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1924 - 2011

June 19, 2014

Mayor and City Council
City of Roswell, Georgia
38 Hill Street
Roswell, Georgia 30075



RE: Rezoning Application and Variance requests
110 Woodstock Street, City of Roswell, Georgia; Amended Letter of Intent

Dear Mayor and Councilpersons:

The Applicant is seeking approval of this Application for rezoning from RS-12 to RTH, and Variance requests to reduce the required 40' landscape buffer on the East and west boundaries to 20 feet, and to vary the Woonerf street type for the main interior road to include 5 foot sidewalks and permit pull-in 90 degree parking. Applicant has filed an Application with the City. This letter, together with the original Letter of Intent dated June 3, 2014, shall be construed as the Amended Letter of Intent for this Application.

Approving this Rezoning application has no negative impact on the health, safety, morality or general welfare of the City of Roswell or its citizens.

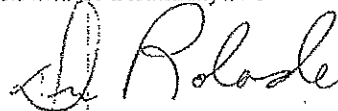
The granting of this rezoning will have no negative impact on adjoining or nearby properties. This development will not unduly tax any City of Roswell services, including, but not limited to fire and police protection, water service and garbage collection. To deny this Application will be of no benefit to the citizens of Roswell, Georgia while causing a severe financial burden upon the property owner and Applicant. This site is appropriate for the use requested. The project proposed herein is consistent with development in the surrounding area.

It is the position of the Applicant that the denial of this rezoning application is unconstitutional in that it destroys the marketability of the property and renders the property less valuable, and such zoning therefore constitutes a taking of the property without just and adequate compensation and without due process of law in violation of the Fifth and Fourteenth Amendments to the Constitution of the United States, as well as Article 1, Section 1, Paragraph 1; Article 1, Section 3, Paragraph 1(a); and Article 3, Section 6, Paragraph 2 of the Constitution of the State of Georgia (1983). The same effect would be true by imposing onerous, burdensome or unnecessary conditions on the property. Further, denial of this Application will deny Applicant and Owner equal protection of the law. The denial of this Application will constitute

an arbitrary, discriminatory and capricious act which is not founded in concern with the health, safety, morals or general welfare of the City.

The Applicant respectfully requests that the Roswell City Council grant this Rezoning Application and Variance Requests.

Very truly yours,
Rolader & Rolader, P.C.

A handwritten signature in dark ink, appearing to read "D. Rolader", written over a horizontal line.

Donald A. Rolader
For the Firm

cc: Brendan Walsh
Curtis Hicks