



THE CITY OF MOBILE, ALABAMA
BOARD OF ZONING ADJUSTMENT

LETTER OF DECISION

March 10, 2017

Tod Dalton (Applicant)
Timothy O. Dalton Jr., Architect
2642 Long Circle
Iron Station, NC 28080

Re: #6090/4720
(Case #ZON2017-00247)
Autonation Ford (Tod Dalton, Agent)
901 East I-65 Service Road South
(East side of East I-65 Service Road South, 900'± South of Airport Boulevard).

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

On March 6, 2017, the Board of Zoning Adjustment considered your request for a **Sign Variance to amend the conditions of approval of a previously-approved Sign Variance to allow landscaping and tree planting requirements to be coordinated with the Planning staff for an automobile dealership in a B-3, Community Business District; the Zoning Ordinance requires full compliance with the landscaping and tree planting requirements for businesses 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) Approving the variance will not be contrary to the public interest in that signage would only increase by one informational sign;
- 2) Special conditions were shown to exist such that the literal enforcement of the provisions of the chapter will result in an unnecessary hardship, particularly with regards to the age of the existing development inhibiting full compliance with the tree and landscaping ordinances; and,
- 3) The spirit of the chapter shall be observed and substantial justice shall be done to the surrounding neighborhood by granting the variance because the proposed trees and

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landscaping would nevertheless fulfill the intent of the tree and landscaping ordinances by enhancing the aesthetic and ecological integrity of the site.

The approval is subject to the following conditions:

- 1) revision of the site plan to indicate the amount of frontage landscaping provided;
- 2) provision of a note on the revised site plan stating that any future changes to the amount of signage, trees, or landscaping on the site will require Board of Zoning Adjustment approval;
- 3) submission of two revised site plans to the Planning and Zoning Department prior to the issuance of any permits; and,
- 4) compliance with all applicable 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 September 6, 2017, the **Sign Variance** will expire and become null and void. For additional assistance call (251) 208-5895.

Sincerely,

BOARD OF ZONING ADJUSTMENT

William Guess, Chairman

By: Marie York
Marie York, Planner II

cc: Joseph Treadwell
Murphy Geomatics Professional Land Surveying

/lr