



THE CITY OF MOBILE, ALABAMA

BOARD OF ZONING ADJUSTMENT

LETTER OF DECISION

July 9, 2024

Box Owt, LLC
10676 Richard Drive
Saraland, Alabama 36571

Re: 6594/6510
BOA-002889-2024
263 and 267 Dauphin Street
Box Owt, LLC
District 2

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

On July 8, 2024, the Board of Zoning Adjustment considered your request for a Bulk/Site Variance to allow metal siding as an exterior finish, a non-compliant frontage type with reduced transparency, and security gates in a T-5.2 sub-district of the Downtown Development District; the Unified Development Code (UDC) does not allow metal siding as an exterior finish, requires a Shop Front frontage type at this location, requires a minimum glazed display window area of 50% of the ground floor shop front area (transparency), does not allow security gates to be visible from the street, and does not allow fences in the Shop Front frontage type in a T-5.2 sub-district of the Downtown Development District.

After discussion, the Board determined the following findings of fact for approval:

- 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) Phase 2 façade to be built in accordance with the black and white drawings submitted with the application; and

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- 2) Completion of Phase 2 and the obtaining Final Certificates of Occupancy within twelve (12) months (by July 8, 2025).

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 January 8, 2025, the variance will expire and become null and void.

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.

For further assistance, please call 251-208-5895.

Sincerely,

BOARD OF ZONING ADJUSTMENT

William Guess, Chairman

By: 
Bert Hoffman
Deputy Director of Long Range Planning