



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

July 12, 2016

Colonial Trailways, Inc.
2521 Halls Mill Rd.
Mobile, AL 36606

Re: #6049
(Case #ZON2016-01290)
Colonial Trailways, Inc.
2521 Halls Mill Road
(Southeast corner of Halls Mill Road and Navco Road).

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

On July 11, 2016, the Board of Zoning Adjustment considered your request for a **Setback Variance to allow a dumpster to be located within the front 25' setback in a B-3, Community Business District; the Zoning Ordinance requires that all structures be located outside of the front 25' setback in a B-3, Community Business District** at the above referenced location.

After discussion, the Board determined the following findings of fact for Denial of the proposed setback variance:

- 1) approving the variance will be contrary to the public interest in that the subject site received site plan specific Planned Unit Development approval from the Planning Commission, and therefore must have revisions approved by the Planning Commission;
- 2) special conditions do not exist and there are no hardships which exist in that there appears to be sufficient room on the site to locate the dumpster in such a way that it meets all required setbacks; and
- 3) the spirit of the chapter shall not be observed and substantial justice shall not be done to the surrounding neighborhood by granting the variance because the site was the subject of a Planned Unit Development application approved

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by the Planning Commission, and therefore the request to revise the site plan should be considered by the Planning Commission.

The Board encouraged the applicant to apply to the Planning Commission to amend the existing Planned Unit Development, to accommodate the reduced setback request for the dumpster.


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.

For additional assistance call (251) 208-5895.

Sincerely,

BOARD OF ZONING ADJUSTMENT
William Guess, Chairman

By:


Bert Hoffman, Planner II

cc: Frank A. Dagley & Associates, Inc.

/lr