



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

July 9, 2014

McLain and Associates, Inc.
3484 Bel Air Mall
Mobile, AL 36606

Re: #5899
(Case #ZON2014-01149)
McLain and Associates, Inc.
1312 West I-65 Service Road South
(West side of West I-65 Service Road South, 410'± South of Key Street).
Use Variance to allow a retail and lounge business in an I-1, Light Industry District; the Zoning Ordinance does not allow retail or lounge businesses in an I-1, Light Industry District.

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

On July 7, 2014, the Board of Zoning Adjustment considered your request for **Use Variance to allow a retail and lounge business in an I-1, Light Industry District** at the above referenced location.

After discussion, the Board approved the request, finding that:

- 1) approving the variance will not be contrary to the public interest in that the use will not be incompatible with the surrounding uses;
- 2) special conditions exist, such as the fact that the building is vacant, such that the 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 surrounding neighborhood by granting the variance because the proposed use and associated improvements will not be a detriment to the neighborhood.

The approval is subject to the following conditions:

- 1) submission of a revised site plan, drawn to scale;
- 2) revision of the site plan to depict compliant off-street parking spaces that are a minimum 9' x 18' and parallel parking spaces that are a minimum 8'x 23' for interior spaces, and 8' x 20' for end spaces;
- 3) provision of a 6-foot high privacy fence around the perimeter of the property, except within the 25-foot front setback area; and
- 4) 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 January 7, 2015, the **Use Variance** 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: Blackwood, Inc.

/lw