoever by providing written notice thereof at least fourteen (14) calendar days in advance of the termination date. The Contractor shall have the same right to terminate this Agreement, including but not limited to the Court's failure to pay the Contractor within thirty (30) days of submitted invoice.

B. The Court shall also have the right to terminate this Agreement or any services noted herein for cause or other performance defect with thirty (30) days written notice to the Contractor. The Court shall also have the right to terminate this Agreement or any services noted herein without cause should budgeted and/or grant funds not be available.

C. Upon termination, Court shall provide for payment to the Contractor for services rendered and expenses incurred prior to the termination date.

D. Upon termination, the Contractor shall: (1) promptly discontinue all services affected, unless the notice directs otherwise.

E. The rights and remedies of the Court and the Contractor provided in this Section are in addition to any other rights and remedies provided under this Agreement or at law or in equity.

## VII. NO PERSONAL LIABILITY

No member, official or employee of the Court shall be personally liable to the Contractor or any successor in interest in the event of any default or breach by the Court or for any amount which may become due to the Contractor or successor or on any obligation under the terms of this Agreement. Likewise, Contractor's performance of services under this Agreement shall not subject Contractor's individual employees, officers or directors to any personal liability. The Parties agree that their sole and exclusive remedy, claim, demand or suit shall be directed and/or asserted only against Contractor or the Court, respectively, and not against any employee, officer, director, or elected or appointed official.

## VIII. ENTIRE AGREEMENT

This Agreement constitutes the complete agreement between the Parties and supersedes any and all other agreements, either oral or in writing, between the Parties with respect to the subject matter of this Agreement. No other agreement, statement or promise relating to the subject matter of this Agreement not contained in this Agreement shall be valid or binding. This

Agreement may be modified or amended only by a written document signed by representatives of both Parties with appropriate authorization.

## **IX. SUCCESSORS AND ASSIGNS**

Subject to the provision of this Agreement regarding assignment, this Agreement shall be binding on the heirs, executors, administrators, successors and assigns of the respective Parties.

## **X. APPLICABLE LAW**

If any action at law or in equity is brought to enforce or interpret the provisions of this Agreement, the rules, regulations, statutes and laws of the State of Georgia will control.

## **XI. CAPTIONS AND SEVERABILITY**

The caption or head note on articles or sections of this Agreement are intended for convenience and reference purposes only and in no way define, limit or describe the scope or intent thereof, or of this Agreement nor in any way affect this Agreement. Should any article(s) or section(s), or any part thereof, later be deemed unenforceable by a court of competent jurisdiction, the offending portion of the Agreement should be severed and the remainder of this Agreement shall remain in full force and effect to the extent possible.

## **XII. NOTICES**

### **A. Communications Relating to Daily Activities**

All official communications relating to the day-to-day activities of the Work shall be exchanged between the Court's coordinator for the County and the Contractor's Representative.

### **B. Official Notices**

All other notices, writings or correspondence as required by this Agreement shall be in writing and shall be deemed received, and shall be effective, when: (1) personally delivered, or (2) on the third day after the postmark date when mailed by certified mail, postage prepaid, return receipt requested, or (3) upon actual delivery when sent via national overnight commercial carrier to the Parties at the addresses given below, unless a substitute address shall first be furnished to the other Parties by written notice in accordance herewith:

**NOTICE TO THE COURT** shall be sent to:

Chairman  
Barrow County Board of Commissioners  
233 East Broad Street  
Winder, GA 30680

**NOTICE TO THE CONTRACTOR** shall be sent to:

Ms. Tammy Conlin, CEO  
Advantage Behavioral Health Systems  
250 Bray Street  
Athens, GA 30601  
Phone: 706-389-6739

### **XIII. WAIVER OF AGREEMENT**

The Court's, County's, or Contractor's failure to enforce any provision of this Agreement or the waiver in a particular instance shall not be construed as a general waiver of any future breach or default.

### **XIV. SOVEREIGN IMMUNITY**

Nothing contained in this Agreement shall be construed to be a waiver of the Court's, County's, or Contractor's sovereign immunity or any individual's qualified good faith or official immunities.

### **XV. FORCE MAJEURE**

Neither the Court nor Contractor shall be liable for their respective non-negligent or non-willful failure to perform or shall be deemed in default with respect to the failure to perform (or cure a failure to perform) any of their respective duties or obligations under this Agreement or for any delay in such performance due to: (a) any cause beyond their respective reasonable control; (b) any act of God; (c) any change in applicable governmental rules or regulations rendering the performance of any portion of this Agreement legally impossible; (d) earthquake, fire, explosion or flood; (e) strike or labor dispute, excluding strikes or labor disputes by employees and/or agents of Contractor; (f) delay or failure to act by any governmental or military authority; or (g) any war, hostility, embargo, sabotage, civil disturbance, riot, insurrection or invasion. In such event, the time for performance shall be extended by an amount of time equal to the period of delay caused by such acts and all other obligations shall remain intact.

The County and the Contractor have executed this Agreement effective as of the date the Chairman of the County's Board of Commissioners executes this Agreement on behalf of the County.

#### **CONTRACTOR:**

*Tamara Conlin CEO*

By: Tamara L. Conlin, Chief Executive Officer  
Advantage Behavioral Health Systems

#### **COUNTY**

By: Pat Graham

Its: Chairman

## EXHIBIT "A" – Insurance

### STATE OF GEORGIA DEPARTMENT OF ADMINISTRATIVE SERVICES CERTIFICATE OF INSURANCE

<b>Name and Address of Agency</b> Department of Administrative Services Risk Management Services 200 Piedmont Avenue SE Suite 1220 West Tower Atlanta, Georgia 30334-9010	<b>Coverages Afforded By:</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">Company Letter</td> <td style="width: 10%;">A</td> <td style="width: 75%;">State of Ga. Risk Management Services</td> </tr> <tr> <td>Company Letter</td> <td>B</td> <td>Great American Insurance Company</td> </tr> <tr> <td>Company Letter</td> <td>C</td> <td></td> </tr> <tr> <td>Company Letter</td> <td>D</td> <td></td> </tr> <tr> <td>Company Letter</td> <td>E</td> <td></td> </tr> </table>	Company Letter	A	State of Ga. Risk Management Services	Company Letter	B	Great American Insurance Company	Company Letter	C		Company Letter	D		Company Letter	E	
Company Letter	A	State of Ga. Risk Management Services														
Company Letter	B	Great American Insurance Company														
Company Letter	C															
Company Letter	D															
Company Letter	E															
<b>Name and Address of Insured</b> CSB-Advantage Behavioral Health Systems 250 North Avenue Athens, GA 30601																

This certificate is given as a matter of information only and confers no rights upon the certificate holder. Notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain, the insurance afforded by the policy(ies) described herein is subject to all the terms, exclusions and conditions of such policy(ies). This certificate does not amend, extend or otherwise alter the coverages afforded by the policy(ies) described herein.

COMPANY LETTER	TYPES OF INSURANCE	POLICY NUMBER	POLICY EXPIRES	LIMITS APPLY SEPARATELY PER POLICY
A	COV. LIABILITY (GL, MEDICAL MALPRACTICE) A TORT CLAIMS LIABILITY POLICY. State agency or Authority is insured When sued in state courts.	TCP 401-14-22	6/30/2022	BODILY INJURY & PROPERTY DAMAGE & PERSONAL INJURY COMBINED  PER PERSON \$1,000,000  AGGREGATE \$3,000,000  OCCURRENCE POLICIES (X)
A	B EMPLOYEE LIABILITY POLICY. Employee is insured when sued Individually. C STATE AUTHORITY POLICY. Coverage applies when Authority is sued in federal court	CGL 401-14-22	6/30/2022	
A	Contractual and/or Additional Insured Coverage applies to Certificate Holder if policy A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> is checked			
	D COV. AUTOMOBILE LIABILITY COVERAGE Owned, rented, and non-owned automobiles when Agency or Authority is sued in state court or employee is sued in federal court	TCP 401-14-22	6/30/2022	C.S.L. PER PERSON \$1,000,000 AGGREGATE \$3,000,000
	E Physical Damage Coverage			Other than Coll. 500 Ded. Coll. 500 Ded.
	F Excess Authority Coverage when Authority is sued in federal court G Excess Contractual and /or additional insured coverage when certificate holder is sued in federal or state court yes <input type="checkbox"/> no <input type="checkbox"/>			LIMITS SHOWN INCLUDE THE LIMITS OF LIABILITY SHOWN UNDER COVERAGES C-D FOR AUTHORITIES ONLY SINGLE LIMIT LIABILITY:
A	H WORKER'S COMP. COVERAGE	SELF-INSURED	NONE	STATUTE
B	COV. MISC. COVERAGE I Property J Other Fidelity Bond	GVT 554-39-95-20	6/30/2022	\$50,000,000

**DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES**  
 Contractual Liability is NOT provided and the Certificate Holder is NOT an additional insured. Coverage applies to state employees while performing state assigned duties.

**CANCELLATION:**

In the event of cancellation of the policy(ies) described herein, Risk Management Services will endeavor to provide 30 days written notice to the certificate holder, however Risk Management Services assumes no legal responsibility for failure to do so.

NAME AND ADDRESS OF CERTIFICATE HOLDER   TO WHOM IT MAY CONCERN		DATE ISSUED: <u>05/20/2021</u>   AUTHORIZED REPRESENTATIVE
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**EXHIBIT “B” – Key Personnel**

The following individuals are designated as Key Personnel under this Agreement and as such are necessary for the successful prosecution of the Work:

<u>Individual</u>	<u>Position</u>
Tochuku Ikedionwu	Chief Clinical Officer
Holly Bray	Peer Support Specialist/CARES
Terri Weimorts	Clinical Lead
Katie McFarland	Director of Justice

## **EXHIBIT C Accountability Court Treatment Liaison Services**

### **Purpose of Job**

The purpose of this job is to provide treatment liaison and limited counseling services for participants in the Barrow County Wellness Court. Duties and responsibilities include, but are not limited to the linkage and provision of ancillary social and community services to participants and follow-up individualized counseling assistance and performing additional tasks as assigned.

### **Essential Duties and Responsibilities**

**The following duties are normal for this job. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.**

#### **1. Presence at Staffing and Court**

Staff will be present for team staffing and court sessions

#### **2. Preparation for Staffing**

- a. Staff will prepare written updates on participants and referrals 24 hours before court begins. If written updates on a certain participant are not available at that time (because of treatment that happens after the reports are due), staff will note that in the written update and be prepared to give an oral update in court. This means the liaison will need to coordinate internally with ABHS and use their Electronic Health Record to gather information each week.
  - i. The information provided shall include Whether participants have attended all treatment; any missed treatment needs to be addressed as soon as possible
  - ii. Within the bounds of what is appropriate, information for the court team about the participant that could affect the participant's compliance with court requirements
1. Examples: poor participation, "attitude", budget problems, marital issues, issues with children/childcare/transportation, trauma history, housing, or domestic violence issues
- b. Referrals:**
  - i. If Releases of information have been obtained, provide the court information on ABHS treatment history and diagnosis information.
  - ii. If assessment has been done, report to the court results of that assessment (diagnosis information, severity of illness, drug/alcohol abuse information, appropriate treatments through ABHS, identification of any outside services that may be needed or areas that ABHS may not be able to address in local office)
  - iii. Complete Jail evaluations as assigned by the court coordinator and/or arrange these to be completed with the assistance of the Center Director.
- c. Case Management for Participants**
  - i. Act as the ABHS representative on the team. Act as the court liaison in the clinic.
  - ii. Assist in initial intakes and coordination of treatment within the clinic and ABHS. This includes referrals to individual, group, PSR-I, Case Management, Day Programs, medical, ITP, and ACT Services.

- iii. Provide Linkage and follow-up to ancillary support services for participants in an effort to coordinate the utilization of community-based services such as health and mental health services, victims' services, disability housing, entitlements, transportation, education, vocational training, and job skills training and placement to provide a strong foundation for recovery.
    - iv. Acting as the Court Team rep in the ABHS clinic. Educating staff on the Court Program rules, client goals in the program and anything that may help the treatment provider working with the participant. Providing case management based on the individual needs of each participant.
- 3. Conduct rehabilitative sessions and skill groups with participants as needed.**

This will be based on the needs of the program and subject to which curriculum staff are trained. Treatment will be evidence based and manualized when possible and appropriate for accountability courts. Examples may be WRAP, CBI, MRT, Dialectical Behavioral Therapy (DBT), Seeking Safety, Illness Management and Recovery (IMR)
- 4. Notifying Court Coordinator about significant issues when they arise**
  - a. Examples of this could include hospitalizations, non-attendance at treatment and inability to get in touch with the participant, learning about a positive drug screen or relapse, medical emergencies, family emergencies, etc.
- 5. Program improvement suggestions**
  - a. Help to provide input on how to improve the program as needed. Examples include: Offering a group/service that is new to the clinic or ABHS.
- 6. Follow standards as set by the state and assisting the court in meeting those standards.**
  - a. The Liaison will be provided a copy of the state-standards and will become familiar with them.
- 7. Attend required trainings for the court and ABHS.**
- 8. Maintain regular contact with Court Coordinator.**

The frequency will be determined based on the needs of staff and the program.

**Minimum Training and Experience Required to Provide Court Liaison Services**

Bachelor's degree in social work, psychology or related field. Licensure and/or certification in one or more counseling, addiction or social work fields; or any equivalent combination of education, training, and experience which provides the requisite knowledge, skills, and abilities for this position.

## Item Cover Page

### BOARD OF COMMISSIONERS AGENDA ITEM REPORT

**DATE:** February 10, 2026

**SUBMITTED BY:** Trey Wood, Finance

**ITEM TYPE:** Board Action

**AGENDA SECTION:** **New Business**

**SUBJECT:** Consideration to approve the declaration the attached list of capital assets following the government-wide inventory.

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**Purpose:**

Consideration to approve the declaration the attached list of capital assets following the government-wide inventory.

**Background/Summary:**

Following a county-wide inventory of 1,954 capital assets with the assistance all Constitutional, Elected Officials and Department Directors. It has been determined that 20 of those capital assets need to be disposed in order to accurately update the capital asset listing.

**Options:**

- Approval of declaration
- Denial of declaration

**Finance Officer Comments (if applicable):**

**ATTACHMENTS:**

[Disposed Assets.pdf](#)



Asset # Description	Serial/Parcel	Loc. Descr	Fiscal Yr	Age	Est Useful Notes	ACQ COST	CURR BOOK VAL	LTD ACCUM DEPR
646 TOWER-COMMUNICATIONS-180'	30 N. BROAD ST. - OLD JAIL	E-911	1991	34	10 REMOVED OCT 2024	30,000.00	0.00	30,000.00
241 AUTOMOBILE-2003 FORD 4X4	1FTRW08L63KD11073	Sheriff	2003	22	5 sold 6/21/23	27,221.00	0.00	27,221.00
281 FENCING	N/A	Roads & Bridges	1996	29	15 replaced	25,693.00	0.00	25,693.00
8443 NETWORK SWITCHES	PROJECT # CS016	Information Technology	2017	8	10 PER JOHN-REPLACED	24,699.00	6,998.05	17,700.95
6482 SOFTWARE-RECWARE ACTIVE LICENSES		Parks & Recreation	2005	20	15 obsolete	19,683.00	0.00	19,683.00
584 PLAY UNIT	N/A	Parks & Recreation	2000	25	15 replaced	18,500.00	0.02	18,500.00
8016 CONVECTION STEAMER-CLEVELAND RANGE	1304230000419	Jail	2013	12	10 SCRAPPED	14,763.63	0.00	14,763.63
8038 FURNITURE FOR THE NEW JUDGE COURTROOM 1		Superior Court	2013	12	10 replaced	10,222.50	0.00	10,222.50
526 CABINET-3 UNITE-MOVEABLE SPACESAVER	N/A	Human Resources	1990	35	10 trashed	10,000.00	0.00	10,000.00
7145 FENCING FOR WORK RELEASE		Jail	2008	17	15 not boc property	9,250.82	0.00	9,250.82
6121 SCHOOL FLASHERS-COUNTY LINE ELEM	N/A	Roads & Bridges	2004	21	15 replaced	8,964.00	0.00	8,964.00
647 TOWER-COMMUNICATIONS-180' ROHN 80	233 E. BROAD ST.	E-911	1994	31	15 REMOVED OCT 2024	8,800.00	0.00	8,800.00
7716 BAD BOY AOS MODEL 7200 AIR COOLED VANGUA	4104266	Jail	2010	15	10 DONATED TO WINDER LIOI	8,748.00	0.00	8,748.00
7717 BAD BOY AOS MODEL 7200 AIR COOLED VANGUA	4104265	Jail	2010	15	10 SCRAPPED	8,748.00	0.00	8,748.00
7106 FENCING FOR WORK RELEASE	N/A	Jail	2007	18	10 not boc property	8,041.00	0.04	8,041.00
7066 UNIMAC UC60BN2 WASHER EXTRACTOR	702004356	Jail	2007	18	5 replaced	7,604.78	0.00	7,604.78
7067 UNIMAC UC60BN2 WASHER EXTRACTOR	702004357	Jail	2007	18	5 replaced	7,604.78	0.00	7,604.78
2 DISHWASHER HOBART AM14C	231054139	Senior Center	2002	23	10 replaced	6,300.00	0.00	6,300.00
9 TOP DRESSER ATTACHMENT TORO 44501	70158	Parks & Recreation	1997	28	10 replaced	6,017.00	0.00	6,017.00
148 POWER CONDITIONER GENESIS 440A	40014	Administration	1991	34	10 obsolete	5,300.00	0.00	5,300.00
						\$ 266,160.51	\$ 6,998.11	

Signature \_\_\_\_\_  
 Chief Financial Officer

\_\_\_\_\_ Date

Board of Commissioner  
 Approval Date \_\_\_\_\_