



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

****CORRECTED****

October 7, 2016

Colyjohn Associates, LLC
2936 Pine Creek Drive
Mobile, AL 36693

Re: #6061
(Case #ZON2016-01817)
Colyjohn Associates, LLC
5550, 5560, 5580 and 5590 Peary Road
(Southeast corner of Peary Road and Cary Hamilton Road).

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

On October 3, 2016, the Board of Zoning Adjustment considered your request for a **Use Variance to allow a used automobile dealership in a R-1, Single-Family Residential District; the Zoning Ordinance requires a minimum of B-3, Community Business District, for a used automobile dealership** at the above referenced location.

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

- 1) Approving the variance will be contrary to the public interest in that it would be contrary to both the established zoning classification and the long-range intention of a Suburban Neighborhood;**
- 2) Special conditions (other businesses exist within the immediate area) do not 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 not be observed and substantial justice shall not be done to the surrounding neighborhood by granting the variance because the use would create spot commercial use and would not be compatible with other surrounding uses.**

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

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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:


Bert Hoffman, Principal Planner

cc: Byrd Surveying, Inc.

/lr