



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

September 13, 2019

Scott Services
5636 Clifford Circle
Birmingham, AL 35210

Re: (Case #BOA-001012-2019)
Scott Services for McDonald's
5019 Cottage Hill Road
(South side of Cottage Hill Road, 574'± East of Demetropolis Road).

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

On September 9, 2019, the Board of Zoning Adjustment considered your request for a **Sign Variance to allow multiple digital menu board signs per drive-thru lane within 300' of residentially zoned property in a B-2, Neighborhood Business District** at the above referenced location.

After discussion, the Board determined the following findings of fact for Approval:

- 1) Approving the variance will not be contrary to the public interest in that it will allow the applicant to expedite customer service and traffic flow within a drive-thru ordering lane;
- 2) Special conditions (the limitation to one menu board per drive-thru slows customer service time and traffic flow) exist such that a literal enforcement of the provisions of the chapter will result in an unnecessary hardship; and
- 3) The spirit of the chapter shall be observed and substantial justice shall be done to the applicant and surrounding neighborhood by granting the variance because it will compensate for an archaic limitation in the sign regulation provisions of the Zoning Ordinance.

The Approval is subject to the following conditions:

- 1) signage to comply with the dimming requirements of Section 64-11.8.c.(7) (a)vii of the Zoning Ordinance; and
- 2) full compliance with all other municipal coded and ordinances.

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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 March 9, 2020, the **Sign 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
Principal Planner

Cc: McDonald's Corporation