

**BOARD OF ZONING ADJUSTMENT
LETTER OF DECISION**

March 3, 2009

Krewe of Marry Mates
c/o Paul Tidwell
P.O. Box 50715
Mobile, Alabama 36605

**Re: #5526/5484/5160
(Case #ZON2009-00382)**

Krewe of Marry Mates (Paul Tidwell, Agent)

East side of South Washington Avenue, extending from Tennessee Street (unopened public right-of-way) and the Illinois Central Gulf Railroad right-of-way, to Kentucky Street.

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

On March 2, 2009, the Board approved your request for **Use Variance to allow the construction of two 200' x 90' float barns in a B-3, Community Business District; float barns are allowed with Planning Approval in a B-4, General Business District and allowed by right in an I-1, Light Industry District** subject to the following conditions:

- 1) **revision of the site plan to eliminate the driveway onto Kentucky Street;**
- 2) **denial of access for this development to Kentucky Street;**
- 3) **revision of the site plan for land disturbance and construction permitting to indicate full compliance with the landscaping and tree planting requirements of the Zoning Ordinance, including any tree credits and/or canopy credits;**
- 4) **inclusion of the Alabama Power Company easement along the Northern portion of the site with adjusted tree plantings within along Washington Avenue;**
- 5) **location of tree plantings in the vicinity of the Washington Avenue and Kentucky Street drives to allow for float clearance as trees mature; and**
- 6) **preservation status is to be given to the 44" Live Oak located on the south side of the site. Any work on or under this tree is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger.**

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.

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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 September 2, 2009, the **Use Variance** will expire and become null and void. For additional assistance call (251) 208-5895.

Sincerely,

BOARD OF ZONING ADJUSTMENT

Reid Cummings, Chairman

By: _____
Frank Palombo, Planner II

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