

**BOARD OF ZONING ADJUSTMENT
LETTER OF DECISION**

June 5, 2012

Charles Calagaz
254 W. Mt. Island Dr.
Mobile, AL 36606

Re: **#5756**
(Case #ZON2012-01275)
Charles Calagaz
63 Midtown Park East

(East side of Midtown Park East, 575'± South of Dauphin Street Service Road)

Parking and Landscaping/Tree Planting Variances to allow 23 parking spaces to be provided for a 10,100 square foot dance studio with offices and no landscaping area or tree plantings in a B-3, Community Business District; the Zoning Ordinance requires that 34 parking spaces be provided for a 10,100 square foot dance studio with offices and 12% total site landscaping with 60% of the total as frontage landscaping, three frontage trees, seventeen perimeter trees, and two parking trees in a B-3, Community Business District.

Dear Applicant/Property Owner:

On June 4, 2012, the Board of Zoning Adjustment approved a variance **to allow 23 parking spaces to be provided for a 10,100 square foot dance studio with offices and no landscaping area or tree plantings in a B-3, Community Business District**, subject to the following conditions:

- 1. that the South driveway be marked as the entrance and the North driveway as the exit, in compliance with Traffic Engineering requirements;**
- 2. coordinate placement of the required number of frontage trees in the right-of-way in front of the site with Urban Forestry;**
- 3. that the grass within the right-of-way in front of the site be replaced and maintained;**
- 4. that the overgrown grass within the parking lot, along the front property line, be removed and the parking lot be maintained;**
- 5. revision of the site plan to illustrate a compliant size for the handicap parking space/access aisle in front of the building; and,**

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6. 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, 2012, the **Parking and Landscaping/Tree Planting Variances Variances** will expire and become null and void. For additional assistance call (251) 208-5895.

Sincerely,

BOARD OF ZONING ADJUSTMENT

William Guess, Chairman

By: _____
Frank Palombo, Planner II

cc: Frank Dagley

sg