



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

August 7, 2015

Taylor Atchison
921 Dauphin Street
Mobile, AL 36604

Re: #5985/5920/5811/4958
(Case #ZON2015-01404)
Taylor Atchison
951 Government Street
(Westside of Marine Street, extending from Government Street to Church Street).

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

On August 3, 2015, the Board of Zoning Adjustment considered your request for **Use and Parking Ratio Variances to allow a restaurant on the ground floor in a B-1, Buffer Business District, with mixed uses and providing 87 on-site parking spaces** at the above referenced location.

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

- 1) **Granting the variances will not be contrary to the public interest due to the fact that the mix of uses and hours of parking demand are unlikely to impact the adjacent neighborhood or businesses;**
- 2) **Special conditions exist with the property itself, in that the size of the building creates an Ordinance-based parking requirement greater than can be met on-site due to the limited size of the site, 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 the applicant will be allowed to continue the renovation and reuse of the building in a manner that will benefit the neighborhood.**

The approval is subject to the following conditions:

- 1) Restaurant use limited to 2,400 square feet of leasable area;
- 2) Office/Retail use (not associated with the apartment use of the building) limited to 3,200 square feet of leasable area;
- 3) Remainder of ground floor area to be used as common lobby, restroom, elevator and other associated common facilities;
- 4) Provision of 85 parking spaces on-site; and
- 5) Full compliance with all other 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 February 3, 2016, the **Use and Parking Ratio Variances** 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: Mobile Towers, LLC
Joseph T. Regan, Jr, P. L. S. .

/lw