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January 18, 2013

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

RE: Site Plan Amendment and Variance RZ12-08, CV12-03  
JEH Homes, LLC  
1580 Old Alabama Road, City of Roswell, Georgia, Amended Letter of Intent

Dear Mayor and Councilpersons:

JEH Homes, LLC, the Applicant, is seeking approval of this Application for Site Plan Amendment and Variance request, and has filed an Application with the City. This letter, together with the original Letter of Intent dated December 4, 2012, shall be construed as the Amended Letter of Intent for this Application.

The Applicant is requesting approval to amend the approved site plan and to reduce the number of dwelling units from 94 to 81, reducing the density of the project to 4.98 units per acre.

The Applicant is requesting two concurrent variances, which are explained in Applicant's Concurrent Variance Justification Letter dated December 4, 2012. The contents of that letter are incorporated herein and made a part hereof by reference. Reducing the front setbacks allows Applicant to use the utility infrastructure without substantial modification, allowing the homes to be connected to water, sewer, electricity and gas without relocating the access points for each lot. The extra expense involved would be substantial, and would provide no benefit to the City of Roswell. All of the lots face internally, and there is no visual impact on Old Alabama Road.

Eliminating the requirement for sidewalks greatly reduces impervious surface in the development, and provides more of a community feel. The project has a central amenity lake feature with interconnecting access that serves the need sidewalks would provide. Again, the development is not easily visible from a public street, and creates no precedence issue, due to the function of the amenity. This variance is a "win-win" situation.

This application is not a rezoning request, and does not change the land use of the property. It is only a site plan change which reduces density, and allows the property to be successfully developed. JEH Homes has substantial experience in the north metro market in

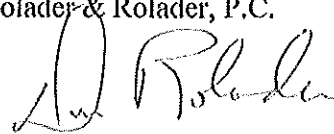
developing and selling this type of housing. There is a need for the product, and it will add single family homeowners in a busy business corridor.

The granting of this site plan amendment 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 and does not modify the Comprehensive Plan or the Future Land Use Plan.

It is the position of the Applicant that the denial of this amendment 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 additional onerous, burdensome or unnecessary conditions on the property. Further, denial of this Application will deny Applicant and Owner equal protection of the law.

The Applicant respectfully requests that the Roswell City Council grant this Site Plan Amendment and Variance Request.

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

A handwritten signature in dark ink, appearing to read 'D. Rolader', is written over the printed name.

Donald A. Rolader  
For the Firm

cc: Jim Jacobi