



**Variance Application****VAR-24-29**

Submitted On: Apr 5, 2024

**Applicant**

 Bon Fitzgerald  
 313-515-9313  
@ fitzgerald@priority-eng.com

**Primary Location**

1461 OAKDALE RD SE  
SMYRNA, GA 30126

**Applicant Information****First Name**

Bon

**Last Name**

Fitzgerald

**Street Address**

23208 Emerson Way

**City**

Land O Lakes

**State**

FL

**Zip Code**

34639

**Email**

fitzgerald@priority-eng.com

**Phone Number**

3135159313

**Are you the titleholder of the subject property?**

No

**Titleholder Information****Full Name (i.e., First and Last Name, or Name of Entity)**

RACETRAC PETROLEUM INC C/O CUSHMAN &amp; WAKEFIELD

**Street Address**

PO BOX 2437

**City**

SMYRNA

**State**

GEORGIA

**Zip Code**

30081

**Email Address**

cgoldman@racetrac.com

**Phone Number**

770.548.6322

**Property Information****Property Address**

1461 OAKDALE RD SE

**Description of Requested Variances**

Request for canopy height greater than 15-foot maximum allowed.

**Please check the box below if the requested variance(s)  
includes an increase in the maximum impervious surface area  
or an encroachment into a City stream buffer.**

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## Comprehensive Narrative

In rendering its decisions, the License and Variance Board shall consider the following factors:

1. Whether there are extraordinary and exceptional conditions applying to the property in question, or to the intended use of the property, that do not apply generally to other properties in the same district.
2. Whether any alleged hardship which is self-created by any person having an interest in the property or is not the result of mere disregard for or ignorance of the provisions from which relief is sought.
3. Whether strict application of the relevant provisions of the zoning code would deprive the applicant of reasonable use of the property for which the variance is sought.
4. Whether the variance proposed is the minimum variance which makes possible the reasonable use of the property.

### **A comprehensive narrative detailing the extraordinary and exceptional conditions which will necessitate a nonconforming use.**

The canopy design is incorporated into all rolled out locations throughout Georgia and is designed in fashion to replicate the existing gasoline fueling canopy in regards to size, height, coloring, etc.. We would prefer to maintain standards of the design as consistency between projects as possible to account for all future EV model vehicles and potentially "raised body" vehicles . At a 15-foot high canopy, there would be 11-feet of clearance to vehicles given the canopy design.

## Acknowledgement

Applicant further affirms they are aware that any knowingly false statement made in the permit application may subject said applicant to prosecution for violation of Georgia Criminal Code, Section 16-10-20 (False Swearing) and a possible fine of not more than \$1,000.00 or imprisonment for not less than one (1) nor more than five (5) years, or both.

**Applicant Signature:**

true



## PROPERTY OWNER AUTHORIZATION

City of Smyrna Community Development Department, 3180 Atlanta Rd, Smyrna, GA 30080  
Office Phone 678-631-5387 / Fax 770-431-2808

I, RaceTrac Inc., swear that I am the Property Owner of the property

located at: 1461 Veterans Memorial Hwy SE, Mableton, GA 30126 (RT #140 - Oakdale Rd)

as shown in the records of Cobb County, Georgia, which is the subject matter of the attached application.

I authorize the person named below to act as the applicant in pursuit of this application.

Name of Applicant (print clearly): Charlie Goldman

Address: 200 Galleria Dr SE #900 Atlanta, GA 30339

Telephone: 770-548-6322 Email: cgoldman@racetrac.com

I have read, understood, and answered the aforementioned items to the best of my knowledge. If I am found to have misrepresented myself on this affidavit or the attached application, I am aware I may be in violation of the City Code and run the risk of being issued a citation for violation of the City of Smyrna Code of Ordinances.

(Must be signed by the property owner. If the landowner is a corporation, the form must be signed by an officer of the corporation.)

Signature of Property Owner

**Justen Giambalvo**  
(RaceTrac Vice President of Engineering &  
Construction)

Name of Property Owner (print clearly)

200 Galleria Dr SE #900

Address

Atlanta, GA, 30339

City, State, Zip



AKERS MILL  
2997 COBB PKWY SE STE 300  
ATLANTA, GA 30339-3997  
(800)275-8777

04/15/2024

03:36 PM


Product	Qty	Unit Price	Price
Priority	7	\$9.85	\$68.95

Grand Total: \$68.95

Credit Card Remit \$68.95

Card Name: AMEX  
Account #: XXXXXXXXXXXX2005  
Approval #: 803763  
Transaction #: 908  
AID: A000000025010801 Contactless  
AL: AMERICAN EXPRESS  
PIN: Not Required

In a hurry? Self-service kiosks offer quick and easy check-out. Any Retail Associate can show you how.

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Track your Packages  
Sign up for FREE   
<https://informedelivery.usps.com>

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Thank you for your business.

Tell us about your experience.  
Go to: <https://postalexperience.com> Pos  
or scan this code with your mobile device.



or call 1-800-410-7420.

UFN: 120510-0077  
Receipt #: 840-53000306-3-7005916-1  
Clerk: 47

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**Waffle House INC**

5986 Financial Drive

Norcross, GA 30071

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Street and/or

City, State

PS Form 3800, April 2015 PSN 7500-00-000-9047

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**Waffle House INC**

5986 Financial Drive

Norcross, GA 30071



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Total Fee: _____	Payment Method: _____ Date: _____
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Recipient: _____ Address: _____ City, State, ZIP+4 <sup>®</sup> : _____	

RaceTrac Store Support Center  
200 Galleria Parkway SE, Suite 900  
Atlanta, GA 30339

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

2. Once the problem is identified, the next step is to define the objectives and goals of the project. This helps to clarify what needs to be achieved and provides a clear direction for the team.

3. The third step is to develop a plan or strategy to address the problem. This involves breaking down the problem into smaller, manageable tasks and determining the resources needed to complete each task.

4. The fourth step is to implement the plan. This involves putting the strategy into action and monitoring progress regularly to ensure that the project is on track.

5. The final step is to evaluate the results of the project. This involves comparing the actual outcomes with the objectives and goals to determine the effectiveness of the project and identify areas for improvement.

7027 3380 0000 6565 7495

**Raw Earth LLC**  
14000 Haystack Lane  
Milton, GA 30004



No Postage  
Necessary  
If Mailed  
in the  
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Store Support Center  
Parkway SE, Suite 900  
Atlanta, GA 30339



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Chris S Nelson  
614 Beech Street  
Fernandina Beach, FL 32034

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**Shifaan Ventures LLC**

395 Move Trail  
Duluth, GA 30007

PS Form 3800, April 2013 (with changes) PSN 7530-02-000-9044



Racetrac Store Support Center  
200 Galleria Parkway SE, Suite 900  
Atlanta, GA 30339

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7017 3380 0000 6565 5255

**Shifaan Ventures LLC**

395 Move Trail  
Duluth, GA 30007



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Postage  
 \$  
 1.00

Atlanta Vishal LLC 5675 Jimmy Carter  
 Blvd STE 900  
 Norcross, GA 30071

PS Form 3800, April 2015 PSN 7530-02-000-9000-9000

**Racetrac**

Racetrac Store Support Center  
 200 Galleria Parkway SE, Suite 900  
 Atlanta, GA 30339

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**Atlanta Vishal LLC**  
 5675 Jimmy Carter Blvd STE 900  
 Norcross, GA 30071

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<input type="checkbox"/> Return Receipt <sup>®</sup> by Insured Mail <sup>®</sup> Signature Confirmation <sup>®</sup> with Restricted Delivery <sup>®</sup> and Signature Confirmation <sup>®</sup>	\$

Postmaster:  
Date

**Nancy T Smith Family Limited**

**Partnership**

6675 Jimmy Carter Blvd STE 500  
Powder Springs, GA 30127

PS Form 3800, April 2010 PSN 7530-02-000-9000 See Reverse for Instructions



Racetrac Store Support Center  
200 Galleria Parkway SE, Suite 900  
Atlanta, GA 30339

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**Nancy T Smith Family Limited**

**Partnership**

PO Box 847  
Powder Springs, GA 30127



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Certified Mail Signature Required	\$
Certified Mail Signature Restricted Delivery	\$

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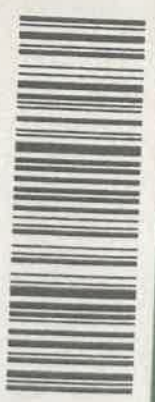
**Cross Street Services INC**  
PO Box 15053  
Little Rock, AR 72231

PS Form 3800, April 2015 PSN 7530-02-000-9002 See Reverse for Instructions



Port Center  
SE, Suite 900  
30339

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**Cross Street Services INC**  
PO Box 15053  
Little Rock, AR 72231



# Munis Self Service

## Real Estate (Your House or Land) All Bills

**Parcel ID**      17028200010  
**Location**      1431 VETERANS MEMORIAL HWY

### Real Estate (Your House or Land)

<a href="#">Bill</a>	<a href="#">Type</a>	<a href="#">Year</a>	<a href="#">Owner</a>	<a href="#">Paid</a>	
1111139	REGULAR/ORIGINAL	2009	JAMES E FREEMAN	Paid	<a href="#">View Bill</a>
1116719	REGULAR/ORIGINAL	2010	RACETRAC PETROLEUM INC	Paid	<a href="#">View Bill</a>



Printed: 3/26/2024

## Cobb County Online Tax Receipt

Thank you for your payment!

**CARLA JACKSON** TAX COMMISSIONER  
**HEATHER WALKER** CHIEF DEPUTY  
Phone: 770-528-8600  
Fax: 770-528-8679

Payer:  
RACETRAC PETROLEUM INC

**RACETRAC PETROLEUM INC**  
**C/O CUSHMAN & WAKEFIELD**

**Payment Date: 10/4/2023**

Tax Year	Parcel ID	Due Date	Appeal Amount	Taxes Due
2023	18017700230	10/15/2023	Pay: N/A or	\$0.00

Interest	Penalty	Fees	Total Due	Amount Paid	Balance
\$0.00	\$0.00	\$0.00	\$0.00	\$14,671.18	\$0.00



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