

**Penn, Hastings & Associates**  
*Real Estate Appraisers and Consultants*

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June 6, 2021

Mr. Brandon L. Bowen  
Jenkins, Bowen & Walker, PC  
15 Courthouse Square  
Cartersville, Georgia 30120

RE: Gordon County Special Use Permit Application Z21-13  
577.17 acres on Evergreen Road @ Audubon Nesbitt Loop Rd; Resaca

Dear Mr. Bowen;

At your request, I have reviewed the zoning application and the Planning Staff Report for Gordon County Zoning Application Z21-13 for consideration of surrounding property values and those factors and characteristics which have been shown to impact property values.

**The Proposed Use** The proposed use is for development and construction of 24 chicken houses. This number of houses will classify this development as the largest Concentrated Animal Feeding Operation as defined by the United States Department of Agriculture and subject to regulation under the Clean Water Act. The proposed use is a very intensive use when compared with most other chicken farms in Gordon County. The subject property is located in an area defined by the Georgia Department of Natural Resources as having high susceptibility of ground water pollution.

**Competency** I am a Certified Real Estate Appraiser in the State of Georgia with almost 40 years experience in appraising real property with a specialty in diminished value. I have performed numerous appraisals in Gordon County for the City of Calhoun, Gordon County, buyers, sellers, and lending institutions.

I have analyzed and appraised properties in the Goat Road area of Gordon County for diminished value due to proximity and best practices of adjacent poultry facilities. I have analyzed and studied the effects of noxious odors on surrounding property values for the Cobb County Water and Sewer Authority and the Cherokee County Tax Assessor's Office. I have also analyzed the impact to residential property values from their proximity to large industrial uses which have heavy truck traffic and generate noxious odors. I also have experience appraising numerous poultry farms in Gordon County and surrounding counties. I have been qualified as an expert on diminished value in several superior courts in Georgia including Gordon County.

Additionally, I have consulted with numerous municipalities in evaluating the economic viability and impact of various zoning applications. These municipalities include, but are not limited to DeKalb County, Cobb County, and the City of Tucker. I have performed similar analyses for property owners in other areas of Georgia including Whitfield County, Rabun County, Stephens County, Gilmer County, Pickens County, and Cherokee County. I am qualified to make this analysis.

### **Evaluation of Planning Staff Report & Departmental Reviews**

**Property Size Discrepancy:** The applicant represents the subject property as containing 577.17 acres. Supplementing the application is a contract for sale for 577.17 acres as identification of the subject property. The Planning Staff Report gives the size of the subject as 111 acres with all recommendations inferring a much larger land size.

**Departmental Review by Environmental Health Services & Water and Sewer** Both the Environmental Health Services Department and the Water and Sewer Department provide a very limited evaluation and analysis of the application and addresses only abatement and disposal of human waste. The analysis does not address nor comment on the abatement and disposal of waste from the large number of chickens proposed for this property.

Chicken manure and litter may harbor pathogens, such as E. coli, Salmonella, Cryptosporidium and others. Additionally, large amounts of ammonia is common in chicken manure. Ammonia is created when the nitrogen in poultry manure is broken down by bacteria. It impacts poultry bedding, litter and the overall air quality. The concentration of ammonia in poultry housing is exacerbated by environmental conditions, such as high temperatures and moisture. To reduce risk to humans and environment, proper handling and precautions are necessary. Neither department analyzed the application and proposed use for any environmental impact from the poultry nor made any recommendations to prevent any potential impact.

The proposed use is for a Large Concentrated Animal Feeding Operation, considered an intensive animal feeding operation and located in an area of high susceptibility of ground water pollution.

Further, the subject is known to have a shallow water table and is have some creeks and tributaries feeding directly into the Coosawattee River, located 600 feet away from the southeast corner of the property. A more thorough analysis would be critical in evaluating the application and any environmental impact of this type of development.

**Building Inspection Department** The review by the Building Inspection Department infers the allowability of the applicant to construct chicken houses in established floodplain.

**Road Department** The analysis by the Road Department only addresses the driveway serving the property. Unlike many other municipalities, the Road Department does not analyze the increase in truck and heavy equipment traffic or evaluate the suitability and sustainability of the infrastructure to accommodate the increase in traffic. No analysis was made of the utilization of Audubon Nesbitt Loop Road, a narrow gravel road, by the applicant in its proposed use.

**Zoning Division** The Zoning Division only reviewed the application for public notice and payment of fees. No other analysis was made (ie character of the area, quality of life, potential impact to future development).

### **Evaluation of Planning Staff Recommendations**

1. *Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent or nearby property.* The staff states that the property is surrounded by agricultural zoning and is a very rural area. While the agricultural category allows agricultural uses, it also allows for residential development and construction. There are several houses in the vicinity of the subject property. There is a growing demand for homes on estate sized lots of 5 acres or larger. Further, in the general area, there are several R-1 zoning categories, indicating a transition to more traditional residential developments. These uses were not considered nor analyzed.

2. *Whether the proposed zoning will adversely affect the existing use of (sic) usability of adjacent of (sic) nearby property* The staff indicates that the proposed use may adversely affect the existing use of (sic) usability of adjacent or nearby property. I have conducted a more detailed study as to the potential impact to surrounding properties. The results of the study is located later in this report and concludes, with reasonable certainty, that home values in the immediate vicinity of the proposed development will decrease by 20% to 50%. .

3. *Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.* The staff findings only addresses the economic use of the viability of the subject. It does not address the economic viability of surrounding properties.

The property's economic value as presently zoned is consistent with the similar agricultural properties in the surrounding areas. It is not uniquely situated such that denial of the application would harm its economic value in any way. The subject would not suffer any economic harm if the application were granted, or denied. If the application is approved, then the property's economic value will remain the same, but diminish the economic value of surrounding properties similarly zoned. The subject is well suited for an agricultural/residential use and its value would not be impacted by denial of the application.

4. *Whether the proposed zoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.* The recommendation addresses the risk of impeding traffic flow. It does not address the adequacy of the streets and whether the construction and design of Evergreen Road is sufficient to handle a large amount of heavy truck travel.

Evergreen Road is a county road and may have different design criteria than a state route or other roads. Turn lanes are often required to allow safe and adequate ingress and egress for large trucks into a property. Expanded turning radius at intersections are also often required. Infrastructure and road design and construction in large industrial parks are different than local roads (deeper base, additional crush and run, etc.). No analysis was presented on the differences and no recommendations on this topic was made. Also, no analysis was made of Audubon Nesbitt Loop Road, a narrow gravel road dividing the property, which would be the road most frequently used by the ongoing operation of the application.

5. *Whether the zoning proposal is in conformity with the policy and intent of the Future Development Map and Comprehensive Plan.* The staff provides a factual response of the primary land uses being large lot residential, agricultural, agribusiness, conservation and passive recreation. The actual intent and policy of the Comprehensive Plan is not evaluated. The proposed use of the property as a potential nuisance and diminished values in the area was not evaluated with respect to the goals of the Comprehensive Plan.

6. *Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.* The proposed use is for the largest Concentrated Animal Feeding Operation and subject to regulation under the Clean Water Act. The proposed use is a very intensive use when compared with most other chicken farms in Gordon County. The proposed use is more similar to an industrial use than a rural, agricultural use.

The staff responses only that the proposed use is consistent with the Future Land Use Map with no statement as to the Comprehensive Plan document, its stated goals and objectives and intent in each land use category and character area for which the proposed use would not comply. It also does not address the impact to environmentally sensitive areas on the property, potential environmental harm by potential poor design and/or mismanagement of the facility.

**Conclusions on Planning Staff Report, Findings and Recommendations** It is my opinion that the further analysis is required to properly evaluate the application and its conformance with environmental issues, transportation issues, infrastructure issues, groundwater issues, as well as quality of life issues, contradictory land uses, promotion of the general health and well being of the surrounding citizens. Further analysis should also be made to the economic impact to Gordon County for the potential negative impact of the proposed development in the reduction of property tax revenue from the surrounding properties. I think further analysis should also be made of the proposed use for excessive noise, particulate matter, hazardous characteristics, smoke, dust, gas, fumes, odors, contamination, or other nuisances.

**Impact of Large Poultry Facilities to Surrounding Residential Property Values** In order to determine any economic impact from the proposed use to surrounding properties, a series of paired data/paired sale analyses were conducted. A paired data analysis is a quantitative technique used to measure differences in value from specific characteristics. A paired data analysis is based on the premise that when two properties are equivalent in all respects but one, the value of the single difference can be measured to indicate the difference in sales price between the two properties.

For purposes of my analysis, I researched the sales of residential homes in the vicinity of Old Boone Farm Road and Johnson Road at State Route 53/Fairmount Highway. In this immediate vicinity are three large poultry facilities. One is a 150.77 acre facility on Old Boone Ford Road containing 12 chicken houses built in 2017, another is a facility on 97.29 acres at 186 Johnson Road with 10 chicken houses built in 2013 and 2019, and a facility on 58.79 acres at 8150 Fairmount Highway containing 12 chicken houses built in 2013. These are the best representation of the characteristics of the subject's proposed use as a large chicken facility. I researched recent sales of houses in the area and grouped them by overall physical similarities and by proximity to the large poultry facilities. A total of 8 paired data analyses were performed with additional sales data reviewed which support the findings of the 8 separate analyses.

All comparisons and analyses indicate that homes close to a large chicken facility will sell for less than similar properties located further away from a large chicken facility. The reduction in sale prices ranged for 20% to 50%. These analyses provide a ***reasonable expectation*** of the economic impact to residential home values in the vicinity of a large chicken facility.

Based on this analysis, it is my opinion, with reasonable certainty and expectation ***that homes in close proximity and in the vicinity of the subject as proposed will sell for around 20% to 50% less than similar homes located further away from the subject as proposed.***

**Supportive Analyses** I have also appraised the impact to residential homes from large manufacturing or industrial uses which are characterized by noxious odors and heavy truck travel. The findings in those analyses are similar to the analyses of home sales in close proximity to a large chicken facility. Also, my previous findings on the impact of noxious odors from sewage treatment plants support the findings. It is my opinion that the proposed facility, at its proposed size and scope, is very similar to large industrial use with similar negative characteristics.

**Large Chicken Facilities in the Goat Road Area** Additionally, I have analyzed home sales in the vicinity of two large chicken facilities on Old Goat Road and Cook Road at Goat Road in northwest Gordon County. Home values in the area similarly experienced a substantial loss when compared with similar homes located further away from the large chicken facilities. Many property owners have successfully appealed their tax values with the Gordon County Tax Assessor lowering their respective values and the county's tax base.

It should be noted that the facilities in the Goat Road area were mismanaged, causing pollution of nearby ponds, lakes and streams, creating noxious odors and widespread particulate matter, and feathers. It is unknown whether the reduction in value and subsequent tax revenue will recover as the facilities stabilize, or if the area is stigmatized and the tax revenue reduction is permanent.

**Conclusion as to Economic Impact to the Area of the Subject as Proposed** *It is my opinion that the proposed use of the subject will decrease the values of surrounding residential property values by as much as 50% and negatively effect the tax base of Gordon County.*

Further, it is my opinion, with reasonable certainty, that *the value of the home owned by Al and Elizabeth Stone at 608 Evergreen Road, will be negatively impacted by close to 50%.*

**Recommendations** The data is consistent that the presence of a large poultry facility, similar to the proposed development, will negatively impact surrounding residential values. However, it is also common that a smaller chicken facility will not necessarily impact surrounding residential values. As a result, there appears to be a clear distinction of the impact from a large, industrial CAFO chicken facility and the impact from a smaller chicken facility.

Generally speaking, *the economic impact from a chicken facility comes as a result of its intensity not its presence.* Zoning Categories are used to separate land uses (industrial uses, commercial uses, residential uses, etc.) and within each category of uses are further demarcations regulating the intensity of the use (Light Industrial versus Heavy Industrial, high density residential versus low density residential, etc). It appears from these market studies that the intensity of a chicken facility use would also require segmentation and sufficient regulations created for each segment.

For instance, a Tier 1 chicken facility may have a maximum of four to six chicken houses, or measurable units of square footage. A Tier 1 facility may be allowable in a largely rural/residential area. A Tier 2 chicken facility may have a larger maximum number of chicken houses or an unlimited number of chicken houses, but required to locate in areas of similar negative characteristics, such as an industrial area or other similar area.

This appraisal business is certainly appreciated and I trust that this information is satisfactory and serves your purposes.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce R. Penn", with a long, sweeping underline.

Bruce R. Penn  
Ga. Certified Appraiser No. 228

## CERTIFICATE OF APPRAISER

I certify that to the best of my knowledge and belief:

1. The statements of fact contained in this report are true and correct.
2. The report analyses, opinions and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, unbiased professional analyses, opinions and conclusions.
3. I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved.
4. My compensation is not contingent on an action or event resulting from the analyses, opinions, or conclusions in, or the use of this report.
5. My analyses, opinions and conclusions were developed and this report has been prepared in conformity with the Uniform Standards of Professional Appraisal Practice.
6. The reported analyses, opinions and conclusions were developed and this report has been prepared in conformity with the requirements of the Uniform Standards of Professional Appraisal Practice, the Georgia Real Estate Appraiser Classification and Regulation Act and the rules and regulations of the Georgia Appraisers Board.
7. I have made a personal inspection of the property that is the subject of this report.
8. I certify that I have not performed any service on the subject property as an appraiser or any other capacity in the past three years.



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Bruce R. Penn  
Georgia Certified General Real Property Appraiser #000228

## **ASSUMPTIONS AND LIMITING CONDITIONS**

This appraisal report has been made with the following general assumptions:

1. No responsibility is assumed for the legal description or for matters including legal or title considerations. Title to the property is assumed to be good and marketable unless otherwise stated.
2. The property is appraised free and clear of any or all liens or encumbrances unless otherwise stated.
3. Responsible ownership and competent property management are assumed.
4. The information furnished by others is believed to be reliable. However, no warranty is given for its accuracy.
5. All engineering is assumed to be correct. The plot plans and illustrative material in this report are included only to assist the reader in visualizing the property.
6. It is assumed that there are no hidden or unapparent conditions of the property and subsoil that render it more or less valuable. No responsibility is assumed for such conditions or for arranging for engineering studies that may be required to discover them.
7. It is assumed that there is full compliance with all applicable federal, state, and local environmental regulations and laws unless noncompliance is stated, defined and considered in the appraisal report.
8. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless a nonconformity has been stated, defined, and considered in the appraisal report.
9. It is assumed that all required licences, consents or other legislative or administrative authority from any local, state, or national government or private entity or organization have been or can be obtained or renewed for any use on which the value estimate contained in this report is based.

## **ASSUMPTIONS AND LIMITING CONDITIONS**

### **Continued**

10. Possession of this report, or a copy thereof, does not carry with it the right of publication. It may not be used for any purpose by any person other than the party to whom it is addressed without the written consent of the appraiser, and in any event only with proper written qualification and only in its entirety. Therefore, the liability of the appraiser shall be expressly limited to the person for whom the appraisal was addressed and any reliance thereon by any third party shall not be justifiable and therefore shall be at the peril of such third party.
11. The appraiser is not required to give further consultation, testimony, or be in attendance in court with reference to the property in question unless such arrangements have been previously made.
12. Neither all nor any part of the contents of this report (especially any conclusions as to value, the identity of the appraiser, or the firm with which the appraiser is connected) shall be disseminated to the public through advertising, public relation, news sales, or other media without the prior written consent and approval of the appraiser.
13. It is a condition of this appraisal that the subject property, including any proposed improvement, meets all governmental regulations and restrictions including but not limited to zoning requirements, building and development codes, drainage requirements and all fire safety laws.
14. It is a condition that the property is subject to typical easements such as right of way for electrical power lines, sewer easements, natural gas lines, as well as telephone lines and water lines.
15. It is a condition of the appraisal that no soil boring test has been made and the stated value would be subject to such a test.
16. It is a condition of this appraisal that any marketing of the subject property would expressly require effective and aggressive sales methods and techniques, reasonable pricing, market exposure and coverage, and unless stated any suggested improvements or repairs must be completed in order to market the property.

## **ASSUMPTIONS AND LIMITING CONDITIONS**

### **Continued**

17. The subject is specifically conditioned on present market conditions, any change may affect the market value stated.
  
18. Unless otherwise stated in this report, the existence of hazardous material, which may or may not be present on the property, was not observed by the appraiser. The appraiser has no knowledge of the existence of such materials on or in the property. The appraiser, however, is not qualified to detect such substances. The presence of substances such as, but not limited to, asbestos, urea-formaldehyde foam insulation, leaking underground storage tanks, contaminated areas, hazardous wastes, dangerous substances, or other potentially hazardous materials may affect the value of the property. The value estimate is predicated on the assumption that there is no such material on or in the property that would cause a loss in value. No responsibility is assumed for any such conditions, or for any expertise or engineering knowledge required to discover them. The client is urged to retain an expert in this field, if desired.

## **QUALIFICATIONS**

**Bruce R. Penn**

### **SPECIAL QUALIFICATIONS (PRESENT & HISTORICAL)**

- State of Georgia, Certified General Real Estate Appraiser No. CG- 000228
- South Carolina, Certified General Real Estate Appraiser No. CG-3575 (retired)
- Senior Member, National Association of Real Estate Appraisers, Designated as Certified Commercial Real Estate Appraiser (#38173) retired
- Appraisal Institute - MAI Candidate (#M86-3542) (retired)
- State of Georgia, Department of Transportation; Approved Appraiser; retired
- Hartsfield Airport Noise Abatement Program Approved Appraiser
- Fulton County, Approved Appraiser
- Dekalb County Approved Appraiser
- Cobb County Department of Transportation, Approved Appraiser
- Cobb County Water Department, Approved Appraiser
- Floyd County Approved Appraiser
- Chatham County Approved Appraiser
- Rockdale County Approved Appraiser
- Cherokee County Approved Appraiser
- City of Atlanta Approved Appraiser
- Jasper County Approved Appraiser

### **SPECIALIZED REAL ESTATE TRAINING**

- Atlanta Institute of Real Estate
  - Principles and Practices of Real Estate; Sales I, Sales II, Sales III
- Appraisal Institute (FKA American Institute of Real Estate Appraisers)
  - Course 1A1, Basic Appraisal Principles, Methods and Techniques
  - Course 1A2, Basic Valuation Procedures
  - Course 023, Standards of Professional Practice
  - Course 1BA, Capitalization Theory and Techniques (Part A)
  - Course 1BB, Capitalization Theory and Techniques (Part B)
  - Business Valuation
  - Valuation in Litigation
- Columbia Institute
  - Condemnation Appraising
- Society of Real Estate Appraisers
  - Course 101, An Introduction to Appraising Real Property
  - Course 102, Applied Residential Property Valuation
- Georgia State University
  - RE 410, Real Estate Valuation
  - RE 310, Real Estate Principles and Practices
  - RE 460, Income Property Valuation

### **GENERAL EDUCATION**

- Georgia State University: Bachelor of Business Administration (1987)
- South Georgia College; Associate of Science in Business Administration (1979)

## EXPERIENCE

- 1989- Present Penn. Hastings & Associates, Partner, Commercial/ Condemnation Appraiser.  
Responsibilities include project manager for all acquisition projects as well appraisals of condemnation properties and commercial properties in the southern United States.
- 1988-1989 Acquisition Consultants, Chief Appraiser.  
Responsibilities include appraising for various condemnation properties and commercial properties in the southern United States.
- 1986-1988 Scott Appraisal Service, Commercial Appraiser.  
Responsible for appraising all types of commercial appraisals in the Atlanta area and the southern United States. Also specialized training in appraising of special purpose properties.
- 1984-1986 Certified Commercial Investments, Inc., Research & income property analyst.  
Responsibilities included analyzing cash flow from commercial properties in the southeastern United States. Also responsible for researching neighborhoods in the Atlanta area for large scale buy-outs for commercial developments.

### REPRESENTATIVE CLIENT LIST: LENDING INSTITUTIONS

- |                                   |                                   |
|-----------------------------------|-----------------------------------|
| - Wachovia Bank                   | -RBC Centura                      |
| - Bartow County Bank              | -Home Bank                        |
| - West Georgia National Bank      | -Century Bank                     |
| - United Community Bank;          | -Community Bank of Pickens County |
| - First National Bank of Cherokee |                                   |

### REPRESENTATIVE CLIENT LIST: LITIGATION ATTORNEYS

- |                                      |                                   |
|--------------------------------------|-----------------------------------|
| - Charles Pursley                    | - Donald Evans                    |
| - Richard Hubert                     | - George Butler                   |
| - Warren Coppedge                    | - Walter Hotz                     |
| - Jenkins & Bowen                    | - Christian Torgrimson            |
| - Jack Wilson, Webb, Tanner & Powell | - Luther Beck, Chandler & Britt   |
| - James SS Howell III,               | -Weiner, Yancey, Dimpsey & Diggs, |
| - Moore, Ingram Johnson & Steele     | - Sams, Larkin & Huff             |
| - Flint, Conolly & Walker            | - Banks, Stubbs, Neville & Cunat  |
| - Paul Kesmodel, Duluth              | - James Ledbetter, Calhoun        |
| - Michael D. McRae                   | - Sal Serio                       |
| - Michael Sumner                     | - John C. Whiting                 |
| - Tom Bowman                         |                                   |

**REPRESENTATIVE GENERAL WORK EXPERIENCE**

- |   |                                    |
|---|------------------------------------|
| - Vacant Land   | - Vacant Land Leases               |
| - Remnant Properties  | - Residential Properties           |
| - Small Income Residential Properties   | - Multi-family Properties          |
| - Commercial Properties   | - Income Producing Properties      |
| - Industrial and Build to Suit Properties   | - Shopping Centers                 |
| - Rural Properties  | - Residential Subdivision Analysis |
| - Farm Properties   | - Business Valuation               |
| - Specialty Studies for Evaluation of Economic Obsolescence in Residential Properties |                                    |
| - Specialty Studies for Evaluation of Economic Obsolescence in Commercial Properties  |                                    |

**REPRESENTATIVE SPECIALIZED PROPERTIES EXPERIENCE**

- |   |                                       |
|---|---------------------------------------|
| - C&D Landfill                                | - Billboards                          |
| - Mixed Use Developments                      | - Mass Appraisals for Tax Assessments |
| - Regional Hospital                           | - Mineral Rights                      |
| - Wetlands Valuation                          | - Adult Entertainment Establishment   |
| - Motel/Hotel                                 | - Historic Properties                 |
| - Historic Loft Buildings                     | - Elementary Schools                  |
| - Commercial Property in a Watershed District | - Conservation Subdivisions           |
| - Greenspace Valuations                       | - Radio Stations                      |
| - Land Under A Lake                           | - Golf Course                         |
| - Log Homes                                   | - Fire Station                        |
| - Car Dealership                              | - Manufactured Housing Plant          |
| - Contaminated Properties                     | - Solid Waste Facility                |
| - Family Farm Valuation (2032) for IRS        | - Steel Plant                         |
| - Chicken Farms                               | - Churches                            |
| - Nudist Colonies                             | - Regional Malls                      |
| - DeKalb County Courthouse                    | - Parking Lots                        |
| - Library                                     | - Airport                             |
| - Leasehold Valuations                        | - Leased Fee Valuations               |
| - Geodetic Dome Homes                         | - Telecom Facility                    |
| - Air Rights                                  | - Water Rights                        |
| - Mobile Home Parks                           | - R/V Park                            |
| - Equestrian Properties                       | - Skating Ring                        |
| - Retirement Facility                         | - Recording Studio                    |
| - Railroad Right of Way                       | -                                     |

## **REPRESENTATIVE MUNICIPALITY WORK: APPRAISAL**

### **TRANSPORTATION PROJECTS**

#### **Georgia Department of Transportation Projects Under Federal Guidelines (Partial Listing)**

- Outer Perimeter, Gwinnett County & Forsyth County
- Riverside Parkway, Floyd County
- Georgia Highway 42, Clayton County
- Georgia Highway 314, Fayette County
- Highway 138 Extension, Fulton County
- Georgia Highway 316, Barrow County & Oconee County
- Watkinsville By-Pass (advanced acquisitions)
- Dawsonville Highway, Hall County
- Fairburn Industrial Boulevard, Fulton County
- Thornton Road By-Pass, Douglas County
- Cedartown By-Pass, Polk County
- Macland Road, Cobb County
- Reinhardt College Parkway; Cherokee County
- State Route 124; Scenic Highway, Gwinnett County
- U.S. 80; Talbot-Muscogee Counties
- U.S. 278; DeKalb County
- State Route 20; Rockdale County
- State Route; 29; Rockdale County
- Pumpkinvine Creek Bridge; Bartow County
- State Route 120; Gwinnett County

#### **Virginia Department of Transportation Projects Under Federal Guidelines:**

- Virginia Beach Boulevard, Virginia Beach
- Haycock Road, Fairfax County

#### **Airport Projects Per Federal (Funding) Guidelines:**

- Aerial Easements of Commercial Property Inside Flight Impacted Areas in the vicinity of Atlanta-Hartsfield Airport
- Residential appraisals for Expansion of DeKalb Peachtree Airport
- Aviation Easements, Hartsfield-Atlanta Airport
- Relocation Appeals Program, Hartsfield-Atlanta Airport

#### **Department of Housing and Urban Development Grant Projects**

- Thompson Street, Alpharetta, Fulton County
- Scottdale Mill Road, Dekalb County
- Canton Street, Cherokee County

### **Local Government Transportation Projects (Partial Listing)**

- Presidential Parkway, City of Atlanta
- Roxboro Road, Dekalb County & Fulton County
- Skidaway Road, Savannah, Chatham County
- Jones Shaw Road, Cobb County
- Lawrenceville-Suwannee Road, Phases I & II, Gwinnett County
- Sandy Plains Road, Cobb County
- Johnson Ferry Road Phase I & Phase III, Cobb County
- Holly Springs Road, Cobb County
- Gordon Road, Floyd County
- Blackburn Road Extension, Cobb County
- Chastain Road; Cobb County
- South Piedmont Street, Gordon County

### **NON-TRANSPORTATION PROJECTS**

#### **Utility Projects (Client List)**

- Oglethorpe Power Corporation
- Georgia Power Company
- Cobb Electrical Municipal Corporation
- Municipal Electric Association of Georgia (MEAG)
- Atlanta Gas Light Company
- Southern Bell

#### **Reservoir Appraisals**

- Bear Creek Reservoir, Newton County
- Yellow Creek Reservoir, Cherokee County

#### **Municipal Appraisals**

- East Point Development Authority, Fulton County; downtown redevelopment
- State Properties Commission; Improved Property; Georgia Dome Stadium, Atlanta.
- Paulding County Board of Education; Land for new school complex
- Spalding County Board of Education: East Griffin Elementary School
- Spalding County Board of Education: Third Ward Elementary School
- Spalding County Board of Education: Fourth Ward Elementary School
- Solid Waste Management Authority of Crisp County; Solid Waste Processing Facility, Crisp County
- Solid Waste Management Authority of Crisp County; Transfer Station, Coffee County
- Solid Waste Management Authority of Crisp County; Transfer Station, Houston County
- Solid Waste Management Authority of Crisp County; Transfer Station, Sumter County
- Solid Waste Management Authority of Crisp County; Transfer Station, Terrell County
- Waste Management; Landfill, Doraville, Georgia
- Cobb County Water Authority; Land for Expansion; R.L. Sutton Treatment Facility

**Water & Sewer Authorities (Client List)**

- Gwinnett County
- Paulding County
- City of Atlanta
- City of Buford
- Rockdale County
- Cobb County
- Fulton County
- City of Roswell

**Impact Studies for Court Testimony (Partial Listing)**

- Study on the Proximity of Interstate Highways to Residential Property; Georgia Highway 400 extension, Fulton County and City of Atlanta.
- Study on the Impact to Residential Property Values from Increased Road Proximity
- Study on the Impact to Residential Property Values from the Elimination of a Wooded Buffer
- Study on the Impact to Residential Property Values from Increased Slopes
- Study on the Impact to Commercial Property Values from Increased Slopes and Installation of Guardrails.
- Study on the Impact to Residential Property Values from Floodplain
- Study of the Impact to Residential Property Values from Loss of Access
- Study of the Impact to Commercial Property Values from Loss of Access
- Various Parking Studies to Show Loss of Value to Commercial Properties from Loss of Parking
- Study of the Impact to Residential Property Values from Proximity to a Sewage Treatment Plant
- Study of the Impact to Residential Property Values from Particulate Contamination
- Study of the Impact to Residential Property Values from Proximity to Large Manufacturing Facilities
- Study of the Impact to Residential Property Values from Proximity to an Airport

**APPRAISAL/TESTIMONY EXPERIENCE/REFERENCES**  
**(Partial Listing)**  
**Bruce R. Penn**

**Initial Training:** James S.S. Howell III (deceased)  
Dana Jackel, Cobb County  
Fred Bently Sr. & Jr./Cobb County

**Regional Court Work Experience (For Municipalities):**

Dalton: Warren Coppedge; private case against developer  
Pickens County: Wills Picket for Pickens County & City of Jasper  
Cherokee County: Jonathan Pope, for Georgia Power  
Mark Mahler, County Attorney for Cherokee DOT  
Bartow County: Boyd Petit, County Attorney, for Georgia Power  
Rick Wells, for Georgia Power  
Paulding County: Mason Roundtree (against Paulding County/Reservoir)  
Fayette County: Tom Camp for Georgia Power  
Jack Parks for Georgia DOT  
Clayton County: Steve Fincher for Clayton Water Authority  
Fulton County: Numerous Attorneys, for Fulton County Land Department  
Robert Diggs, for Georgia DOT & against Hartsfield Airport  
Barrell Weiner, for Georgia DOT  
Anne Sapp, against Georgia DOT  
Cobb County: Linda Brunt (retired); County Attorney/DOT  
Dana Jackel for Cobb DOT  
John Moore; against Cobb DOT  
Kevin Moore; against Cobb DOT  
Parks Huff; zoning cases and against Cobb DOT  
Garvis Sams Jr.; zoning cases and against Cobb DOT  
Rockdale County: Tom Bowman, County Attorney for Tax Assessor, State DOT,  
Rockdale Water Authority  
Newton County: William Thomas Craig for Bear Creek Reservoir  
Scott Cole for Bear Creek Reservoir

**Benchmark Cases:** Swanson v. DOT  
Ga. Power v. Mosteller Mill  
DOT v. Bowles  
City of Marietta v. Sumerour  
Duron Davis v. Toyo Tire

## **COMMUNITY DEVELOPMENT EXPERIENCE**

- Chairperson of Community Council, District 1, DeKalb County.  
Community Council is an approval board with board members appointed by County Commissioner of that District. Board members are representative of the communities of that Commission District and charged with representing the interests of the community and oversight of community goals in the zoning and land use and development process. Community Council is the 1st in the zoning approval process.
- Member, Downtown Development Authority of the City of Tucker
- Member, Transportation Committee; Tucker Northlake Community Improvement District (Tucker Northlake CID)
- Member (former chairperson) of the Proactive Planning, Land Use and Zoning Committee of the Tucker Civic Association.
- Served as member of the Mainstreet Tucker Alliance in the LCI approval process and ARC grants for redevelopment of downtown Tucker.
- Testified as a value witness in zoning and land use matters in DeKalb County, Cobb County, Cherokee County, Gilmer County and Pickens County.