



CITY OF MOBILE

BOARD OF ZONING ADJUSTMENT LETTER OF DECISION

September 13, 2012

SAMUEL L. JONES
MAYOR

OFFICE OF THE CITY COUNCIL
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CITY CLERK
LISA C. LAMBERT

Walter Hollinger, Sr.
2000 Barretts Lane
Mobile, AL 36617

Re: #5784

(Case #ZON2012-02068)

Walter Hollinger, Sr.

2000 Barretts Lane

(Northwest corner of Barretts Lane and Donald Street)

Use, Front Yard Setback, Side Street Side Yard Setback, Rear Yard Setback, Site Coverage, Tree Planting, Landscaping, Residential Buffer, Parking, and Maneuvering Variances to allow a convenience store with a 23.2' front yard setback, 3' side street side yard setback on a 37' wide lot, 5' rear yard setback, 50.6% site coverage, no tree plantings, reduced landscaped area, no residential buffer, no parking, and reduced maneuvering area in an R-1, Single-Family Residential District; the Zoning Ordinance requires a minimum of a B-2, Neighborhood Business District for a convenience store, a 25' front yard setback, 7' side street side yard setback on a 37' wide lot, 8' rear yard setback, 35% maximum site coverage, full compliance with tree and landscaping ordinances, provision of a 10' residential buffer with either a 6' high privacy fence or 10' wide screen planting strip, all required parking to be provided on site, and adequate maneuvering area for parking areas.

Council District 1

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

On September 10, 2012, the Board of Zoning Adjustment approved your request for Use, Front Yard Setback, Side Street Side Yard Setback, Rear Yard Setback, Site Coverage, Tree Planting, Landscaping, Residential Buffer, Parking, and Maneuvering Variances to allow a convenience store with a 23.2' front yard setback, 3' side street side yard setback on a 37' wide lot, 5' rear yard setback, 50.6% site coverage, no tree plantings, reduced landscaped area, no residential buffer, no parking, and reduced maneuvering area in an R-1, Single-Family Residential District at the above referenced location, subject to the following conditions:

- 1) compliance with all applicable building, plumbing, mechanical, electrical and fire codes for the proposed commercial use, and limited to using private roll-out waste containers;
- 2) provide a revised site plan listing the total landscape area provided (not to be less than 444 square feet), and the amount of frontage landscape area to be provided;
- 3) provide three (3) understory trees, with the location and species to be approved by Planning;
- 4) provide a 6-foot high wooden privacy fence along the property line where the site abuts residentially-zoned property, with the fence to end in line with the building edge along the adjacent street frontages; and
- 5) provide one (1) compliant parking space, to comply if necessary with the requirements of the 2009 International Building Code and/or the Americans with Disabilities Act.

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.

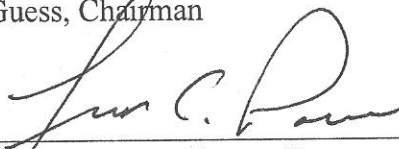
No permit, license or certification can be issued until the 15-day appeal period has expired and no appeal has been made. If a permit/license has not been obtained on or before March 10, 2013, the **Use, Front Yard Setback, Side Street Side Yard Setback, Rear Yard Setback, Site Coverage, Tree Planting, Landscaping, Residential Buffer, Parking, and Maneuvering 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: Polysurveying of Mobile

fcp