



THE CITY OF MOBILE, ALABAMA

BOARD OF ZONING ADJUSTMENT

LETTER OF DECISION

September 17, 2021

Clark Kelly
Project 50, LLC
128 E. 65 Service Road
Mobile, AL 36607

Re: #6414
(Case #BOA-001741-2021)
Project 50, LLC
(East side of East I-65 Service Road North, 695'± South of Werkland Street).

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

On September 13, 2021, the Board of Zoning Adjustment considered your request for **Access/Maneuvering Width and Access/Parking Surface Variances to allow a sub-standard width driveway and aggregate access and parking surfacing in a B-3, Community Business District; the Zoning Ordinance requires a compliant width driveway and requires access and parking surfaces to be paved with asphalt, concrete, or an approved alternative paving surface in a B-3, Community Business District.**

After discussion, the Board determined the following Findings of Fact for Approval of the requests:

- 1) Approving the Access/Maneuvering Width Variance will not be contrary to the public interest due to the fact that the site is developed, and substandard access has been prevalent on-site since development;**
- 2) Special conditions do appear to exist such that a literal enforcement of the provisions of the chapter will result in unnecessary hardship because the site is developed and cross-access to adjacent sites would require additional approvals; and,**
- 3) That the spirit of the chapter shall be observed, and substantial justice done to the surrounding neighborhood by granting the Access/Maneuvering Width Variance since adjacent developments preclude options for expansion of the access aisle.**

PROJECT 50, LLC

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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 2, 2022**, the 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, Principal Planner