

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

February 10, 2014

Jerry Ward  
3237 Brackett Drive  
Mobile, AL 36618

**Re: #5876/4812/4709**  
**(Case #ZON2014-00031)**  
**Jerry Ward**  
**1981 St. Stephens Road**  
**(Northwest corner of St. Stephens Road and St. Stephens Court).**

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

On February 3, 2014, the Board of Zoning Adjustment considered your request for **Use, Parking Ratio, Access/Maneuvering, Tree and Landscape, and Side and Rear Setback Variances to allow a 2,251 square foot restaurant and a car wash with 8 parking spaces, with sub-standard access and maneuvering areas, no tree plantings or landscaped area, and to allow a structure 6'± from side street side yard property line and within 6'± of the rear property line in an R-1, Single-Family Residential District** at the above referenced location.

The carwash **Use** was **denied** with the carport structure to be removed within 30 days.

The restaurant and internet café **Use** was **approved**, subject to the following conditions:

- 1) Provision of security to limit any off-site parking or blocking of St. Stephens Court;
- 2) Restaurant and internet café uses limited to the portion of the building currently in use for those businesses;
- 3) Compliance with building and Fire Code;
- 4) Prohibition of alcohol sales/consumption on premise;
- 5) Hours limited to 10:30 am-6:00 pm; and
- 6) Provision of appropriate waste disposal and revision of the site plan to illustrate the location of a dumpster in compliance with Section 64-4.D.9. of the Zoning Ordinance, or depict a note stating that garbage will be collected via curb-side pickup.

**Jerry Ward**  
**February 10, 2014**

The **Parking Ratio Variance** was **approved** due to the existing layout and size of the property, subject to the following conditions:

- 1) Revision of the site plan to depict compliant angled or 90° parking; 9'x18' spaces;
- 2) Revision of the site plan to depict compliant parking along the southern side of the building;
- 3) Compliance with Traffic Engineering Comments: *(The parking spaces illustrated are only 7' wide, two feet less than the 9' city standard width. The spaces are also only 15' deep, three feet less than the 18' city standard depth. If striped parking is required, angled parking is suggested, with the "driveway" north of the power pole designated as the entrance, and the "driveway" south of the power pole designated as the exit. This should minimize the impact of vehicles backing and maneuvering in the right of way. (Site plan does not illustrate small grassed area surrounding power pole.))*; and
- 4) Provide one "van accessible" compliant space with access aisle and revision of the site plan to illustrate a handicapped parking space compliant with the Americans with Disabilities act.

The **Reduced Access/Maneuvering** application was **approved**, subject to the following conditions:

- 1) Revision of the site plan to depict compliant angled or 90° parking; 9'x18' spaces;
- 2) Revision of the site plan to illustrate a handicapped parking space compliant with the Americans with disabilities act; and
- 3) Revision of the site plan in coordination with Traffic Engineering Comments: *(The parking spaces illustrated are only 7' wide, two feet less than the 9' city standard width. The spaces are also only 15' deep, three feet less than the 18' city standard depth. If striped parking is required, angled parking is suggested, with the "driveway" north of the power pole designated as the entrance, and the "driveway" south of the power pole designated as the exit. This should minimize the impact of vehicles backing and maneuvering in the right of way. (Site plan does not illustrate small grassed area surrounding power pole.))*.

The application for **Tree and Landscape Variance** was **approved** to allow no frontage trees and frontage landscaping, subject to the following conditions:

- 1) Provision of two understory trees between the building and privacy fence along the western property line; and
- 2) Maintain a minimum of 840 ± square feet of landscaped area.

The application for **Side and Rear Setback Variances** was **denied**.

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.

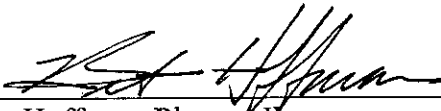
**Jerry Ward**  
**February 10, 2014**

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 August 3, 2014, the **Use, Parking Ratio, Access/Maneuvering, Tree and Landscape** 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: Polysurveying & Engineering

/lw