



THE CITY OF MOBILE, ALABAMA  
BOARD OF ZONING ADJUSTMENT  
LETTER OF DECISION

May 7, 2015

Waffle House, Inc.  
ATTN Russell Holland  
5986 Financial Drive  
Norcross, GA 30071

Re: #5962/945  
(Case #ZON2015-00881)  
Russell Holland, Real Estate Representative of Waffle House, Inc.  
4959 Moffett Road  
(South side of Moffett Road extending to the North side of Overlook Road).

Dear Applicant(s) / Property Owner(s):

On May 4, 2015, the Board of Zoning Adjustment considered your request for **Front Yard Setback Variance to allow construction of a restaurant within 12.7 feet of front yard setback and dumpster pad approximately 9 feet within the front 25 feet yard setback in a B-2, Neighborhood Business District** at the above referenced location.

The Board determined the following findings of fact for approval of the request:

- 1) Approving the variance request will not be contrary to the public interest in that it will result in the redevelopment of a blighted property;
- 2) Special conditions exist, primarily the narrow shape of the property and its location between three streets, such that a literal enforcement of the provisions of the chapter will result in unnecessary hardship; and
- 3) That the spirit of the chapter shall be observed and substantial justice done to the applicant and the surrounding neighborhood by granting the variance as it will result in the redevelopment of a blighted property and improved neighborhood.

The applicant is advised that full compliance with all other municipal codes and ordinances is required.

**Russell Holland, Real Estate Representative of Waffle House, Inc.**

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Any party aggrieved by this decision may, within fifteen days of the date of the decision, appeal to the Circuit Court of Mobile County by filing a written notice of appeal, specifying the decision from which the appeal is taken. Notice of the appeal, as well as a date stamped copy of the appeal filed in Circuit Court must be filed with this Board within the fifteen-day appeal period.


No permit, license or certification can be issued until the 15-day appeal period has expired and no appeal has been made. If a permit/license has not been obtained on or before November 4, 2015, the **Front Yard Setback Variance** will expire and become null and void. For additional assistance call (251) 208-5895.

Sincerely,

**BOARD OF ZONING ADJUSTMENT**

William Guess, Chairman

By:

  
Bert Hoffman, Planner II

cc: Henry Michael Hoffman  
Rowe Engineering and Surveying, Inc.

/lw