



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

May 7, 2015

Jerry Arnold
558 Conti Street
Mobile, AL 36602

Re: #5953
(Case #ZON2015-00281)
Jerry Arnold, (Don Williams, Agent)
103 North Warren Street
(Northwest corner of North Warren and St. Michael Street).

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

On May 4, 2015, the Board of Zoning Adjustment considered your request for **Bulk Site Variances to allow a wooden surface terrace to occupy 26% of the width of the building façade on the primary frontage on North Warren Street, a 12 inch high terrace for outdoor seating and allow a metal canopy in the Downtown Development District** at the above referenced location.

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

- 1) Approving the variance will not be contrary to the public interest due to the fact that the Downtown Development District does not make many allowances for existing structures to be altered;
- 2) Special conditions do exist with this site such that a literal enforcement of the provisions of the chapter will result in unnecessary hardship, by making an existing vacant, blighted structure unusually difficult to be rehabilitated and expanded; and
- 3) That the spirit of the chapter shall be observed and substantial justice shall be done to the applicant and the surrounding neighborhood by granting the variance due to the fact that an existing vacant, blighted structure will be rehabilitated and restored as a functioning business, and the proposed improvement will meet the urban design objective of anchoring the corner of the intersection.

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The approval is subject to the following conditions:

- 1) obtain all necessary building and land disturbance permits; and
- 2) full compliance with all other municipal 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.

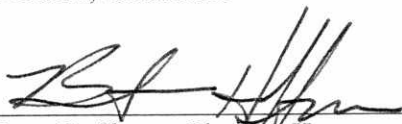
No permit, license or certification can be issued until the 15-day appeal period has expired and no appeal has been made. If a permit/license has not been obtained on or before November 4, 2015, the **Bulk Site Variances** will expire and become null and void. For additional assistance call (251) 208-5895.

Sincerely,

BOARD OF ZONING ADJUSTMENT

William Guess, Chairman

By:


Bert Hoffman, Planner II

cc: Don Williams.

/lw