



## VARIANCE AND WAIVER APPLICATION

CHECK ALL THAT APPLY:

☒ Zoning Variance

☐ Sign Variance

☐ Stream Buffer Variance

☒ Waiver

4970 Buford HWY Retail

Name of Project

4970 Buford HWY Chamblee, GA 30341

Property Address

Proposal to build a two story 11,845 sf restaurant, retail, and office building with parking. New building

Brief Description of Project

adjacent to existing building to remain (no work to existing building) with both buildings sharing parking.

Corridor Commercial

Zoning District

2

1.19

1 New & 1 Existing

11,845 sf (new)

4,000 (existing)

Total # of Properties Involved

Total Project Acreage

Total Number of Buildings

Total sq. ft. of buildings

### OWNER:

Vinh Nguyen, The V Development Company, Inc.

Name and Company

P.O. Box 923896

Norcross, GA

30010

Mailing Address

City, State

Zip Code

646-577-6247

vinh@thevdevelopment.com

Phone #

E-mail

**APPLICANT:** ☐ Check here if Applicant is also the Property Owner

Derrick Tittle, CNNA Architects

Name and Company

119 Luckie Street NW, Suite 100

Atlanta, GA

30303

Mailing Address

City, State

Zip Code

404-522-0077

dtittle@cnna.com

Phone #

E-mail

07/02/2024

Applicant Signature

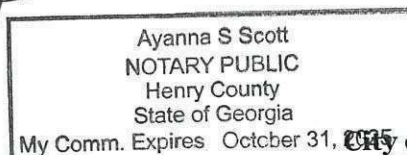
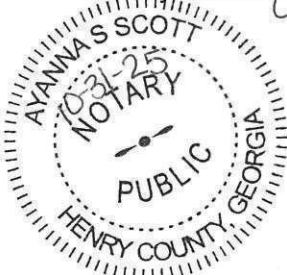
Date

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

### NOTARY:

Sworn to and subscribed before me this 2nd day of July, 2024

Notary Public:



**City of Chamblee Planning and Development Department**

5576 Peachtree Rd, Ste 102 • Chamblee, GA 30341 • 770-986-5010 • www.chambleega.gov

September 5, 2024



City of Chamblee  
Planning and Development Department  
3518 Broad Street  
Chamblee, GA 30341

Re: Letter of Intent – Variances and Waivers for a Proposed Commercial Development located at 4970 Buford Highway which includes:

Section 230-1(b)(1) – Reduction to Minimum Zoning Buffer  
Section 250-2 – Reduction to Minimum Parking Spaces  
Section 250-7(a)(2) – Allow automobile parking between principal building and street.  
Section 320-12 – Reduction to Landscaping Standards within buffers.  
Section 350-2(a) – Reduction in drive aisle width.

Dear City of Chamblee,

We request variances and waivers from the Chamblee Unified Development Ordinance for property located at 4970 Buford Highway. The purpose of this request is to allow for the development of a two-story 11,845 square foot commercial building providing a restaurant, retail, office space and parking on a vacant lot. This development would also provide landscape canopy and shrubs, additional sidewalks, and safer driving surfaces.

In response to the criteria for variances contained in 280-32:

There are extraordinary and exceptional conditions pertaining to the particular property in question because of its size, shape or topography and the application of this UDO to the particular property would create an unnecessary hardship.

Due to the shape of the property, topography and the existing utilities and underground infrastructure we are making the following requests:

- Variance from Section 230-1(b)(1). Due to the shape of the property being triangular, and the existing sewer main, its easement and overhead utilities encumbering our property we are requesting a reduction from the 20' zoning buffer to 10' which would allow for the development of the commercial building, dumpster enclosure, drive aisle, parking spaces and retaining wall.
- Variance from Section 250-2 The minimum required parking spaces for this development would be 78 spaces. We are requesting a reduction to 45 spaces. This property is within a larger shopping center with over 200 parking spaces.
- Variance from Section 250-7(a)(2). To increase the number of parking spaces provided for this development, we seek to add (3) parallel parking spaces along the existing drive aisle owned by the City of Chamblee. This portion of the drive aisle is accessed primarily by delivery vehicles or those seeking to access the rear of the existing shopping center.

In concurrence we seek the following waivers:

- Waiver from Section 320-12 to reduce the total required plantings within a zoning buffer as shown. If granted the variance request to reduce the Buffer Width, there would not be enough plantable space to meet the standards set forth in the ordinance. Please see the Landscape Plan showing the proposed landscaping



within the space provided. A special request is made to take notice of the existing privacy fence being located 7 feet from the property line and 10 feet from the face of the proposed retaining wall. The existing fence on the adjoining property would obscure the view of the shrubs required in the buffer. These shrubs would be difficult to maintain and would not be a benefit to the aesthetic of the area or to the general public. Although shown in the Landscape plan, we request that those shrubs along the base of the wall, obscured by the privacy fence, not be required. We are proposing shrubs at the top of the wall to screen the parking.

- Waiver from Section 350-2(a) to reduce the minimum drive aisle width from 22 feet to 16 feet. The existing drive aisle located to the east of “Existing Building #2” as shown in the provided site plan, is within an existing parcel that is approximately 20 feet wide. Existing utilities, bollards, fences and gates from adjoining properties encroach within this area. To increase the safety and aesthetic of the existing drive aisle, we are requesting to top the aisle with new asphalt.

We respectfully request that these variances and waivers be approved as requested.