



THE CITY OF MOBILE, ALABAMA

BOARD OF ZONING ADJUSTMENT

LETTER OF DECISION

February 7, 2023

Tymon D. Wallace
1705 Northview Drive
Mobile, Alabama 36618

Re: #6495
(Case #BOA-002351-2023)
Tymon D. Wallace
962 Dr. Martin Luther King, Jr. Avenue
(North side of Dr. Martin Luther King, Jr. Avenue, 155'± West of Davidson Street).

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

On February 6, 2023, the Board of Zoning Adjustment considered your request for a **Parking Ratio Variance to allow no required on-site parking in a B-3, Community Business District; the Zoning Ordinance requires compliant parking on-site in a B-3, Community Business District.**

After discussion, the Board determined the following Findings of Fact for Approval:

- 1) Approving the variance request will not be contrary to the public interest due to the fact the site was originally developed with no provision for vehicular access to the rear yard;**
- 2) Special conditions exist, including the current site conditions, such that a literal enforcement of the provisions of the chapter will result in unnecessary hardship; 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 due to the fact that the site would be re-vitalized for a viable use.**

The approval is subject to the following condition:

- 1) on-street parking cannot be signed or reserved for explicit use by any business or property owner; and**
- 2) 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 **August 6, 2023**, the variance will expire and become null and void.


For further assistance, please call 251-208-5895.

Sincerely,

BOARD OF ZONING ADJUSTMENT

William Guess, Chairman

By:



Marie York, Principal Planner