



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

June 8, 2018

My Happy Dog 123, LLC
119 N. Ann Street
Mobile, AL 36604

Re: #6184/6023/5672/5608
(Case #BOA-000513-2018)
My Happy Dog 123, LLC
1252 Government Street
(North side of Government Street, 55'± West of South Georgia Avenue.)

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

On June 4, 2018, the Board of Zoning Adjustment considered your request for a **Use, Tree Planting and Landscape Variances to amend a previously approved variances to allow a retail and wholesale bakery with light distribution with no tree plantings or landscaping in a B-1, Buffer Business District** at the above referenced location.

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

- 1) approving the variance will not be contrary to the public interest in that the subject site has been used a restaurant since the 1960's;**
- 2) special conditions do exist and there are hardships which exist in that the site is almost 100% developed and there is not sufficient room for tree plantings and landscaped area; 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 the site has been used as a restaurant for over 50 years without tree plantings and landscaped area.**

The Approval is subject to the following conditions:

- 1) hours of operation be limited to 9:00 AM to 6:00 PM daily;**

My Happy Dog 123, LLC

June 8, 2018

Page 2 of 2

- 2) provision that the dumpster pick-up be between 9:00 AM and 5:00 PM on weekdays only;
 - 3) provision that deliveries are restricted to 9:00 AM to 6:00 PM;
 - 4) lighting of the site to focus only on the site and not overflow to the adjacent residential properties; and
- full compliance with all other 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 December 4, 2018, the **Use, Tree Planting and Landscape Variances** 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: Rowe Engineering & Surveying, Inc.