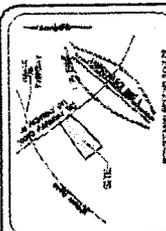


V-11
(2011)



GENERAL NOTES:
1. THE PROJECT IS LOCATED IN THE CITY OF ATLANTA, GEORGIA.
2. THE PROJECT IS A DEVELOPMENT OF 16,681 SQ. FT. OF GROUND.
3. THE PROJECT IS A DEVELOPMENT OF 0.383 ACR. OF GROUND.
4. THE PROJECT IS A DEVELOPMENT OF 16,681 SQ. FT. OF GROUND.
5. THE PROJECT IS A DEVELOPMENT OF 0.383 ACR. OF GROUND.

PROJECT INFORMATION:
PROJECT NO. V-11
DATE: 01/11/11
SCALE: AS SHOWN
DRAWN BY: [Name]
CHECKED BY: [Name]

FREELAND
PLANNING & ARCHITECTURE
1000 N. W. 10TH AVENUE, SUITE 1000
ATLANTA, GEORGIA 30309
PHONE: (404) 525-1000
FAX: (404) 525-1001
WWW.FREELAND.COM



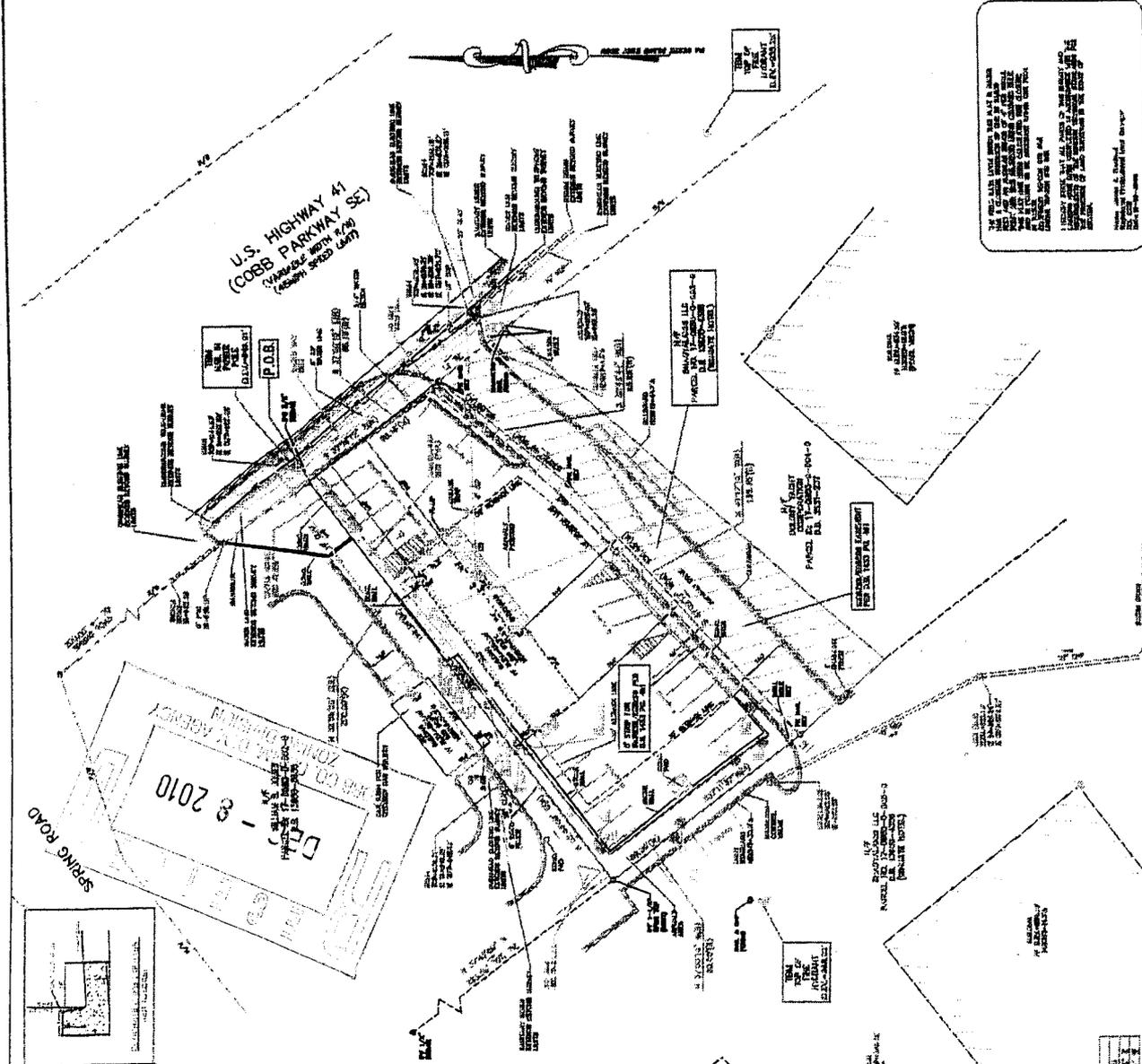
OWNER:
ALTA/ACM LAND TITLE
BUREAU FOR
WH/ CAPITAL, LLC
1000 N. W. 10TH AVENUE, SUITE 1000
ATLANTA, GEORGIA 30309

FILED IN THE OFFICE OF THE CLERK OF SUPERIOR COURT:
COUNTY OF DEKALB, GEORGIA
BOOK 16681, PAGE 1
DATE: 01/11/11

UTILITY CONTACTS:
ATLANTA GAS COMPANY
ATLANTA ELECTRIC COMPANY
ATLANTA WATER AND SEWER DEPARTMENT
ATLANTA TELEPHONE COMPANY

ADDITIONAL NOTES:
1. THE PROJECT IS A DEVELOPMENT OF 16,681 SQ. FT. OF GROUND.
2. THE PROJECT IS A DEVELOPMENT OF 0.383 ACR. OF GROUND.

NOTICE TO THE PUBLIC:
THIS DRAWING IS THE PROPERTY OF FREELAND PLANNING & ARCHITECTURE. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, WITHOUT THE WRITTEN PERMISSION OF FREELAND PLANNING & ARCHITECTURE.



LEGEND:
1. EXISTING BUILDING FOOTPRINT
2. EXISTING PARKING SPACES
3. EXISTING DRIVEWAYS
4. EXISTING UTILITY LINES
5. EXISTING EASEMENTS

PROPOSED BUILDING FOOTPRINT:
1. PROPOSED BUILDING FOOTPRINT
2. PROPOSED PARKING SPACES
3. PROPOSED DRIVEWAYS
4. PROPOSED UTILITY LINES
5. PROPOSED EASEMENTS

PROPOSED PARKING SPACES:
1. PROPOSED PARKING SPACES
2. PROPOSED DRIVEWAYS
3. PROPOSED UTILITY LINES
4. PROPOSED EASEMENTS

Table with 2 columns: Description, Quantity. Includes entries for building area, parking spaces, etc.

APPLICANT: Waffle House, Inc. **PETITION NO.:** V-11
PHONE: 770-729-5804 **DATE OF HEARING:** 02-09-11
REPRESENTATIVE: Charles Richardson **PRESENT ZONING:** GC
PHONE: 770-729-5804 **LAND LOT(S):** 880
PROPERTY LOCATION: On the west side of **DISTRICT:** 17
Cobb Parkway, south of Spring Road **SIZE OF TRACT:** 0.383 acre
(2754 Cobb Parkway). **COMMISSION DISTRICT:** 2

TYPE OF VARIANCE: 1) Waive the maximum impervious surface in a Regional Activity Center from 80% to 82.19%; and 2) waive the side setback from the required 5 feet to zero feet adjacent to the northern property line.

COMMENTS

TRAFFIC: Recommend applicant coordinate with Cobb County DOT prior to development plan approval to ensure compatibility with the proposed roadway improvement project along Cobb Parkway.

DEVELOPMENT & INSPECTIONS: Exterior building walls must meet the fire-resistance rating based on fire separation distance in accordance with International Building Code Table 602.

STORMWATER MANAGEMENT: The proposed redevelopment is still a reduction in impervious coverage over the previous Waffle House site layout. No significant stormwater management impacts are anticipated from this variance request.

HISTORIC PRESERVATION: After examining Civil War trench maps, Cobb County historic property surveys, county maps, and various other resources, staff has no comments regarding the impact or treatment of historic and/or archaeological resources.

CEMETERY PRESERVATION: No comment.

WATER: No conflict.

SEWER: No conflict.

OPPOSITION: NO. OPPOSED PETITION NO. SPOKESMAN

BOARD OF APPEALS DECISION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

STIPULATIONS: _____



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Cobb County Fire and Emergency Services

Applicant Name: Waffle House Inc.

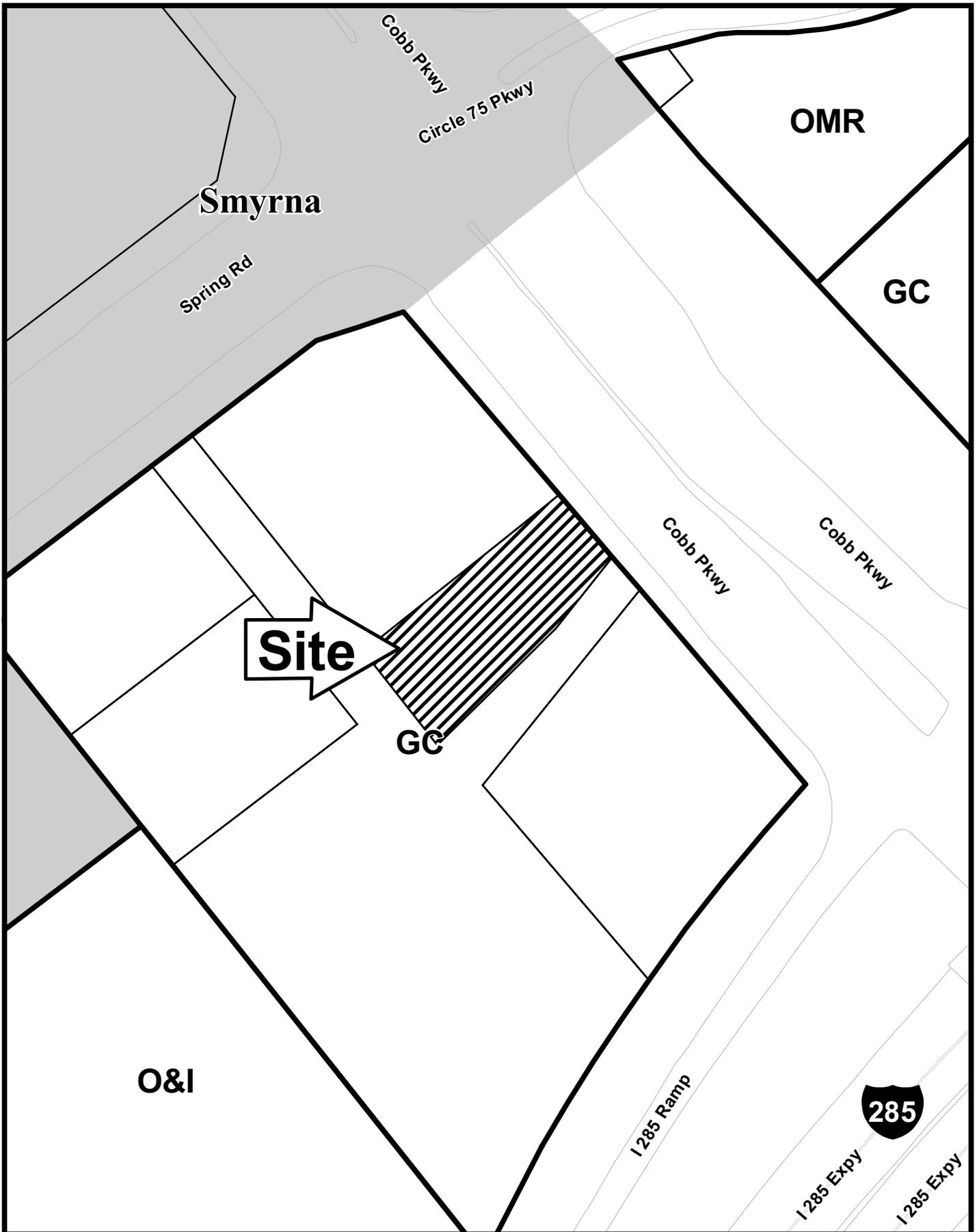
Petition Number: V-11

Date: 1/25/2011

Fire Marshal Comments

Site and Building Plans approved on 10/04/10 and 10/04/10, respectively.

V-11

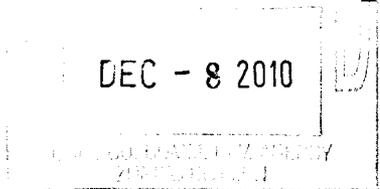


This map is provided for display and planning purposes only. It is not meant to be a legal description.



-  City Boundary
-  Zoning Boundary

Application for Variance Cobb County



(type or print clearly)

Application No. V-11
Hearing Date: 2-9-11

Applicant Waffle House, Inc. Business Phone (770) 729-5804 Home Phone (770) 729-5840

Charles Richardson Address 5986 Finerall Dr Norcross, GA 30071
(representative's name, printed) (street, city, state and zip code)

clerk [signature] Business Phone (770) 729-5804 Cell Phone (706) 284-6611
(representative's signature)

My commission expires: Notary Public, Walton County, Georgia
My Commission Expires October 6, 2013

Signed, sealed and delivered in presence of:
[Signature]
Notary Public

Titleholder WHA Capital, LLC Business Phone (770) 729-5100 Home Phone _____

Signature [Signature] Address: 3290 Northside Pkwy, Suite 385
(attach additional signatures, if needed) (street, city, state and zip code)
Atlanta, GA 30327

My commission expires: Notary Public, Walton County, Georgia
My Commission Expires October 6, 2013

Signed, sealed and delivered in presence of:
[Signature]
Notary Public

Present Zoning of Property BC - General Commercial

Location 2754 Cobb Pkwy Atlanta, GA 30339
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 880 District 17 Size of Tract 0.383 Acre(s)

Please select the extraordinary and exceptional condition(s) to the piece of property in question. The condition(s) must be peculiar to the piece of property involved.

Size of Property 0.383 Ac Shape of Property Irreg. Topography of Property sloping Other _____

The Cobb County Zoning Ordinance Section 134-94 states that the Cobb County Board of Zoning Appeals must determine that applying the terms of the Zoning Ordinance without the variance would create an unnecessary hardship. Please state what hardship would be created by following the normal terms of the ordinance.

Please see attached narrative
*pedestrian safety (pedestrian / vehicle traffic conflicts)
- access to site by delivery trucks / garbage trucks

List type of variance requested: improvements area, setback line (north)
See Exhibit "A"

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DEC - 8 2010

Variance Narrative:

The Cobb County Ordinance Section 124-94 states that the Cobb County Board of Zoning Appeals must determine that applying the terms of the Zoning Ordinance without variance would create an unnecessary hardship. In terms of the Waffle House property located at 2754 Cobb Parkway, the strict adherence to the code would create a very real hardship.

The current property is permitted for redevelopment with the following variances approved in August of 2010:

- 1) Waive the maximum impervious surface in a Regional Activity Center from 80% to 82.19%.
- 2) Waive the landscape enhancement strip from 8 feet to 0 feet
- 3) Waive the side setback from the required 10 feet to 5 feet adjacent to the northern property line.
- 4) Waive the rear setback from 30 feet to 29 feet.
- 5) Waive the minimum lot size from 20,000 square feet to 16,681 square feet (existing).
- 6) Waive the depth of a parking space from 19 feet to 18 feet.

At this time we are requesting to alter variances 1 and 3. We would like to request that the side setback line be further reduced from 5' to 0' (note: only a small portion of the underground building footer will encroach to the 0' line; the actual building will sit off the property line 1'-5"). As the plan is permitted, the main drive isle in our parking area is proposed for vehicular traffic, pedestrian traffic, loading/unloading, as well as for trash pickup. It is our wish to widen this area by relocating the building in order to create more room for pedestrian traffic as well as make it more suitable for the ingress and egress of delivery and trash collection trucks. The relocation of the building does slightly increase the impervious area by 5.64% to 87.83% impervious area. It should be noted that the predevelopment impervious area for this site is 92.47%, thus the property will still see a net decrease in paving and an increase in landscaping and therefore water quality with the approval of these modifications to the existing variances.

It remains our opinion that with the proposed additional variances, the construction of a new building, along with the improvements proposed would greatly benefit both Waffle House and the Cobb County community. It is our goal to redevelop this site to better serve our clients and the community and improve the look and feel of the property while decreasing the impact of our storm water runoff in the process.