



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

March 8, 2016

David M. Shumer
Barton & Shumer Engineering, LLC
4373 Downtowner Loop South, LLC
Mobile, AL 36609

Re: #6029/5976
(Case #ZON2016-00169)
Barton & Shumer Engineering, LLC (David M. Shumer, Agent)
3611 Stein Avenue
(South side of Stein Avenue, 170'± East of Provident Lane).

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

On March 7, 2016, the Board of Zoning Adjustment considered your request for **Bulk/Site and Side Yard Setback Variances to allow an addition with 41.4% site coverage and three mechanical units higher than 3' above grade within the side yard setback in an R-1, Single-Family Residential District** at the above referenced location.

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

- 1) Based on the fact that a hardship regarding exceeding the allowed site coverage was previously approved, granting the variance will not be contrary to the public interest since adjacent properties have been granted similar variances in the past;**
- 2) Special conditions appear to exist and there are justifications of hardship which exist such that the literal enforcement of the provisions of the chapter will result in an unnecessary hardship, as the site cannot be developed without the requirement for variances; 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 the proposed addition exemplifies an occurring trend within this area as the proposed addition is keeping in character with other homes adjacent to the subject site.**

Barton & Shumer Engineering, LLC (David M. Shumer, Agent)

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The Approval is subject to the following conditions:

1) 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 September 7, 2016, the **Bulk/Site and Side Yard Setback 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, Planner II

cc: Claiborne M. & Leder Stokes

/lw