



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

May 13, 2019

Church Street Apartments
458 3rd Avenue
Saraland, AL 36571

Re: #6243/5603
(Case #BOA-000841-2019)
Church Street Apartments, LLC
1400 Church Street
(Northwest corner of Church Street and Everett Street)

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

On May 6, 2019, the Board of Zoning Adjustment considered your request for a **Use, Parking Ratio, Access/Maneuvering and Front Landscaping Variances to allow an apartment building in an R-1, Single-Family Residential District, with a reduced number of parking spaces, substandard access width and a reduced front landscaping ratio** at the above referenced location.

After discussion, the Board determined the following findings of facts for Approval of the Use and Parking Ratio Variance requests:

- 1) The variance will not be contrary to the public interest;**
- 2) Special conditions exist such that a literal enforcement of the provisions of the chapter will result in unnecessary hardship; and**
- 3) The spirit of the chapter shall be observed and substantial justice done to the applicant and the surrounding neighborhood by granting the variance.**

The approval is subject to the following conditions:

- 1) Use is limited to 6 dwelling units;**
- 2) Site plan limited to as revised and submitted at the meeting, however, the site plan can be revised to allow the proposed dumpster to be replaced by individual cans (*optional*), and parking can be modified to accommodate any required accessible parking (*and the provision of additional parking if the dumpster is removed*); and**
- 3) full compliance with all municipal codes and ordinances.**

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The Access and Maneuvering Variance requests and the Frontage Landscaping request are not needed since the applicant submitted a revised site plan for review indicating compliance with those requirements.

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 November 6, 2019, the **Use, Parking Ratio, Access/Maneuvering and Front Landscaping Variances** will expire and become null and void. For additional assistance call (251) 208-5895.

Sincerely,

BOARD OF ZONING ADJUSTMENT

William Guess, Chairman

By:



Bert Hoffman
Principal Planner

Cc: Byrd Surveying, Inc.