



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

November 6, 2018

Springhill Village  
41 W. I-65 Service Road North #310  
Mobile, AL 36608

**Re: #6218**  
**(Case #BOA-000710-2018)**  
**Springhill Village, LLC**  
**4350, 4354, 4356, 4358, 4360, 4362, 4364 and 4366 Old Shell Road**  
(North side of Old Shell Road, 390'± West of Dilston Lane extending to the East side of North McGregor Avenue, 480'± North of Old Shell Road).

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

On November 5, 2018, the Board of Zoning Adjustment considered your request for a **Reduced Building Frontage, Increased Access Drive Width and Sign Variances to allow a 41%± building frontage along Old Shell Road, and a 46%± building frontage along McGregor Avenue North; to allow a two-way access drive width of 38.88'±; and to allow two pylon signs to remain on site in a Village Center Sub-district of a Traditional Center District overlay** at the above referenced location.

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

- 1) **Approving the variance will not be contrary to the public interest in that it will allow for the implementation of some aspects of the Village Center Sub-district portion of the Traditional Center District Regulating Plan by meeting the conditions of approval of the PUD for the site;**
- 2) **Special conditions (the site is the largest developed commercial property within the Traditional Center District overlay and approval will allow for the implementation of certain aspects of the TCD Regulating Plan for site improvements) exist such that the literal enforcement of the provisions of the chapter will result in an unnecessary hardship with respect to the site configuration and tenant signage visibility; 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 it will allow for site improvements under the Regulating Plan intended for the Spring Hill area.**

The Approval is subject to the following conditions:

- 1) subject to the Engineering comments: *[INCREASED ACCESS DRIVE WIDTH VARIANCE: If the increased access drive width is approved for use the applicant will need to have the following conditions met: 1) Submit and receive a TIER 2 Land Disturbance Permit for the proposed site development through Central Permitting. 2) Submit a ROW Permit (City of Mobile) for the work within the Public ROW.];*
- 2) placement of a note on the site plan stating the Traffic Engineering comments: *(Traffic Engineering does not oppose the two curb cuts on Old Shell Road. The existing driveways separate the delivery traffic from the customer traffic. The existing signalized entrance should remain with two egress lanes to allow for maximum efficiency of the traffic signal. The reduced ingress lane is appropriately sized for a one lane entry into the site.);*
- 3) subject to the Urban Forestry comments: *[Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 2015-116 and City Code Chapters 57 and 64). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit.];*
- 4) subject to the Fire Department comments: *[All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance. (2012 International Fire Code).];*
- 5) completion of the Subdivision process prior to any request for land disturbance; and
- 6) full compliance with all 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 May 5, 2019, the **Reduced Building Frontage, Increased Access Drive Width and Sign 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: Duplantis Design Group, PC