



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

May 6, 2020

L. Craig Roberts
146 Westfield Ave
Mobile, AL 36608

Re: #6315
(Case #BOA-001213-2020)
L. Craig Roberts
257 North Jackson Street
(West side of North Jackson Street, 155'+ North of State Street).
Council District 2

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

On May 4, 2020, the Board of Zoning Adjustment considered your request for a **Front Yard Setback and Driveway Width Variances to allow a front yard setback of 22' for a dwelling, with a 15' wide driveway within the front yard setback in a T-4 Sub-District of the Downtown Development District; the Zoning Ordinance limits the front yard setback to a maximum of 12', and limits the driveway width to a maximum of 10' within the front yard setback in a T-4 Sub-District of the Downtown Development District.**

After discussion, the Board denied the Driveway Width Variance with the following findings of facts:

- 1) Based on the fact that the hardships are self-imposed, and that the applicant could alter the proposed driveway to be compliant with little impact to the overall design;
- 2) No special conditions exist with the property itself, that a literal enforcement of the provisions of the chapter will result in an unnecessary hardship; and
- 3) The spirit of the chapter shall not be observed, and substantial justice shall not be done to the applicant and the surrounding neighborhood by granting the requested variance, as a

The Board Approved the Front Yard Setback Variance with the following findings of facts:

- 1) Based on the fact that the hardships are not self-imposed, a compliant front yard setback would compromise the survival of an existing 24" live oak;
- 2) Special conditions exist with the property itself, in that there is an existing heritage tree in the required setback; and

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- 3) The spirit of the chapter shall be observed, and substantial justice shall be done to the applicant and the surrounding neighborhood by granting the requested variance, as the Architectural Review Board has approved the plans as submitted.

The Approval is subject to the following conditions:

- 1) Obtain all required permits; and
- 2) Full compliance with all municipal codes and ordinances. minor revision would allow for a compliant driveway width.

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 November 5, 2020, the **Front Yard Setback Variance** will expire and become null and void. For additional assistance call (251) 208-5895.

Sincerely,

BOARD OF ZONING ADJUSTMENT

William Guess, Chairman

By: Margaret Pappas/SMU
Margaret Pappas
Deputy Director of Planning and Zoning

Cc: M.C. Betz
Bob West