



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

March 9, 2015

Malaga Properties, Inc.
359 Church Street
Mobile, AL 36602

Re: #5951/4463/2048
(Case #ZON2015-00278)
Malaga Properties Inc. / Julie Beem
359 Church Street
(Southeast corner of Church Street and South Franklin Street extending to the
Southwest corner of Church Street and South Claiborne Street).

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

On March 2, 2015, the Board of Zoning Adjustment considered your request for a **Sign Variance to allow a non-conforming freestanding sign replacement, constructed of composite high density urethane in a Form Based Code T5.1 District** at the above referenced location.

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

- 1) **The variance will not be contrary to the public interest;**
- 2) **Special conditions exist 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.**

The approval is subject to the following conditions:

- 1) **obtaining of the necessary sign permit;**
- 2) **obtaining of approval for the sign design by the Architectural Review Board; and**
- 3) **removal of the existing un-permitted noncompliant freestanding sign at the Southeast corner of Church Street and South Franklin Street.**

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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 September 2, 2015, the **Sign 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: Byrd Surveying, Inc.

/lw