



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

****CORRECTED****

December 8, 2016

Healthy Hotels, Inc.
1004 Soost Court
Mobile, AL 36608

Re: #6065
(Case #ZON2016-01992)
Healthy Hotels, Inc.
3896 Michael Boulevard
(Northwest corner of Michael Boulevard and Downtowner Boulevard).

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

On December 5, 2016, the Board of Zoning Adjustment considered your request for a **Use Variance to allow auto sales in a B-2, Neighborhood Business District; the Zoning Ordinance requires a minimum of a B-3, Community Business District for auto sales** the above referenced location.

After discussion, the Board determined the following findings of facts for Denial:

- 1) Based on the fact that a hardship regarding a “third” use was not sufficiently presented, granting the variance will be contrary to the public interest;**
- 2) Special conditions do not appear to exist and there are no justifications of hardship which exist such that the literal enforcement of the provisions of the chapter will result in an unnecessary hardship, as the applicant can look for a commercially-compliant location for the “third” use; and**
- 3) The spirit of the chapter shall not be observed and substantial justice shall not be done to the surrounding neighborhood by granting the variance because the proposed use is not allowed in a B-2, Neighborhood Business District.**

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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.

Sincerely,

BOARD OF ZONING ADJUSTMENT

William Guess, Chairman

By: Marie York
Marie York, Planner II

cc: Byrd Surveying, Inc.

/lr