



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

September 18, 2017

Chaleur Method Brew and Espresso
2100 Airport Blvd. Ste. A
Mobile, AL 36606

Re: #6125
(Case #BOA-000154-2017)
Courtney Mason and John Clardy
2100 Airport Boulevard
(Northwest corner of Airport Boulevard and Glenwood Street and West side of
Glenwood Street, 197' ± North of Airport Boulevard).

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

On September 11, 2017, the Board of Zoning Adjustment considered your request for an **Off-Site Parking, Landscaping and Maneuvering Variances to allow parking on a separate property and within the public right-of-way, reduced landscaping on both the main business and off-site parking area, and vehicular maneuvering area within the public right-of-way for a multi-tenant commercial site in a B-3, Community Business District** at the above referenced location.

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

- 1) Based on the fact that a hardship regarding the need for off-site parking, reduced landscaping and tree planting requirements, and access to the existing paved public right-of-way for vehicular maneuvering was sufficiently indicated, granting the variance will not be contrary to the public interest;**
- 2) Special conditions do appear to exist and there is a justification of hardship which exist such that the literal enforcement of the provisions of the chapter will result in an unnecessary hardship, as the applicants cannot develop the main business site or the off-site parking area in accordance with the Zoning Ordinance as both sites are already fully developed and existed prior to the Zoning Ordinance; 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 similar variance**

requests for off-site parking and reduced landscaping requirements have been granted in the past in this section of Midtown.

The Board's Approval is subject to the following conditions:

- 1) Provision of a notarized statement from Cooper Restaurants, Inc. stating that the proposed shared off-site parking area will not create a parking deficit for their required parking;
- 2) Provision of a scaled site plan illustrating all existing and/or proposed parking spaces and landscaping;
- 3) Revision of the site plan to reconfigure the parking lot to provide a turn-around area on site;
- 4) Revision of the site plan to illustrate the parking lot as being paved and striped in compliance with Section 64.6 of the Zoning Ordinance, and illuminated as required for parking lots containing ten (10) or more parking spaces;
- 5) Obtainment of a non-utility right-of-way use agreement; and,
- 6) Full compliance with all Municipal Codes and Ordinance.

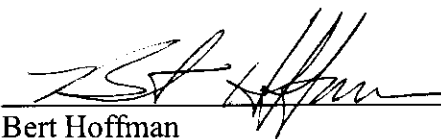
Any party aggrieved by this decision may, within fifteen days of the date of the decision, appeal to the Circuit Court of Mobile County by filing a written notice of appeal, specifying the decision from which the appeal is taken. Notice of the appeal, as well as a date stamped copy of the appeal filed 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 an **Off-Site Parking, Landscaping and Maneuvering Variances** permit/license has not been obtained on or before March 11, 2018, the 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
Principal Planner

cc: Byrd Surveying, Inc.

/lr