



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

March 9, 2015

George Coburn
4630 Cypress Shores Drive
Mobile, AL 36619

Re: #5947
(Case #ZON2015-00029)
George Coburn
4484 Rutgers Road
(North side of Rutgers Road, 450'± West of Tufts Road).
Use and Parking Surface Variances to allow a commercial tree service with equipment storage and aggregate parking surfaces in an R-1, Single-Family Residential District

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

On March 2, 2015, the Board of Zoning Adjustment considered your request for **Use and Parking Surface Variances to allow a commercial tree service with equipment storage and aggregate parking surfaces in an R-1, Single-Family Residential District** at the above referenced location.

After discussion, the Board denied the request, finding that:

- 1) Approving the variance request will be contrary to the public interest in that the property is located along a street segment with no other commercial uses, and as such, the increase in noise as well as heavy truck and employee traffic would negatively impact the adjacent residential uses;
- 2) Special conditions with the site or unusual site constraints do not exist that a literal enforcement of the provisions of the chapter will result in an unnecessary hardship; and
- 3) The spirit of the chapter shall not be observed and substantial justice shall not be done to the surrounding neighborhood by granting the variances because the majority of the adjacent properties are zoned and used for residential uses, R-1, Single Family Residential, and the few business that are within the area appear to be in compliance with the surfacing requirements of the Zoning Ordinance, and no other Surface Variances have been granted within the neighborhood.

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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.

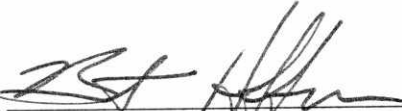
For additional assistance call (251) 208-5895.

Sincerely,

BOARD OF ZONING ADJUSTMENT

William Guess, Chairman

By:



Bert Hoffman, Planner II

cc: Polysurveying and Engineering, Inc.

/lw