



# CITY OF MOBILE

## BOARD OF ZONING ADJUSTMENT

### LETTER OF DECISION

December 7, 2012

SAMUEL L. JONES  
MAYOR

Board of Water and Sewer Commissioners  
P.O. Box 2368  
Mobile, AL 36652

OFFICE OF THE CITY COUNCIL  
COUNCIL MEMBERS

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CITY CLERK  
LISA C. LAMBERT

Re: #5802/5717/5613  
(Case #ZON2012-02836)  
Board of Water and Sewer Commissioners

(East side of Shelton Beach Road Extension, 820'± North of Moffett Road).

**Use and Surfacing Variances to allow a contractor's storage yard and gravel surfacing in a B-3, Community Business District; the Zoning Ordinance requires a minimum of I-1, Light Industry District for a contractor's storage yard and requires all parking areas to be surfaced in asphalt, concrete, or an approved alternative paving surface.**

Council District 1

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

On December 3, 2012, the Board of Zoning Adjustment approved your request for a **Use and Surface Variance**, and partially approved the **Buffer request to allow a contractor's storage yard and gravel surfacing in a B-3, Community Business District** at the above referenced location, subject to the following conditions:

- 1) placement of a note on the site plan stating that no operation of heavy machinery shall occur outside of the hours of 6am to 6pm, Monday thru Friday unless it is due to a severe storm event, declared emergency, or emergency after-hours call-out;
- 2) placement of a note on the site plan stating that no deliveries of bulk materials to the site shall occur except between 6am to 6pm, Monday thru Friday unless it is due to a severe storm event, declared emergency, or emergency after-hours call-out;
- 3) provision of a 25-foot wide natural landscape buffer along the East and North sides of the site where the property abuts residential or multi-family uses;
- 4) enclosure of all "contractor storage yard" areas with an 8-foot high solid wall or fence, except where access is required internal to the site (South side of North storage yard);
- 5) bulk storage area to be designed in such a manner as to prevent runoff and spillage of bulk materials;

- 6) full compliance with the site and parking lighting requirements of Section 64-4.A.2., Illumination of uses, and Section 64-6.A.3.c., Lighting, of the Zoning Ordinance;
- 7) compliance with Engineering comments (*If the surface variance is approved for use the applicant will be required to show (on the Land Disturbance Permit drawings) that the proposed gravel surfacing area(s) will drain into onsite BMP's and detention facility prior to discharge any proposed site development, including Drainage and Stormwater Detention, BMP's and Erosion And Sediment Control Plan, along with all of the proposed site construction details.*);
- 8) compliance with Traffic Engineering comments (*Please make the curb cuts (if curbed) and concrete apron(s) to City standards, including 24' wide driveway(s) with at least 20' radii.*);
- 9) compliance with Fire comments (*All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.*);
- 10) submission of a revised site plan reflecting the conditions of approval; and
- 11) subject to Planning Commission approvals of new applications for Planning Approval and Planned Unit Development, with a site plan matching that approved by the Board of Zoning Adjustment, as revised.

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 June 3, 2013, the **Use and Surfacing 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: Volkert

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