

**BOARD OF ZONING ADJUSTMENT
LETTER OF DECISION**

August 5, 2008

The Mitchell Company
41 W Interstate 65 Service Road North
Mobile, AL 36608

Re: #5487
(Case #ZON2008-01614)
The Mitchell Company
4453 and 4459 Old Shell Road, and 5 South McGregor Avenue
(Southwest corner of Old Shell Road and South McGregor Avenue).

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

On August 5, 2008, the Board approved your request for **Front Setback, Frontage Landscaping, Vehicle Stacking to allow the construction of a pharmacy within 2.8' of a front property line and a clock tower within 14.5' of a front property line, with less than 60% frontage landscaping, less than three vehicle queuing spaces per drive-through lane clear of drive aisles in a B-2, Neighborhood Business District** at the above referenced location. They did not approve the protection buffer variance as you requested, but instead required a 6 ft. vegetative hedge buffer along residentially zoned, in a B-2, Neighborhood Business District at the above referenced location.

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 February 2, 2009, the **Front Setback, Frontage Landscaping, Vehicle Stacking, and Protection Buffer Variances** will expire and become null and void. For additional assistance call (251) 208-5895.

Sincerely,
BOARD OF ZONING ADJUSTMENT
Reid Cummings, Chairman

By: _____
Richard Olsen, Deputy Director of Planning

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