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 & 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.

--

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

UNITED STATES POSTAL SERVICE.

AKERS MILL
2997 COBB PKWY SE STE 300
ATLANTA, GA 30339-9997
(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.

Preview your Mail
Track your Packages
Sign up for FREE @
https://informeddelivery.usps.com

All sales final on stamps and postage.
Refunds for guaranteed services only.
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

7017 3380 0000 6565 8140

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee
$

Extra Services & Fees (check box, add fee as appropriate)
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage
$

Sent To

Street and Apt. No.

City, State, ZIP+4

Postmark Here

Waffle House INC
5986 Financial Drive
Norcross, GA 30071

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

CERTIFIED MAIL®

7017 3380 0000 6565 8140

Waffle House INC
5986 Financial Drive
Norcross, GA 30071

7017 3380 0000 6565 7495

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

$

Extra Services & Fees (check box, add fee as appropriate)

- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage

$

Total Po

$

Sent To

Street a

City, Sta

Postmark
Here

Raw Earth LLC
14000 Haystack Lane
Milton, GA 30004

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

RaceTrac

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

CERTIFIED MAIL®

7017 3380 0000 6565 7495

Raw Earth LLC
14000 Haystack Lane
Milton, GA 30004

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only
For delivery information, visit our website at www.usps.com®
OFFICIAL USE
Certified Mail Fee
$
Extra Services & Fees (check box, add fee as appropriate)
Return Receipt (hardcopy) $
Return Receipt (electronic) $
Certified Mail Restricted Delivery $
Adult Signature Required $
Adult Signature Restricted Delivery $
Postage
$
Total
$
Sent
Street
City
Postmark Here
Chris S Nelson
614 Beech St
Fernandina Beach, FL 32034
7017 3380 0000 6565 5262

ceTrac
Store Support Center
Parkway SE, Suite 900
nta, GA 30339

CERTIFIED MAIL®
7017 3380 0000 6565 5262
Chris S Nelson
614 Beech Street
Fernandina Beach, FL 32034

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

Extra Services & Fees (check box, add fee as appropriate)
- Return Receipt (hardcopy) $
- Return Receipt (electronic) $
- Certified Mail Restricted Delivery $
- Adult Signature Required $
- Adult Signature Restricted Delivery $

Postage

Postmark Here

Shifaan Ventures LLC
395 Move Trail
Duluth, GA 30097

7017 3380 0000 6565 5255

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

RaceTrac

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

CERTIFIED MAIL®

7017 3380 0000 6565 5255

Shifaan Ventures LLC
395 Move Trail
Duluth, GA 30097

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only
For delivery information, visit our website at www.usps.com®.
OFFICIAL USE
Certified Mail Fee
Extra Services & Fees (check box, add fee as appropriate)
Return Receipt (hardcopy) $
Return Receipt (electronic) $
Certified Mail Restricted Delivery $
Adult Signature Required $
Adult Signature Restricted Delivery $
Postage
Postmark Here
Atlanta Vishal LLC 5675 Jimmy Carter Blvd STE 500 Norcross, GA 30071
7017 3380 0000 6565 1967
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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

CERTIFIED MAIL®
7017 3380 0000 6565 1967

Atlanta Vishal LLC
5675 Jimmy Carter Blvd STE 500
Norcross, GA 30071

7017 3380 0000 6565 1974

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®

OFFICIAL USE

Certified Mail Fee

$

Extra Services & Fees (check box, add fee as appropriate)

- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage

$

Total

$

Sent

Street

City

Postmark Here

Nancy T Smith Family Limited Partnership
5675 Jimmy Carter Blvd STE 500
Powder Springs, GA 30127

See Reverse for Instructions

PS Form 3800, April 2015 PSN 7530-02-000-9047

RaceTrac

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

CERTIFIED MAIL®

7017 3380 0000 6565 1974

Nancy T Smith Family Limited Partnership
PO Box 847
Powder Springs, GA 30127

RaceTrac

pport Center
SE, Suite 900
30339

CERTIFIED MAIL

7017 3380 0000 6565 8157

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

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at *www.usps.com*®.

OFFICIAL USE

Certified Mail Fee
$

Extra Services & Fees (check box, add fee as appropriate)
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Post
$

Sent To

Street and

City, State

Postmark
Here

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

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for instructions

7017 3380 0000 6565 8157

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)

Bill	Type	Year	Owner	Paid	
1111139	REGULAR/ORIGINAL	2009	JAMES E FREEMAN	Paid	View Bill
1116719	REGULAR/ORIGINAL	2010	RACETRAC PETROLEUM INC	Paid	View Bill

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**

Scan this code with your mobile phone to view this bill!