



THE CITY OF MOBILE, ALABAMA

BOARD OF ZONING ADJUSTMENT

LETTER OF DECISION

July 14, 2021

Stephen Zito
Zito & Russell Architects
820 S. University
Mobile, AL 36609

Re: #6399/6281/6280
(Case #BOA-001656-2021)
Zito Russell Architects, PC
65 Sidney Phillips Drive
(Southwest corner of Werkland Street and Sidney Phillips Drive)

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

On July 12, 2021, the Board of Zoning Adjustment considered your request for **Use and Parking Ratio Variances to allow a volleyball club with less than required parking spaces in an I-1, Light Industry District; the Zoning Ordinance does not allow sports and recreation clubs to operate in, and requires compliant parking, in an I-1, Light Industry District.**

After discussion, the Board determined the following findings of fact for Approval for Suite 140:

- 1) Granting the variance will not be contrary to the public interest, in that the use would be the same as was previously approved for the site;**
- 2) Special conditions exist with the property itself, such that a literal enforcement of the provisions of the chapter will result in an unnecessary hardship if the organization is required to relocate to another facility, if such a facility with specific space requirements exists or is available; and**
- 3) The spirit of the chapter shall be observed, and substantial justice shall be done to the applicant and the surrounding neighborhood by granting the requested variance as the applicant has taken steps to address the Building, Electrical, Plumbing, Mechanical and Fire Code issues.**

The Approval is subject to the following conditions:

- 1) Subject to the Traffic Engineering comments: *(The parking estimates are for use of the volleyball space as a practice facility only. If tournament events are hosted at***

the facility, the required parking calculations may not be ample. Those type events typically occur on the weekend when other tenants may be closed. The former loading areas shown as unmarked parking on the site plan should also be converted to proper parking areas to define the available site parking.);

- 2) **Completion of the permitting and construction processes necessary to bring the structure into compliance with the applicable Building, Electrical, Plumbing, Mechanical and Fire Codes for the use;**
- 3) **Obtaining of sign permits for any proposed signage;**
- 4) **Securing the necessary business license(s); and**
- 5) **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 12, 2022**, the 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 York, Principal Planner