



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

November 6, 2018

S.O.A.P., LLC
Susan R. Carley, Authorized Agent
19 Westgate Road
Mobile, AL 36608

Re: #6213/5720/5323/4729/4500/4429
(Case (BOA-000692-2018))
S.O.A.P., LLC (Susan R. Carley – Agent)
351 George Street
(Southeast corner of George Street and Savannah Street).

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

On November 5, 2018, the Board of Zoning Adjustment considered your request for a **Use Variance to amend the site plan of a previously approved Use Variance to include a walk-in cooler and dumpster pad which were added since the most-recent Use Variance approval in an R-1, Single-Family Residential District** at the above referenced location.

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

- 1) Granting the Variance will not be contrary to the public interest since the structures are accessory uses to the main structure and facilitate an existing approved use of the property;**
- 2) Special conditions may not exist, such as the unapproved construction/placement of the structures prior to the purchase of the property, thus indicating a self-imposed hardship, but not in such a way that a literal enforcement of the provisions of the chapter are necessary since they are accessory uses to the main structure and can meet all applicable codes and ordinances; and,**
- 3) The spirit of the chapter shall be observed and substantial justice shall be done to the surrounding neighborhood by granting the Variance since the site has been the subject of previous Variance approvals and no change in the approved use of the property is proposed.**

The Approval is subject to the following conditions:

- 1) Provision of a revised site plan to Planning and Zoning, drawn to scale, showing the entire site and all site improvements, to include parking, prior to the approval of any permits for construction;
- 2) Attainment of after-the-fact permits and inspections for at least the walk-in cooler and dumpster pad to ensure they comply with all applicable codes and ordinances; and,
- 3) Compliance with all other applicable codes and ordinances.

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 May 5, 2019, the **Use Variance** 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: S.O.A.P., LLC c/o Cream & Sugar, LLC