

**BOARD OF ZONING ADJUSTMENT
LETTER OF DECISION**

September 15, 2009

Mobile Area Water & Sewer System
207 Catherine St.
Mobile, AL 36604

**Re: #5557/5415
(Case #ZON2009-02001)
Mobile Area Water and Sewer System
4725 Moffett Road**

South side of Moffett Road at the South terminus of Shelton Beach Road Extension.

Use Variance to allow a water bottling facility, heavy equipment parking, and above-ground fuel storage and dispensing in a B-3, Community Business District; the Zoning Ordinance requires I-1, Light Industry District for a bottling facility, B-5, Office-Distribution District for Heavy Equipment Parking, and I-2, Heavy Industry District with Planning Approval for above-ground fuel storage tanks with dispensing facilities.

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

On September 14, 2009, the Board of Zoning Adjustment approved your request for **Use Variance to allow a water bottling facility, heavy equipment parking, and above-ground fuel storage and dispensing in a B-3, Community Business District; the Zoning Ordinance requires I-1, Light Industry District for a bottling facility, B-5, Office-Distribution District for Heavy Equipment Parking, and I-2, Heavy Industry District with Planning Approval for above-ground fuel storage tanks with dispensing facilities** at the above referenced location, subject to the following condition:

- 1) subject to compliance with the landscaping and tree planting requirements of the Ordinance as applies to frontage trees, as well as coordination of the 31'-wide landscaped buffer on the East with Urban Forestry.**

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 March 15, 2010, 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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