



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

July 12, 2016

Azalea City Montessori
1260 Dauphin Street
Mobile, Al 36604

Re: #6048/3669/59
(Case #ZON2016-01288)
Azalea City Montessori
1260 Dauphin Street
(Northeast corner of Dauphin Street and South Ann Street).

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

On July 11, 2016, the Board of Zoning Adjustment considered your request for a **Parking Variance to allow 104 parking spaces for an existing church with 700 seats and a proposed school with two teaching stations in a B-1, Buffer Business District; the Zoning Ordinance requires 178 parking spaces for a church with 700 seats and a school with two teaching stations in a B-1, Buffer Business District** at the above referenced location.

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

- 1) Granting the variance will not be contrary to the public interest due to neighborhood support of the proposed use, thus suggesting the impact of reduced off-street parking is and would be minimal;
- 2) Special conditions exist in such a way that a literal enforcement of the provisions of the chapter will result in an unnecessary hardship due to existing site improvements affecting compliance with the Zoning Ordinance; and
- 3) The spirit of the chapter shall be observed and substantial justice shall be done to the surrounding neighborhood by granting the variance since expanded use of the property as a school would occur opposite from existing church schedules and operations, thus having little impact on off-street parking for the church.

The approval is subject to the following conditions:

- 1) revision of the site plan to accurately depict existing parking stall dimensions;
- 2) revision of the site plan to indicate existing accessible parking spaces;

- 3) revision of the site plan to illustrate existing wheel stops for parking spaces;
- 4) revision of the site plan to accurately indicate existing landscaping;
- 5) revision of the site plan to provide a dumpster, if one will be utilized, in compliance with the current enclosure and sanitary sewer connection requirements of Section 64-4.D.9. of the Zoning Ordinance, or placement of a note on the site plan stating that curbside pickup will be utilized;
- 6) revision of the site plan to illustrate an appropriate protection buffer in the form of a wall, wooden privacy fence, or the inclusion of a screen planting strip where the existing playground abuts residentially-developed properties;
- 7) correction of the site plan to indicate the site is equipped with 102 parking stalls;
- 8) attainment of all necessary permits prior to the issuance of Zoning Clearance;
- 9) provision of two revised site plans to the Planning and Zoning Department prior to the issuance of permits;
- 10) completion of the Subdivision, Planning Approval, and Rezoning processes; and
- 11) full compliance with all 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 January 11, 2017, the **Parking Variance** 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, Principal Planner

cc: Central Presbyterian Church
C. Dewey Crowder, A.I.A.

/lr