



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

September 15, 2018

Government Street Holdings LLC
34 S. Lafayette Street
Mobile, AL 36604

Re: #6207
(Case #BOA-000635-2018)
Government Street Holdings, LLC c/o Melanie Bunting
911 Government Street
(South side of Government Street, 150'± East of Marine Street).

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

On September 10, 2018, the Board of Zoning Adjustment considered your request for a **Tree Planting, Landscape Area, and Access and Maneuvering Variances to allow no tree plantings, reduced landscape area, and substandard access and maneuvering for a proposed mixed-use occupancy in an R-B, Residence-Business District** at the above referenced location.

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

- 1) Granting the Variance will not be contrary to the public interest since the proposed use of the property is allowed by right in an R-B, Residence-Business District;
- 2) Special conditions exist, including the historically substandard dimensions of the property and existing trees in the right-of-way, in such a way that a 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 since adjacent properties have similar dimensions and are used similarly to the proposed use of the subject site, but do not meet full tree planting, landscaping, or access and maneuvering requirements of the Zoning Ordinance.

The approval is subject to the following conditions:

- 1) Revision of the site plan to illustrate 90-degree parking stalls;
- 2) Revision of the site plan to illustrate one (1) van-accessible space in compliance with IBC and ADA standards, if required;
- 3) Revision of the site plan to illustrate curbing or wheel stops where traffic could potentially extend onto adjacent property;
- 4) Placement of a note on the site plan stating curbside trash pickup will be utilized;
- 5) Provision of a revised site plan to Planning and Zoning staff prior to the issuance of any permits;
- 6) Acquisition of all necessary permits for construction or land disturbing activities; and,
- 7) Compliance with all other applicable 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.

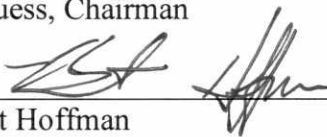
No permit, license or certification can be issued until the 15-day appeal period has expired and no appeal has been made. If a permit/license has not been obtained on or before March 10, 2019, the **Tree Planting, Landscape Area, and Access and Maneuvering Variances** will expire and become null and void. For additional assistance call (251) 208-5895.

Sincerely,

BOARD OF ZONING ADJUSTMENT

William Guess, Chairman

By:


Bert Hoffman
Principal Planner

Cc: Haidt Land Surveying