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

September 16, 2016

Steve Stone
52 Bienville Ave
Mobile, Al 36606

Re: #6046/5840/5113/4902/4883
(Case #ZON2016-01277)
Steve Stone, Authorized Agent
1714 Dauphin Street
(Northeast corner of Dauphin Street and Semmes Avenue).

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

On September 12, 2016, the Board of Zoning Adjustment considered your request for **Use, Parking Ratio, and Access and Maneuvering Variances to amend conditions placed on a previously approved variance to allow a 2,500 square foot restaurant within a 6,000 square foot, three-tenant building, shared access and parking with a 1,800 square foot commercial building, with 22 parking spaces, substandard parking stalls and aisle widths in an R-1, Single-Family Residential District** at the above referenced location.

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

1) **Based on the fact that a hardship regarding use, parking ratio, and access and maneuvering have posed as constraints on the subject site throughout the years, granting the variance will not be contrary to the public interest since the subject property has been granted similar variances in the past;**
2) **Special conditions appear to exist and there are justifications of hardship which exist such that the literal enforcement of the provisions of the chapter will result in an unnecessary hardship, as the site cannot be developed without the requirement for variances; and**
3) **The spirit of the chapter shall be observed and substantial justice shall be done to the surrounding neighborhood by granting the variance because the subject site is not proposing any site changes as the request is only to extend the hours and days of operation for a restaurant use.**

The Approval is subject to the following conditions:

1) **the restaurant/café operation is limited to the hours of 7 am to 10 pm, 7 days a week;**
2) **the remaining vacant tenant spaces are required to be used for retail or office space only;**
3) **site to remain developed per previous Board of Zoning Adjustment approvals and conditions; and**
4) **full compliance with all other municipal codes and ordinances.**

For additional assistance call (251) 208-5895.

Sincerely,

BOARD OF ZONING ADJUSTMENT
William Guess, Chairman

By: _____
Bert Hoffman, Principal Planner

cc: Warren & Mildred Reilly
Dakinstreet Architects

/lr