

**MARKED AGENDA
ZONING REVIEW BOARD
AUGUST 1, 2024
6:00 P.M., CITY COUNCIL CHAMBERS, SECOND FLOOR**

NEW CASES

1. **Z-24-26** An Ordinance by Zoning Committee to rezone from R-3 (Single Family Residential) to O-I (Office Institutional) for property located at **3074 Margaret Mitchell Drive NW** fronting approximately 105 feet on the west side of Margaret Mitchell Drive, commencing at an iron pin found on the western margin of Margaret Mitchell Drive and the eastern margin of Interstate 75 Depth: approximately 275 feet; Area: 0.61 acres, Land Lot 197, 17th District, Fulton County, Georgia
OWNER: VILLAGE PARK PACES, LLC
APPLICANT: GALERIE LIVING,
C/O DENNIS J. WEBB, JR., SMITH, GAMBRELL AND RUSSELL, LLP
NPU C COUNCIL DISTRICT 8
NPU RECOMMENDATION: NO RECOMMENDATION
STAFF RECOMMENDATION: FILE
ZRB RECOMMENDATION: FILE

2. **Z-24-42** An Ordinance by Zoning Committee to rezone from R-4 (Single Family Residential) to R-4A (Single Family Residential) for property located at **883 Dale Drive SE** fronting 100 feet on the south side of Dale Drive SE beginning at the northeast corner of Lot no. 10, a stake on the south side of Dale Drive, it being 200 feet east of the intersection of the south side of Dale Drive and the east side of Ellaby Road Depth: 255 feet Area: 0.522 acres, Land Lot 25, 14th District, Fulton County, Georgia
OWNER: BARREL LLC
APPLICANT: RUSSELL MOORE
NPU W COUNCIL DISTRICT 1
NPU RECOMMENDATION: APPROVAL
STAFF RECOMMENDATION: APPROVAL
ZRB RECOMMENDATION: APPROVAL

3. **Z-24-43** An Ordinance by Councilmembers Matt Westmoreland, Jason Dozier, Antonio Lewis, Andrea L. Boone, Alex Wan, Amir Farokhi, Byron Amos, Dustin Hillis, Howard Shook, Jason Winston, Liliana Bakhtiari, Marci Collier Overstreet, Mary Norwood, and Michael Julian Bond to amend the 1982 Atlanta Zoning Ordinance, as amended, by amending **Chapter 36 “BeltLine Overlay District Regulations”, Section 16-36.008 “Permitted and prohibited uses and structures” so as to prohibit data centers within the BeltLine Overlay District; and for other purposes.**
ALL NPUs
NPU RECOMMENDATION: APPROVAL
STAFF RECOMMENDATION: APPROVAL
ZRB RECOMMENDATION: APPROVAL

4. **Z-23-44** An Ordinance by Councilmembers Jason Dozier, Matt Westmoreland, Antonio Lewis, Marci Collier Overstreet, Jason Winston, Amir Farokhi, Andrea L. Boone, Mary Norwood, Alex Wan, Dustin Hillis, Byron Amos, Howard Shook, and Michael Julian Bond to amend the 1982 Atlanta Zoning Ordinance, as amended, **by amending various provisions of the text, including creating a definition for “data center” by amending Chapter 29; and by amending the regulations of various districts to prohibit data centers within half of a mile of high-capacity transit stops; and for other purposes.**

All NPUs

NPU RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

ZRB RECOMMENDATION: APPROVAL

5. **Z-24-45** An Ordinance by Zoning Committee to rezone from R-4 (Single Family Residential) to PD-H (Planned Development Housing) for property located at **3181 Stone Road SW** fronting 200 feet on the north side of Stone Road SW beginning at a point on the northerly side of Stone Road, 2115 feet westerly, as measured along the northerly side of Stone Road, from the point where the northerly side of Stone Road intersects the east line of said Land Lot 227 Depth: 301 feet Area: 1.47 acres, Land Lot 215, 14th District, Fulton County, Georgia

OWNER: UNITED REAL ESTATE INVESTMENT GROUP, LLC

APPLICANT: NICOLE HUNTER

NPU R COUNCIL DISTRICT 11

NPU RECOMMENDATION: NO RECOMMENDATION

STAFF RECOMMENDATION: DEFERRAL

ZRB RECOMMENDATION: 30 DAY DEFERRAL

6. **Z-24-47** An Ordinance by Zoning Committee to rezone from R-4A (Single Family Residential) to R-4B (Single Family Residential) for property located at **1672 Carroll Drive NW** fronting 100 feet on the south side of Carroll Drive NW beginning at a 3/8 inch rebar found on the south side of Carroll Drive 50 feet east as measured along the south side of Carroll Drive, from a point formed by the intersection of the south side of Carroll Drive with the east side of Anne Street Depth: 150 feet Area: .345 acres, Land Lot 223, 17th District, Fulton County, Georgia

OWNER: ANDREW HELBLING

APPLICANT: LINDA GOSLIN

NPU D COUNCIL DISTRICT 9

NPU RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: DENIAL

ZRB RECOMMENDATION: DENIAL

*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-24-48** An Ordinance by Zoning Committee to rezone from SPI-3 SA1/WIZ (English Avenue Special Public Interest District Subarea 1/Westside Affordable Workforce Housing Overlay) to SPI-3 SA3/WIZ (English Avenue Special Public Interest District Subarea 3/Westside Affordable Workforce Housing Overlay) for property located at **580 Paines Avenue NW** fronting 50 feet on the west side of Paines Avenue NW being all that tract or parcel of land lying and being in the City of Atlanta, Land Lot 111, of the 14th District, Fulton County, Georgia, being lots 19 and 20, Block A, Western Heights, as per plat recorded in Plat Book 1, page 123, Fulton County, Georgia records Depth: 127 feet Area: .145 acres, Land Lot 111, 14th District, Fulton County, Georgia
- OWNER: WESTSIDE ACQUISITIONS I, LLC
APPLICANT: BLUE RIDGE ATLANTIC DEVELOPMENT, LLC
NPU L COUNCIL DISTRICT 3
- NPU RECOMMENDATION: APPROVAL**
STAFF RECOMMENDATION: APPROVAL
ZRB RECOMMENDATION: APPROVAL

8. **Z-24-49** An Ordinance by Zoning Committee to rezone from SPI-3 SA1/WIZ (English Avenue Special Public Interest District Subarea 1/Westside Affordable Workforce Housing Overlay) to SPI-3 SA3/WIZ (English Avenue Special Public Interest District Subarea 3/Westside Affordable Workforce Housing Overlay) for property located at **596 Paines Avenue NW** fronting 50 feet on the west side of Paines Avenue NW beginning at a point on the west side of Paines Avenue, 270 feet north of the northwest corner of West North Avenue and Paines Avenue Depth: 127 feet; Area: .145 acres, Land Lot 111, 14th District, Fulton County, Georgia
- OWNER: WESTSIDE ACQUISITIONS I, LLC
APPLICANT: BLUE RIDGE ATLANTIC DEVELOPMENT, LLC
NPU L COUNCIL DISTRICT 3
- NPU RECOMMENDATION: APPROVAL**
STAFF RECOMMENDATION: APPROVAL CONDITIONAL
ZRB RECOMMENDATION: APPROVAL CONDITIONAL

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9. **Z-24-50** An Ordinance by Zoning Committee to rezone from SPI-3 SA1/WIZ (English Avenue Special Public Interest District Subarea 1/Westside Affordable Workforce Housing Overlay) to SPI-3 SA3/WIZ (English Avenue Special Public Interest District Subarea 3/Westside Affordable Workforce Housing Overlay) for property located at **616 Oliver Street NW** fronting 135 feet on the west side of Oliver Street NW beginning at a point on the northwest corner of the intersection of the north side of Pelham Street and the west side of Oliver Street and running thence north along the west side of Oliver Street 136 feet to a point 130 feet south of Fox Street Depth: 132 feet Area: .409 acres, Land Lot 112, 14th District, Fulton County, Georgia

OWNER: WESTSIDE ACQUISITIONS I, LLC
APPLICANT: BLUE RIDGE ATLANTIC DEVELOPMENT, LLC
NPU L COUNCIL DISTRICT 3
NPU RECOMMENDATION: APPROVAL
STAFF RECOMMENDATION: APPROVAL
ZRB RECOMMENDATION: APPROVAL

10. **U-24-15** An Ordinance by Zoning Committee for a special use permit for a garden pursuant to Section 16-05.005(1)(d) for property located at **3717 Vermont Road NE, 3727 Vermont Road NE and 3741 Vermont Road NE** fronting 300 feet on the east side of Vermont Road NE beginning 380 feet from the northeast intersection of Vermont Road NE and Peachtree Road NE Depth: varies Area: 1.33 acres, Land Lot 10, 17th District, Fulton County, Georgia

OWNER: CANTERBURY COURT
APPLICANT: COOPER PIERCE
NPU B COUNCIL DISTRICT 7
NPU RECOMMENDATION: APPROVAL CONDITIONAL
STAFF RECOMMENDATION: APPROVAL CONDITIONAL
ZRB RECOMMENDATION: APPROVAL CONDITIONAL

11. **U-24-19** An Ordinance by Zoning Committee for a special use permit for outdoor dining at an eating and drinking establishment when any part of such use is located within 1,000 feet of property that is zoned as an R-1, R-2, R-2A, R-2B, R-3, R-3A, R-4, R-4A, R-4B, or R-5 District, or that is used as a residential property pursuant to Section 16-11.005(1)(l) for property located at **131 Whitefoord Avenue SE** fronting 59 feet on the west side of Whitefoord Avenue SE beginning at the intersection of the westerly right of way of Whitefoord Avenue with the southerly right of way of Leslie Street, said point being marked with a “v” scribed in concrete and being the point of beginning Depth: 150 feet Area: 0.203 acres, Land Lot 208, 15th District, DeKalb County, Georgia

OWNER: RUDY’S EATS LLC
APPLICANT: SIDNEY WEINSTEIN
NPU O COUNCIL DISTRICT 5
NPU RECOMMENDATION: APPROVAL
STAFF RECOMMENDATION: APPROVAL CONDITIONAL
ZRB RECOMMENDATION: APPROVAL CONDITIONAL

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12. **U-24-20** An Ordinance by Zoning Committee for a special use permit for a non-residential use or establishment exceeding 7,500 square feet 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 **950 West Marietta Street NW Suite B140** fronting 553.68 feet on the west side of West Marietta Street NW beginning at a nail found at the intersection of the existing westerly right-of-way of Northside Drive with the northerly right-of-way of 11th Street Depth: 316.64 feet Area: 11.4 acres, Land Lot 189, 17th District, Fulton County, Georgia

OWNER: 950 WMS GL, LLC
APPLICANT: PROOF OF THE PUDDING BY MGR, LLC
D/B/A PROOF OF THE PUDDING
NPU K COUNCIL DISTRICT 3

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

13. **U-24-21** An Ordinance by Zoning Committee for a special use permit a non-residential use or establishment exceeding 7,500 square feet 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 **889 Howell Mill Road NE Suite 8000** fronting 100.4 feet on the east side of Howell Mill Road NW beginning at a mag nail found at the intersection of the southerly right of way of 8th Street and the westerly right of way of 3rd Street Depth: 176.4 feet Area: .8 Acres, Land Lot 112, 14th District, Fulton County, Georgia

OWNER: DEVELOPMENT AUTHORITY OF FULTON COUNTY
APPLICANT: PROOF OF THE PUDDING BY MGR, LLC
D/B/A PROOF OF THE PUDDING
NPU E COUNCIL DISTRICT 3

NPU RECOMMENDATION: NO RECOMMENDATION
STAFF RECOMMENDATION: FILE
ZRB RECOMMENDATION: FILE

END OF AGENDA

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