



Andrea P. Gray LLC

Attorney at Law

July 28, 2026

Kristi Parr, Director
Walton County Planning Department
126 Court Street
Monroe, Georgia 30655

Re: Applicant: 81 Investment Company, LLC
Owner: 81 Investment Company, LLC
Property: 5187 Hwy 81, Loganville GA
Tax Parcel: C0390008
Request to zone 7.486 acres from A2 to B2 for a convenience store with fuel pumps and office warehouse/contractor storage
Application filed: May 28, 2026

Response to letter received

Dear Ms. Parr:

Applicant respectfully requests that this letter be included in the rezoning record as a response to the July 9, 2026 correspondence submitted by Joseph Siegelman on behalf of 5141 Foodmart, Inc. ("Foodmart").

81 Investment Company, LLC ("Applicant") seeks approval of a development that is consistent with the Walton County Future Land Use Plan and will provide an attractive commercial development offering needed services, employment opportunities, and additional sales and property tax revenue for Walton County. While Foodmart's correspondence raises several objections to the application, many of those assertions are inconsistent with the history of this matter and the applicable planning documents. Applicant believes it is important that the Board have a complete and accurate record before making its decision.

Applicant recognizes that Foodmart, through its affiliated convenience store and fuel station located immediately across Bay Creek Church Road from the Subject Property, has a legitimate business interest in this application as the operator of an existing competing commercial use. As a direct competitor, Foodmart is certainly entitled to express its views regarding the proposed development. Nevertheless, the Board should evaluate those comments in light of that competitive interest and determine this application based upon the Comprehensive

Plan, the evidence contained in the record, and the applicable standards governing rezoning decisions.

Compatibility of the Proposed Use

Foodmart argues that Applicant's proposed use is incompatible with the surrounding area. However, the existing development pattern demonstrates otherwise. Foodmart appears to be affiliated with the convenience store and fuel station operating on approximately 1.84 acres located directly across Bay Creek Church Road from the Subject Property (the "Neighbor"). Although Walton County tax records identify the owner of that property as 5141 Investments, LLC, Foodmart appears to have an operational relationship with that business.

Applicant seeks the same B-2 zoning classification that currently exists on the Neighbor's property. The proposed convenience store with fuel pumps is substantially similar to the existing commercial use immediately across the intersection, while the office warehouse/contractor storage component is a permitted B-2 use. The surrounding area also contains additional B-2 and B-3 properties along the Highway 81 corridor within approximately one mile of Applicant's property.

Accordingly, the proposed land use is neither novel nor inconsistent with the character of the area. Rather, it represents a logical extension of the existing commercial corridor and is consistent with the Neighborhood Residential designation of the Walton County Future Land Use Plan, which expressly contemplates B-2 commercial uses in appropriate locations.

Applicant's Efforts to Address Community Concerns

The parties do agree on one point: the history of this application is relevant.

The record demonstrates that Applicant and its representatives made substantial efforts to engage neighboring property owners and respond to their concerns before refiling the application.

An affiliate of Applicant initially submitted a rezoning application for the same property and use in 2025. During that process, neighboring property owners expressed concerns regarding traffic, buffering, and visual impacts. Those concerns were communicated directly to project representative Ned Butler, who met with neighbors following the Planning Commission meeting, obtained their contact information, and subsequently hosted a neighborhood meeting to hear those concerns firsthand.

Rather than continue pursuing the original application, the Applicant voluntarily withdrew it in order to evaluate the issues raised and determine what modifications could reasonably be incorporated into the project.

Based upon the feedback received, Applicant undertook a number of significant revisions before refiling, including:

- Submitting the development plans to the Georgia Department of Transportation, incorporating GDOT's comments, and revising the plans to include required turn lane improvements on both Highway 81 and Bay Creek Church Road.
- Commissioning a professional traffic impact study prepared by ATG Civil, LLC, which concludes that the required roadway improvements will accommodate traffic generated by the proposed development.

- Update the site plan to reflect enhanced landscaping, buffering, and fencing along Highway 81, Bay Creek Church Road, and adjoining residential properties to improve visual screening and compatibility.
- Clarifying operational limitations within the application and site plan, including:
 - the warehouse area will be separately fenced with a single gated entrance, security cameras, and coded tenant access;
 - there will be no outdoor storage;
 - there will be no tractor-trailer parking.

These revisions required considerable additional time and expense but were made specifically in response to concerns expressed by neighboring property owners.

Before the revised application was submitted, ownership of the property was transferred to 81 Investment Company, LLC for business purposes, and Applicant retained the undersigned to assist with the preparation and filing of the updated application. Mr. Butler has remained actively involved throughout the process.

Notice to Neighboring Property Owners

On June 4, 2026, approximately five weeks before the Planning Commission hearing, Mr. Butler emailed the neighboring property owners, as well as Mr. Siegelman's law partner, Hakim Hilliard, advising them that the application had been refiled and explaining the revisions that had been made in response to prior discussions. A copy of that correspondence is attached as **Exhibit A**.

In addition to this direct communication, notice of the application was provided through the County's customary procedures, including:

- publication in the *Walton Tribune*;
- posting of the required rezoning sign on the property; and
- mailed notices from Walton County to adjoining property owners.

Accordingly, the record reflects that neighboring property owners received multiple forms of notice regarding the pending application.

Response to Foodmart's Position

Applicant also notes that Foodmart's compatibility concerns should be considered in the context of its existing commercial operations immediately across Bay Creek Church Road. The convenience store and fuel station operating on the adjoining B-2 property demonstrates that commercial uses of this nature have already been established at this intersection.

While Foodmart is certainly entitled to express its views regarding this application, the Board's decision should be guided by the County's Comprehensive Plan, existing zoning patterns, the evidence contained in the application, and the substantial revisions Applicant voluntarily made in response to community feedback.

Conclusion

The history of this application reflects an Applicant that listened to neighboring property owners, voluntarily withdrew its original application, invested significant time and resources to address concerns, coordinated with GDOT, commissioned a traffic study, enhanced buffering and operational restrictions, and provided advance notice of the revised application.

For these reasons, Applicant respectfully requests that this response be incorporated into the rezoning record and considered by the Board of Commissioners. Applicant further requests that the Board adopt the Planning Commission's recommendation and approve the requested rezoning subject to the recommended conditions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'A. Gray', with a long horizontal flourish extending to the right.

Andrea Gray
Applicant's Representative

Rezone application Hwy 81 and Bay Creek Road



Ned Butler

To Ned Butler

Bcc Barbara@thehouseofsold.com; pattimac@bellsouth.net; carriegrillo@gmail.com; sgrillo817@gmail.com; hhilliard@cglawfirm.com

You forwarded this message on 7/10/2026 2:09 PM.



BayCreek-Rezone-concept-5-27-26.pdf
5 MB



Reply



Reply All



Forward



Thu 6/4/2026 3:37 PM

Dear Neighbor,

Thank you for attending our public meeting last year and for the feedback you shared regarding the proposed commercial development at 5187 Highway 81. I wanted to follow up personally and let you know where things stand.

Following our meeting, I pursued two prospective single-tenant users for the warehouse portion of the property but neither ultimately decided to move forward. In the meantime, we do have ongoing interest in the office warehouse/contractor storage use, and so we are proceeding with the rezoning application as originally conceived, a convenience store with fuel pumps and office warehouse/contractor storage.

I recognize this is not the outcome some of you were hoping for, and I want you to know that your concerns about traffic and security have directly shaped how we've approached this application:

- We submitted our site plan to GDOT, received their comments, and have revised the plan to incorporate their requirements, including turn lane improvements on both Highway 81 and Bay Creek Church Road.
- We commissioned a formal traffic study, prepared by ATG Civil, LLC, which has been included in our application. The study demonstrates that the required road improvements will be constructed to handle traffic generated by the development.
- We have added landscape buffers and fencing along Highway 81, Bay Creek Church Road, and adjacent to neighboring residential properties to provide visual screening and security separation between uses.
- The warehouse area will be independently fenced with a single gated entry, security cameras, and coded access limited to individual tenants — designed to minimize any concerns about unauthorized activity.
- There will be no outside storage.
- There will be no tractor trailer parking or fuel pumps.

I believe this application represents a thoughtful, well-documented approach to developing a property that is well-suited for commercial use at an established commercial intersection. That said, I understand you may have questions or continued concerns, and I am happy to discuss them directly.

The application is now before the Walton County Planning Commission, and a land use attorney will be representing us at the hearings. I encourage you to review the application materials or reach out to me directly if you'd like to talk through any aspect of the project.

Sincerely,

Ned Butler



www.relianthomes.com

NED BUTLER
Vice President



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