



## APPLICATION FOR VARIANCE TO THE CITY OF SMYRNA

Type or Print Clearly

(To be completed by City)

Ward: 3

Application Number: V21-049  
Mayor and Council Date: 6/17/21

APPLICANT: Teresa Curry - AXIS Infrastructure, LLC

Representative's Name (print): Teresa Curry - AXIS Infrastructure, LLC

Address: 1111 Cambridge Square, Alpharetta, GA 30009

Business Phone: 678.395.4920 Cell Phone: \_\_\_\_\_ Home Phone: \_\_\_\_\_

E-Mail Address: lorraineccanada@axiscompanies.com

Signature of Representative: Teresa Curry

TITLEHOLDER: Dickson Investments LP By John H. Dickson & Assoc., Inc., Its General Partner

Address: 174 Concord Road, Smyrna, GA 30082

Business Phone: \_\_\_\_\_ Cell Phone: 770-313-2612 (Donna Plott, daughter)

Signature: John H. Dickson Donna Plott  
John H. Dickson, CEO Donna Plott, daughter

### VARIANCE:

Present Zoning: General Commercial Type of Variance: Parking Variance

Explain Intended Use: Existing Dunkin' Restaurant is proposing parking modifications to reduce congestion at South Cobb Drive, renovate exterior of building for modern fresh look, renovate interior of building, build new trash corral enclosure facing Concord Rd., build new patio facing Concord Drive to promote social distancing. Enclose recess area under roof.

Location: 3300 S Cobb Drive, Smyrna, GA

Land Lot(s): 413 District: 17 Size of Tract: 0.32 ac Acres

(To be completed by City)

Received: 5/14/21

Legal Ad Posted: \_\_\_\_\_

Signs Posted: \_\_\_\_\_

Approved/Denied: \_\_\_\_\_

## CONTIGUOUS ZONING

North: General Commercial

East: General Commercial

South: General Commercial

West: General Commercial

## NOTIFICATION OF CONTIGUOUS OCCUPANTS OR LANDOWNERS

By signature, it is hereby acknowledged that I have been notified that Teresa Curry, AXIS Infrastructure, LLC

Intends to make an application for a variance for the purpose of Application for parking variance

on the premises described in the application.

NAME	ADDRESS
Dickson Investments, LP	<u>174 Concord Road, SE, Smyrna, GA 30082</u>
Wine Oil Company Inc.	<u>3280 South Cobb Drive, Smyrna, GA 30080</u>
Frontier Real Estate, LLC	<u>1440 Dutch Valley Place, NE, Suite 150, Atlanta, GA 30324</u>
Sarris George S & Anne B	<u>7665 S Spalding Lake Drive, Atlanta, GA 30350</u>

Please have adjacent property owners sign this form to acknowledge they are aware of your variance request. You may also provide certified mail receipts of notification letters sent to adjacent properties. Notification letters shall include a description of the requested variance, the Mayor and Council Meeting date and time, and a copy of the completed variance application. Adjacent and adjoining properties include any property abutting the subject property as well as any properties directly across a street.

# Letter of Transmittal



May 13, 2021

**Date**

**To:**

City of Smyrna  
3180 Atlanta Road  
2nd Floor  
Smyrna, GA 30080

Attn: Caitlin Crowe

**From:**

Lorraine Canada  
Axis Infrastructure, LLC  
1111 Cambridge Square  
Suite 300  
Alpharetta, GA 30009

**Re:** Parking Variance for DUNKIN' - 3300 South Cobb Parkway, Smyrna

**AXIS Project #:** DUN02000151

**Contents:**

1 of each:  
Application for Variance - 4 pages  
Comprehensive Narrative Letter/Hardship Statement  
Survey of property  
Site Plan  
Elevations of building  
Paid tax receipt  
Adjacent and abutting property owners - from Cobb Tax Assessor  
Letter sent to adjacent and abutting property owners via Fed Ex (Receipts included)  
Variance submittal fee - \$450.00

**Comments:**

Caitlin,  
Thanks for your help and let me know if you need anything else!

Lorraine Canada  
Permit Coordinator



1111 Cambridge Square, Suite C  
Alpharetta, GA 30009  
678.778.1617 Cell  
678.395.4920 Office  
lorraine.canada@axiscompanies.com



## Shipment Receipt

### Address Information

#### Ship to:

David Wine  
Wine Oil Company Inc.  
3280 S COBB DR SE  
SMYRNA, GA  
30080-4124  
US  
6783954920

#### Ship from:

Lorraine Canada  
AXIS INFRASTRUCTURE,  
LLC  
1111 Cambridge Square  
Suite 300  
Alpharetta, GA  
30009  
US  
6783954920

### Shipment Information:

Tracking no.: 773718123363  
Ship date: 05/13/2021  
Estimated shipping charges: 10.85 USD

### Package Information

Pricing option: FedEx Standard Rate  
Service type: FedEx Express Saver  
Package type: FedEx Envelope  
Number of packages: 1  
Total weight: 0.50 LBS  
Declared Value: 0.00 USD  
Special Services:  
Pickup/Drop-off: Drop off package at FedEx location

### Billing Information:

Bill transportation to: Axiscompanies-368  
Your reference: DUN02000151  
P.O. no.:  
Invoice no.:  
Department no.:

**Thank you for shipping online with FedEx ShipManager at [fedex.com](http://fedex.com).**

### Please Note

FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$1000, e.g., jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits. Consult the applicable FedEx Service Guide for details.

The estimated shipping charge may be different than the actual charges for your shipment. Differences may occur based on actual weight, dimensions, and other factors. Consult the applicable [FedEx Service Guide](#) or the FedEx Rate Sheets for details on how shipping charges are calculated.



## Shipment Receipt

### Address Information

<b>Ship to:</b>	<b>Ship from:</b>
PROPERTY OWNER	Lorraine Canada
FRONTIER REAL ESTATE	AXIS INFRASTRUCTURE,
LLC	LLC
1440 DUTCH VALLEY PL	1111 Cambridge Square
NE	
STE 150	Suite 300
ATLANTA, GA	Alpharetta, GA
30324	30009
US	US
6783954920	6783954920

### Shipment Information:

Tracking no.: 773718155976

Ship date: 05/13/2021

Estimated shipping charges: 10.85 USD

### Package Information

Pricing option: FedEx Standard Rate

Service type: FedEx Express Saver

Package type: FedEx Envelope

Number of packages: 1

Total weight: 0.50 LBS

Declared Value: 0.00 USD

#### Special Services:

Pickup/Drop-off: Drop off package at FedEx location

### Billing Information:

Bill transportation to: Axiscompanies-368

Your reference: DUN02000151

P.O. no.:

Invoice no.:

Department no.:

**Thank you for shipping online with FedEx ShipManager at [fedex.com](http://fedex.com).**

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## Shipment Receipt

### Address Information

**Ship to:**  
GEORGE S & ANNE B  
SARRIS

7665 S SPALDING LAKE  
DRIVE

ATLANTA, GA  
30350  
US  
6783954920

**Ship from:**  
Lorraine Canada

AXIS INFRASTRUCTURE,  
LLC

1111 Cambridge Square  
Suite 300  
Alpharetta, GA  
30009  
US  
6783954920

### Shipment Information:

Tracking no.: 773718184582

Ship date: 05/13/2021

Estimated shipping charges: 10.85 USD

### Package Information

Pricing option: FedEx Standard Rate

Service type: FedEx Express Saver

Package type: FedEx Envelope

Number of packages: 1

Total weight: 0.50 LBS

Declared Value: 0.00 USD

Special Services:

Pickup/Drop-off: Drop off package at FedEx location

### Billing Information:

Bill transportation to: Axiscompanies-368

Your reference: DUN02000151

P.O. no.:

Invoice no.:

Department no.:

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### Composite Summary

Parcel Number 17041200060  
 Location Address 3308 S COBB DR  
 Property Class C4 - Commercial Small Tracts  
 Total Acres 1.7831  
 Total Land SqFt 77672  
 Neighborhood 19C03 -  
 Tax District (6) SMYRNA  
 Subdivision

[View Map](#)



### Owner

[Dickson Investments, Lp](#)  
 174 CONCORD RD SE  
 SMYRNA GA 30082 3910

### Appraised Values

Year	Property Class	LUC	Appraised Land	Appraised Building Value	Total Appraised Value
2020	C4	344	\$796,540	\$2,209,260	\$3,005,800

[Show Historical Appraised Values](#)

### Assessed Values

Year	Assessed Land	Assessed Building Value	Total Assessed Value
2020	\$318,616	\$883,704	\$1,202,320

[Show Historical Assessed Values](#)

### Commercial Improvement Information

Card 1  
 Year Built 1953  
 Structure STRIP SHPING  
 Sqft 13087  
 Structure Test STRIP SHOPPING CNTR

Card 2  
 Year Built 1947  
 Structure STRIP SHPING  
 Sqft 11143  
 Structure Test STRIP SHOPPING CNTR

### Accessory Information

Card 1	Description	Year Built	Area
	PAVING ASP	1980	61.500

### Appeals

Tax Year	Property Type	Status
2018	Commercial	Complete
2015	Commercial	Complete
2013	Commercial	Complete
2012	Commercial	Complete
2011	Commercial	Complete
2004	Commercial	Complete

### Permits

Date	Number	Amount	Purpose	Status
1/2/2020	191934	10,000	TENANT FIN	C - Closed Permit
4/24/2019	190518	2,000	REMODEL	C - Closed Permit
3/12/2019	190323	25,000	TRUSS/ROOF	C - Closed Permit
11/28/2017	171713	30,000	REMODEL	C - Closed Permit
4/17/2012	12-179	22,000	TENANT FIN	C - Closed Permit
6/13/2007	07-320	40,000	REPAIR	C - Closed Permit
7/28/2006	06-579	860	REPAIR	C - Closed Permit
11/4/2004	04-917	4,800	REPAIR	C - Closed Permit

### Photos



### Composite Summary

Parcel Number 17041300170  
 Location Address 3280 S COBB DR  
 Property Class C3 - Commercial Lots  
 Total Acres 0.9183  
 Total Land SqFt 40001  
 Neighborhood 19C -  
 Tax District (6) SMYRNA  
 Subdivision

[View Map](#)



### Owner

Wine Oil Company Inc  
 C/O David Wine  
 3280 SOUTH COBB DR  
 SMYRNA GA 30080

### Appraised Values

Year	Property Class	LUC	Appraised Land	Appraised Building Value	Total Appraised Value
2020	C3	348	\$584,540	\$312,500	\$897,040

[Show Historical Appraised Values](#)

### Assessed Values

Year	Assessed Land	Assessed Building Value	Total Assessed Value
2020	\$233,816	\$125,000	\$358,816

[Show Historical Assessed Values](#)

### Commercial Improvement Information

Card 1  
 Year Built 2002  
 Structure CNVC FD MKT  
 Sqft 2477  
 Structure Test CONVENIENCE FOOD MKT

### Accessory Information

Card 1	Description	Year Built	Area
CANOPY RF-		2002	2,460
PAVING CON		1980	1,500
PAVING ASP		1980	18,000

### Permits

Date	Number	Amount	Purpose	Status
11/2/2010	10-459	29,000	REMODEL	C - Closed Permit
9/10/2007	07-575	8,500	REMODEL	C - Closed Permit
8/22/2001	01714	250,000	DEMOLITION	C - Closed Permit
8/22/2001		250,000	NEW BLDG	C - Closed Permit

### Photos



### Sketches



### Composite Summary

Parcel Number	17041300280
Location Address	32615 COBB DR
Property Class	C3 - Commercial Lots
Total Acres	0.5682
Total Land SqFt	24751
Neighborhood	19C -
Tax District	(6) SMYRNA
Subdivision	

[View Map](#)



### Owner

Frontier Real Estate LLC  
1440 DUTCH VALLEY PL NE SUITE 150  
ATLANTA GA 30324

### Appraised Values

Year	Property Class	LUC	Appraised Land	Appraised Building Value	Total Appraised Value
2020	C3	351	\$401,560	\$255,990	\$657,550

[Show Historical Appraised Values](#)

### Assessed Values

Year	Assessed Land	Assessed Building Value	Total Assessed Value
2020	\$160,624	\$102,396	\$263,020

[Show Historical Assessed Values](#)

### Commercial Improvement Information

Card	1
Year Built	1982
Structure	BANK
Sqft	2742
Structure Test	BANK

### Accessory Information

Card 1	Description	Year Built	Area
	PAVING ASP	1982	9.650

### Appeals

Tax Year	Property Type	Status
2020	Commercial	Complete
2010	Commercial	Complete

### Permits

Date	Number	Amount	Purpose	Status
3/2/2012	12-089	16,000	TRUSS/ROOF	C - Closed Permit

### Sales Information

Sale Date	Sale Price	Instrument	Deed Book	Deed Page	Sales Validity	Grantor	Grantee	Recording
10/13/2020	\$575,000	LD	15810	3584		WELLS FARGO BANK NA	FRONTIER REAL ESTATE LLC	<a href="#">Click Here</a>

As an enhanced customer service, the Superior Court Clerk and Tax Assessors' Office has created this direct link to deed documents.  
Not all deeds display on the Tax Assessors' Website! For complete deed research, visit the Superior Court Clerk's website at <http://www.cobbsuperiorcourtclerk.org>

### Photos



### Composite Summary

Parcel Number	17041300180
Location Address	3295 S COBB DR
Property Class	C3 - Commercial Lots
Total Acres	0.905
Total Land SqFt	39422
Neighborhood	19C -
Tax District	(6) SMYRNA
Subdivision	

[View Map](#)



### Owner

Sarris George S & Anne B  
C/O Pts  
7665 SPALDING LAKE DR  
ATLANTA GA 30350

### Appraised Values

Year	Property Class	LUC	Appraised Land	Appraised Building Value	Total Appraised Value
2020	C3	373	\$577,610	\$483,390	\$1,061,000

[Show Historical Appraised Values](#)

### Assessed Values

Year	Assessed Land	Assessed Building Value	Total Assessed Value
2020	\$231,044	\$193,356	\$424,400

[Show Historical Assessed Values](#)

### Commercial Improvement Information

Card	1
Year Built	1996
Structure	RTL SNGL OCP
Sqft	6600
Structure Test	RETAIL SINGLE OCCUP

### Accessory Information

Card 1	Description	Year Built	Area
PAVING ASP		1996	16,000

### Appeals

Tax Year	Property Type	Status
2019	Commercial	Complete
2017	Commercial	Complete
2016	Commercial	Complete

### Permits

Date	Number	Amount	Purpose	Status
4/24/2019	190512	150,000	TENANT FIN	C - Closed Permit
4/27/2018	180693	433,620	REMODEL	C - Closed Permit
8/14/2014	14-503	35,000	REMODEL	C - Closed Permit
7/30/2014	14-480	3,000	DEMOLITION	C - Closed Permit
4/29/2009	09-133	2,000	SIGN	C - Closed Permit

### Sales Information

Sale Date	Sale Price	Instrument	Deed Book	Deed Page	Sales Validity	Grantor	Grantee	Recording
2/11/1997	\$1,400,000		10166	213		CREATION DEVELOPMENT LP	SARRIS GEORGE S & ANNE B	<a href="#">Click Here</a>
4/10/1996	\$490,000		09557	471		LIVADITIS ELIAS J & JAMES B LIVADITIS	SARRIS GEORGE S & ANNE B	<a href="#">Click Here</a>

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Not all deeds display on the Tax Assessors' Website! For complete deed research, visit the Superior Court Clerk's website at <http://www.cobbsuperiorcourtclerk.org>

### Photos



May 13, 2020

ATTN:ADJACENT AND ABUTTING PROPERTY OWNERS

RE: DUNKIN' RESTAURANT  
PARCEL 17041300330  
3300 SOUTH COBB DRIVE  
SMYRNA, GA

Dear Sir or Madame,

This correspondence is to inform you that the owner of the above referenced property has requested a variance to modify the existing parking lot.

Please see attached a copy of the variance application submitted to the City of Smyrna on May 14, 2021.

The proposed Mayor and Council meeting date will be June 7, 2021 at 7 pm in the Council Chambers in City Hall at 2800 King Street, Smyrna, GA 30080.

Best regards,

Teresa Curry  
Teresa Curry  
Partner

# ZONING ORDINANCE

## SECTION 1403 VARIANCE REVIEW STANDARDS

In rendering its decisions, the Mayor and City Council 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.

Please include your narrative here, or you may submit a typed narrative as a supplement to this application.

## COMPREHENSIVE NARRATIVE

Please see attached letter.



May 15, 2017

City of Smyrna

RE: Parking Variance Application  
HARDSHIP STATEMENT  
Dunkin'  
3300 S Cobb Dr SE,  
Smyrna, GA 30080

TO WHOM IT MAY CONCERN:

Dunkin' is interested in remodeling their existing restaurant located at 3300 S Cobb Drive in Smyrna. The remodel will include façade changes as well as revising the parking lot to make ADA compliant.

This is an existing restaurant that currently does not meet the City Ordinance in regards to parking requirements. Current code requires 23. We currently have 16 parking stalls. We are proposing to have a total of 12 parking stall with the remodel.

The purpose of this remodel is to improve the circulation, stacking and safety of the existing establishment while giving it a fresh new look. Currently the order window on the drive thru is on the northern face of the building which only allows 4 cars to stack before being in the right-of-way. By relocating the order window to the south face we can increase the stacking to 10 cars. We are also adding a small patio to encourage social distancing. Since the majority of our business is drive thru, implementing these changes will result in a more efficient design, reducing the stacking out into the right-of-way while still maintaining enough parking for staff and inside diners.

Therefore, we are respectfully requesting your consideration for a variance from the Code to allow for a reduction in the required number of parking stalls.

Sincerely,

A handwritten signature in blue ink that appears to read "Teresa Curry".

Teresa Curry, PE  
Partner

## Owner Information

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DUNKIN DONUTS  
302925 COFFEE CAFE INC  
2199 GLENMORE LN  
SNELLVILLE, GA 30078

## Payment Information

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Status	Paid
Last Payment Date	10/15/2020
Amount Paid	\$1,257.45

## Property Information

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Parcel Number	P161097
Acres	0
Assessed Value	\$45,742
Fair Market Value	\$114,356
Tax District	6 - City of Smyrna
Homestead Exemption	STATE

## Bill Information

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Record Type	Personal Property
Bill Type	Original
Tax Year	2020
Due Date	10/15/2020

## Taxes

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Base Taxes	\$1,257.45
Penalty	\$0.00
Interest	\$0.00
Fees	\$0.00
Good Through	
Balance Due	\$0.00

## Property Address

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3300 SOUTH COBB DR

## Real Estate (Your House or Land)

[View Bill](#)[View bill image](#)**As of** 5/13/2021**Bill Year** 2020**Bill** 4368**Owner** DICKSON JOHN H**Parcel ID** 17041300330[View payments/adjustments](#)

Installment	Pay By	Amount	Payments/Credits	Balance	Interest	Due
1	11/16/2020	\$1,548.04	\$1,548.04	\$0.00	\$0.00	\$0.00
<b>TOTAL</b>		\$1,548.04	\$1,548.04	\$0.00	\$0.00	\$0.00