



**OFFICE OF PLANNING**  
55 Trinity Avenue S.W., Suite 3350  
Atlanta, Georgia 30303  
(404) 330-6145

APPLICATION #: **V-16-301**  
DATE ACCEPTED: **11/03/2016**

## NOTICE TO APPLICANT

Address of Property:  
**2161 Piedmont RD NE**

City Council District: **6** Neighborhood Planning Unit (NPU): **F**

Board of Zoning Adjustment (BZA) Hearing Date:

**Thursday, January 5, 2017 at 12:00 p.m.**

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

The contact person for NPU F is:

**Charles Nalbone**  
**404-376-3230**  
**zoning@npufatlanta.org**

Contact info for adjacent NPUs is provided below if necessary:

**Additional Contacts:**

Please contact the person(s) listed above within two 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, Bureau of Planning

Randy E Pimsler



City of Atlanta  
 Office of Buildings – Zoning Division  
 55 Trinity Avenue, Suite 3900  
 Atlanta, Georgia 30303  
 Phone: 404-330-6175



**REFERRAL CERTIFICATE**

COUNCIL DISTRICT \_\_\_\_\_ APPLICATION NUMBER V-16-301

NPU \_\_\_\_\_ DATE FILED \_\_\_\_\_

1. Randy E Pimsler

Name of Applicant

**BUILDING PERMIT AUTHORIZING**

*Addition to a commercial building+*

at 2161 Piedmont Rd NE 17<sup>th</sup>/49  
 Street Address Quadrant District & Land Lot

to be used for \_\_\_\_\_ commercial \_\_\_\_\_ purposes

The property is zoned I-1 District

2. The Building Permit Was Denied For The Following Reasons:

Application seeks a special exception to (1) reduce the required on-site parking requirement of 80 parking spaces to 66 parking spaces to allow an addition to a commercial building.

Applicant seeks no other variances at this time.

**1982 ZONING ORDINANCE, AS AMENDED**

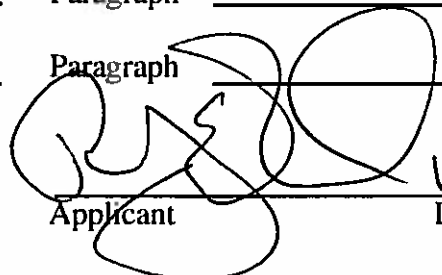
Chapter 16 Section 16-16.009 Paragraph (5) (6) (10)

Chapter \_\_\_\_\_ Section \_\_\_\_\_ Paragraph \_\_\_\_\_

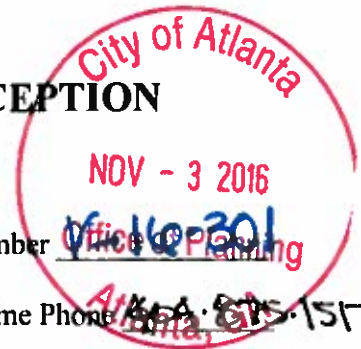
Chapter \_\_\_\_\_ Section \_\_\_\_\_ Paragraph \_\_\_\_\_

Chapter \_\_\_\_\_ Section \_\_\_\_\_ Paragraph \_\_\_\_\_

P. Johnson 11-2-16  
 Plan Reviewer Date

  
 Applicant Date 11.02.2016

APPLICATION FOR SPECIAL EXCEPTION  
City of Atlanta



Date Filed 11/3/16 Application Number Office of Planning  
Name of Applicant RANDY E. PINSLER Daytime Phone 404-875-1577  
Company Name PINSLER LOSS APPRAISERS INC email RANDY@PINSLERLOSS.COM  
Address 1283 Spring Street NW Suite B Atlanta GA 30309  
street city state zip code

Name of Property Owner Tanya Wood Spivey Phone 404-881-0902  
Address 261 Piedmont Road NE Atlanta GA 30324  
street city state zip code

Description of Property

Address of Property 261 Piedmont Road NE Atlanta GA OR

The subject property fronts 150 feet on the EAST side of  
PIEDMONT ROAD beginning 0 feet from the  
NORTHEAST corner of LAURELHURST DRIVE

Depth: 307 Area: 1.071 Land Lot: 17 District: 49, Fulton County, GA.

Property is zoned: IL, Council District: 6, Neighborhood Planning Unit: F

TO THE BOARD OF ADJUSTMENT: Applicant, having received an adverse order or requirement from the administrative officer in seeking a building permit or certificate of occupancy, hereby requests that the Board of Zoning Adjustment grant a Special Exception.

I hereby authorize the staff of the Office of Planning to inspect the premises of the above-described property. I understand that it is my responsibility to post a public notice sign on the property according to the instructions given to me by the Office of Planning upon filing this application. I swear that all statements herein and attached hereto are true and correct to the best of my knowledge and belief.

Sworn To And Subscribed Before Me This 18<sup>th</sup> Day Of Oct, 2016  
[Signature]  
Owner or Agent for Owner (Applicant)

RANDY E. PINSLER  
NAME OF APPLICANT IN PRINTED LETTERS

Elaine R. Gale  
NOTARY PUBLIC

ELAINE R GALE  
NOTARY PUBLIC  
DEKALB COUNTY, GEORGIA  
MY COMMISSION EXPIRES  
JUNE 9, 2020

City of Atlanta  
V-12-1301  
NOV - 3 2016  
Office of Planning  
Atlanta GA

## SUMMARY & JUSTIFICATION FOR SPECIAL EXCEPTIONS

**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 these criteria. Please submit a separate justification for responses to the applicable special exception criteria.

State whether the property described in this application is subject to a pending application or ordinance for a Rezoning or Special Use Permit. \_\_\_ YES \_\_\_  NO. (If yes, the variance/special exception request will be rescheduled to a hearing following the final approval by City Council & the Mayor.)

**Summary of proposed special exception request (shall not replace submittal of written criteria).** (Examples: "Installation of a swimming pool adjacent to the public right of way ("active recreation"), "Install a 6-foot high opaque wooden wall ('privacy fence' with 6-foot high opaque wall gates.").

**Parking & Loading:** List the maximum number of employees who will park on the site at any given time: 20 AND list the maximum estimated number of customers, clients, visitors, or similar persons who will require automobile parking in connection with the facility on the site at any given time: 40. If you propose to provide off-site parking, see the attached Standards for off-site Parking Agreements (page 10)

CONSTRUCT 790 SQUARE FOOT WAREHOUSE ADDITION AT REAR OF EXISTING BUILDING.

**Walls and Fences:** Any request for walls or fences should include a site plan and elevations showing the 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:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Non-Conforming Uses & Structures (i.e. duplex):** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**All other Special Exception Requests:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PLEASE SEE ATTACHED JUSTIFICATION



To: City of Atlanta  
Department of Planning and  
Community Development  
55 Trinity Avenue, SW  
Atlanta, Georgia 30335

Date: 10/27/16  
Project: Tower Wine and Spirits  
Job No: 15196

From: Randy E. Pimsler, AIA, LEED AP  
Pimsler Hoss Architects, Inc.

## SPECIAL EXCEPTION JUSTIFICATION

2181 Piedmont Road  
Atlanta, Georgia 30324

### Introduction

The attached special exception application requests a parking reduction from the required parking as outlined in the City of Atlanta, 1982 Zoning Ordinance, as amended, for properties designated I-1 (Industrial).

The owners of the property wish to construct a warehouse addition to the existing building. The proposed structure is a one story seven hundred ninety square foot concrete block enclosure. The proposed addition covers four existing parking spaces and is located below the existing second level warehouse structure at the rear of the property.

The existing building provides for a retail operation, warehouse and offices for Tower Wine and Spirits. The business has been in operation at this location for decades. Business growth has led to the need for additional warehouse space. The parking spaces to the rear of the property are not utilized by customers and employees rarely park in this area. Much of the time, the parking spaces in the rear of the building, which will be occupied by the new addition are covered with cardboard awaiting recycling.

The retail space is actually displayed more as a warehouse and while there is adequate aisle space throughout the retail area, much of the floor area is occupied with merchandise, including stacked boxes of merchandise. Cashiers fill the front of the retail area and the rear of the building contains coolers and warehouse space, where shoppers are not allowed. The second floor of the building is utilized exclusively for warehouse storage and offices.

There are currently:

- twelve thousand five hundred thirty one square feet of retail area, requiring one parking space per two hundred square feet of area, or sixty three parking spaces;

continued

- one thousand five hundred sixty nine square feet of business / office area, requiring one parking space per three hundred square feet of area, or six parking spaces;
- and six thousand one hundred eighty two square feet of warehouse / storage area, requiring one parking space per six hundred square feet of area, or eleven parking spaces.

Based on the summary of space utilization noted above, a total of eighty parking spaces would be required. There are currently seventy parking spaces and one loading parking space indicated on the survey.

Upon review of the actual retail floor area which contains merchandise, as noted above, of the twelve thousand five hundred thirty one square feet of area, approximately two thousand six hundred eighty two square feet of area is occupied by merchandise. The remaining nine thousand eight hundred forty nine square feet of area would require fifty parking spaces at a ratio of one parking space per two hundred square feet of area. Therefore the retail area would require thirteen less parking spaces than what has been noted above, reducing the total parking spaces required from eighty to sixty seven.

The proposed addition will eliminate four existing parking spaces. The proposed addition of seven hundred ninety square feet of warehouse would require two additional parking spaces.

The total required parking, utilizing the literal interpretation from the zoning ordinance would be eighty two parking spaces, including the addition. The parking provided on the site, with the addition would be sixty six parking spaces, plus one loading space and the required / designated loading area.

The property is maximized at this time with regards to building and related parking. At the rear of the property, the land slopes steeply to Blakely Drive, preventing the addition of parking in the remaining vacant land.

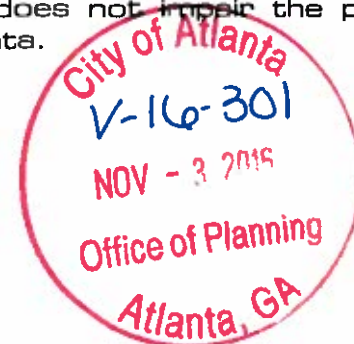
The business operates quite well throughout the year and parking is more than adequate. Many employees travel to the property via MARTA. Proximity to mass transit warrants further consideration for a parking reduction.

At holiday times, the business is overwhelmed with far more traffic than the required parking could satisfy. To improve the congestion at the site, security guards are posted at all entrances to the property and safe traffic flow is maintained in and around the property to limit the impact in the public right of way.

We believe that the requested parking reduction, poses little impact to the existing operation, does not impact the public good negatively and that relief from the strict application of the zoning ordinance, if granted, does not impair the purpose and intent of the Zoning Ordinance of the City of Atlanta.

Thank you for your consideration.

Randy E. Pimsler, AIA, LEED AP  
Pimsler Hoss Architects, Inc.



**NOTARIZED AUTHORIZATION BY PROPERTY OWNER**  
(Required only if applicant is not the owner of the property subject to the application)

TYPE OF APPLICATION SPECIAL EXCEPTION

I, ROGER BAKER, ASST. GEN. MGR (OWNER(S) NAME)

SWEAR THAT I AM THE OWNER OF THE PROPERTY LOCATED AT \_\_\_\_\_  
214 FREEMONT ROAD NE (PROPERTY ADDRESS).

AS SHOWN IN THE RECORDS OF Fulton COUNTY, GEORGIA WHICH  
IS THE SUBJECT MATTER OF THE ATTACHED APPLICATION. I

AUTHORIZE THE PERSON NAMED BELOW TO ACT AS THE APPLICANT  
IN THE PURSUIT OF THIS APPLICATION.

NAME OF APPLICANT RANDY E. FIMSUEE

ADDRESS 1383 SPRING STREET NW SUITE B  
ATLANTA, GEORGIA 30309

TELEPHONE NUMBER 404-875-1517

[Signature]  
Signature of Owner / ASST. GEN. MANAGER

Personally Appeared  
Before Me ROGER BAKER

Who Swears That The  
Information Contained  
In This Authorization  
Is True and Correct To  
The Best of His or Her  
Knowledge and Belief. Elaine R. Gale

Notary Public \_\_\_\_\_  
Date October 18, 2014

ELAINE R GALE  
NOTARY PUBLIC  
DEKALB COUNTY, GEORGIA  
MY COMMISSION EXPIRES  
JUNE 9, 2020



RECEIPT

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

PAID  
CITY OF ATLANTA

NOV 03 2016

EX OFFICIO MUNICIPAL  
REVENUE COLLECTOR



Application: V-16-301  
Application Type: Planning/BZA/Special Exception/NA  
Address: 2161 PIEDMONT RD NE, ATLANTA, GA 30324  
Owner Name: TOWER PEIDMONT LLC  
Owner Address:  
Application Name:

Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
493546		\$625.00	11/03/2016	PAMITCHELL		

Owner Info.: TOWER PEIDMONT LLC

Work Description: Application seeks a special exception to (1) reduce the required on-site parking requirement of 80 parking spaces to 66 parking spaces to allow an addition to a commercial building.





