



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

July 8, 2015

C-Spire  
1018 Highland Colony Parkway, Suite 210  
Ridgeland, MS 39157

**Re: #5937**  
**(Case #ZON2014-02189)**  
**Cellular South Real Estate**  
**1621 Virginia Street**  
**(Southeast corner of Lott Street and Virginia Street)**

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

On July 6, 2015, the Board of Zoning Adjustment considered your request for **Height, Setback, Parking Surface, and Tree Planting Variances to allow a 152' monopole telecommunications tower setback 17'-6" from a lease parcel line with a gravel access drive and parking, and no tree plantings in a B-3, Community Business District** at the above referenced location.

**After discussion, the Board determined the followings findings of fact for denial:**

- 1) Based on the fact that the site is within close proximity to a large number of residences, approval of the variance would be contrary to the public interest;**
- 2) These special conditions exist such that there are more suitable sites for a telecommunications tower to be located further away from a residential area so that literal enforcement of the provisions of the chapter will not result in unnecessary hardship; and**
- 3) That the spirit of the chapter shall not be observed and substantial justice shall not be done to the surrounding neighborhood by granting the variance in that other tower sites are available for collocation.**

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.

**Cellular South Real Estate**

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For additional assistance call (251) 208-5895.

Sincerely,

**BOARD OF ZONING ADJUSTMENT**

William Guess, Chairman

By:

  
Bert Hoffman, Planner II

cc: Hardy Engineering, Inc.  
City of Mobile, ATTN: John Olszewski  
Engineering Design Group, LLC

/lw