



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

December 8, 2017

Mobile Area Water and Sewer Service
P.O. Box 180249
Mobile, AL 36618

Re: #6142
(Case #BOA-000301-2017)
Mobile Area Water and Sewer Service
1600 Shelton Beach Road Extension
(East side of Shelton Road Beach Extension, 622'± North of Moffett Road).

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

On December 4, 2017, the Board of Zoning Adjustment considered your request for a **Use, Surface, and Access Variances to allow a contractor's storage yard with gravel surfacing in a B-2, Neighborhood Community Business District and shared access with an adjacent site** at the above referenced location.

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

- 1) Approving the variance request will not be contrary to the public interest because the proposed surfacing, use and access requests will allow the Mobile Area Water and Sewer Service (MAWSS) to locate required equipment and materials near their existing central equipment facility, and the proposed development will be surrounded by commercial uses;**
- 2) Special conditions exist, including the location of the site within close proximity to the existing MAWSS facility, 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 due to the fact that the site will be developed to have as minimal an impact as possible.**

The approval is subject to the following condition:

- 1) **Provision of a letter from the abutting property owner (Crown Castle), whose property is the subject of the cross-access easement, authorizing the application to the Board of Zoning Adjustment.**

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.

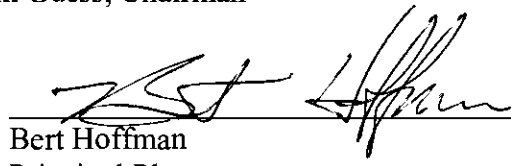
No permit, license or certification can be issued until the 15-day appeal period has expired and no appeal has been made. If a permit/license has not been obtained on or before June 4, 2018, the **Use, Surface, and Access Variances** will expire and become null and void. For additional assistance call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

Sincerely,

BOARD OF ZONING ADJUSTMENT

William Guess, Chairman

By:


Bert Hoffman
Principal Planner

cc: McCrory Williams, Inc.