



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

February 8, 2019

Smith, Clark & Associates, LLC  
P.O. Box 7082  
Spanish Fort, AL

**Re: #6239**  
**(Case #BOA-000817-2019)**  
**Smith, Clark & Associates, LLC**  
**5216 Overlook Road**  
(Northwest corner of Overlook Road and North University Boulevard).

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

On February 4, 2019, the Board of Zoning Adjustment considered your request for a **Use Variance to allow the operation of an internet based automobile brokerage business in a B-2, Neighborhood Business District** at the above referenced location.

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

- 1) Granting the variance will not be contrary to the public interest;**
- 2) Special conditions exist in such a way 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.**

**The approval is subject to the following conditions:**

- 1) The property shall only be used for clerical / office uses associated with automotive sales; and**
- 2) There shall be no storage, display or sale of vehicles from the location.**

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.

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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 August 4, 2019, the **Use Variance** will expire and become null and void. For additional assistance call (251) 208-5895.

Sincerely,

**BOARD OF ZONING ADJUSTMENT**

William Guess, Chairman

By:

  
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Bert Hoffman  
Principal Planner

Cc: Thomas Price