



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

July 8, 2015

Stephen Overcash
2010 S. Tryon Street
Mobile, AL 36606

Re: #5977/5902/5617
(Case #ZON2015-01154)
Stephen Overcash
166 South Royal Street
(Southwest corner South Royal Street and Theatre Street).

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

On July 6, 2015, the Board of Zoning Adjustment considered your request for **Use and Height Variances to allow a 6 story hotel in a T5.1 Zoning Sub-District in the Downtown Development District** at the above referenced location.

After discussion, the Board determined the following findings of facts for approval of the request:

- 1) Based on the fact that the property owner was unaware of the regulatory changes imposed by adoption of Downtown Development District, and how it would limit the potential development of the property given the fact that redevelopment of the interstate interchange will significantly alter the development context of Fort Conde Village, approval of the variance would not be contrary to the public interest;
- 2) Special conditions exist with the property itself, including the blighted vacant building and the pending changes to the interstate interchange, that a literal enforcement of the provisions of the chapter will result in an unnecessary hardship; and
- 3) The spirit of the chapter shall be observed and substantial justice shall be done to the applicant and the surrounding neighborhood by granting the requested variances, as planned changes to the interstate interchange make changes to the allowed development of this site desirable.

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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.

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 6, 2016, the **Use and Height 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, Planner II

cc: Royal Theater, LLC
Kal Patel

/lw