



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

July 9, 2014

Treska Ballard
9446 Lake Wood Court
Semmes, AL 36575

Re: #5903
(Case #ZON2014-01205)

Treska Ballard

5055 Overlook Road

(Southwest corner of Overlook Road and Joyce Road).

Use and Tree Planting Variances to allow a hair salon, with reduced tree plantings in an R-1, Single-Family Residential District; the Zoning Ordinance requires a minimum of a B-2, Neighborhood Business District with full compliance with tree plantings.

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

On July 7, 2014, the Board of Zoning Adjustment considered your request for **Use and Tree Planting Variances to allow a hair salon, with reduced tree plantings in an R-1, Single-Family Residential District** at the above referenced location.

After discussion, the Board denied the request, finding that:

- 1) approving the variance request will be contrary to the public interest in that it is contrary to Section 64-3.C.1. of the Zoning Ordinance pertaining to R-1, Single-Family Residential Districts, and Section 64-4.E.A.3. pertaining to tree planting requirements for commercial sites;
- 2) special conditions such as changing land uses within the immediate neighborhood, inadequacy for the structure to be used as a single-family dwelling, and insufficient area to plant trees or unusual site constraints do not exist such that a literal enforcement of the provisions of the chapter will result in an unnecessary hardship; and

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- 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 immediate neighborhood is used as single-family residential and no other Use Variances have been granted within this particular subdivision.

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.

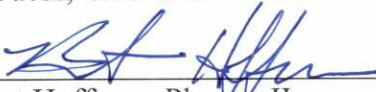
For additional assistance call (251) 208-5895.

Sincerely,

BOARD OF ZONING ADJUSTMENT

William Guess, Chairman

By:


Bert Hoffman, Planner II

cc: Gerald A. Smith

/lw