



## VARIANCE AND WAIVER APPLICATION

CHECK ALL THAT APPLY:

☒ Zoning Variance

☐ Sign Variance

☐ Stream Buffer Variance

☐ Waiver

Railway 3477

Name of Project

3477 Chamblee Dunwoody Way, Chamblee GA 30341

Property Address

Brief Description of Project

Modify house to fit layout for future use as  
a restaurant. install new patio.

Zoning District → C1

1

.1846

1

1726 plus some 548

Total # of Properties Involved

Total Project Acreage

Total Number of Buildings

Total sq. ft. of buildings total 2274

OWNER:

Vladimir Onysko Station 777 LLC

Name and Company

1546 Coledge Road Tucker, GA 30084

Mailing Address

City, State

Zip Code

678-471-6135

Phone #

vladimironysko@yahoo.com

E-mail

APPLICANT: ☒ Check here if Applicant is also the Property Owner

Vladimir Onysko Station 777 LLC

Name and Company

1546 Coledge Road Tucker, GA 30084

Mailing Address

City, State

Zip Code

678-471-6135

Phone #

vladimironysko@yahoo.com

E-mail

Applicant Signature

Date

02/03/2025

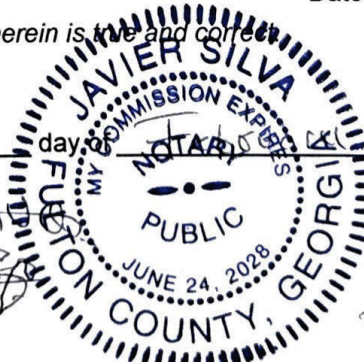
☒ I hereby certify that all information provided herein is true and correct.

NOTARY:

Sworn to and subscribed before me this 03 day, 2025

Notary Public:

Javier Silva



Exp 06/24/2028

## • LETTER OF INTENT

### **Variance Request #1**

#### Request

We are requesting relief from the requirements for:

- Reducing parking requirement from 20 to 0 parking spaces. Project is adaptive reuse and parking requirements cannot be met on this site with the existing structures.

#### Code Reference

Section 250-2 (subsection 3.0) of the City of Chamblee Unified Development Ordinance (UDO).

#### Variance Criteria Response

1. The house has been constructed before July 1, 1974 and thus the structure is eligible for adaptive reuse since more than 75% of the floor area will be preserved (Section 270-10)
2. The strict application of this UDO to the particular piece of property would create an unnecessary hardship. The applicant has reviewed different scenarios with the city and architect to provide parking spaces, but there just is not enough physical space on the lot to do so.
3. The site cannot comply with parking requirements even if the building was demolished and rebuilt in a different area of the plot.
4. The building size and placement on the property are existing conditions and have not been a result of any actions of the property owner.
5. The granting of this variance would not cause substantial detriment to the public good, instead provide a presentable restaurant with a beautiful storefront, sidewalk, patio, streetscape and walkability.

### **Variance Request #2**

#### Request

We are requesting relief from the requirements for:

- Dumpster cannot be placed behind the existing buildings. Therefore the only location for the dumpster needs to be on the left side of the building where the existing curb cut is located. Proposed dumpster enclosure fence to mask view of dumpster while leveraging existing curb cut.

#### Code Reference

Section 240-7(b) (8) (e) of the City of Chamblee Unified Development Ordinance (UDO).

#### Variance Criteria Response

1. The way that the house is located on the property, the only viable placement for the dumpster and access would be on the left side where an existing curb cut is located.
2. The strict application of UDO would create unnecessary hardship as there is not enough space on the property for a dump truck to access the dumpster, unless it's located at the left side of the building.
3. The site cannot be adjusted for dumpster placement in any other location.
4. The building placement on the property and curb cut are existing conditions and have not been a result or action of the owner.
5. The granting of this variance would not cause substantial detriment to the public good, as the dumpster will be enclosed and not visible to public view from the street.

#### **Variance Request #3**

##### Request

We are requesting relief from the requirements for:



- Street trees cannot be placed 40 ft apart as there is existing curb cut and new proposed driveway to the dumpster. Because of these conditions the nearest tree we can plant would be 42'-7/16" as shown on site plan

#### Code Reference

Section 230-26(e)(3) of the City of Chamblee Unified Development Ordinance (UDO).

#### Variance Criteria Response

- 1.The adjacent development has created conditions that make several requirements impossible to meet as they received a variance for these conditions. If the landscape zone was to meet the requirements, it would not align with neighbors.
- 2.The strict application of UDO would create unnecessary hardship since the building next door has pairs of parallel parking stalls that occupy the area where the 5ft Landscape Zone should be.
- 3.Such conditions are peculiar to this property and created by the building next door.
- 4.Such conditions are not the result or actions of the owner and were previously created.
- 5.The granting of this variance would not cause any detriment to the public good, as we plan to enhance the neighborhood by continuing the current sidewalk and streetscape design on our property.

#### **Variance Request #4**

#### Request

We are requesting relief from the requirements for:

- Pedestrian light cannot be located 80 feet on center due to conditions created by development next door. If we continue street scaping design as the development next door has done so and add 2 parallel parking spaces on the street the new position for the street light would have to be 92'-8 7/16".

#### Code Reference

#### Section 230-26(e)(4)

1. The adjacent development has created conditions that makes this requirement is hard to meet. If we need to continue the sidewalk and off street parallel parking just as they did then the pedestrian light would have to be moved.
2. The strict application of UDO would create unnecessary hardship since the building next door has created these conditions if we were to continue their design with on street parallel parking the street light cannot be placed at 80 feet distance.
3. Such conditions are peculiar to this property and created by building next door.
4. Such conditions are not the act of owner and were previously create.
5. The granting of this variance would not cause any detriment to the public good, as we planning to enhance the neighborhood by creating on street parallel parking as well as providing a pedestrian light.

#### **Variance Request #5**

##### Request

We are requesting relief from the requirements for:

- To reduce the landscape zone from 5-feet to 0-feet. Adjacent property has established a condition with parallel parking spaces with no landscape zone. If we going to continue same design as property next door with pairs of parallel parking landscape zone cannot be provided. The sidewalk and supplemental zones will be included and both will be 10 feet wide.

##### Code Reference

#### Section 230-26(a)

1. The adjacent property has created a conditions which is hard to meet as they have received variance to reduce their landscape zone to 0 feet. Therefore if we are to continue the same design with parallel parking spaces the landscape one cannot be created.

2.The strict application of UDO would create unnecessary hardship since property next door has received a variance for landscape zone reduction to 0 feet.

3.Such conditions are peculiar to the property and created by development next door.

4.Such conditions are not act of the owner and were previously created.

5.The granting of this variance will not cause any detriment to public good, as we are planning to continue the same continuous design of sidewalk and street parallel parking as the development next door.