



THE CITY OF MOBILE, ALABAMA

BOARD OF ZONING ADJUSTMENT

LETTER OF DECISION

August 7, 2024

Duncan Greenwood
Downtown Investment Properties, LP
Post Office Box 9909
Mobile, Alabama 36691

Re: 6605
BOA-003007-2024
3760 Joy Springs Drive
Duncan Greenwood, Downtown Investment Properties, LP
District 4

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

On August 5, 2024, the Board of Zoning Adjustment considered your request for a Residential Buffer Variance to allow a vegetative buffer between an R-1, Single-Family Residential Suburban District and an adjacent B-3, Community Business Suburban District; the Unified Development Code (UDC) requires both a vegetative buffer and a privacy fence/wall where an R-1, Single-Family Residential Suburban District is adjacent to a B-3, Community Business Suburban District.

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

- A. The variance **will not** be contrary to the public interest;
- B. Special conditions exist such that a literal enforcement of the provisions of the chapter **will** result in unnecessary hardship; and
- C. 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. Revision of a compliant site plan to include parking calculations and a breakdown of all existing and proposed use types providing the total amount of floor area designated between each use;

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2. Provision of a note on the site plan stating that any and all future development of the site must comply with all other requirements of the Unified Development Code;
3. Compliance with all Urban Forestry comments noted in this staff report;
4. Compliance with all Fire Department comments noted in this staff report;
5. Provision of a copy of the recorded site plan (hard copy and pdf) to Planning and Zoning; and,
6. Full compliance with all municipal codes and ordinances.

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 February 5, 2025, the variance will expire and become null and void.

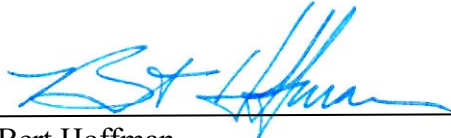
Any party aggrieved by this decision may, within fifteen days of the date of the decision, appeal to the Circuit Court of Mobile County by filing a written notice of appeal, specifying the decision from which the appeal is taken. Notice of the appeal, as well as a date stamped copy of the appeal filed 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