



THE CITY OF MOBILE, ALABAMA

BOARD OF ZONING ADJUSTMENT

LETTER OF DECISION

April 2, 2024

Claude and Melody Hall
812 Brighton Place
Mobile, Alabama 36693

Re: 6580/6550
BOA-002861-2024
6109 Howells Ferry Road
Claude and Melody Hall
District 7

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

On April 1, 2024, the Board of Zoning Adjustment considered your request for a Use Variance to amend a previously approved Use Variance to allow a commercial daycare to operate in a R-1, Single-Family Residential Suburban District; the Unified Development Code (UDC) does not allow commercial daycares to operate in a R-1, Single-Family Residential Suburban District.

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

- 1) The variance will not be contrary to the public interest;
- 2) Special conditions exist such that a literal enforcement of the provisions of the chapter will result in unnecessary hardship; and
- 3) The spirit of the chapter shall be observed, and substantial justice done to the applicant and the surrounding neighborhood by granting the variance.

The approval is subject to the following conditions:

1. Revision of the site plan to illustrate the required landscape islands every 12 new contiguous parking spaces, in compliance with Article 3, Section 64-3-7.A.3(c)(2).c.;
2. Revision of the site plan to illustrate a Protection Buffer where the site abuts residentially zoned property, in compliance with Article 3, Section 64-3-8 of the UDC;
3. Revision of the site plan to reflect compliance with the development standards of Article 3 of the UDC, as listed on Page 4 of this report (or placement of notes on the site plan stating

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the site will comply with all listed development requirements, with each one listed), and submission of the site plan for review by Planning and Zoning;

4. Completion of the Major Modification process to modify the previously approved Planned Unit Development;
5. Compliance with all Engineering comments noted in this staff report;
6. Compliance with all Traffic Engineering comments noted in this staff report;
7. Compliance with all Urban Forestry comments noted in this staff report;
8. Compliance with all Fire Department comments noted in this staff report;
9. Provision of a copy of the recorded site plan (hard copy and pdf) to Planning and Zoning; and,
10. Full compliance with all municipal codes and ordinances.

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 October 1, 2024, the variance will expire and become null and void.


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.

For further assistance, please call 251-208-5895.

Sincerely,

BOARD OF ZONING ADJUSTMENT

William Guess, Chairman

By: 

Margaret Pappas
Deputy Director of Planning and Zoning