

**MARKED AGENDA**  
**ZONING REVIEW BOARD**  
**JANUARY 11, 2024**  
**6:00 P.M., CITY HALL, COUNCIL CHAMBERS, SECOND FLOOR**

**NEW CASES**

1. **Z-23-62** An Ordinance by Zoning Committee to rezone from R-4 (Single Family Residential) to R-4A (Single Family Residential) for property located at **177 Huntington Road NE (aka 175 Huntington Road NE)** fronting 100 feet on the east side of Huntington Road NE beginning at an open top pipe found along the easterly right-of-way of Huntington Road with the northeasterly right of way of Peachtree Road Depth: approximately 174 feet Area: 0.40 acres, Land Lot 103, 17<sup>th</sup> District, Fulton County, Georgia  
OWNER: JACQUELYN V. WRIGHT  
EXECUTOR FOR JUDITH H. QUICK  
APPLICANT: NINA E. GENTRY, AICP  
NPU E COUNCIL DISTRICT 6  
**NPU RECOMMENDATION: NO RECOMMENDATION**  
**STAFF RECOMMENDATION: FILE**  
**ZRB RECOMMENDATION: FILE**
  
2. **Z-23-64** An Ordinance by Zoning Committee to rezone from R-4 (Single Family Residential) to PD-H (Planned Development Housing) for property located at **3170 Mt. Gilead Road SW** fronting 105 feet on the west side of Mt. Gilead Road SW beginning at a point formed by the intersection of the southwest right of way of Mt. Gilead Road and the northwest right of way of Mayo Place Depth: 779.7 feet Area: 1.81 acres, Land Lot 230, 14<sup>th</sup> District, Fulton County, Georgia  
OWNER: CAPITAL SOLUTIONS  
APPLICANT: CAPITAL SOLUTIONS  
NPU R COUNCIL DISTRICT 11  
**NPU RECOMMENDATION: DENIAL**  
**STAFF RECOMMENDATION: APPROVAL CONDITIONAL**  
**ZRB RECOMMENDATION: APPROVAL CONDITIONAL**
  
3. **Z-23-65** An Ordinance by Zoning Committee to rezone from R-3 (Single Family Residential) to R-4 (Single Family Residential) for property located at **215 West Wieuca Road NW (aka Chastain Park Avenue)** fronting approximately 1100 feet on the northwest side of West Wieuca Road NE (aka Chastain Park Avenue) commencing at the intersection of the westerly right-of-way of West Wieuca Road with the centerline of Dudley Lane Depth: approximately 650 feet Area: 8.26 acres, Land Lot 20, 17<sup>th</sup> District, Fulton County, Georgia  
OWNER: THE GALLOWAY SCHOOLS, INC.  
APPLICANT: THE GALLOWAY SCHOOLS, INC.  
C/O LAUREL DAVID, THE GALLOWAY LAW GROUP LLC  
NPU A COUNCIL DISTRICT 8  
**NPU RECOMMENDATION: NO RECOMMENDATION**  
**STAFF RECOMMENDATION: FILE**  
**ZRB RECOMMENDATION: FILE**

4. **U-23-32** An Ordinance by Zoning Committee for a special use permit for a private school pursuant to Section 16-06.005(1)(b) for property located at **215 West Wieuca Road (aka Chastain Park Avenue) NW** fronting approximately 1100 feet on the northwest side of West Wieuca Road (aka Chastain Park Avenue) NW commencing at the intersection of the westerly right of way of West Wieuca Road with the centerline of Dudley Lane Depth: approximately 650 feet Area: 8.26 acres Land Lot 20, 17<sup>th</sup> District Fulton County Georgia

OWNER: JAMES CALLEROZ WHITE FOR THE GALLOWAY SCHOOLS, INC.

APPLICANT: THE GALLOWAY SCHOOLS, INC  
C/O LAUREL DAVID, THE GALLOWAY LAW GROUP LLC

NPU A COUNCIL DISTRICT 8

**NPU RECOMMENDATION: DEFERRAL**

**STAFF RECOMMENDATION: DEFERRAL**

**ZRB RECOMMENDATION: 30 DAY DEFERRAL**

5. **Z-23-66** An Ordinance by Zoning Committee to rezone from R-4 (Single Family Residential) to MR-4A (Multifamily Residential) for property located at **2490 Fairburn Road SW** fronting 130 feet on the east side of Fairburn Road SW beginning at a point on the easterly right-of-way of Fairburn Road 105.5 feet northerly, as measured along the easterly right-of-way of Fairburn Road 130.0 feet to a point Depth: 175 feet Area: .59 acres, Land Lot 5, 14F District, Fulton County, Georgia

OWNER: MATTHEW BENNETT

APPLICANT: MATTHEW BENNETT

NPU P COUNCIL DISTRICT 11

**NPU RECOMMENDATION: DEFERRAL**

**STAFF RECOMMENDATION: DEFERRAL**

**ZRB RECOMMENDATION: 30 DAY DEFERRAL**

6. **Z-23-69** An Ordinance by Councilmember Marci Collier Overstreet to waive certain provisions in Section 16-18T.005 of the City of Atlanta Code of Ordinances related to drive-through service windows so as to allow an eating and drinking establishment at **2841 Greenbriar Parkway** to operate a drive-through service window; and for other purposes.

NPU R COUNCIL DISTRICT 11

**NPU RECOMMENDATION: DEFERRAL**

**STAFF RECOMMENDATION: APPROVAL**

**ZRB RECOMMENDATION: 30 DAY DEFERRAL**

\*Please note the ZRB Rules of Procedure have been amended. Please click the following link to review a copy of the rules adopted on July 23, 2020 - <http://www.atlantaga.gov/index.aspx?page=397>.

7. **Z-23-67** An Ordinance by Zoning Committee to rezone from MRC-1-C (Mixed Residential Commercial Conditional) to MRC-1-C (Mixed Residential Commercial Conditional) for a change of conditions for property located at **714 Moreland Avenue SE** fronting 106 feet on the east side of Moreland Avenue SE beginning on the easterly right of way line of Moreland Avenue at a point 159.00 feet as measured northerly along said easterly right of way line of Moreland Avenue from its intersection with the northerly right of way line of Ormewood Avenue Depth: 161.50 feet Area: .382 acres, Land Lot 176, 15<sup>th</sup> District, DeKalb County, Georgia

OWNER: 1688 INVESTMENT GROUP, LLC  
 APPLICANT: LOCAL HONEY MORELAND LLC  
 NPU W COUNCIL DISTRICT 5

**NPU RECOMMENDATION: DENIAL**  
**STAFF RECOMMENDATION: APPROVAL CONDITIONAL**  
**ZRB RECOMMENDATION: APPROVAL CONDITIONAL**

8. **Z-23-71** An Ordinance by Zoning Committee to rezone from R-4 (Single Family Residential) and RG-3 (Residential General Sector 3) to MR-2 (Multifamily Residential) for property located at **3340 Stone Road SW** fronting approximately 1,572 feet on the south side of Stone Road SW beginning at an iron pin on the southwestern line of the 50 foot right-of-way of Stone Road at the western line of proposed circumferential highway, said pin being 547.7 feet northwesterly along the southwestern side of said Stone Road from the eastern line of said Land Lot 254 Depth: varies Area: 31.5 acres, Land Lot 254, 14<sup>th</sup> District, Fulton County, Georgia

OWNER: OSK XII, LLC C/O ADAM BERNIER  
 APPLICANT: GASKINS+LECRAW C/O CHRISTIAN OLTEANU  
 NPU P COUNCIL DISTRICT 11

**NPU RECOMMENDATION: DEFERRAL**  
**STAFF RECOMMENDATION: DEFERRAL**  
**ZRB RECOMMENDATION: 30 DAY DEFERRAL**

9. **Z-23-73** A substitute Ordinance by Zoning Committee to rezone from R-4 (Single Family Residential) to R-4A (Single Family Residential) for property located at **750 North Evelyn Place NW** fronting 50 feet on the west side of North Evelyn Place NW being all that tract or parcel of land lying and being in Land Lot 176 of the 14<sup>th</sup> District of Fulton County, Georgia, being Lot 388 Block 21 of Fortified Hills Subdivision as per plat recorded at Plat Book 8 page 149, being known as 750 North Evelyn Place NW, according to the present system of numbering in Fulton County, Georgia Depth: 162 feet Area: .36 acres, Land Lot 176, 14<sup>th</sup> District, Fulton County, Georgia

OWNER: ADAM LEIBOWITZ  
 APPLICANT: NICOLAI SCHWARZKOPF  
 NPU J COUNCIL DISTRICT 9

**NPU RECOMMENDATION: DEFERRAL**  
**STAFF RECOMMENDATION: DEFERRAL**  
**ZRB RECOMMENDATION: 30 DAY DEFERRAL**

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10. **Z-23-74** An Ordinance by Zoning Committee to rezone from SPI-4 SA4 (Ashview Heights and Atlanta University Center Special Public Interest District Subarea 4) to SPI-4 SA12 (Ashview Heights and Atlanta University Center Special Public Interest District Subarea 12) for property located at **780 Martin Luther King Jr. Drive SW** fronting 107.8 feet on the south side of Martin Luther King Jr. Drive SW beginning at a the point of intersection of the northwest right-of-way line of James P. Brawley Drive and the southwest right-of-way Depth: 46.1 feet Area: .121 acres, Land Lot 109, 14<sup>th</sup> District, Fulton County, Georgia

OWNER: LOVED ROOTS, LLC  
APPLICANT: KEVIN HOLT  
NPU T COUNCIL DISTRICT 4

**NPU RECOMMENDATION: DEFERRAL**  
**STAFF RECOMMENDATION: DEFERRAL**  
**ZRB RECOMMENDATION: 30 DAY DEFERRAL**

11. **U-23-33** An Ordinance by Zoning Committee for a special use permit for a place of worship pursuant to Section 16-18V.005 for property located at **408 Woodward Avenue SE** fronting 123 feet on the north side of Woodward Avenue SE commencing at a bolt at the northeasterly intersection of right-of-way lines Woodward Avenue and Oakland Avenue thence continuing along the easterly right-of-way of Oakland Avenue a distance of 115.72 feet to a point and the point of beginning Depth: 208 feet Area: .54 acres, Land Lot 44, 14<sup>th</sup> District, Fulton County, Georgia

OWNER: 408 W PROPERTIES, LLC  
BY HARRY R. MITCHELL, JR.  
MANAGING MEMBER  
APPLICANT: KENNY CHERNEY  
NPU W COUNCIL DISTRICT 1

**NPU RECOMMENDATION: APPROVAL CONDITIONAL**  
**STAFF RECOMMENDATION: APPROVAL CONDITIONAL**  
**ZRB RECOMMENDATION: APPROVAL CONDITIONAL**

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12. **U-23-34** An Ordinance by Zoning Committee for a special use permit for a private club pursuant to Section 16-06.005(1)(D) for property located at **530 Clifton Street SE** fronting 200 feet on the east side of Clifton Street SE being all that tract or parcel of land lying and being in Land Lot 175, 15<sup>th</sup> District, DeKalb County, Georgia, being lots 1, 2, 3, 4 and 5, subdivision of property of A.D. Srochi, as per plat recorded in Plat Book 15, page 37, DeKalb County, Georgia records, less and except any access rights conveyed to the Department of Transportation pursuant to the easement recorded in Deed Book 29649, Page 160, DeKalb County, Georgia records Depth: 302.80 feet Area: 1.39 acres, Land Lot 175, 15<sup>th</sup> District, DeKalb County, Georgia

OWNER: DEREK LAWRENCE  
APPLICANT: CANON R. MANLEY  
NPU W COUNCIL DISTRICT 5  
**NPU RECOMMENDATION: DEFERRAL**  
**STAFF RECOMMENDATION: DEFERRAL**  
**ZRB RECOMMENDATION: 60 DAY DEFERRAL**

#### DEFERRED CASES

13. **Z-23-22** A substitute Ordinance by Councilmembers Jason Dozier, Matt Westmoreland, Liliana Bakhtiari, Jason Winston, Dustin Hillis, Amir Farokhi, Howard Shook, Mary Norwood, Andrea L. Boone, Keisha Sean Waites and Marci Collier Overstreet to amend **Part III Code of Ordinances - Land Development Code, Part 16 - Zoning, Chapter 36 “BeltLine Overlay and District Regulations”, Section 16-36.020 Off-Street Parking and Loading Requirements** so as to require no minimum amount of parking; and for other purposes

ALL NPUs  
**NPU RECOMMENDATION: APPROVAL**  
**STAFF RECOMMENDATION: APPROVAL**  
**ZRB RECOMMENDATION: APPROVAL**

14. **Z-23-61** An Ordinance by Councilmember Marci Collier Overstreet to amend Part III Land Development Code **Part 16 Chapter 32 Section 16-32F.002(9)(D) Cascade Heights Neighborhood Commercial District**; and for other purposes.

NPU R COUNCIL DISTRICT 11  
**NPU RECOMMENDATION: NO RECOMMENDATION**  
**STAFF RECOMMENDATION: APPROVAL**  
**ZRB RECOMMENDATION: APPROVAL**

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15. **U-23-27** An Ordinance by Zoning Committee for a special use permit for a nonresidential use exceeding 7500 sq. ft. in area in which alcoholic beverages are sold or consumed on the premises pursuant to Section 16-44.007(12)(A) for property located at **1310 Seaboard Industrial Boulevard NW** fronting 941.1 feet on the north side of Seaboard Industrial Boulevard NW commencing at a point at the intersection of the north right-of-way line of Seaboard Industrial Boulevard (having a 50 foot right-of-way) with the southeast right-of-way line of Collier Road Depth: 660 feet Area: 10.6 acres Land Lot 193 17<sup>th</sup> District Fulton County Georgia

**OWNER:** SCP-WS SEABOARD LLC

**APPLICANT:** K1 SPEED INC.

**NPU D** COUNCIL DISTRICT 9

**NPU RECOMMENDATION: APPROVAL**

**STAFF RECOMMENDATION: APPROVAL CONDITIONAL**

**ZRB RECOMMENDATION: APPROVAL CONDITIONAL**

**END OF AGENDA**