



THE CITY OF MOBILE, ALABAMA

BOARD OF ZONING ADJUSTMENT

LETTER OF DECISION

September 13, 2022

Timothy Spafford
Architecture & Design, Inc.
1263 Lake Circle W
Mobile, Alabama 36693

Re: #6475
(Case #BOA-002162-2022)
Lee Waldrop
455 South Broad Street
(East side of South Broad Street, 106'± South of Elmira Street).

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

On September 12, 2022, the Board of Zoning Adjustment considered your request for **Access and Surfacing Variances to allow reduced access width and aggregate access and parking surfacing in a B-2, Neighborhood Business District; the Zoning Ordinance requires compliant access width and compliant access and parking surfacing in a B-2, Neighborhood Business District.**

After discussion the Board determined the following Findings of Fact for Approval of the Access (Width) and Surfacing Variances:

- 1) Approving the variance will not be contrary to the public interest in that the existing structure has been in its current configuration for approximately 40 years;**
- 2) Special conditions do exist such that a literal enforcement of the provisions of the chapter will result in an unnecessary hardship since the site would only be able to provide compliant access if a portion of the existing structure were removed; and,**
- 3) The spirit of the chapter shall be observed, and substantial justice shall be done to the applicant and surrounding neighborhood by granting the variances as the site has been used for approximately 40 years.**

This approval should be subject to the following conditions:

- 1) Obtain any after-the-fact permits needed for clearing the property;**
- 2) Retention of the compliant residential buffer along the rear property line;**
- 3) Revision of the site plan to either depict a dumpster with a compliant enclosure and sanitary sewer connection, or include a note stating that curbside pickup will be utilized; and**
- 4) Full compliance with all municipal codes and ordinances.**

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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 **March 12, 2023**, 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:



Margaret Pappas
Deputy Director of Planning and Zoning