



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

APPLICATION #: **V-16-350**  
DATE ACCEPTED: **12/29/2016**

## NOTICE TO APPLICANT

Address of Property:  
**2125 Piedmont RD NE**

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

Board of Zoning Adjustment (BZA) Hearing Date:

**Thursday, March 2, 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,

TW, for Director, Bureau of Planning

Cesar Angeletti



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

**REFERRAL CERTIFICATE**

COUNCIL DISTRICT 6 APPLICATION NUMBER V-16-350

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



Cesar Angeletti  
 Name of Applicant

**BUILDING PERMIT AUTHORIZING**

*Construction of new restaurant*

at 2125 Piedmont Road NE 17<sup>th</sup> /49  
 Street Address Quadrant District & Land Lot

to be used for \_\_\_\_\_ a restaurant \_\_\_\_\_ purposes

The property is zoned I-1 District

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

Applicant seeks a special exception from the zoning regulations (1) to reduce the required parking for a restaurant from 28 parking spaces to 18 parking spaces.

Applicant seeks no other variances at the time.

**COMPLETE REVIEW NOT CONDUCTED. NO ARCHITECTURAL PLANS PROVIDED.**

**LOT IS CONSISTENT WITH REP-15-006.**

**1982 ZONING ORDINANCE, AS AMENDED**

Chapter 16 Section 16-16.009 Paragraph (4)

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

Tamaria Letang 12.29.16  
 Plan Reviewer Date

[Signature] 12/29/16  
 Applicant Date



# APPLICATION FOR BOARD OF ZONING ADJUSTMENT

Please mark "X" next to the type of application(s) you are submitting:

Variance	
Special Exception	X
Variance & Special Exception	

Date Filed 12-29-16

Application Number V-16-350

Name of Applicant Cesar Angeletti Daytime Phone 404-797-8217

Company Name (if applicable) \_\_\_\_\_ email cesar.angeletti@wellstar.org

Address 1875 Fox Chapel Dr. Smyrna GA 30080  
street city state zip code

Name of Property Owner Cesar Angeletti Phone 404-797-8217

Address 1875 Fox Chapel Dr. Smyrna GA 30080  
street city state zip code

### Description of Property

Address of Property 2125 Piedmont Rd Atlanta GA 30324  
street city state zip code

Area: 10.151 SF Land Lot: 49 District: 17th, FULTON County, GA.

Property is zoned: I-1, Council District: 7, Neighborhood Planning Unit (NPU): F

TO THE BOARD OF ZONING 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 Variance or Special Exception.

I hereby authorize the staff of the Office of Zoning and Development 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 Zoning and Development 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.

[Signature]  
Owner or Agent for Owner (Applicant)  
CESAR ANGELETTI  
Print Name of Owner

Sworn To And Subscribed Before Me This 29 Day Of 12, 2016.  
[Signature]  
NOTARY PUBLIC



V-16-350

## SUMMARY & JUSTIFICATION FOR VARIANCES

**Directions:** Complete responses must be provided for ALL questions. Incomplete applications will not be 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 these criteria. Please submit a typewritten or legible justification.

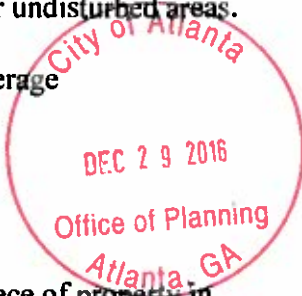
State whether the property described in this application is subject to a pending application or ordinance for a Rezoning or Special Use Permit.     YES    X    NO. (If yes, the variance/special exception request will be rescheduled to a hearing following the final approval by City Council & the Mayor.)

**Summary of proposed construction changes to buildings or site (shall not replace submittal of written criteria).** (Examples: "Convert a 100' x 200' retail space into a restaurant." "Install a 6-foot high opaque wooden wall ('privacy fence' with 6-foot high opaque wall gates.").

Reduce side (north) setback from 5 feet to 0 feet → N/A  
Reduce parking requirement from 28 spaces to 18 spaces

**Proposed Lot Coverage (After Construction):** Calculate total amount of lot coverage on entire property, after completion of proposed construction, including existing and proposed buildings and other structures; sidewalks, driveways, parking pads, patios, gravel, etc.; everything except natural planted or undisturbed areas.

8,800 covered square feet / 10,151 total lot square feet = 87 % proposed lot coverage  
100 % maximum allowed lot coverage



**Variance Criteria (see page 6 for detailed criteria):**

- 1) What are the extraordinary and exceptional conditions pertaining to the particular piece of property in question (size, shape or topography)? This is a small piece of unimproved land that has an unique triangular shape which makes difficult to fit a building and parking lot that could operate as a restaurant.
- 2) How would the application of the Zoning Ordinance of the City of Atlanta to this particular piece of property create an unnecessary hardship? It would impose locating the dishwashing area in an underground location which would create the need of a dumb waiter system and unusually deep grease trap which can not effectively drain into the city main sewer line.
- 3) What conditions are peculiar to this particular piece of property? The site, although located in a very populated area, is bordered by CSX rail road on the north side, I-85 on the south side and Piedmont Rd on the west side, which prevent possible odor or noise problems with neighbors. The close location of the front of the planned building to Piedmont Rd sidewalk will attract many walk-by customers.
- 4) 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. The north side of the the property borders a rail road right of way that extends by 100 feet and no buildings could be erected

V-16-350



# 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 \_\_\_X 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: three 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: fifteen. If you propose to provide off-site parking, see the attached Standards for off-site Parking Agreements (page 10) \_\_\_\_\_

**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:** \_\_\_\_\_

APPLICATION V-16-350

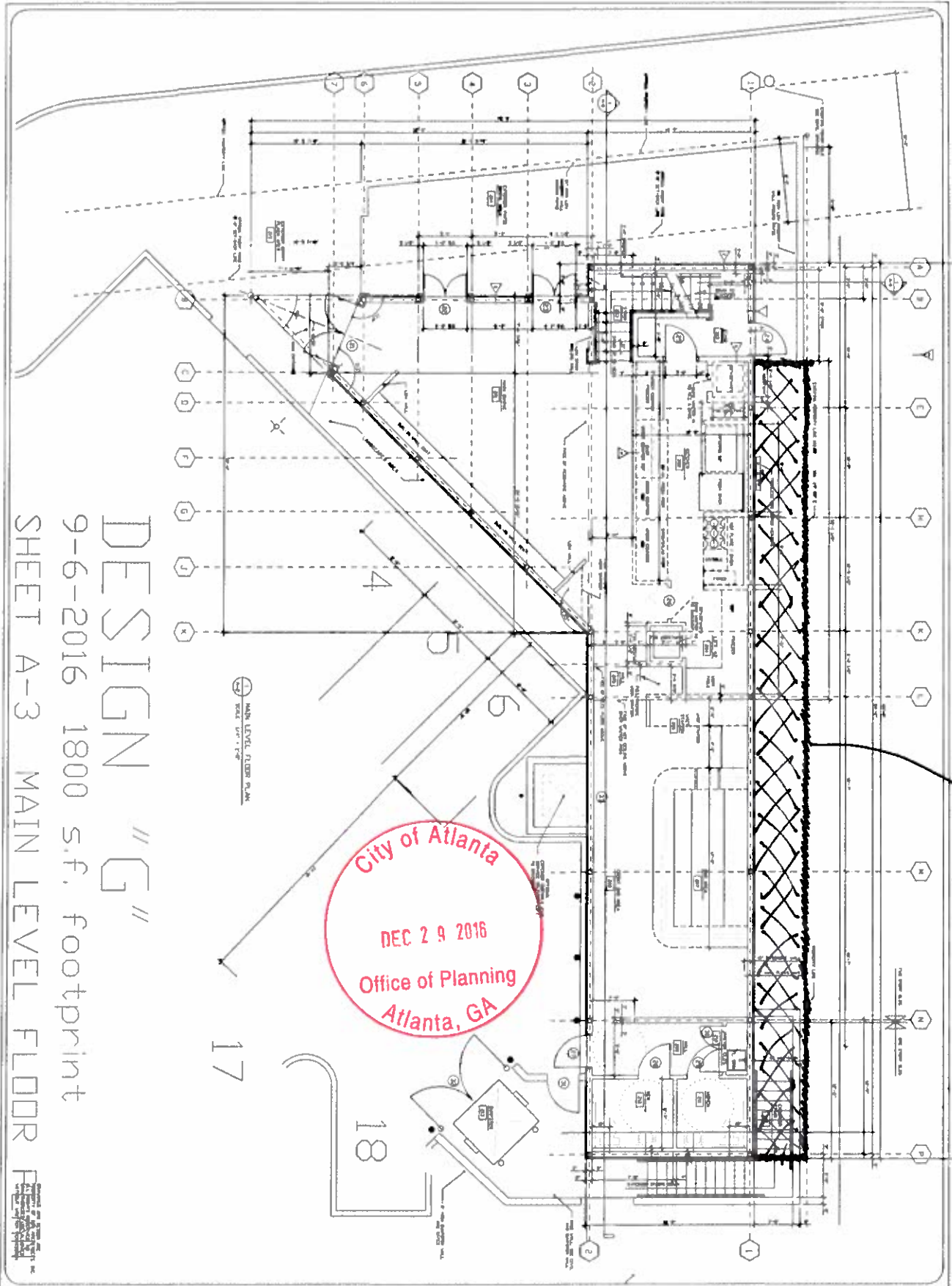
JUSTIFICATION FOR SPECIAL EXCEPTION

Request to reduce the parking requirement from 28 spaces to 18 spaces



2125 Piedmont Road is a 10,151 square feet unimproved lot located on the northwest end of Morningside-Lenox Park neighborhood and within the beltline area. The property has an unusual triangular shape. It fronts Piedmont Road on the west, the CSX railroad on the north and I-85 interstate highway on the south. The property used to harbor a gas station since 1920's to 1970's, being unused after that. Initially, our plan was to build a small (2,300 sq feet) restaurant with 18 parking spaces in this location. We secured a special exception to reduce the number of on-site parking spaces from a required 23 spaces to 18 in 2015 (V-15-179). However, the dimension constraint and shape of the planned building made it impossible for the kitchen designer to fit a workable dishwashing area. We tried to solve this by locating the dishwashing area in a basement and adding a dumb waiter system, however this forces the grease trap to be so deep that would not effectively drain into the main sewer line and would be almost impossible to pump out for maintenance. We decided that the best option that allows bringing the dishwashing area back to the main floor while maintaining the same number of available parking spaces, would be to shift the building north wall approximately 5 feet to the property line adjacent to the CSX railroad right of way (no encroachment). This change increases the building floor area, which in term would need a total reduction of the parking requirements from 28 spaces to 18 spaces. The front entry of the restaurant is planned to be located close to the Piedmont Rd sidewalk, allowing easy access by pedestrians. We believe the present type of project would complement nicely the revitalization of this corridor.





DESIGN "G"  
 9-6-2016 1800 S.F. footprint  
 SHEET A-3 MAIN LEVEL FLOOR PLAN

City of Atlanta  
 DEC 29 2016  
 Office of Planning  
 Atlanta, GA

*Proposed Expansion*

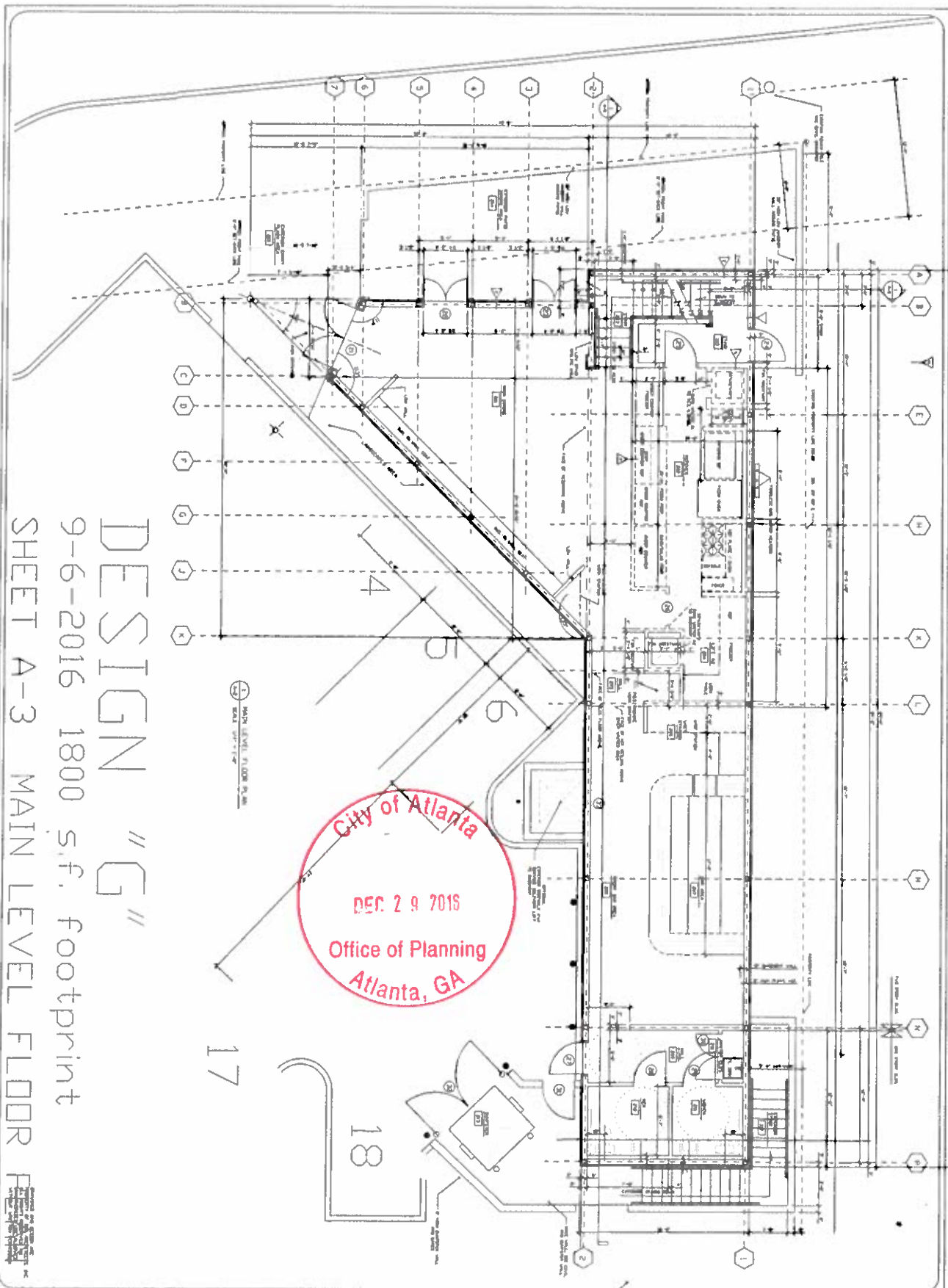
SHEET NO. **A-3**  
 OF 3

**DCA ARCHITECTS**  
 3612 ASHLEY ESTATES  
 NORTWELL, GEORGIA 30067  
 PHONE: (404) 929-1958 FAX: (404) 929-1954

**RESTAURANT FOR:  
 CESAR ANGELETTI**  
 2125 Piedmont Rd.  
 ATLANTA, GEORGIA 30324

DATE	DESCRIPTION





DESIGN "G"  
 9-6-2016 1800 s.f. footprint  
 SHEET A-3 MAIN LEVEL FLOOR FOOTPRINT

City of Atlanta  
 DEC 29 2015  
 Office of Planning  
 Atlanta, GA

SHEET NO.  
**A-3**  
 REVISION

**DC**  
 OCA ARCHITECTS  
 3042 ADLEY ESTATES  
 NORTON, GEORGIA 30057  
 PHONE: (770) 959-1999 FAX: (770) 959-1995

RESTAURANT FOR:  
**CESAR ANGELETTI**  
 2125 Piedmont Rd.  
 ATLANTA, GEORGIA 30324

DATE	DESCRIPTION

PAYED  
CITY OF ATLANTA  
DEC 29 2016  
EX. DIR. MUNICIPAL  
REVENUE DIRECTOR  
V13a

Application: V-16-350  
Application Type: Planning/BZA/Special Exception/NA  
Address: 2125 PIEDMONT RD NE, ATLANTA, GA 30324  
Owner Name: APOLLO TWO ONE TWO FIVE LLC  
Owner Address:  
Application Name:

Receipt No.	500962					
Payment Method	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
Credit Card		\$625.00	12/29/2016	BSIMMONS		

Owner Info.: APOLLO TWO ONE TWO FIVE LLC

Work Description: Special Exception to reduce the parking for a restaurant from 28 spaces to 18 spaces.