



THE CITY OF MOBILE, ALABAMA

BOARD OF ZONING ADJUSTMENT

LETTER OF DECISION

January 7, 2025

Kimberly H. Rea
Kimmy Care, LLC
5600 Kalisa Court
Mobile, Alabama 36693

Re: 6643/6468
BOA-003164-2024
4519 Cypress Business Park
Kimmy Care, LLC
District 4

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

On January 6, 2025, the Board of Zoning Adjustment considered your request for a Use Variance to amend a previously approved Use Variance to allow operation of a daycare in a B-5, Office-Distribution District; the Unified Development Code (UDC) does not allow the operation of a daycare in a B-5, Office-Distribution 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 the site plan to depict parking compliance at a ratio of two (2) parking spaces per teaching station or classroom, whichever is greater;
- 2) Full compliance with tree planting and landscape area requirements of the UDC;
- 3) Retention of the note on the site plan stating that curbside pickup will be used;
- 4) Submittal of a revised site plan to Planning & Zoning staff; and
- 5) Full compliance with all municipal codes and ordinances.

BOA-003164-2024 4519 Cypress Business Park
January 7, 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 July 6, 2025, the variance will expire and become null and void.

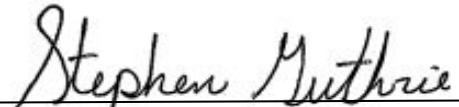
Any party aggrieved by this decision may, within fifteen days of the date of the decision, appeal to the Circuit Court of Mobile County by filing a written notice of appeal, specifying the decision from which the appeal is taken. Notice of the appeal, as well as a date stamped copy of the appeal filed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