

**BOARD OF ZONING ADJUSTMENT
LETTER OF DECISION**

November 8, 2011

Board of Water & Sewer Commissioners
P.O. Box 2368
Mobile, AL 36652

Re: **#5717/5613**
(Case #ZON2011-02548)
Board of Water and Sewer Commissioners

East side of Shelton Beach Road Extension, 820' ± North of Moffett Road.

Use and Surfacing Variances to allow a contractor's storage yard and gravel surfacing in a B-3, Community Business District; the Zoning Ordinance requires a minimum of I-1, Light Industry District for a contractor's storage yard and requires all parking areas to be surfaced in asphalt, concrete, or an approved alternative paving surface.

Dear Applicant/Property Owner:

On November 7, 2011, the Board of Zoning Adjustment approved a variance **to allow a contractor's storage yard and gravel surfacing in a B-3, Community Business District**, subject to the following conditions:

- 1) placement of a note on the site plan stating that no operation of heavy machinery shall occur outside of the hours of 6am to 6pm, Monday thru Friday unless it is due to a severe storm event, declared emergency, or emergency after-hours call-out;**
- 2) placement of a note on the site plan stating that no deliveries of bulk materials to the site shall occur except between 6am to 6pm, Monday thru Friday unless it is due to a severe storm event, declared emergency, or emergency after-hours call-out;**
- 3) provision of a 25-foot wide natural landscape buffer along the East and North sides of the site where the property abuts residential or multi-family uses;**
- 4) enclosure of all "contractor storage yard" areas with an 8-foot high solid wall or fence, except where access is required internal to the site;**
- 5) bulk storage area to be designed in such a manner as to prevent runoff and spillage of bulk materials; and**

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- 6) full compliance with the site and parking lighting requirements of Section 64-4.A.2., *Illumination of uses*, and Section 64-6.A.3.c., *Lighting*, of the Zoning Ordinance.

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 May 7, 2012, the **Use and Surfacing Variances** will expire and become null and void. For additional assistance call (251) 208-5895.

Sincerely,

BOARD OF ZONING ADJUSTMENT

William Guess, Chairman

By: _____
Frank Palombo, Planner II

cc: Volkert Engineers

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