



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

October 11, 2019

Scott Services
Diane Foley
869 Twin Lake Drive NE
Birmingham, AL 35215

Re: **#6287**
(Case #BOA-001061-2019)

Scott Services

658 Government Street

(North side of Government Street, extending to the West side of South Dearborn Street to the East side of Washington Avenue, and extending to the Southwest corner of South Dearborn Street and Conti Street)

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

On October 7, 2019, the Board of Zoning Adjustment considered your request for a **Sign Variance to replace two illuminated menu boards with digital menu boards for drive thru lanes in a T-5.1 Subdistrict of the Downtown Development 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 it will allow the applicant to expedite customer service and traffic flow within drive-thru ordering lanes;**
- 2) **Special conditions (the disallowance of digital menu boards) exist such that a literal enforcement of the provisions of the chapter will result in an unnecessary hardship; and**
- 3) **The spirit of the chapter shall be observed and substantial justice shall be done to the applicant and surrounding neighborhood by granting the variance because it will compensate for an archaic limitation in the Downtown Development District signage allowances of the Zoning Ordinance.**

The Approval is subject to the following conditions:

- 1) **signage to comply with the dimming requirements of Section 64-11.8.c.(7)(a)vii of the Zoning Ordinance; and**
- 2) **full compliance with all other municipal coded 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

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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 April 7, 2020, the **Sign 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: McDonald's