



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

October 9, 2014

Mobile Towers, LLC
Pace Burt
219 Philema Road, #109
Albany, GA 31701

Re: #5920/5811
(Case #ZON2014-01912)
Pace Burt
951 Government Street
(West side of Marine Street, extending from Government Street to Church Street)

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

On October 6, 2014, the Board of Zoning Adjustment considered your request for **Bulk Variance to amend a previously approved Bulk Variance to allow 48 dwelling units on a 59,933 square foot site in a B-1, Buffer Business 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 based upon the fact that the Board of Zoning Adjustment previously approved a similar request to allow more dwelling units than are currently requested;
- 2) the structure on the site is large enough that to prevent an increased number of dwelling units, may result in an unnecessary hardship; and
- 3) that the spirit of the chapter shall be observed and substantial justice shall be done to the applicant and the surrounding neighborhood by granting the variance by approving the request to allow more dwelling units than allowed by right, but fewer dwelling units than previously approved.

The approval is subject to the following conditions:

- 1) provision of a dumpster screen in compliance with Section 64-4.D.9. of the Zoning Ordinance;
- 2) provision of a residential buffer for properties to the Southwest of the site in compliance with Section 64-4.D.1. of the Zoning Ordinance;
- 3) provision of bumper stops or curbing for all parking spaces around the perimeter of the parking area in compliance with Section 64-4.A.3.b. of the Zoning Ordinance;
- 4) compliance with parking lot lighting requirements in Section 64- 6.A.8 of the Zoning Ordinance for all new lighting;
- 5) submission of two (2) revised site plans prior to submitting for any permits;
- 6) completion of the Subdivision process prior to submitting for any permits;
and
- 7) 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 April 6, 2015, the **Bulk 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: Snell & Associates

/lw