



THE CITY OF MOBILE, ALABAMA
BOARD OF ZONING ADJUSTMENT
LETTER OF DECISION

June 4, 2015

Donald Blocker
9966 Woodie Lane
Irvington, AL 36644

Re: #5980/5668
(Case #ZON2015-01192)
Donald Blocker
4512 Higgins Road
(Northside of Higgins Road, 230'± west of Shipyard Road).

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

On June 1, 2015, the Board of Zoning Adjustment considered your request for **Use Variance to allow a gravel laydown yard for postal trucks in an R-1, Single-Family Residential District (a request for rezoning to B-3, Community Business District has been submitted for Planning Commission consideration)** at the above referenced location.

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

- 1) Approving the variance will not be contrary to the public interest in that the gravel surfacing will allow for easier maneuverability of the large trucks throughout the western portion of the site and that the required buffering, compliant with the Zoning Ordinance, will aid in minimizing adverse impacts to the site and surrounding properties;
- 2) Special conditions exist and there are hardships which exist such that the literal enforcement of the provisions of the chapter will result in an unnecessary hardship; 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 the proposed gravel surfacing will not be a detriment to the neighborhood.

The approval is subject to the following conditions:

- 1) Approval by the City Council to allow the property to be rezoned from R-1, Single Family Residential District to B-3, Community District;
- 2) Revision of the site plan to update the secondary driveway, adjacent to the existing building to remain, to reflect a minimum width of 24' as required by Section 64-6 of the Zoning Ordinance for a two-way drive;
- 3) Revision of the site plan to illustrate each required parking space, and provide the required length and width dimensions of the spaces in addition to wheel stops or curbing, as required by Section 64-4.E of the Zoning Ordinance;
- 4) Provision of on-site lighting in accordance with Section 64-6.A.3.c of the Ordinance;
- 5) Retain or provide a buffer in compliance with Sections 64-4.D of the Zoning Regulations;
- 6) Revision of site plan to reflect compliance with the landscaping and tree planting requirements of Section 64-4.E of the Zoning Ordinance as applies to frontage and perimeter trees;
- 7) Retention of the note on the revised site plan stating that garbage collection will be curb-side via a private collection service;
- 8) Provision to retain and/or provide a buffer between the subject site and the residential property located to the east of the subject site in compliance with Section 64-4.D of the Zoning Ordinance;
- 9) Provision of screening along the rear and side property lines of the outside storage area in compliance with Section 64-4.D of the Zoning Ordinance;
- 10) Provision of screening setback 10' from the front property line in the form of a 3 to 5 foot high berm or evergreen hedge, or a 6 foot high privacy fence setback 25 feet from the front property line;
- 11) Retention of the 60' right-of-way width at Higgins Road;
- 12) Retention of the 25' minimum setback line on the revised site plan, if approved;
- 13) Placement of a note on the revised site plan stating that the site is limited to the existing curb-cuts to Higgins Road, with the size, design, and location to be approved by Traffic Engineering and conform to AASHTO standards;
- 14) Obtainment of land disturbance, right-of-way, building, and other necessary permits prior to the start of site improvements;
- 15) Provision of wheel stops, landscape timber, or other similar devices to prevent the encroachment of vehicles into any required buffers or onto any unimproved areas of the site;
- 16) Provision of revised site plan illustrating compliance with the conditions prior to any requests for permits; and
- 17) Full commercial site compliance, and 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

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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 1, 2015, the **Use Variance** will expire and become null and void. For additional assistance call (251) 208-5895.

Sincerely,

BOARD OF ZONING ADJUSTMENT

William Guess, Chairman

By:


Bert Hoffman, Planner

cc: David L. Pitts
Polysurveying & Engineering, Inc.

/lw