



THE CITY OF MOBILE, ALABAMA
BOARD OF ZONING ADJUSTMENT

LETTER OF DECISION

October 4, 2017

Carney Reid
7550 Moffett Road
Mobile, AL 36618

Re: #6132/5827
(Case #BOA-000238-2017)
Carney Reid
5706 U.S. Highway 90 West
(West side of U.S. Highway 90 West, 55'± South of Plantation Road).

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

On October 2, 2017, the Board of Zoning Adjustment considered your request for **Access and Parking Surface Variances to allow gravel access and parking for a business in a B-3, Community Business District** at the above referenced location.

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

- 1) Granting the variance will not be contrary to the public interest due to the commonality of aggregate surfacing on neighboring properties;**
- 2) Special conditions do exist in such a way that a literal enforcement of the provisions of the chapter will result in an unnecessary hardship due to the fact that the site is developed, and has a history of nonconforming use and surfacing; and,**
- 3) The spirit of the chapter shall be observed and substantial justice shall be done to the surrounding neighborhood by granting the variance due to previous Variance approvals for a similar request.**

Recommendation for approval is subject to the following conditions:

- 1) revision of the site plan to illustrate wheel stops in compliance with Section 64-6.A.6. of the Zoning Ordinance regarding required amounts of off-street parking;**
- 2) compliance with Engineering comments: (SURFACING VARIANCE: Please attach the following CONDITIONS to any approval: a) Submit and receive a Land Disturbance Permit for the proposed site development. b) Submit a ROW Permit (City**

of Mobile and ALDOT) for any work within the public ROW. Aggregate surfacing is NOT be allowed within the public ROW.);

- 3) **compliance with Urban Forestry comments:** *(Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 2015-116 and City Code Chapters 57 and 64.));*
- 4) **compliance with Fire Department comments:** *(All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code.)); and,*
- 5) **full compliance with all municipal codes and ordinances.**

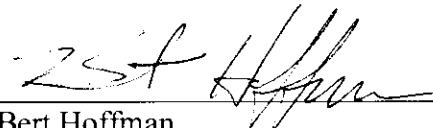
Any party aggrieved by this decision may, within fifteen days of the date of the decision, appeal to the Circuit Court of Mobile County by filing a written notice of appeal, specifying the decision from which the appeal is taken. Notice of the appeal, as well as a date stamped copy of the appeal filed 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 April 2, 2018, the **Access and Parking Surface 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
Principal Planner

cc: Alabama Auto Sales II
Shirley M. Johns (McAllister)