

Item # 36 - provided @ 11/13/25 VM

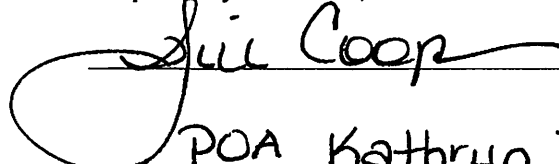
PRESERVATION OF CONSTITUTIONAL RIGHTS IN CONNECTION
WITH REZONING OF 10 ACRE SITE LOCATED AT 5111 Old Winder Hwy
(Tax Parcels # 1503800076) by _____

As an owner of property adjacent to the Subject Property, I respectfully submit that approving the zoning request would constitute an arbitrary, irrational abuse of discretion and an unreasonable use of the zoning power because the approval bears no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harms the adjoining and nearby property owners in violation of the due process and equal protection rights of said adjoining and nearby property owners guaranteed by 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. Further, to allow this use would constitute a taking of the adjoining or nearby owners' private property without just compensation and without due process 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.

Further, I respectfully submit that approving the rezoning would be unconstitutional and would discriminate in an arbitrary, capricious and unreasonable manner between owners of similarly situated property in violation of Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Equal Protection Clause of the Fourteenth Amendment of the Constitution of the United States.

Allowance of the use as proposed is not based upon any clear and articulable standards and is an unreasonable exercise of discretion resulting in an unlawful exercise of delegated authority in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution.

Respectfully submitted,



POA Kathryn Turk Cooper

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