



THE CITY OF MOBILE, ALABAMA

BOARD OF ZONING ADJUSTMENT

LETTER OF DECISION

October 6, 2021

Carswell Walcott
1 South School Street
Fairhope, AL 36532

Re: #6422
(Case #BOA-001806-2021)
Walcott Adams Verneuille Architects (Abby Davis, Agent)
9 North Royal Street
(West side of North Royal Street, 95'± North of Dauphin Street).

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

On October 4, 2021, the Board of Zoning Adjustment considered your request for a **Use and Sign Variances to allow a free-standing ATM machine and associated signage in a T-5.2 Sub-District of the Downtown Development District; the Zoning Ordinance does not allow free-standing ATM's and requires all signage to be a compliant sign type in a T-5.2 Sub-District of the Downtown Development District.**

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

- 1) Approving the variance will not be contrary to the public interest because the proposed changes to the site are in keeping with the character of the area, ATMs are not addressed in the Downtown Development District Code, and the bank owns the property on which the ATM is proposed to be located;**
- 2) Special conditions were illustrated such that a literal enforcement of the provisions of the chapter will result in an unnecessary hardship as the placement of the ATM in the facade of the bank branch building will disturb the architectural integrity of the site; and**
- 3) The spirit of the chapter shall be observed, and substantial justice shall be done to the surrounding neighborhood by granting the variance.**

The approval should be subject to the following conditions:

- 1) Obtain associated building and sign permits; and**
- 2) Full compliance with all municipal codes and ordinances.**

Walcott Adams Verneuille Architects (Abby Davis, Agent)

October 6, 2021

Page 2 of 2

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 **April 4, 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
Marie York, Principal Planner