



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

****CORRECTED****

December 8, 2016

Lyle Machinery Company
P.O. Box 23087
Jackson, MS 39225

Re: #6076
(Case #ZON2016-02207)
Lyle Machinery Co.
4370 Rangeline Road
(North side of Halls Mill Road, 690'± West of Rangeline Service Road South).

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

On December 5, 2016, the Board of Zoning Adjustment considered your request for a **Use and Surfacing Variances** to allow a heavy equipment retail sales and repair facility with substandard surfacing for a parking and display area in an B-3, Community Business District; the Zoning Ordinance requires a minimum of an I-1, Light Industry District for a heavy equipment retail sales and repair facility and surfaces to be paved with asphalt, concrete, or an approved alternative paving surface in all parking and display areas at the above referenced location.

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

- 1) approving the variance request will not be contrary to the public interest in that the proposed use is of similar enough nature to the previous use that no negative impacts are anticipated;**
- 2) special conditions with the site do exist, in that the large size of the site makes it difficult to sell or lease, 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 applicant and the surrounding neighborhood by granting the variances because a vacant**

property will be returned to productive use, with minimal changes to the site or impacts to the vicinity.

The approval is subject to the following conditions:

- 1) coordination of access to the property, regarding driveway widths, turning radii and gating, with Traffic Engineering; and**
- 2) refreshing of the aggregate surface as needed in order to maintain such surfacing throughout that portion of the site that will be used for equipment storage and maneuvering.**

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 June 5, 2017, the **Use and Surfacing Variances** will expire and become null and void. For additional assistance call (251) 208-5895.

Sincerely,

BOARD OF ZONING ADJUSTMENT

William Guess, Chairman

By: Marie York

Marie York, Planner II

cc: W.B. and Jody B. Herring
Polysurveying/Engineering

/lr