

## Winslow Park – Master Plan Narrative

2/28/2025

**Applicant:** W&A Engineering, Georgia for D.R. Horton, Inc. and Walton  
**Location:** 4500 Atlanta Hwy  
**Tax Parcel:** 044 025  
**Size:** 200 Acres approximately  
**Current Use:** Vacant /Undeveloped  
**Current Zoning:** RS-5, RM-2 and CG (PD)  
**Proposed Zoning:** RS-5, RM-2 and CG (PD)  
**Current FLU:** Traditional Neighborhood  
**Proposed FLU:** Traditional Neighborhood

### Introduction

The purpose of this submittal is to amend the existing / approved Planned Development (PD) which consists of 200.50 acres located at 4500 Atlanta Hwy in Athens-Clarke County (ACC) Georgia. The changes being requested of the existing PD are intended to be more in alignment with the demands of the housing market and will result in the construction of a more diverse mix of housing than previously requested and approved.

### Development History

The planned development was originally approved by Athens-Clarke County (ACC) in June 2007 and would be developed by Vintage Communities. Despite the anticipation and desire for the development to be completed, factors including the economy resulted in the development not being completed by Vintage Communities, but instead being placed on the market. In March 2014, Walton Development purchased the property and requested to amend the Planned Development, to make it more attractive to the current market conditions. The result was an amended PD which focused on the single family and commercial components. That PD was approved by the Mayor and Commission in May of 2016. Since that approval, approximately 7.4 acres of the commercial area located in the southeastern corner was subdivided and rezoned to remove it from the PD. The remaining commercial portion of the PD is now under new ownership. The exception to this being the strip of land that will be utilized to access the residential development, which was a condition of the sale. Walton Development and D.R. Horton have established a partnership to develop the residential element according to the submitted site plan, while leaving the remaining commercial section unchanged from the previously approved PD as depicted on the included commercial exhibit. It is important to note that previous versions of this PD have not had approval conditioned upon the commercial portion being built before residential portions could be permitted.

### **Project Description/Land Use Summary**

The property is currently zoned as follows:

- 40.34 acres as RM-2(PD) (Residential Multi-Family-Planned Development)
- 158.75 acres as RS-5(PD) (Residential Single Family-Planned Development)
- 1.41 acres as CG-(PD) (Commercial General – Planned Development)

### **Comprehensive Plan Compatibility**

The 2023 Comprehensive Plan recommends the following policies which support the approval of the proposed request.

- Increase the amount of and provide access to affordable housing.
- Increase the supply and variety of quality housing units, at multiple price points, in multiple locations, to suit the needs of a variety of households.
- Create nodal development tied to transportation, healthcare, schools, jobs, workforce, and housing.
- Promote intra- and inter-connectivity within and between neighborhoods while discouraging cul-de-sac development.

The approval of this reinitiation of a previously approved PD will provide a significant number of new housing units. The location, near a major employer and in an area where growth has been and continues to be anticipated, supports the approval of this request.

### **Future Land Use Map Compatibility**

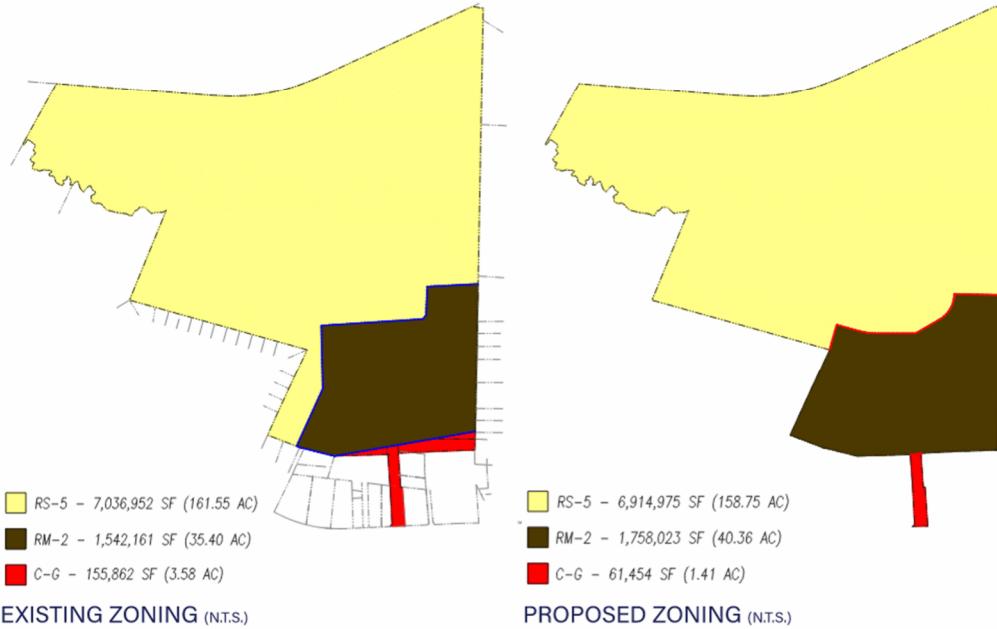
The Future Land Use Map indicates that the subject property is currently designated as Mixed Density Residential and General Business. This request will not require an amendment to the approved future land use map.

### **Zoning Map Compatibility**

On the following page is an exhibit comparing the existing zoning district to the proposed. The major differences between the two are the small strip of RS-5 along the lower western edge of the property being converted to RM-2 and a cleanup of some remnant commercial CG zoning along the property border with the future Hyundai site.

## WINSLOW PARK ZONING EXHIBIT

4500 ATLANTA HIGHWAY, ATHENS, GA



## **Utilities**

Current public services, including physical facilities and staff are sufficient to support the proposed development. The proposed development will require public water and sanitary sewer services. According to a letter dated May 30, 2024, from Athens Clarke County Public Utilities Department there is currently both water and sanitary sewer capacity available to serve the demands of the proposed development.

An approximate sanitary sewer extension is depicted on the Master Plan, pending final engineering and easement agreement.

At the time of this application, both DR Horton and the property owner have agreed to language for an easement agreement with the Rocklyn Development to provide a route for gravity sewer. This tentative route has been depicted on the plans and is subject to final engineering and agreement between the parties.

## **Solid Waste**

Residential solid-waste collection will be provided by a licensed provider. Individual lot owners will be responsible for establishing their own service, with the multi-family units service provided by the property managers in compliance with the Dumpster Service requirements found in Sec 5-2-16 (a) (1) of the Athens Clarke County Code of Ordinances.

## **Tree Canopy Cover**

Most existing canopy in the RM-2 area consists of volunteer pine trees, while the northern end of the property contains a much more diverse canopy. To provide an appropriate amount of tree canopy cover across the entire development and to preserve the canopy more deserving of protection and preservation, the following requirements are proposed:

- In place of individual regulations of each zone, the applicant is requesting that the requirements for the site be regulated as a whole. A total required percentage for conservation and total canopy has been generated based on the individual zone's requirements per their acreages as a percentage of the total project area. This results in a conserved canopy requirement of 16.98% and a total canopy requirement of 42.01%.
- We are also proffering that the minimum total canopy be increased from 42.01% to 45% and depict total canopy of 48.21% on the Master Plan. This additional proffered percentage of total canopy equals 5.22 acres.

### **Stormwater Management**

The Winslow Park Planned Development will comply with all state and local stormwater regulations.

The 25-foot State Waters Buffer, and the 75-foot ACC Environmental Areas Buffer shall remain undisturbed, except in the case of a stream crossing for roads or utilities.

Stormwater Management shall be designed to protect the watershed from pollution and erosion. In addition, the stormwater management for Winslow Park shall protect downstream properties from flooding. The stormwater management design shall be in accordance with the Georgia Stormwater Management Manual and all ACC regulations.

As outlined in the section "Bedgood Lake Dam", Walton is completing upgrades on Bedgood Lake Dam. An engineering evaluation of the existing freeboard capacity of Bedgood Lake shall be performed in order to determine the best method for stormwater management.

Final details and design of stormwater structures will be completed during the site development/civil design phase of the project. The general locations of stormwater facilities depicted on the submitted site plans are accurate as of the date of this submittal but may need to be moved to accommodate the final grading, soil conditions, or other factors that could impact feasibility. The required stormwater concept meeting was held on June 4, 2024 with Public Works staff.

### **Bedgood Lake Dam**

The existing dam on Bedgood Lake is a Category I dam which had safety deficiencies when the current owner purchased the property. An Emergency Action Plan and an Operations and Maintenance Plan have been completed in accordance with the Georgia Safe Dams Act. In 2023 the lake was drawn down as recommended by the engineer of record, to maintain the lake in anticipation of repairs being performed within two years.

The Developer and their engineer shall coordinate with ACC PW stormwater staff during the civil design phase to assess the possibility of lowering the dam height below 25 feet from its current height of 28.9 feet.

During the land development permitting phase, the developer and their engineer will determine the freeboard and storage capacity of the lake in its current state and after a height reduction to determine if it can provide a portion of the stormwater flood control for the Winslow Park development.

### **Phasing Plan**

The complete phasing strategy for this project is under development. It is currently understood that stormwater and utility infrastructure are likely to be a large portion of the first phase. This includes the main road into the project, the rerouting of the public sewer from the southern portion of the site to the across the creek, and the rehabilitation of the dam and lake for managing stormwater. It is likely that the developer will want to try and capture some ability to bring homes online as part of this first phase. This could potentially include part of the townhomes and the most southern sections of single-family. Given the overall size of the project and limitations to mass grading, the project will require a minimum of four phases, assuming approval of the waiver to increase disturbance limits to 50 AC per permit. Details for the phasing will be made clear at the preliminary plat phase of the project.

### Design Guidelines

The design guidelines for Winslow Park have been included in this submittal. The package of required elevations for the proposed single-family, townhome, cottage, and casita units will constitute a menu of floorplans for each pod from which the builder may choose. All units as submitted comply with Sec-9-25-8 design guidelines for single family residences.

Public street and sidewalk design will be in accordance with all applicable ACC ordinances and TPW's Technical Standards, and the roadway design speed shall be 25 mph.

### Traffic

A Traffic Impact analysis was produced as part of the preliminary rezoning submission. Since that time the plan has changed to produce a slight decrease in single family units and a moderate increase in multi-family units. Based on the findings of the original TIA we do not believe that these changes will result in a material change to the findings. It is understood that a traffic signal is likely going to be required at the main project intersection and that a signal warrant analysis will be required during the plan development phase of the project.

Below are the findings from the original trip generation:

ITE Code	Land Use	Unit Count	Daily Trips	AM Peak Hour			PM Peak Hour		
				Entry	Exit	Total	Entry	Exit	Total
210	Single-Family Detached Housing	421	3970	74	221	295	249	147	396
215	Single-Family Attached Housing	219	1577	26	79	105	74	51	125
220	Multifamily Housing (Low-Rise) Not Close to Rail Transit (220)	238	1604	23	72	95	76	45	121
<b>Total</b>		<b>878</b>	<b>7,151</b>	<b>123</b>	<b>372</b>	<b>495</b>	<b>399</b>	<b>243</b>	<b>642</b>

Based on the findings of the Traffic Impact Study the following actions are recommended:

- Prepare a Traffic Engineering Report with a Warrant Analysis for the SR 10/US 78/Atlanta Highway at Site Driveway intersection to determine if the installation of a traffic signal is justified. This work would be performed as part of the plan development phase of the project.
- Athens-Clarke County should perform a signal optimization study for the SR 10/US 78/Atlanta Highway corridor from Jennings Mill Road to Cleveland Road once GDOT Project PI 122890 is completed and the Georgia Square Mall redevelopment is nearing buildout.
- Athens-Clarke County to consider sponsoring a project to improve the operations of the SR 10/US 78/Atlanta Highway at SR 10/US 78/Monroe Highway/Tall Tree Road intersection.

### Public Transportation

The Developer and Engineer have spoken with A-CC Transit. The A-CC Transit System does not currently extend to the proposed development. The Developer agrees to coordinate with A-CC Transit throughout the design and site development process to identify the appropriate location and design of any future transit stops at the site.

### Connectivity

Following the example set by previous iterations of this Planned Development, the Master Plan depicts a future connection to Whitetail Way, pending dedication of right of way from adjoining properties.

### Architecture

The proposed project contains five (5) general product offerings. There are two (2) multi-family options, and three (3) single family options.

The two multi-family options which are contained within "Pod A" are

- 1) Apartments which are made up of two different building types
- 2) The "Casitas" which are also made up of two different building types

The three single-family options are:

- 3) Pod B Townhomes which are shown primarily with rear entry / alley-loaded garages which are roughly  $\frac{1}{4}$  of the total units with the remainder being front loaded.
- 4) Pod C Single family homes.
- 5) Pod C Single family cottages (located in the northwestern section of the project). These units are smaller than the typical single-family unit, allowing for a lower price point.

See the architectural packet for additional information.

### Multi-family Building Orientation

The majority of the single-family townhomes and multi-family casitas are designed with rear-loading garages accessed from alleyways, allowing the front of the units to face shared greenspaces. This orientation offers several benefits to residents. First, it creates a pedestrian-focused community space at the front of the units, free from pedestrian and vehicular interactions. This design is particularly advantageous for young families, as it provides a safer area for children to play. Unlike traditional backyards, which are often isolated, the connected green spaces encourage greater community interaction.

Replacing streets with alleyways and green spaces also reduces the public infrastructure required to serve these residences. The alleys and green spaces are maintained by the development association, lowering maintenance costs for the municipality. Additionally, the reduction in infrastructure cuts overall land development costs, making home prices and rents more affordable.

This design minimizes impervious surfaces, which reduces stormwater runoff and mitigates the heat island effect. To ensure the benefits of traditional streets are not lost, the project includes a **commitment to planting one tree for every 30 feet of unit facing greenspace length within the RM-2 zone**. While this is half the density required for public streets—where trees are planted on both sides—it aligns with the goals of this development, which aims to maintain open grassy areas for play. Planting two trees per 30 feet, as per standard street requirements, would eventually shade out these grassy areas, limiting their functionality for recreation.

The green spaces are designed to maximize usable space by positioning sidewalks along the outer edges, except for one section of the Casitas. This layout ensures a minimum greenspace width of 20 feet at its narrowest point, expanding to as much as 44 feet in the widest areas.

Visitors and delivery personnel have flexible parking options. They can park in the driveways at the rear of the units and access homes through the garage entry, or they can park off-site and utilize the greenspace sidewalk network to reach the units

**Density**

The applicant is requesting a density waiver for the ability to transfer density between the RM-2 and RS-5 zones to meet the density requirement for the Townhomes (Attached Single). There is enough area within the RM-2 limits to support the multi-family (Apartments and Casitas), which requires 21.88 AC. The remaining balance of RM-2 land (18.45 AC) is not sufficient to also support the townhomes in Pod B which require a total of 36 AC. The additional land needed (17.55 AC) can be transferred from the RS-5 area since there is a significant amount of unused density within that Pod (92.56 AC). The density standard for both the RM-2 and RS-5 zones is the same at 6 lots per acre.

Pod	Product Type	Density Requirements	Area Required for Proposed Density	Provided Acreage
A	Multi-family	24 Beds Per Acre	21.88 AC	19.78 AC
B	Attached Single	6 Lots Per Acre	36 AC	20.55 AC
C	Detached Single	6 Lots Per Acre	65.83 AC	158.39 AC
			<b>123.68 AC</b>	<b>198.72 AC</b>

RM-2 Area	40.33 AC
RS-5 Area	158.39 AC

**Requested Waiver of Ordinance Standards**

1. **9-25-8-c-1(a),(b). Residential Design Standards for RM Zones, Orientation Requirements**  
**&**
2. **9-25-8-b-5 Primary Entry from Public Street and Sidewalk.**  
**&**
3. **9-26-3-(B) Dedicated public streets required.**

Most of the interior units in the RM district will consist of alley-loaded homes facing a common green. The orientation of these units conflicts with the site design standards requiring frontage on public streets. Instead of public streets, the common greens will be located within dedicated common spaces, which will include the necessary access and utility easements typically found in a public right-of-way. Additionally, the applicant has committed to planting one tree per 30 linear feet of the center green's length. This approach preserves the intent of the code by creating a neighborly residential environment, where neighbors will face a shared front yard, instead of a busy street. Per the proposed layout, no unit's front façade will face the rear façade of another unit. For additional information see the "Multi-family Building Orientation Section" in this report.

4. **9-25-8-c-3 Allow block lengths greater than 500 feet, and block sizes greater than 3 acres.**  
**&**
5. **9-26-3-O-2 Maximum block dimensions.**

The site's topography and environmental constraints limit the developable area to specific locations, necessitating concentrated lot layouts to achieve moderate density. The proposed plan makes significant efforts to address the code requirements. For instance, green space breaks have been incorporated into the single-family detached portion (Pod C) of the plan. The maximum proposed block dimension is 803 feet, located along the eastern edge of the property. The RS block areas have been brought into compliance by splitting blocks with open space areas of 50 feet in width, or greater.

While the Pod B plan does not strictly meet the technical standards due to block separations being less than 50 feet in alleyways and center greens, it aligns with the intent of creating walkable, appropriately scaled blocks. The townhome and casitas sections exceed the maximum block dimensions and lengths only in the confines of the ordinance. Appearance and function will be far from the monolithic block sizes the ordinance seeks to prevent. See the "Winslow Park Block Exhibit" attached to this report detailing the areas of compliance and deviation within the plan.

6. **Sec. 9-26-2-(A)6-d. (2) land disturbing activity shall be limited by permit to a maximum amount of 25 acres total disturbed acreage**

The applicant is requesting relief from the current limitations to allow for a maximum of 50 acres of land disturbance per permit. Several reasons support this request.

First, the size of the project area. The disturbance area within the RS-5 portion of the site could reach up to 130 acres. A project of this size requires a comprehensive approach to achieve balanced earthwork. Efficient operations depend on areas of cut and fill working in harmony, however these areas are often separated, making coordination difficult, if not impossible, under the current 25-acre limitation. In some cases, temporary retaining walls may be needed to bring road networks to grade

efficiently if the phased area does not allow for simultaneous grading of surrounding future lots. In other cases, large stockpiles might need to be generated which force material to be moved multiple times under separate mobilizations. The more mobilizations, the more costs.

Additionally, managing stormwater for projects of this scale is severely hindered by the existing area restrictions. The site relies on creating a cohesive stormwater management system that integrates with the existing lake. Positioning the land to function within this framework may require working beyond a 25-acre cap. While runoff reduction will be managed throughout the site and as close to the treated impervious areas as possible, it will be necessary to route larger stormwater flows to the existing lake via gravity storm drains. Allowing the site to be disturbed and graded strategically would prevent excavation and installation of overly deep storm drain networks.

Similar to the challenges of managing stormwater are the challenges to installing road networks and utility infrastructure. This project plans to comply with A-CC's roadway horizontal and vertical geometry requirements and to implement gravity sanitary sewer throughout the site. These efforts will require simultaneous work over large areas and will be overly complicated if forced to conform to the current disturbance limitation. Such complications lead to increases in site development costs. Similar to the installation of storm drain and roadway geometry, allowing the site to be disturbed and graded strategically would prevent deep excavation and overly deep sanitary sewer networks.

The current disturbance limitation also impacts project phasing. For this property, the restriction could double the number of phases required to complete the project. This inevitably leads to unnecessary additional mobilizations, prolonged total site disturbance time, and delays in bringing products to market. Such delays increase the risk of missing favorable market conditions for consumption.

Overall, the most significant impact of these limitations is the increase in development costs, which are invariably passed on to the end user. This results in higher housing costs, a direct contradiction to the community's need for obtainable housing.

**7. 9-26-4-(B) Required on-street parking reduction from 108 to 44 in Pod B and 198 to 154 in Pod C.**

The narrow lot widths in this development limit opportunities for on-street parking. Additionally, many of the Pod B townhomes face green spaces, further reducing the availability of on-street parking. However, all units in these areas will meet the minimum off-street parking requirements and, in many cases, will provide additional parking within their driveways. For instance, the townhomes in Pod B will have 16-foot-wide driveways, which can serve as additional parking areas for guests in addition to the garages. Combined with the available on-street parking, this should help to address visitor and delivery parking needs.

**8. Table 9-8-3 To calculate density for the RM-zoned portion based upon the gross site acreage.**

The overall site acreage for both the RM-2 and RS-5 portions is 198.72 acres, while the total acreage required to develop the site at the density shown is only 123.68 acres. We request that the density be calculated based upon the total acreage of the site needed to provide the density on the plan, instead of strictly based upon the acreage of each respective zoning designation.

### **Code Compliance and Comment Response**

1. *Plans do not provide sufficient information to verify that the single-family lots will meet the 50% lot coverage maximum in Sec. 9-7-3. Since no waiver has been requested, the applicant is expected to adhere to that standard. This can be remedied at the plans review stage.*

With the variety of housing sizes presented in the architectural package, the lots will comply with the 50% maximum.

2. *Plans do not provide sufficient information to verify compliance with the density calculations of Sec. 9-7-4.*

Density allocation calculations showing compliance with code requirements are depicted on the Master Plan. Also, See requested Waiver #8.

3. *Plans do not provide sufficient information to verify compliance with the open space requirements for the RS-5-zoned portion of the site, as required by Sec. 9-7-6.*

Open space calculations are depicted on the PD Master Plan and exceed minimum open space requirements for each pod.

4. *The townhouses and multi-family densities proposed for the RM pods exceed the allowable density of Sec. 9-8-3 (Table 9-8-3). A waiver is required to calculate density based on the gross site acreage. Satisfaction of Code Compliance Item #2 will be required prior to granting the waiver.*

A waiver for RM density calculation based on the gross site acreage has been added to the request.

5. *Lot coverage calculations were not provided for the RM pods of the site to meet the requirement of Sec. 9-8-3 (Table 9-8-3).*

RM-2 lot coverage calculations are shown on the Master Plan. Both Pod A and B are below the 65% coverage maximum.

6. *Staff could not verify that the elevations for Pod B's A2, A3, B2, and B3 units (Sheets A3.5.2 & A.3.5.3 A.3.6.2 & 3.6.3) and Pod C's A-1 Sullivan unit (Sheet M4) meet the design features required by Sec. 9-25-8(B)1. This can be remedied at the plans review stage.*

&

7. *The scale on the documents was not correctly calibrated to verify compliance with garage façade limit of 40% in Sec. 9-25-8(B)2. This can be remedied at the plans review stage.*

&

8. *Elevations do not appear to meet the fenestration requirements for end units per Sec. 9-25-8(B)4, although Staff was unable to make a final determination due to an incorrectly calibrated scale. This can be remedied at the plans review stage.*

&

9. *There is not enough variation among unit styles to comply with Sec. 9-25-8(B)3. Design elements such as those listed in Sec. 9-25-8(B)1 must be varied. Façade material changes do not qualify. The applicant has acknowledged this and will remedy at the time of plans review.*

&

10. *Plans do not show enough information to demonstrate compliance with the trim requirement in Sec. 9-25-8(B)6. This can be remedied at the plans review stage.*  
    &  
11. *Staff could not verify that the applicable units in the RM pods have enough fenestration to meet the 25% minimum required by Sec. 9-25-8(C)1.c.*

All architectural elevations will meet code requirements. Any remaining issues will be clarified during plans review.

12. *Applicant needs to add Sec. 9-25-8(B)5 to the orientation waiver request for Sec. 9-25-8(C)1.*

A waiver from this standard has been added to the request.

13. *Staff calculations of the open space in the RM pods did not match the calculations provided by the applicant, so it appears that the RM pods do not have enough open space to satisfy Sec. 9-25-8(C)7.*

Open space calculations have been revised and added to the Master Plan.

14. *No children's play area was provided as required by Sec. 9-25-8(C)7.c.*

Play spaces have been added to both RM-2 pods on the Master Plan.

15. *Applicant will need to improve all of Dakota Drive to satisfy the requirement of Sec. 9-26-3(Q). In the event that a connection to Whitetail Way is constructed, it would also need to satisfy Sec. 9-26-3(Q).*

Acknowledged.

16. *The multi-family units in Pod A do not have bike parking to comply with Sec. 9-30-5(B). Bike racks must comply with Sec. 9-30-5(D). This can be remedied at plans review.*

Bicycle racks to be added at the Plans Review stage.

17. *The ACC Arborist does not support the applicant's request that the tree canopy cover requirements for the site be regulated as a whole, i.e. an average taken of the total tree canopy cover requirements of RM-2 and RS-5 and be applied to the entire development. As each zone of the development is treated with a specific style of building, so should each zone be treated specifically (per the code) in regards to canopy requirements.*

The existing canopy on the site is not of uniform quality. Existing canopy within the RM-2 zoned area is largely made up of volunteer pine trees. The existing canopy in the RS-zoned portion of the site is more diverse and is more worthy of preservation. The Master Plan proposes that a greater percentage of total conserved canopy for the site comes from these large conserved canopy areas, which act as a bank for the rest of the site to use for compliance with code requirements.

18. *The applicant will be expected to construct the sewer line to the edge of the subject property at a point where it can serve as a gravity-based connection to the project at 5100 & O Atlanta Hwy, and 2499 Cleveland Rd (PD-2023-12-2459) approved by the Mayor & Commission on August 6, 2024.*

An exhibit depicting the sanitary sewer connection has been included in this submittal. See also "Utilities" on page 4 of this narrative.

19. *Fire Hydrants required at all intersections. Some intersections are missing hydrants.*

Revised and added to the utility plan.

20. *In contrast to the preliminary site plan, the segment of Street 'B' (shown to be public) east of the roundabout is now shown to have diagonal on-street parking. This arrangement is not deemed to be safe and the additional pavement area and striping needs over those of parallel parking is an increased maintenance burden.*

This segment is now depicted as private.

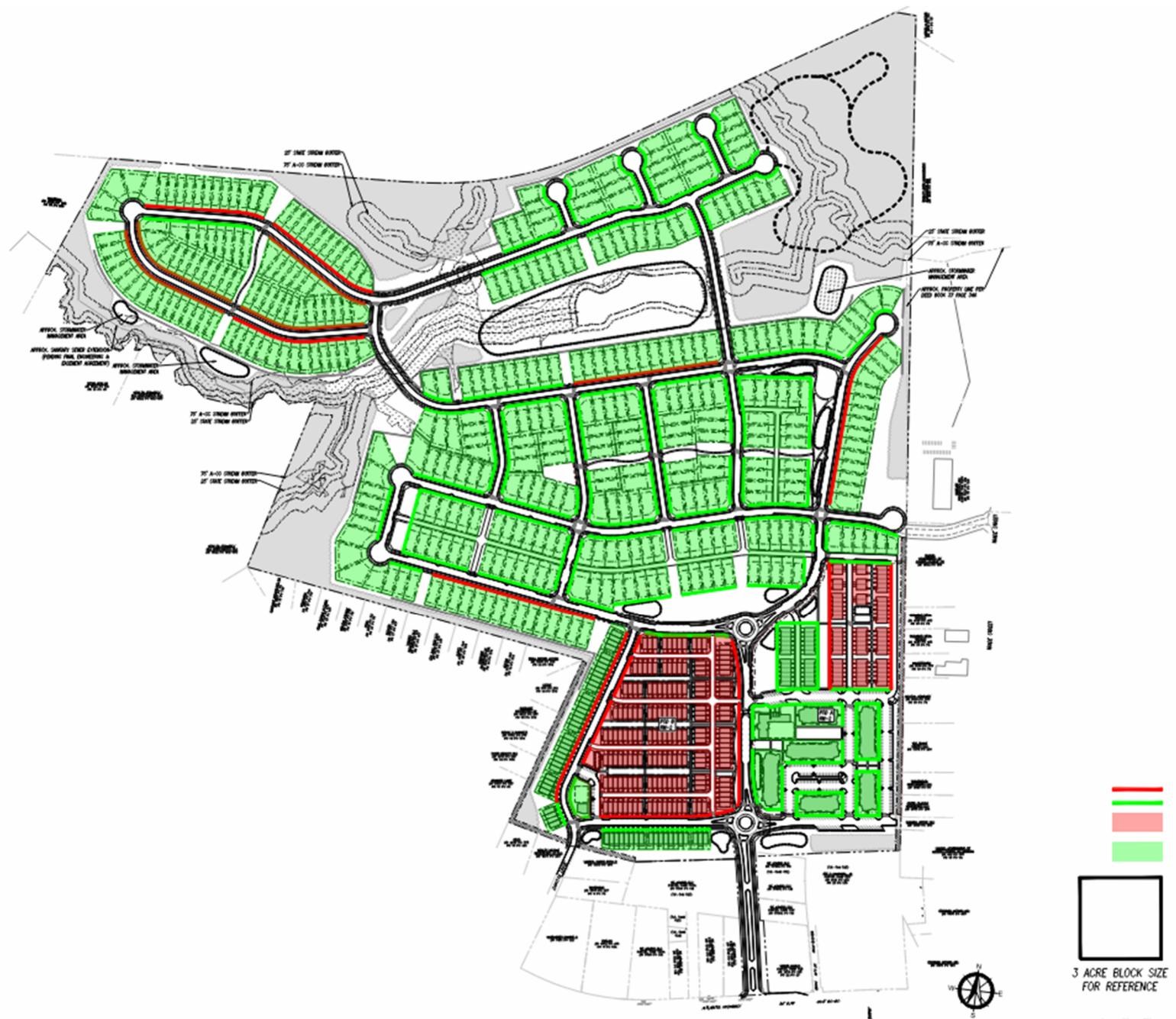
21. *If Street 'B' is to be public, it needs a cul-de-sac at the eastern end to facilitate vehicles being able to turn around without backing up.*

This segment is now depicted as private.

22. *Per the preliminary review, the binding plan needs to demonstrate that the driveway separation requirements between adjacent driveways and between driveways and adjacent street intersections of the ACC Driveway Ordinance will be met. According to the lot dimensions shown, they will not.*

A driveway separation requirement of 50' and a minimum lot width for single-family attached units of 25' are incompatible with one another. The driveway separation requirement is an absolute necessity on collector and arterial streets for safety. However, on local streets with a 25 mile per hour posted speed limit (as shown on the plans), this requirement serves only as an obstacle to townhome development.

## Winslow Park Block Exhibit



## STATEMENT OF REQUEST AND LEGAL OBJECTIONS

Walton is the owner of the subject property located at 4500 Atlanta Highway Athens-Clarke County, Georgia.

The request is aligned with the general goals, policies and objectives identified in the Comprehensive Plan and is in keeping with the current Future Land Development Map. This request is an amendment to the residential portions of the existing Planned Development and does not represent a significant departure from the intent of the existing plan.

Under these circumstances, a denial of the Request in question would be unlawful, arbitrary, capricious, irrational and a manifest abuse of discretion; all in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia.

Denial of the Request would discriminate unfairly between the Appellant and others similarly situated, in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia.

Denial of the Request would amount to a taking of property, in violation of the Fifth and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I, and Article I, Section III, Paragraph I of the Constitution of the State of Georgia.

For these reasons, we respectfully request Approval of this request. We also wish to preserve our rights for constitutional challenge if the case of a vote of denial to the request.

This 28th day of February 2025.

Respectfully submitted,



Scott Haines, PLA