



THE CITY OF MOBILE, ALABAMA  
BOARD OF ZONING ADJUSTMENT

LETTER OF DECISION

January 10, 2020

Jeff Quinnelly  
P.O. Box 81449  
Mobile, AL 36689

**Re: #6299**  
**(Case #BOA-001127-2019)**  
**Jeff Quinnelly**  
Northeast corner of New St. Francis Street and Hallett Street.  
Council District 2

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

On January 6, 2020, the Board of Zoning Adjustment considered your request for **Front Yard, Side Street Yard, Frontage Landscaping and Frontage Tree Planting Variances** to allow a building within the front setback and the side street setback, with reduced street frontage landscape area, and reduced street frontage tree plantings in a B-2, Neighborhood Business District; the Zoning Ordinance requires a minimum 25' front yard setback and a minimum 17.1' side street yard setback, with full compliance with the frontage landscaping and frontage tree planting requirements in a B-2, Neighborhood Business District at the above referenced location.

After discussion, the Board determined the following findings of fact for Approval of the reduced setbacks and reduced tree plantings and landscaped area:

- 1) Approving the variance will not be contrary to the public interest in that compliant access and maneuvering is able to be provided with the reduced setbacks;
- 2) Special conditions were illustrated such that the literal enforcement of the provisions of the chapter will result in an unnecessary hardship, as it would be very difficult to develop this commercial property without the need for some relief from Zoning Ordinance requirements; and

- 3) The spirit of the chapter shall be observed and substantial justice shall be done to the surrounding neighborhood by granting the variance because it is in keeping with existing structures in the area.

The approval is subject to the following conditions:

- 1) The obtaining of a Certificate of Appropriateness from the Architectural Review Board;
- 2) Coordination with staff to determine the number and species of trees to be planted that the time of permitting; and
- 3) Full compliance with all other municipal 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 July 6, 2020, the **Front Yard, Side Street Yard, Frontage Landscaping and Frontage Tree Planting Variances** will expire and become null and void. For additional assistance call (251) 208-5895.

Sincerely,

**BOARD OF ZONING ADJUSTMENT**

William Guess, Chairman

By: Marie York  
Marie York  
Principal Planner

cc: Haidt Land Surveying