



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

February 3, 2016

Southern Building Structures, Inc.
3520 Government Boulevard
Mobile, AL 36693

Re: #6025/5468
(Case #ZON2016-00004)
Southern Building Structures, Inc.
3520 Government Boulevard
(North side of Government Boulevard Service Road, 510'± East of Lakeside Drive).

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

On February 1, 2016, the Board of Zoning Adjustment considered your request for **Surface Variance to allow aggregate surfacing for a display and storage area in a B-3, Community Business District (rezoning pending)** at the above referenced location.

After discussion, the Board determined the followings findings of fact for Approval:

- 1) **Approving the Variance request will not be contrary to the public interest in that the site was originally developed with aggregate surfacing for the display and storage of portable building structures;**
- 2) **Special conditions associated with the site appear to exist such that a literal enforcement of the provisions of the chapter will result in an unnecessary hardship as it pertains to the storage and display of the portable building structures as the original site plan depicts crushed limestone surfacing; and**
- 3) **That the spirit of the chapter shall be observed and substantial justice done to the applicant and the surrounding neighborhood by granting the variance in that the site will have to comply with full commercial tree planting and landscaping requirements.**

The Approval is subject to the following conditions:

- 1) **Compliance with Engineering comments: *(If the aggregate surfacing is approved for use the applicant will need to have the following conditions met:***
 1. ***Submit and receive a Land Disturbance Permit for the proposed site***

development through Central Permitting. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. 2. Submit a copy of an approved ALDOT ROW Permit for any work within the Government Blvd. ROW. Aggregate surfacing will NOT be allowed within the ROW.

- 2) **Compliance with Traffic Engineering comments:** *(If the surface variance is approved, bumper stops, should be included on the gravel surface for any required parking spaces. The owner/developer is responsible for ADA accessibility, which may require asphalt/concrete surface for the designated space(s) and the path to the building. Gravel surface shall not extend into the ROW, and any changes in the ROW will require ALDOT approval.); and*
- 3) **Full compliance with all other municipal codes and ordinances, including tree and landscaping requirements.**

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 August 1, 2016, the **Surface 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 Cross
Marie Cross, Planner II

cc: Southern Earth Sciences, Inc.
Byrd Surveying, Inc.

/lw