

Variance Application**VAR-24-32**

Submitted On: Apr 25, 2024

Applicant

 Danielle Sheridan
 407-645-5008
 dsheridan@interplanllc.com

Primary Location

5120 S COBB DR SE
SMYRNA, GA 30082

Applicant Information**First Name**

Danielle

Last Name

Sheridan

Street Address

220 E Central Parkway, Suite 4000

City

Altamonte Springs

State

FL

Zip Code

32701

Email

dsheridan@interplanllc.com

Phone Number

407-645-5008

Are you the titleholder of the subject property?

No

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

Sharon Investment Co. LLC

Street Address

5317 Westfield Court

City

Lake Oswego

State

OR

Zip Code

97035

Email Address

--

Phone Number

4048222568

Property Information**Property Address**

5120 S Cobb Drive SE, Smyrna, GA 30080

Description of Requested Variances

Rear and side setback reductions. Parking reduction. Allow a second accessory structure. *Reference attached Variance Narrative*

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.

Reference attached Variance Narrative.

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



April 3, 2024

Reference: Chick-fil-A #2191 Smyrna Remodel
5120 S Cobb Drive SE, Smyrna, GA 30080
Interplan Number: 2020.0858
Letter of Authorization - Chick-fil-A, Inc.

To Whom It May Concern:

Please accept this letter as authorization for Interplan LLC, to act as agent in correspondence and representation of all approval and permitting matters required for Chick-fil-A at the location referenced above.

If you have any questions, please contact me at 404-822-2568 or via email at rex.powell@cfacorp.com

Sincerely,

Print Name: CHASE SHAW
Strategic Reinvestments
Chick-fil-A, Inc.
Title: Director

Subscribed and sworn to before me this 9th day of April,
2024.

Notary Public
Seal

My Commission Expires:





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, David Levich on behalf of Sharon Investment Co. LLC, swear that I am the Property Owner of the property

located at: 5120 S Cobb Drive SE, Smyrna, GA 30080

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): Chick-fil-A, Inc.

Address: 5200 Buffington Road, Atlanta, GA 30349

Telephone: 404.822.2568 Email: Rex.powell@cfacorp.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, *AUTHORIZED AGENT*

5317 Westfield Ct.
Address

Sharon Investment Co. LLC
Name of Property Owner (print clearly)

Lake Oswego, OR 97035
City, State, Zip



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, _____, swear that I am the Property Owner of the property

located at: 5120 S Cobb Drive SE, Smyrna, GA 30080

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): Chick-fil-A, Inc.

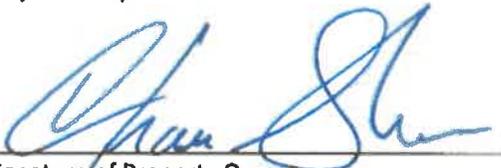
Address: 5200 Buffington Road, Atlanta, GA 30349

Telephone: 404.822.2568

Email: Rex.powell@cfacorp.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

5200 Buffington Rd

Address

Chase Shaw

Name of Property Owner (print clearly)

Atlanta, GA 30349

City, State, Zip

April 25, 2024

City of Smyrna

Planning and Zoning
110 Academy Street
Canton, GA 30114

**Reference: Chick-fil-A #2488 Canton, GA
2048 Cumming Highway, Canton, GA 30114
Interplan Number: 2020.0862
Letter of Intent**

To Whom It May Concern,

Chick-fil-A is proposing the remodel of an existing Chick-fil-A restaurant. The scope of work is to include site modifications to accommodate a dual-lane drive-thru on the north, south, and west sides of the building, along with the installation of a dual-lane Order Meal Delivery (OMD) Canopy at the pick-up area and a dual-lane Face to Face (F2F) Canopy at the order point. Chick-fil-A is also proposing modifications to the curbing, re-stripping of accessible parking spaces, and adding a striped crosswalk. In addition, Chick-fil-A is proposing a ±315sf building addition to accommodate a completely remodeled kitchen and the installation of a drive-thru door to replace the window.

As part of the redevelopment, the following variance requests to the City of Smyrna's Zoning Ordinance regulations will be required:

- **Article VII, Sec. 717.164: To reduce the required fifty-foot (50') western rear building setback by seven feet (7'). The proposed building addition setback is forty-three feet (43') from the property line.**
- **Article VII, Sec. 717.164: To reduce the required twenty-foot (20') side southern building setback by three feet (3'). The proposed Order Meal Delivery (OMD) Canopy setback is seventeen feet (17') from the property line.**
- **Article IX, Sec. 906.17: To reduce the minimum number of parking spaces by twenty-one (21) spaces. Code requirements for a restaurant serving food or beverages and providing a patron use area is one (1) space per 75sf of gross floor area. Based on the proposed 3,246sf of gross floor area, the number of spaces required is forty-four (44). Chick-fil-A is proposing twenty-three (23) parking spaces.**

$$(3,246sf + 75sf) = 33.28 \text{ or } 44 \text{ minimum spaces}$$

- **Article V, Sec. 501.11: To allow a second accessory structure.**

Further justification for the variances and responses to specific conditions and criteria set forth by the City of Smyrna's Zoning Ordinance Section 1403 – Variance Review Standards can be found on the following pages.

(1) Whether there are unique and special circumstances or 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.

The special conditions and circumstances for this request is primarily due to the size of the existing site and the increased demand driven by Chick-fil-A's exceptional service and quality. Chick-fil-A continually observes long drive-thru lines during peak hours, resulting in the outgrowth of their current site. This requires reconfiguration to accommodate additional on-site stacking in order to provide a safer and more efficient site for team members, customers and neighboring properties. More demand has been seen at the drive-thru than for dine in guests, resulting in the shift in priority from adequate parking to adequate drive-thru queueing. The proposed kitchen expansion also aims to expedite the speed at which the kitchen can serve vehicles in the drive-thru. Failure to grant these variances will result in less-than-optimal site circulation and little relief from traffic congestion.

(2) Whether any alleged hardship is self-created by any person having an interest in the property nor is the result of mere disregard for or ignorance of the provisions from which relief is sought.

The hardship has not been created by Chick-fil-A or any person having interest in the property. The site layout proposed is similar to the existing layout with improvements to the number of cars able to be serviced in the drive-thru lanes, therefore optimizing the remaining parking onsite for customers and team members. Due to the shape of the site, the existing building and access drives, the proposed layout is the best configuration to provide for maximum drive-thru lane stacking.

(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.

Yes, the strict application of the Zoning Code standards would not allow for enough driveway area to provide the additional lane of drive-thru queueing or the building addition as proposed. In addition, the strict application of the Zoning Code standards would not allow for the Order Meal Delivery (OMD) canopy. The proposed canopies are an attractive and functional addition to the Chick-fil-A restaurant and have become a critical element in current business operations. Chick-fil-A has found that during hot days or inclement weather, team members can only be outside for short periods of time. The canopies provide shade and protection from the elements for team members and include fans and heaters, allowing the team members to remain outside for longer periods in order to take and fulfill multiple orders at a time leading to a safer work environment and better guest experience.

(4) Whether the variance proposed is the minimum variance, which makes possible the reasonable use of the property.

Every effort has been made by Chick-fil-A's design team to reduce the variations from code requirements. Many iterations of conceptual plans have been reviewed internally prior to landing on the current plan, which Chick-fil-A believes is the best layout for this specific location.



Chick-fil-A - Smyrna Remodel

April 25, 2024

Page 3 of 3

If you have any questions, please contact me at 407.645.5008, or via email at Dsheridan@interplanllc.com. If I am not available, Felipe Reyes is the Civil Project Manager and will be able to answer any questions. He can be reached at 407.645.5008 or via email at Freyes@interplanllc.com.

Sincerely,

INTERPLAN LLC

Danielle Sheridan

Danielle Sheridan

Permit Lead

CC. K. Lewis; F. Reyes; Interplan File

7022 3330 0001 5214 5949

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Duluth, GA 30096
3775 Venture Dr., Duluth, GA 30096

Certified Mail Fee \$4.40

Extra Services & Fees (check box, add fee as appropriate):
 Return Receipt (hardcopy) \$0.00
 Return Receipt (electronic) \$0.00
 Certified Mail Restricted Delivery \$0.00
 Adult Signature Required \$0.00
 Adult Signature Restricted Delivery \$0.00

Postage \$1.63

Total Postage and Fees \$9.68

Sent To: Vineyard Beverage
3775 Venture Drive
Duluth, GA 30096

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



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Atlanta, GA 30325
PO Box 250329, Atlanta, GA 30325

Certified Mail Fee \$4.40

Extra Services & Fees (check box, add fee as appropriate):
 Return Receipt (hardcopy) \$0.00
 Return Receipt (electronic) \$0.00
 Certified Mail Restricted Delivery \$0.00
 Adult Signature Required \$0.00
 Adult Signature Restricted Delivery \$0.00

Postage \$1.63

Total Postage and Fees \$9.68

Sent To: Krystal Company
PO Box 250329
Atlanta, GA 30325

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



7022 3330 0001 5214 5956

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Kennesaw, GA 30152
1332 Hamilton Creek Dr., Kennesaw, GA 30152

Certified Mail Fee \$4.40

Extra Services & Fees (check box, add fee as appropriate):
 Return Receipt (hardcopy) \$0.00
 Return Receipt (electronic) \$0.00
 Certified Mail Restricted Delivery \$0.00
 Adult Signature Required \$0.00
 Adult Signature Restricted Delivery \$0.00

Postage \$1.63

Total Postage and Fees \$9.68

Sent To: Pakkaa LLC
1332 Hamilton Creek Drive
Kennesaw, GA 30152

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



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Overland Park, KS 66203
14400 Metcalf Ave., Overland Park, KS 66223

Certified Mail Fee \$4.40

Extra Services & Fees (check box, add fee as appropriate):
 Return Receipt (hardcopy) \$0.00
 Return Receipt (electronic) \$0.00
 Certified Mail Restricted Delivery \$0.00
 Adult Signature Required \$0.00
 Adult Signature Restricted Delivery \$0.00

Postage \$1.63

Total Postage and Fees \$9.68

Sent To: M & M Properties
14400 Metcalf Avenue
Overland Park, KS 66223

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



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

Rockwall, TX 75087
2424 Ridge Rd., Rockwall, TX 75087

Certified Mail Fee \$4.40

Extra Services & Fees (check box, add fee as appropriate):
 Return Receipt (hardcopy) \$0.00
 Return Receipt (electronic) \$0.00
 Certified Mail Restricted Delivery \$0.00
 Adult Signature Required \$0.00
 Adult Signature Restricted Delivery \$0.00

Postage \$1.63

Total Postage and Fees \$9.68

Sent To: Boing US Holdco Inc.
2424 Ridge Road
Rockwall, TX 75087

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



5100 S Cobb Drive – Take 5 Car Wash:

Boing US Holdco Inc. - 2424 Ridge Road, Rockwall, TX 75087

5181 S Cobb Drive – Exxon:

Pakaaa LLC – 1332 Hamilton Creek Drive, Kennesaw, GA 30152

5185 S Cobb Drive – Vineyard Beverage:

Vineyard Beverage – 3775 Venture Drive, Bldg E, Duluth, GA 30096

5140 S Cobb Drive – Krystal:

Krystal Company – PO Box 250329, Atlanta, GA 30325

2700 Highlands Parkway – Fresenius Kidney Care:

M&M Properties LLC – 14400 Metcalf Avenue, Overland Park, KS 66223

Real Estate (Your House or Land)

[View Bill](#)

[View bill image](#)

As of	4/23/2024
Bill Year	2023
Bill	15660
Owner	SHARON INVESTMENTS CO
Parcel ID	17075300300

[View payments/adjustments](#)

Installment	Pay By	Amount	Payments/Credits	Balance	Interest	Due
1	11/15/2023	\$6,082.27	\$6,082.27	\$0.00	\$0.00	\$0.00
TOTAL		\$6,082.27	\$6,082.27	\$0.00	\$0.00	\$0.00