



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

August 14, 2019

Guncles, LLC
1814 Dauphin Street
Mobile, AL 36606

Re: #6269/6184/6023/5672/5608
(Case #BOA-000975-2019)
Guncles, LLC
1252 Government Street
(North side of Government Street, 55'± West of South Georgia Street).

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

On August 5, 2019, the Board of Zoning Adjustment considered your request for a **Use and Tree Planting and Landscape Variances to amend a previously approved variance to allow a retail and wholesale bakery with light distribution with no tree plantings or landscaping in a B-1, Buffer Business District** at the above referenced location.

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

- 1) approving the variance will not be contrary to the public interest in that the subject site has been used a restaurant since the 1960's;
- 2) special conditions do exist and there are hardships which exist in that the site is almost 100% developed with a commercial restaurant building and there is not sufficient room for tree plantings and landscaped area; and
- 3) the spirit of the chapter shall be observed and substantial justice shall be done to the surrounding neighborhood by granting the variance because the site has been used as a restaurant for over 50 years without tree plantings and landscaped area.

The Approval is subject to the following conditions:

- 1) hours of operation be limited to 7:00 AM to 11:00 PM Sunday — Thursday and 7:00 AM to 12:00 AM on Friday and Saturday;
- 2) provision that the dumpster pick-up be between 9:00 AM and 9:00 PM on weekdays only;
- 3) provision that deliveries are restricted to 9:00 AM to 6:00 PM;

- 4) lighting of the site to focus only on the site and not overflow to the adjacent residential properties; and
- 5) full compliance with all other municipal 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.

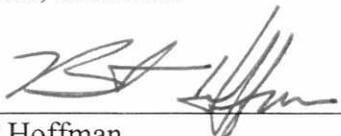
No permit, license or certification can be issued until the 15-day appeal period has expired and no appeal has been made. If a permit/license has not been obtained on or before February 5, 2020, the **Use and Tree Planting and Landscape Variances** will expire and become null and void. For additional assistance call (251) 208-5895.

Sincerely,

BOARD OF ZONING ADJUSTMENT

William Guess, Chairman

By:


Bert Hoffman
Principal Planner

Cc: Architecture & Design, Inc.
Jonellis An Alabama LLC