



Hall County Government

PUBLIC WORKS AND UTILITIES

October 23, 2025

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

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DIRECTOR
Jorge Gomez, P.E.

William (Bill) H. King III, P.E.
Assistant Director

Cameron Henderson
554 West Main Street Suite 700
Buford, GA 30518

Subject: Sanitary Sewer Letter of Availability
5079 & 5111 Old Winder HWY
Parcel Id No.: 15038 000059 & 15038 000076
Braselton, GA 30517

Dear Cameron Henderson,

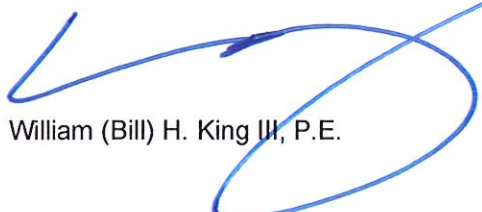
In response to your request, this letter will serve as confirmation that Hall County has sufficient volume to serve 5079 & 5111 Old Winder HWY Braselton, Ga 30517 for a proposed 120 lot/unit (estimated average daily flow of 24,000 GPD for single-family residence) at this time. The nearest sanitary sewer main to this address is located on Howington Road.

The nearest existing sewer line is located along Mulberry River. An outfall sewer line is to be constructed and dedicated to Hall County by developer at owners cost.

Sanitary sewer capacity allocation is available on a first come, first serve basis by purchasing the sewer taps. As such, this "availability" letter does not guarantee capacity. Additionally, this letter is non-transferable. If the project design changes, this letter is void and a new "availability" letter must be obtained.

If you have any questions or need more information, please call the Hall County Public Works and Utilities Department at 770-531-6800.

Sincerely,


William (Bill) H. King III, P.E.

Application for Sewer Availability Letter

Date: October 22, 2025

Name of Applicant: Cameron Henderson Contact Number: 678-978-6782

Address of Applicant: 554 West Main Street, Suite 700

City: Buford State: GA Zip: 30518 E-mail: cameron@atlaslanddev.com

Name of Agent: Steven P. Gilliam, Attorney for Applicant Contact Number: 770-536-3381

Address of Agent: 340 Jesse Jewell Parkway, Suite 300

City: Gainesville State: GA Zip: 30501 E-mail: sgilliam@sgwmfirm.com

THE APPLICANT NAMED ABOVE AFFIRMS THAT THEY ARE THE OWNER OR AGENT FOR THE OWNER OF THE PROPERTY DESCRIBED BELOW AND REQUESTS: (Please check the purpose of letter request and fill in all applicable information legibly and completely.)

AVAILABILITY: ☐ General Availability ☒ Rezoning ☒ Conditional Use Permit

Availability letters will require a minimum of one week from the date of application submittal.

Request from PRD & AR-IV to PRD
(Present Zoning) (Requested Zoning)

For the Purpose of Single-Family Attached Townhomes
(Type of Development)

Address of Property: 5079 & 5111 Old Winder Highway

Nearest Intersection to Property: Hwy 211 & Hwy 53

Size of Tract: 30 acre(s), Lane Lot Number(s): G.M.D. 392, District(s): _____

Development Estimate Average Daily Sewer Flow (GPD): 250 gpd X 120 = 30,000 gpd (average) 24,000 600

Property Tax Parcel Number: 15038 000059 & 15038 000076 (portion) Proposed number of Lots: 120

(Below: For properties within protected watershed districts only)

Gross Density: 4.0 units per acre Net Density: _____ units per acre

Estimated amount of impervious surface: Approximatley 9.0 ac Minimum Lot Size: 2,000 sf

Amanda Creech
Notary

[Signature]
Signature of Owner(s)/Agent(s)

Steven P. Gilliam
Printed Name of Owner(s)/Agent(s)

Attorney for Applicant
Title of Agent





SMITH GILLIAM WILLIAMS & MILES

Website: sgwmfirm.com
Phone: 770.536.3381
Fax: 770.531.1481
Mailing Address: P.O. Box 1098
Gainesville, GA 30503

Project Narrative for **5111 Old Winder Highway – 10.00 Acres**

October 20, 2025

LOCATION – 5111 Old Winder Highway (Hwy 211)

Braselton, GA 30517

APPLICANT – ADC Venture 5, LLC

CURRENT ZONING – AR-IV

PROPOSED ZONING – PRD

ACRES – 10.0 Acres

SUMMARY

The accompanying Application seeks a Rezoning from AR-IV to PRD for 10.00 acres of undeveloped property located at 5111 Old Winder Highway in Braselton, Hall County. The intent is to develop 38 townhome units of quality, 24' wide traditional single-family fee simple townhomes with an amenity area and above the required minimum of 30% open space. The proposed use is consistent with the Hall County Comprehensive Plan for residential use and appropriate for Hall County's Planned Residential Development (PRD) District for this location, which is residential and mixed-use corridor.

SITE DESCRIPTION

The overall tract is 10 acres adjoining to 5079 Old Winder Highway and located behind Chestnut Mountain Church of Christ. The water is provided by the City of Gainesville, and Hall County will provide sewer. There are no known impediments to its successful development for the purposes intended. All roadways within the development shall be designed and constructed to Hall County standards and dedicated to the county for public use. Thereafter, Hall County will maintain the roads.

ADJACENCIES & ACCESS

The property is surrounded by residential zonings (AR-IV) to the north, to the east, and to the south. Access to the property is from Old Winder Highway (SR 211), a two lane, paved and state-maintained roadway that connects to Winder Highway (SR 53).

Street Address:

Smith Gilliam Williams & Miles, P.A.
340 Jesse Jewell Parkway, Suite 300
Gainesville, GA 30501

In Your Community. *In Your Corner.*

PROJECT DIMENSIONAL STANDARDS

Parcel Size	10.00 acres
Proposed Number of Lots	38
Proposed Density	3.8 units/acre
Proposed Open Space	Above the 30% required minimum
Streets	Public
Water and Sewer Provider	Gainesville City Water and Hall County Sewer
Minimum Lot Size	2,088 sq ft
Amenities	1 Park
Storm Water Management Areas	1
Minimum Lot Width	24 ft
Minimum Setback from Sidewalk	22 ft from garage door to back of sidewalk
Internal Side Setback	0 ft
Minimum Rear Yard Setback from Property Line	0 ft
Sidewalks – Both Sides of the Street	5 ft
Garage % of Front Façade	70%
Minimum Lot Depth	87 ft
PRD Buffer	50 ft
Impervious Stream Buffer	50 ft
Stream Setbacks	75 ft
Mail Kiosk (CBU)	1 with 6 additional parking spaces on the adjoining 20-acre tract
Minimum Heated Floor Area	1,800 sq ft
Front Setback from Right of Way	17 ft, 10 ft on corner streets
Side Separation from Foundation to Foundation	20 ft between buildings

ARCHITECTURAL MATERIALS & SITE IMPROVEMENTS

All facades of all residences shall be finished with masonry (brick or stone), wood, or fiber cement/Hardi-plank type siding. The garage doors shall not exceed 70% of the front façade. The builder intends to build:

- Single Family Fee Simple attached dwellings with two-car garages (garage width not to exceed 70% of front building width)
- Front facades with a combination of masonry and fiber cement siding materials
- Side and rear facades with masonry, fiber cement siding, or shake siding
- Sodded yards (4 sides)
- Speed tables in coordination with Hall County Engineering
- Each building will be offset 4-5 feet from the neighboring buildings.
- All buildings contain four units.

INTERNAL SIGNAGE

The Developer and/or builder shall be allowed to post permanent directional signs and monuments within the Community to direct traffic to sales and recreation centers and to identify differing residential areas. All permanent signage must be outside of any Right of Way or Utility Easement with a Landscape and Signage easement recorded on the Final Plat.

AMENITIES

- 1 Park
- Guest Parking Spaces in 10-acre Tract: 6
- Total Guest Parking Included in Both Tracts: 49

CONCEPTUAL MASTER PLAN

The development of the community shall be controlled by the Conceptual Master Plan (the "Plan") attached as exhibit "A". The plan is considered conceptual in nature, and as such, may require minor modifications during the engineering and development process. Modifications to the locations and arrangement of lots, roads, amenities, and other improvements that do not conflict with specific standards and requirements of these conditions may be made by the Developer so long as such modifications do not change the land use, increase the overall density of the project or reduce any established exterior buffers or setbacks.

TRAFFIC IMPACT STUDY

The following recommendation is from Southeastern Engineers dated February 22, 2024:

SR 211 Atlas Drive

- Atlas Drive should be full-access, stop-sign controlled.
- Atlas Drive should be two lanes, one entry and one exit lane.
- Install a northbound right-turn storage lane on SR 211. Lane dimensions should meet GDOT minimum requirements.
- Install a southbound left-turn storage lane on SR 211. Lane dimensions should meet GDOT minimum requirements.
- No other roadway improvements are recommended for this development.

REQUIRED CONSTITUTIONAL AND ANTE LITEM NOTICE

Georgia law and the procedures of Hall County requires the Applicant to raise Federal and State constitutional objections during the PRD master plan application process. While the Applicant anticipates a smooth application process, failure to raise constitutional objections at this stage may mean that the Applicant will be barred from raising important legal claims later in the process. Accordingly, the following constitutional objections are stated:

The portions of the Hall County Development Code, facially and as applied to the Property, which restrict the Property to any uses, conditions, land use designations, development standards, or to any zoning district other than that proposed by the Applicant are unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph I and Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

The application of the Hall County Development Code, facially and as applied to the Property, which restricts the Property to any uses, conditions, land use designations, development standards, or to any zoning district other than in accordance with the application as proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States; Article I, Section I, Paragraph I, and Section III, Paragraph I of the Constitution of the State of Georgia of 1983; and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would be unconstitutional under the Takings Clause of the Fifth Amendment to the Constitution of the United States and the Just Compensation Clause of Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983. A refusal by the Hall County Board of Commissioners to approve the zoning conditions as requested would constitute a taking of the Applicant's property.

A denial of this Application would constitute an arbitrary and capricious act by the Hall County Board of Commissioners without any rational basis therefore constituting an abuse of discretion in violation of Article I, Section I, Paragraph I and Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States. A refusal to grant the PRD zoning request would lack objective justification and would result only from neighborhood opposition, which would constitute an unlawful delegation of the zoning power to non-legislative bodies in violation of the Georgia Constitution, Article IX, Section II, Paragraph 4.

A refusal by the Hall County Board of Commissioners to approve this Application for the Property in accordance with the criteria as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of the similarly situated property in violation of Article I, Section I, Paragraph II of the

Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any rezoning of the Property subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting Applicant's utilization of the Property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Property to a unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth 8 hereinabove.

Applicant / Owner reserves all due process rights granted to them under O.C.G.A. 36-66-5.1. et. seq, to petition the courts for review of a local government's exercise of zoning, administrative, or quasi-judicial powers, as set forth in those code sections and statutes.

Conclusion

For the foregoing reasons, the Applicant respectfully requests that this requested Rezoning to PRD to the existing AR-IV zoning be granted as requested by the Applicant. If there are any questions about this request, you may contact:

Applicant

Steven P. Gilliam
Smith, Gilliam, Williams & Miles, P.A
340 Jesse Jewell Parkway, Suite 300
Gainesville, GA 30501
770-536-3381
sgilliam@sgwmfirm.com

Additional Contact

Cameron Henderson
Georgia South Development, LLC
390 Brogdon Road
Suwanee, GA 30024
678-978-6782
cameron@atlaslanddev.com