



THE CITY OF MOBILE, ALABAMA

BOARD OF ZONING ADJUSTMENT

LETTER OF DECISION

September 27, 2021

Howard Sumner  
22 Hurlbert Street  
Mobile, AL 36607

**Re: #6408**  
**(Case #BOA-001719-2021)**  
**Howard Sumner**  
**22 Hurlbert Street**  
**(East side of Hurlbert Street 460'± South of Old Shell Road)**

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

On September 20, 2021, the Board of Zoning Adjustment considered your request for a **Front Yard, Side Yard and Combined Side Yard Setback Variances to allow a building addition within the required front yard and side yard setbacks, with a reduced combined side yards setback, in an R-1, Single-Family Residential District; the Zoning Ordinance requires full compliance with front yard, side yard, and combined side yards setbacks for a building addition in an R-1, Single-Family Residential District.**

**After discussion, the Board determined the following Findings of Fact for Approval of the requests:**

- 1) Approving the variance request will not be contrary to the public interest;**
- 2) Special conditions do appear to exist, such that a literal enforcement of the provisions of the chapter will result in unnecessary hardship; and**
- 3) That 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 condition:**

- 1) Provision of gutters and downspouts where the proposed addition will be 5' or less from neighboring properties.**

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.

**Howard Sumner**  
**September 27, 2021**  
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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 **March 27, 2022**, the variance will expire and become null and void.

For additional assistance call (251) 208-5895.

Sincerely,

**BOARD OF ZONING ADJUSTMENT**

William Guess, Chairman

By: Marie York  
Marie York, Principal Planner