



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

June 8, 2018

Jordan Byrne & Serena Parton
3861 Branford Ct.
Mobile, AL 36619

Re: #6178
(Case #BOA-000493-2018)
Serena Parton
(North side of Coca Cola Road, 2/10± mile East of U.S. Highway 90 West and extending to the South side of Wiley Orr Road.)

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

On June 4, 2018, the Board of Zoning Adjustment considered your request for a **Surfacing Variance to allow aggregate surfacing for a proposed RV park in a B-3, Community Business District** at the above referenced location.

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

- 1) **Granting the variance will not be contrary to the public interest considering the proposed amount of aggregate material is minimal and, as such, may have little to no impact on adjacent property owners or rights-of-way;**
- 2) **Special conditions do exist in such a way that a literal enforcement of the provisions of the chapter will result in an unnecessary hardship due to the fact that aggregate surfacing mitigates the effects of excess storm water runoff and facilitates drainage; and,**
- 3) **The spirit of the chapter shall be observed and substantial justice shall be done to the surrounding neighborhood by granting the variance since similar Surfacing Variance requests have been approved for multiple properties within the vicinity of the subject site.**

The approval is subject to the following conditions:

- 1) coordination with the Fire Department to ensure adequate site circulation and revise the site plan, as necessary;
- 2) compliance with Engineering comments: *(If the aggregate surfacing is approved for use the applicant will need to have the following conditions met: a. Submit and receive a Land Disturbance Permit for the proposed site development through Central Permitting. b. Submit a ROW Permit (City of Mobile) for the work within the Public ROW. Aggregate surfacing will NOT be allowed within the public ROW. c. Designated handicapped accessible spaces and routes must be paved (concrete, asphalt)..);*
- 3) compliance with Traffic Engineering comments: *(If a surface variance is approved, the aggregate cannot extend into the right-of-way and cannot be used in the areas designated as the accessible path from any required handicap space to the building. Specific to this site, parking stops/bumpers should be considered for the exterior parking stalls to prevent vehicles from encroaching into the landscaped areas.);*
- 4) compliance with Urban Forestry comments: *(Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 2015-116 and City Code Chapters 57 and 64).);*
- 5) compliance with Fire Department comments: *(All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code).);*
- 6) provision of the revised site plan to the Planning and Zoning Department prior to the approval of any permit requests; and,
- 7) compliance with applicable Codes and Ordinances.

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.

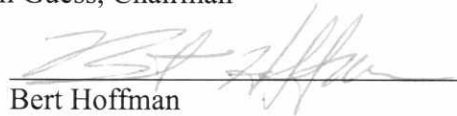
No permit, license or certification can be issued until the 15-day appeal period has expired and no appeal has been made. If a permit/license has not been obtained on or before December 4, 2018, the **Surfacing Variance** will expire and become null and void. For additional assistance call (251) 208-5895.

Sincerely,

BOARD OF ZONING ADJUSTMENT

William Guess, Chairman

By:


Bert Hoffman
Principal Planner

cc: Rowe Engineering