

**BOARD OF ZONING ADJUSTMENT
LETTER OF DECISION**

January 5, 2010

John W. Adams, Jr.
1914 Dr. M.L.K. Jr. Ave.
Mobile, AL 36617

Re: **#5593**
(Case #ZON2009-3040)
John W. Adams, Jr.
1914 Dr. Martin Luther King, Jr. Avenue
North side of Dr. Martin Luther King, Jr. Avenue, 300'± West of Schusse Lane.

Dear Applicant/Property Owner:

On January 4, 2010 the Board of Zoning Adjustment approved your request for **Use, Parking Ratio, Access/Maneuvering, Buffer, and Landscaping/Tree Planting Variances** to allow a law office with no designated parking area, a single lane driveway with pull-in/back-out parking, no buffer from adjacent residential use, and no landscaping/tree planting provisions in an R-1, Single-Family Residential District; the Zoning Ordinance requires a minimum B-1, Buffer Business District for law offices, full site compliance for commercial use of this property to include three dedicated parking spaces, a two-way, 24'-wide driveway, a 6'-high privacy fence or wall or 10'-wide buffer from adjacent residential use, and 12% total site landscaping (60% of that in the front yard), and 1 overstory frontage tree and at least 7 overstory and 6 understory perimeter trees and 1 understory parking area tree at the above referenced location, subject to the following condition:

- 1) that the site be allowed one attorney and one office personnel;
- 2) the provision of providing three additional paved parking spaces;
- 3) the approval by Traffic Engineering on allowing either two (2) one-way curb cuts or one two-way curb cut to be determine by Traffic Engineering;
- 4) that the property owner apply for a new variance if any changes to the site or any additional personnel are proposed;
- 5) the provision of the submission of a notarized letter from the adjacent property affected stating they wish that the site not provide a buffer until the undeveloped R-1, Single-Family sites site are developed;

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- 6) the provision of the planting of one (1) overstory trees within the front 25-feet and the right-of-way along Dr. Martin Luther King, Jr. Avenue and one (1) understory tree to be planted along the parking area; and**
- 7) 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 July 5, 2010, the **Use, Parking Ratio, Access/Maneuvering, Buffer, and Landscaping/Tree Planting Variances** will expire and become null and void. For additional assistance call (251) 208-5895.

Sincerely,

BOARD OF ZONING ADJUSTMENT

Reid Cummings, Chairman

By: _____
Frank Palombo, Planner II

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