



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

August 8, 2014

Cowles, Murphy, Glover & Associates
457 St. Michael Street
Mobile, AL 36602

Re: **#5906/5836**
(Case #ZON2014-01411)
Gary D.E. Cowles
1601 Dublin Street East
(Northeast corner of Dublin Street and Dublin Street East).
Front Yard Setback Variance to allow reduced setbacks of 15' along the North property line, and 5' along the South property line; the Zoning Ordinance requires a 25' front yard setback along all street frontages.

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

On August 4, 2014, the Board of Zoning Adjustment considered your request for **Front Yard Setback Variance to allow reduced setbacks of 15' along the North property line, and 5' along the South property line** at the above referenced location.

After discussion, the Board approved the request, finding that:

- 1) Based on the fact that an almost identical request was previously granted to the applicant, the variance will not be contrary to the public interest;
- 2) These special conditions (lack of sufficient area to develop the site meeting standard setbacks) 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 in that an otherwise unbuildable property can be developed.

The approval is subject to the following conditions:

- 1) revision of the site plan to dimension the further reduced setbacks within the dumpster area as on the recorded plat of Dublin Street Subdivision;
- 2) revision of the tree planting schedule to specify Live Oak trees at the West end of the site due to overhead power lines;
- 3) submittal of two (2) copies of a revised site plan showing required revisions prior to the submittal of plans for building permitting; and
- 4) full compliance with all other 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.

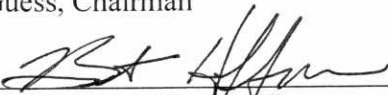
No permit, license or certification can be issued until the 15-day appeal period has expired and no appeal has been made. If a permit/license has not been obtained on or before February 4, 2015, the **Front Yard Setback Variance** will expire and become null and void. For additional assistance call (251) 208-5895.

Sincerely,

BOARD OF ZONING ADJUSTMENT

William Guess, Chairman

By:


Bert Hoffman, Planner II

cc: Valeria Baker

/jpw