

APPLICATION #: V-21-180

DATE ACCEPTED **07/27/2021** 

V-21-180

**DATE:** July 27, 2021

OFFICE OF ZONING & DEVELOPMENT

# NOTICE TO APPLICANT

Address of Property:

## 300 North Highland AVE NE

City Council District: 2 Neighborhood Planning Unit (NPU): N

Board of Zoning Adjustment (BZA) Hearing Date:

Thursday, September 09, 2021 at 12:00 p.m.

Council Chambers, 2nd Floor, City Hall 55 Trinity Avenue, S.W.

The contact person for NPU N is:

Catherine Woodling (404) 550-7271 npunchair@gmail.com

Contact info for adjacent NPUs is provided below if necessary:

**Additional Contacts:** 

Please contact the person(s) listed above within five days to find out which meetings you will be required to attend before the next NPU meeting. If you are unable to reach the contact person, please call the city's NPU Coordinator at 404-330-6145.

Signed,

RG, for Director, Office of Zoning and

Development

Chris Quinn



# City of Atlanta Office of Zoning and Development 55 Trinity Avenue, Suite 3350 Atlanta, Georgia 30303

Atlanta, Georgia 30303 Phone: 404-330-6145

### REFERRAL CERTIFICATE



COUNCIL DISTRICT 2	APPLICATION I	NUMBER DATE:	July 27, 2021_
NPU N		LED 07/21/2021	
	CHRIS QUIN Name of Appli		
1	BUILDING PERMIT AU	THORIZING	
•	ATM/KIOS		
at 300 NORTH HIGHLAN	D AVENUE NE		14/14
Street Address	Quadran	t Land	d Lot &District
to be used for	INDUSTRIAL		purposes
The property is zoned	HC20LSA3(INMAN I-2 (HEAVY INDUSTIR		District
Applicant seeks a special excooff-street parking spaces from			
. App	licant seeks no other var	iances at this time.	
1982	ZONING ORDINANC	E, AS AMENDED	
Chapter 17	Section <u>16-17.009</u>	Paragraph (1)	
Tamaria Letang 07/2	6/2021	Chi =	07/26/20
Plan Reviewer	Date	Applicant	

# APPLICATION FOR BOARD OF ZONING ADJUSTMENT

Please n	nark "X" next to the	type of applica	tion(s) vou are submi	V-21-180
	Variance	VI / II		OFFICE OF ZONING  C. DEVELOPMENT
	<b>Special Exception</b>		V	& DEVELOPMENT
	Variance & Special	Exception		RECEIVED
Date Filed 06/21/2021			Application Number	<b>DATE:</b> July 27, 2021
Name of Applicant Chris Company Name (if applicable	Quinn	Dayt	ime Phone 847-25	57-2245
Company Name (if applicable	TKO Install	ations, Ind	C. email Chris.Quin	n@TKOSafe.com
Address 1287 Kyle C	t, Wauconda	, IL 600	84	
street		city	state	zip code
Name of Property Owner	N. Highland, LLC/Thomas	N. Wineland, Mar	hager Phone 404-2	17-6109
Address 2965 Pharr 0				
street	And the state of t	city	state	zip code
<b>Description of Property</b>				
Address of Property 300 N	lorth Highland	Avenue N	lortheast, Atla	nta, GA 30307
street		city	state	zip code
Area:Land Lot	: 14 District:	14	Dekalb	County, GA.
Area: Land Lot Property is zoned:	, Council Distric	t: 2, Ne	ighborhood Planning	Unit (NPU): N
TO THE BOARD OF ZONIN Office of Zoning and Develor that the Board of Zoning Adjusted	oment prior to seeking	g a building per	mit or certificate of o	inary plan review from the eccupancy, hereby request
I hereby authorize the staff of described property. I unders according to the instructions g I swear that all statements he belief.	stand that it is my regiven to me by the Offerein and attached he	esponsibility to fice of Zoning a reto are true as	o post a public notice and Development upon ad correct to the best Owner or Age  Thomas Print Name of	e sign on the property n filing this application. to f my knowledge and nt for Owner (Applicant)
Sworn To And Subscribed Be	fore Me This Da	ay Of <u>July</u> , 20		CRAIG KANTOR NOTARY PUBLIC Cobb County State of Georgia m. Expires Jan. 11, 2025

# V-21-180 OFFICE OF ZONING & DEVELOPMENT RECEIVED DATE: July 27, 2021

## **SUMMARY & JUSTIFICATION FOR VARIANCE**

**Directions:** Complete responses must be provided for ALL questions. Incomplete applica accepted. The space below may be utilized or responses may be submitted as a separate attachment. Specific criteria for Board approval of variances may be found on page 7. **The justification must address the criteria**. Please submit a typewritten or legible justification.

Is the property described in this application subject to a pending application or ordinance for a Rezoning of Special Use Permit?YESNO. (If yes, the variance/special exception request will be rescheduled to a hearing following the final approval by City Council & the Mayor). Please provide the relevant zoning application number associated with the subject property:					
criteria	ary of proposed construction changes to buildings or site (shall not replace submittal of written a). (Examples: "Convert a 100' x 200' retail space into a restaurant." "Install a 6-foot high opaque wall ('privacy fence' with 6-foot high opaque wall gates.").				
complet sidewal	ed Lot Coverage (After Construction): Calculate total amount of lot coverage on entire property, after tion of proposed construction, including existing and proposed buildings and other structures; ks, driveways, parking pads, patios, gravel, etc.; everything except natural planted or undisturbed areas.  _ covered square feet / total lot square feet =% proposed lot coverage				
	% maximum allowed lot coverage				
Varian	ce Criteria (see page 6 for detailed criteria):				
	What are the extraordinary and exceptional conditions pertaining to the particular piece of property in question (size, shape or topography)?				
	How would the application of the Zoning Ordinance of the City of Atlanta to this particular piece of property create an unnecessary hardship?				
3)	What conditions are peculiar to this particular piece of property?				
	Submit facts to show that relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Zoning Ordinance of the City of Atlanta.				
-					

# V-21-180 OFFICE OF ZONING RECEIVED DATE: July 27, 2021

## SUMMARY & JUSTIFICATION FOR SPECIAL EXCEPTI

**Directions:** Complete responses must be provided. Incomplete applications will not be accepted. The space below may only be utilized for the summary of proposal or responses may be submitted as a separate attachment. Specific criteria for Board approval of special exceptions may be found on page 9. **The justification must address the criteria. Please submit a separate justification for responses to the applicable special exception criteria.** 

Specia resche	operty described in this application subject to a pending application or ordinance for a Rezoning Jse Permit?YESNO. ( <b>If yes, the variance/special exception request will lated to a hearing following the final approval by City Council &amp; the Mayor.</b> ) Please provide the zoning application number associated with the subject property:	be
(Exam	ry of proposed special exception request (shall not replace submittal of written criteria es: "Installation of a swimming pool adjacent to the public right of way ("active recreation"), "Installation of wall ('privacy fence' with 6-foot high opaque wall gates.").	
	Parking & Loading: List the hours and manner of operation for the proposed use, the maximum number of employees who will park on the site at any given time, and list the maximum estimate number of customers (visitors or similar persons) who will require automobile parking in connection with the use on the site at any given time. If you are proposing off-site parking, see the attached tandards for off-site Parking Agreements (page 1)	ed on <b>ed</b>
	Valls and Fences: Any request for walls or fences should include a site plan and elevations showing ne full extent of the wall or fence and a drawing showing a typical portion of the wall or fence including gates of ornamental fences.	_ _ _
	active Recreation:	_ _ _ _
	Ion-Conforming Uses & Structures (i.e. duplex):	_ _ _
	all other Special Exception Requests:	  
		_



#### TKO INSTALLATIONS, INC.

1287 Kyle Court Wauconda, IL 60084 (847) 526-1169 (847) 526-7109 FAX

www.tko.com

V-21-180

**DATE:** July 27, 2021

OFFICE OF ZONING

Specialties Contractor - General Construction

City of Atlanta, Office of Zoning and Development (404-330-6145)
Application for Board of Zoning Adjustments Variances & Special Exceptions

**Property Address:** 

300 North Highland Avenue northeast, Atlanta, GA

#### Scope of Work:

New walk-up ATM with raised concrete pad, ATM kiosk, bollards, lighting, security cameras and meter pedestal. Lane striping and pavement markings to be painted.

New Kiosk/ATM to be located within the parking lot of an existing strip center.

#### Please refer to attached drawings:

G001 Cover Sheet and General Notes

A101 Existing Conditions and Site Plan

A102 Elevations and Details

A103 Electrical Sections and Details

Copy of Metes and Bounds

Copy of site survey.

Requesting a Special Exception to reduce the required number of parking spaces from 30 to 29, a net reduction of 1 parking space.

Special circumstances are such that this parcel is merely 895 ft. short of meeting the criteria of <u>Section 16-28.014(14)</u>, and within 2,640 feet of a High Capacity Transit station whereas these parking minimums would not apply.

Project has been submitted for the following applications/approvals:

Case Number CA2S-21-212. Approved by the historic district.

Case Number BL-21-017. Approved pending parking variance/special exception approval.

It is our hope that this pedestrian friendly improvement would be granted this exception so that this complimentary accessory to the development and the local community can be completed.

Regards,

TKO Installations Inc.

1287 Kyle Ct. Wauconda, IL. 60084

Chris.Quinn@TKOSafe.com

847-526-1169 x104 Office 847-257-2245 Cell

Cc: R. Hunt Dunlap, Jr ESQ.

V-21-180



# Exhibit A Property Description 300 North Highland Avenue, LLC North Highland Avenue & Elizabeth Street Fulton County, Georgia

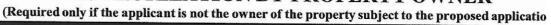
All that tract or parcel of land lying and being in Land Lots 14 and 15 of the 14th District, Fulton County, Georgia, and being more particularly described as follows:

Beginning at a 1/2 inch rebar found at the intersection of the westerly right-of-way of Elizabeth Street (a 40 foot right-of-way) with the northerly right-of-way of North Highland Avenue (a 50 foot right-of-way), said 1/2 inch rebar found being the TRUE POINT OF BEGINNING. Thence departing the said westerly right-of-way of Elizabeth Street and continuing with the said northerly right-of-way of North Highland Avenue, South 58 degrees 15 minutes 18 seconds West, a distance of 176.80 feet to a 1-1/2 inch open top pipe found in the division line between 240 North Highland Property, L.P. (Deed Book 28566 at Page 336) on the west and north, respectively, and 300 North Highland Avenue, LLC (Deed Book 29916 at Pages 71 and 73) on the east and south, respectively; Thence departing the said northerly right-of-way of North Highland Avenue and continuing with the said division line the following three courses: North 56 degrees 02 minutes 13 seconds West, a distance of 130.92 feet to a 1/2 inch rebar found; Thence North 59 degrees 12 minutes 20 seconds East, a distance of 48.10 feet to a 1/2 inch rebar found; Thence North 59 degrees 35 minutes 36 seconds East, a distance of 129.88 feet to a 5/8 inch rebar set in the said westerly right-of-way of Elizabeth Street; Thence continuing with the said westerly right-of-way of Elizabeth Street, South 56 degrees 16 minutes 51 seconds East, a distance of 126.96 feet to a 1/2 inch rebar found at the said intersection of the said westerly right-of-way of Elizabeth Street with the said northerly right-of-way of North Highland Avenue, said 1/2 inch rebar found being the TRUE POINT OF BEGINNING.

Said tract of land contains 0.476 Acres.

or 20,846 square feet

# **AUTHORIZATION BY PROPERTY OWNER**





(Please print clearly. Must be the original document. A copy will not be accepted.)

I, 300 N. Highland, LLC/Thomas N. Wineland, N	Manager (OWNER'S NAME)	SWEAR AND AFFIRM THAT I AM
THE OWNER OF THE PROPERTY	AT PID#14 00190004009 300 North Highland A	ve Northeast, Atlanta GA (PROPERTY
ADDRESS). AS SHOWN IN THE RE	ECORDS OF Dekalb	COUNTY, GEORGIA,
		APPLICATION. I AUTHORIZE THE
PERSON NAMED BELOW TO FILE		
APPLICATION AS MY AGENT.		
NAME OF APPLICANT:		
LAST NAME Quinn	FIRST NAME	Chris
ADDRESS 1287 Kyle Ct.		SUITE
CITY Wauconda		
OWNER'S TELEPHONE NUMBER:  JB. William  SIGNATURE OF OWNER  Thougs N. Wireland  PRINT NAME OF OWNER	•	
PERSONALLY APPEARED BEFO	CRAIG NOTAR Cobb	NAMES, WHO SWEARS THAT THE TRUE AND CORRECT TO THE BEST OF  KANTOR Y PUBLIC County Georgia res Jan. 11, 2025

DATE

#### TITLE EXCEPTIONS

THIS SURVEY IS BASED ON A TITLE REPORT PREPARED BY STEWART TITLE GUARANTY COMPANY, COMMITMENT NO. 12-0149, DATED APRIL 15, 2012.

(0) SEWER EASEMENT REFERENCED IN THAT WARRANTY DEED FROM MRS. BESSE K. SPEARMAN TO W.D. HARPER, DATED 9/17/1989, RECORDED AT DEED BOOK 5140, PAGE 194, FULTON COUNTY, GEORGIA RECORDS.

APPEARS TO AFFECTS THE SUBJECT PROPERTY BUT CAN NOT BE PLOTTED FROM THE INFORMATION PROMOED

(H) INDEMNITY AGREEMENT FROM 300 NORTH HIGHLAND AVENUE, LLC TO THE CITY OF ATLANTA, DATED 12/01/2005, RECORDED AT DEED BOOK 41699, PAGE 513, FULTON COUNTY, GEORGIA RECORDS.

AFFECTS THE SUBJECT PROPERTY, BLANKET IN NATURE

(I) UNRECORDED LEASE AS EMBENCED BY RECORDABLE MEMORANIUM OF LEASE, BETWEEN 500 MORTH HIGHLAND AKENAE, LLC AND THE GRAPE AT HIMAN PARK, LC, AS SUBSECUENTY ASSOCIATED TO MINUM PROPERTIES, LLC, DATED 9/20/2006 AND RECORDED AT DEED BOOK 43371, PAGE 306, AVDRESSUB RECORDS.

AFFECTS THE SUBJECT PROPERTY BUT CAN NOT BE PLOTTED

(J) SEWER EASEMENT DESCRIBED IN THAT CONDOMINUM SUIT STYLED CITY OF ATLANTA VS. MD. HAMPER, ET AL., BEING CIVIL CASE NO. B-56829, DATED AND FILED 8/26/1970, AND RECORDED AT DEED BOOK 5270, PAGE 424, AFORESAND RECORDS.

APPEARS TO AFFECT THE SUBJECT PROPERTY BUT CAN NOT BE PLOTTED FROM THE INFORMATION PROVIDED

(K) HISTORIC PRESERVATION DESIGNATION BY THE CITY OF ATLANTA, DATED 4/18/2002 AND RECORDED AT DEED BOOK 32286, PAGES 477, 478 AND 478, AFCRESAID RECORDS.

AFFECTS THE SUBJECT PROPERTY, TOO VACUE TO PLOT

(1) ALL MATTERS DESCRIBED AND DEPIGTED ON THAT CERTAIN CONSOLIDATED SURFEY FOR 300 NORTH MICHAMO AVENUE, LLC, PREPARED BY GEOSEWICE, LTD, BEARING THE CERTIFICATION OF TREHTON D. TURK, GRALS. MO. 2411, DATED FEBRUARY II, 2003, AND RECORDED AT PLAT BOOK 205, PAGE 12, FUTUREN COUNTY, GETRICAR RECORDS.

AFFECTS THE SUBJECT PROPERTY, CURRENT IMPROVEMENTS EXIST AS SHOWN ON CURRENT SURVEY

#### LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING IN AND BEING IN LAND LOTS 14 AND 15, DISTRICT 14, CITY OF ATANTA, FULTON COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

PARTICULARLY DESCRIBED AS FOLIONES.

BERONNING AT AM BOOK SET FOUND AT THE NORTH RIGHT OF MAY OF NORTH BECKNING AT AM BOOK SET FOUND AT THE NORTH RIGHT OF MAY OF LIZURETH STREET (AD RIGHT OF WAY). MIGHT SET REPORT OF BECOMING THE LIZURETH STREET (AD RIGHT OF WAY). MIGHT SET REPORT OF BECOMING THE RIGHT OF A RIGHT OF THE RIGHT OF

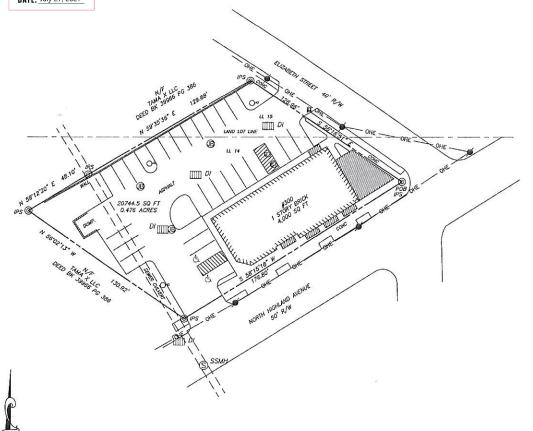
SAID TRACT OR PARCEL OF LAND CONTAINS 0.476 ACRES AND IS DEPICTED ON THAT ALTA/ACSM PLAT OF SURVEY, BY LANDERO SURVEYING AND MAPPING, INC SCALLED AND CERTIFIED BY JAMES H. RADER, GRIS NO. 30.33, DATED MAY 30, 2012.

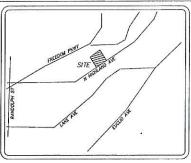


V-21-180



**DATE:** July 27, 2021





#### VICINITY MAP

#### **BURVEY NOTES**

1. THIS SURVEY IS BASED ON A TITLE REPORT PREPARED BY STEWART TITLE GUARANTY COMPANY, COMMITMENT NO. 12-0149, DATED APRIL 15, 2012.

2. THIS PLAT WAS PREPARED FROM A FIELD SURVEY USING A THREE SECOND THEODOLITE AND ELECTRONIC DISTANCE METER.

J. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 10,000 FEET + AND AN ANGULAR ERROR OF 3" PER ANGLE POINT. IT HAS BEEN ADJUSTED USING LEAST SOURCES.

4. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE WITHIN ONE FOOT IN 50,000+ FEET.

5. ALL IPF & IPS ARE W' REBAR UNLESS NOTED OTHERWISE.

6. THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHT OF WAYS, PUBLIC OR PRIVATE.

7. NO PORTION OF THIS PROPERTY APPEARS TO LIE WITHIN THE 100 YEAR FLOOD PLAIN ACCORDING TO FEMA FLOOD INSURANCE RATE MAP NUMBER 13121C0285 E, EFFECTIVE DATE OF MAY 7, 2001.

B. INFORMATION REGARDING THE PRESENCE, SIZE AND LOCATION OF UNDERGROUND UTILITIES IS SHOWN HEREON. THIS INFORMATION IS DASED ON THE LOCATION OF WISBLE APPRICAMENCES. LANGEROP SURFERING NON MAPPING, IN UNIXES NO EXERTICATION AS TO THE ACCURACY OR THOROUGHESS OF THE INFORMATION SHOWN HEREON.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WHEE MADE IN ACCORDANCE WITH THE 2011 MINIOUN STANDARD DETAIL RECOURSEMENTS FOR ALTH/ACEN LAND THE SURVEYS, SANTLY ESTABLISHED AND ADDRED BY ALTA AND KIPS. THE FIELD WORK WAS COMPLETED ON 05/25/2012. ONTE OF FLAT OF 05/30/2012.



JAMES H RADER GEORGIA RLS# 3033

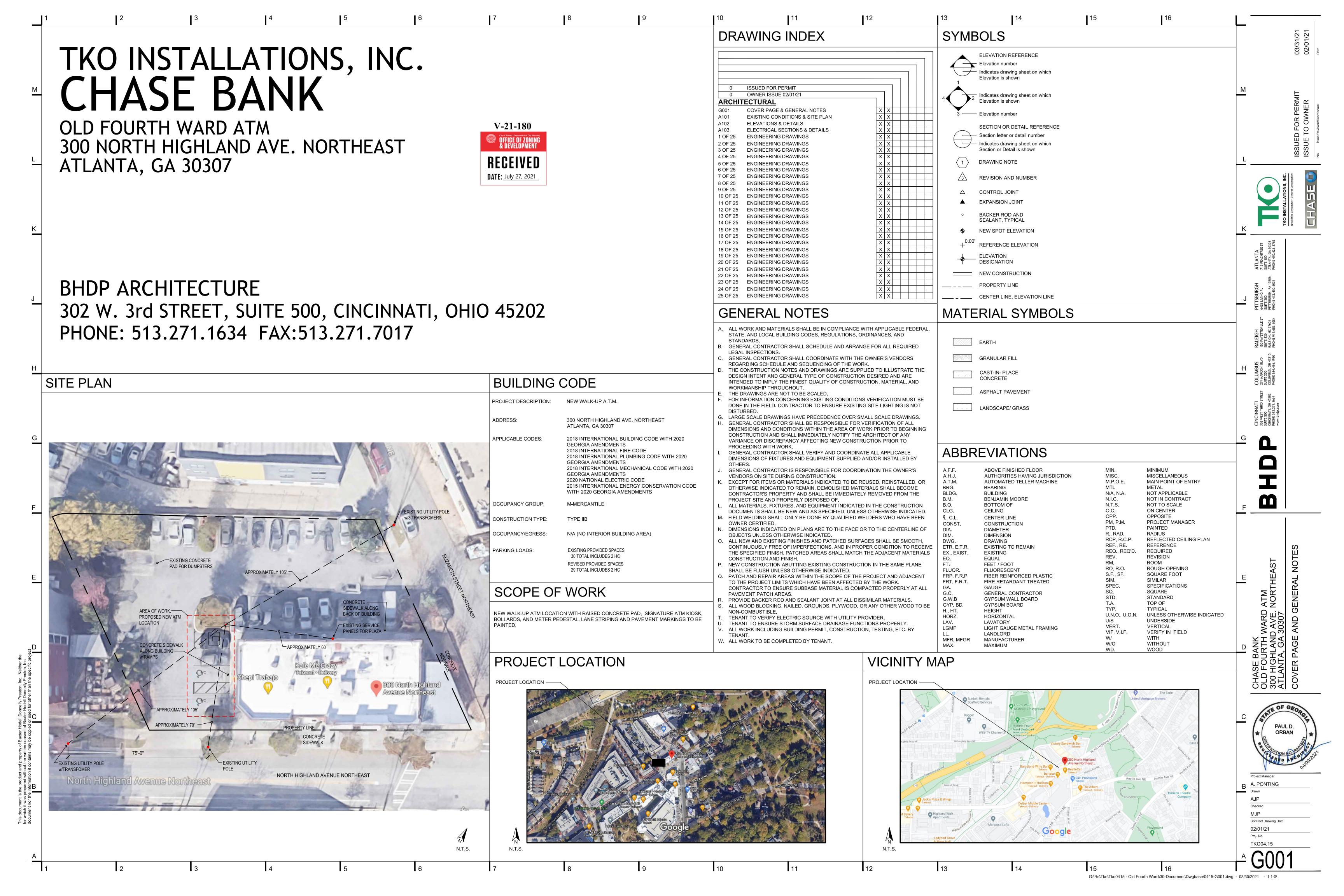
#### ALTA/ACSM SURVEY FOR:

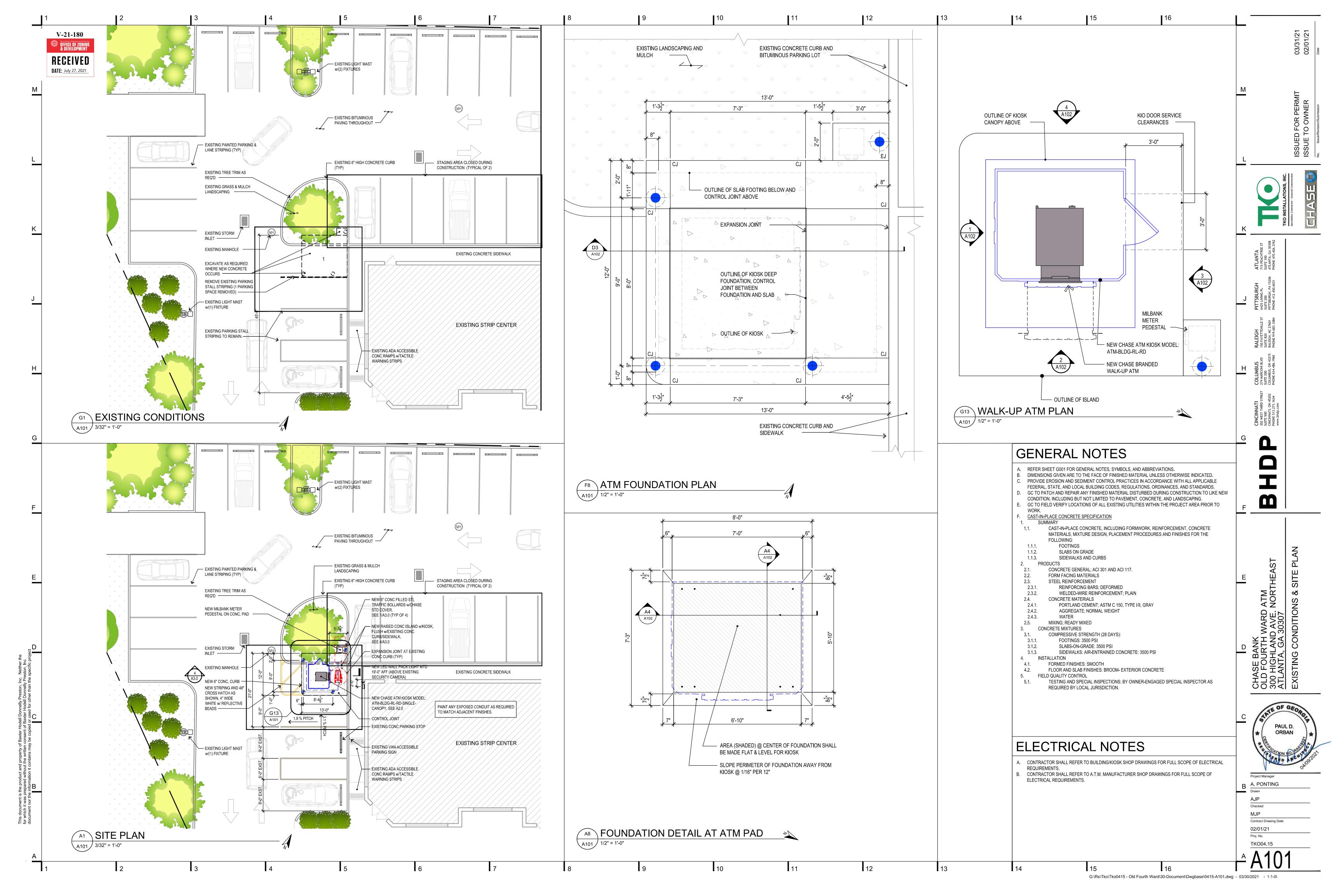
#### LANDPRO

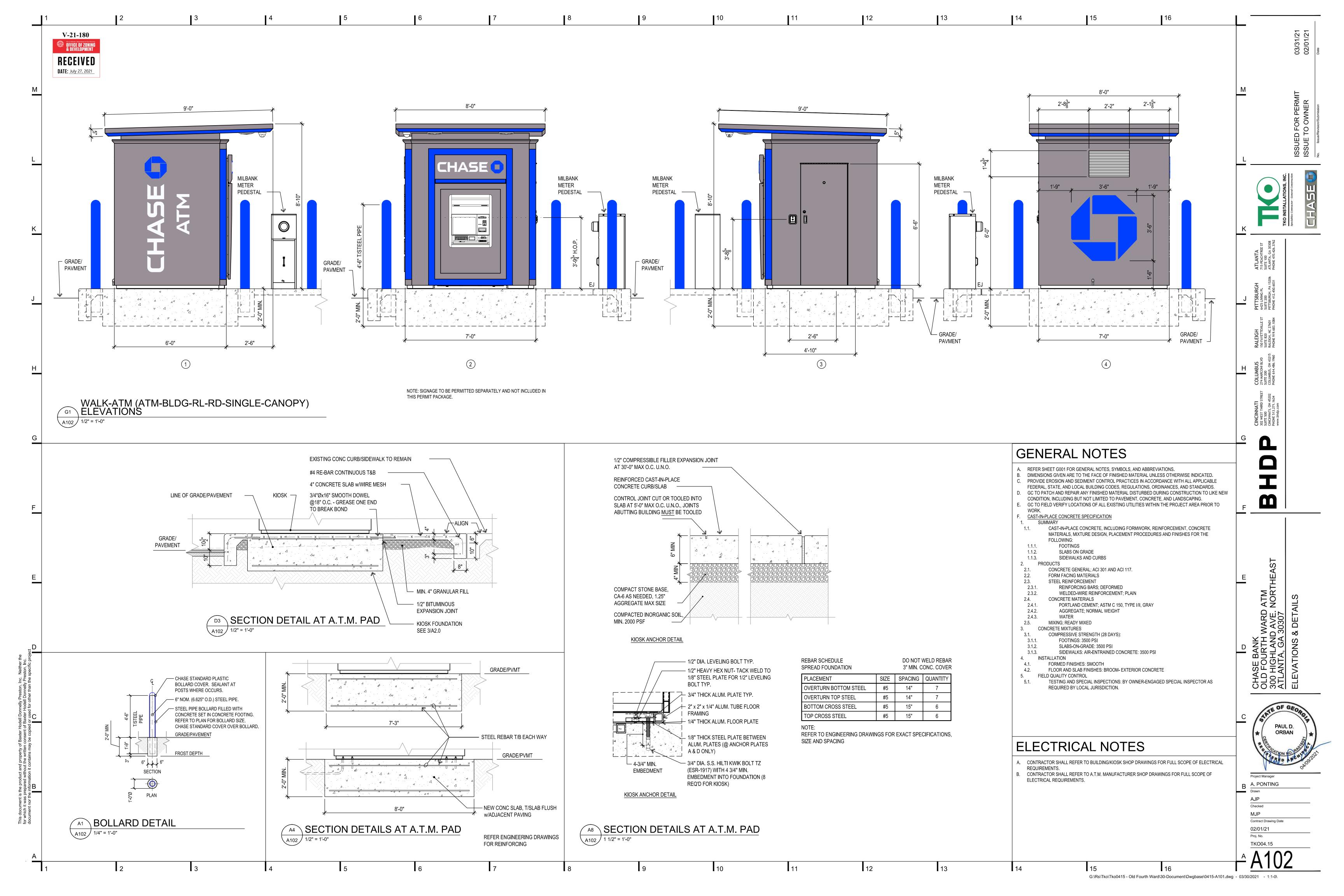
SURVEYING AND MAPPING 305 CREEKETONE RIGOE WOODSTOCK, GA 30188 TELE: 404-386-2170 FAX: 678-213-1519 WWW.LANDPROBUNYETING.EGM COPYRIGHT 2012 THOMAS N. WINELAND NELLIE M. WINELAND CHEROKEE BANK STEWART TITLE GUARANTY COMPANY

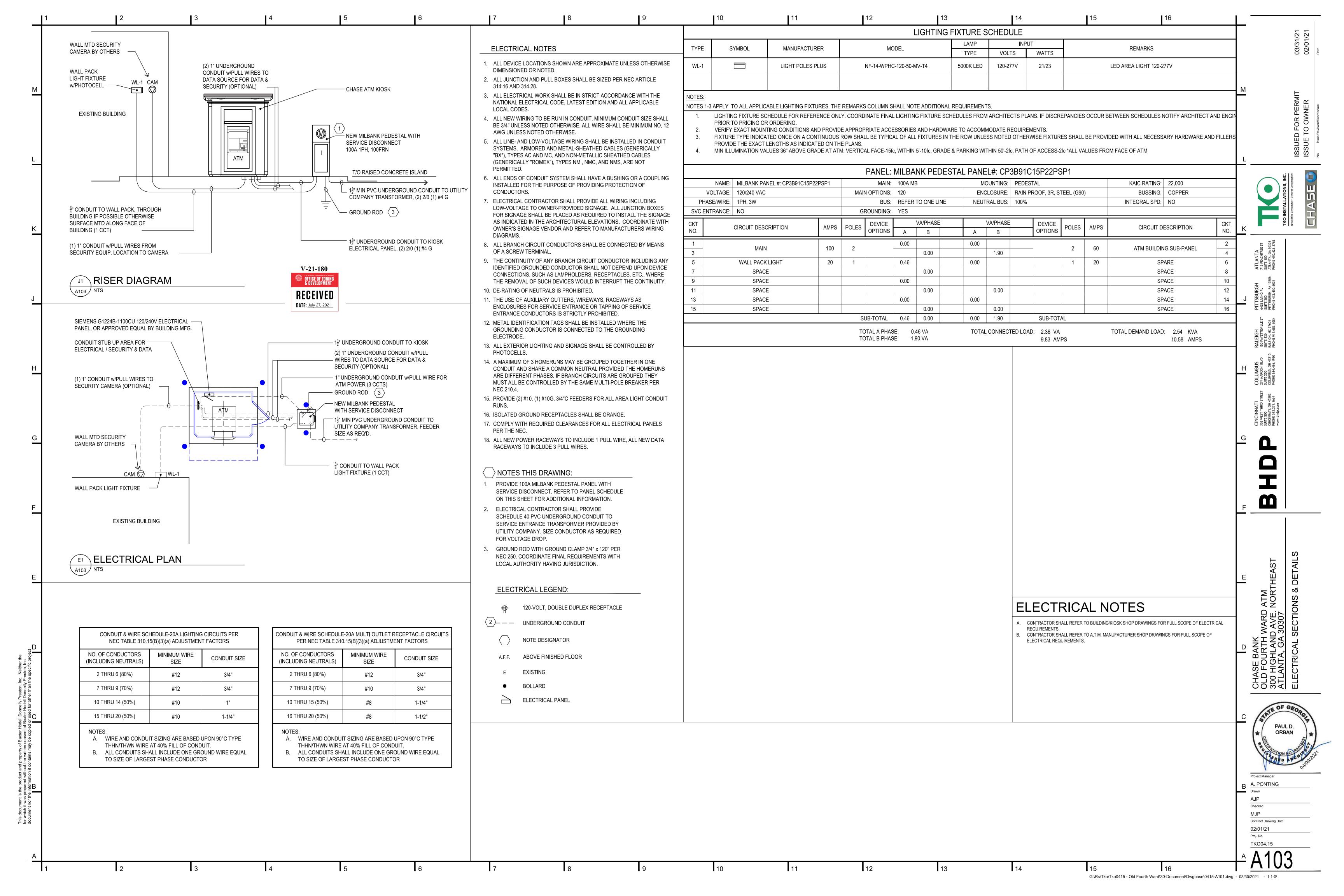
LAND LOT 14 & 15 CITY OF ATLANTA
DISTRICT 14 FULTON COUNTY, GA
SCALE DATE PROJECT NO. SHEET

## 20' 05/30/12 20 | 20530 1 OF )









#### **RECEIPT**

CITY OF ATLANTA
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVE SW, ATLANTA GA 30303
404-330-6070

Application: V-21-180

Application Type: Planning/BZA/Special Exception/NA

Address: 300 NORTH HIGHLAND AVE NE, ATLANTA, GA 30307

Owner Name: AVENUE LLC

Owner Address: . P O BOX 11987 ATLANTA, GA 30355

**Application Name:** 

Receipt No. 766841

Payment Method Ref Number Amount Paid Payment Date Cashier ID Received Comments

Credit Card \$625.00 07/27/2021 PUBLICUSER790094

Owner Info.: AVENUE LLC

. P O BOX 11987 ATLANTA, GA 30355

Work Description:

Applicant seeks a special exception from the zoning regulation to reduce the required number of off-street parking spaces from 30 to 29 parking spaces for the construction of a

new walk-up ATM.

V-21-180

