

**BOARD OF ZONING ADJUSTMENT
LETTER OF DECISION**

May 4, 2010

Glen-Air Trust
c/o James F. Root
223 Rochester Rd.
Mobile, AL 36608

Re: **#5613**

(Case #ZON2010-00956)

Board of Water and Sewer Commissioners of the City of Mobile

East side of Shelton Beach Road Extension, 2/10 mile± North of Moffett Road.

Use, Buffer and Parking Surface Variances to allow a contractor's storage yard in a B-3, Community Business District (rezoning pending), with a partially open buffer fence and gravel equipment parking surface; the Zoning Ordinance requires I-1, Light Industry District, for a contractor's storage yard, with the storage area to be completely enclosed with an 8' high wall or fence, and the equipment parking area to be paved in asphalt, concrete, or an approved alternative paving surface.

Dear Applicant/Property Owner:

On May 3, 2010, the Board of Zoning Adjustment approved the **Use, Buffer and Parking Surface variances to allow a contractor's storage yard in a B-3, Community Business District (rezoning pending), with a partially open buffer fence and gravel equipment parking surface**, subject to the following conditions:

- 1) No operation of heavy machinery outside of the hours of 6am to 6pm, Monday thru Friday unless it is due to a severe storm event, declared emergency, or emergency after-hours call-out;**
- 2) No deliveries of bulk materials to the site except between 9am and 5pm, Monday thru Friday;**
- 3) Provision of a 25-foot wide Landscape buffer and 8-foot high privacy fence outside the landscape buffer along the East side and South Side where the property abuts residentially zoned property;**
- 4) Provision of a 25-foot wide Landscape buffer and 8-foot high privacy fence outside the landscape buffer along the North side of the property unless the property becomes owned by MAWSS;**

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- 5) Provision of security protection around the remainder of the site of at least an 8-foot high chain link fence; and**
- 6) Bulk storage area to be designed in such a manner as to prevent runoff and spillage of bulk materials.**

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 October 20, 2010, the **Use, Buffer and Parking Surface Variances** will expire and become null and void. For additional assistance call (251) 208-5895.

Sincerely,

BOARD OF ZONING ADJUSTMENT

Reid Cummings, Chairman

By: _____
Tony Felts, Planner I

cc: Volkert

sg