



THE CITY OF MOBILE, ALABAMA

BOARD OF ZONING ADJUSTMENT

LETTER OF DECISION

August 11, 2020

Furr Street Partners  
P.O. Box 16126  
Mobile, AL 36616

**Re: #6341**  
**(Case #BOA-001336-2020)**  
**Furr Street Partners, LLC**  
**108 and 110 Furr Street**  
(East side of Furr Street, 185'± North of Old Shell Road).  
Council District 1

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

On August 3, 2020, the Board of Zoning Adjustment considered your request for a **Parking and Maneuvering Surface Variance** to allow aggregate surfacing in a B-3, Community Business District; the Zoning Ordinance requires parking and maneuvering surfaces to be paved with concrete, asphalt, asphaltic concrete, or an approved alternative paving surface in a B-3, Community Business 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 due to the fact that the proposed use is strictly for personal use, and a hardship is illustrated by requiring compliant surfacing for the parking and maneuvering areas, and by requiring bumper stops;
2. special conditions do exist (the site is not proposed to be used commercially) and there are hardships which exist that make the approvals necessary; 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 a hardship is illustrated with respect to complying with the parking and maneuvering surface and bumper stop requirements of the Zoning Ordinance.

The approval is subject to the following conditions:

- 1) the site is to be used only by the applicant and associates for personal use, with no commercially stored vehicles on the site;
- 2) if security fencing is proposed, any barbed wire fencing is to be approved by the Executive Director of Build Mobile;
- 3) if the site is gated, either provision of remotely activated gates, or the provision of a 60' deep vehicle stacking area within the site;
- 4) completion of a one-lot subdivision to combine the two subject lots into one legal lot of record prior to the issuance of permits;
- 5) provision of a 6' wooden privacy fence where the site abuts residentially zoned property;
- 6) compliance with the commercial landscaping and tree planting requirements of the Zoning Ordinance;
- 7) Compliance with Engineering comments (*1. Submit and receive a Land Disturbance Permit through Central Permitting for the proposed site development. 2. Submit a ROW Permit (City of Mobile) for the work within the Public ROW. Aggregate surfacing will NOT be allowed within the public ROW. 3. Designated handicapped accessible spaces and routes must be paved (i.e. concrete, asphalt).;*);
- 8) Compliance with Traffic Engineering comments (*Aggregate surface, if approved, shall not extend into the right of way. A City standard driveway apron comprised of either concrete or asphalt shall be installed for access to the property. Unused curb-cuts should be removed and curb restored to match existing.*);
- 9) Compliance with Urban Forestry comments (*Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 2015-116 and City Code Chapters 57 and 64). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit.*);
- 10) Compliance with Fire comments (*All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance. (2012 International Fire Code). Fire Code compliant paved access required from both streets.*); and
- 11) 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 February 3, 2021, the variance will expire and become null and void.**

**Furr Street Partners, LLC**

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For additional assistance call (251) 208-5895.

Sincerely,

**BOARD OF ZONING ADJUSTMENT**

William Guess, Chairman

By:



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Bert Hoffman  
Principal Planner