



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

April 6, 2018

Holly S. Walton
3709 The Cedars Avenue
Mobile, AL 36608

Re: #5045/6168
(Case #BOA-000441-2018)
Garden Design Solutions, Inc.
3709 & 3713 The Cedars Avenue
(South side of The Cedars Avenue, 135'± West of College Lane).

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

On April 2, 2018, the Board of Zoning Adjustment considered your request for a **Fence Variance to allow a 6' privacy fence/wall to be constructed within the 25' front minimum building setback line in an R-1 Single-Family Residential District** at the above referenced location.

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

- 1) Granting the variance will not be contrary to the public interest in that there are other fences and walls exceeding three feet in height along street property lines within the vicinity;**
- 2) Special conditions and hardships do exist in such a way that a literal enforcement of the provisions of the chapter will result in an unnecessary hardship, as there is a need to provide for safety, security and privacy for a family; and**
- 3) The spirit of the chapter shall be observed and substantial justice shall be done to the applicant and surrounding neighborhood by granting the variance because the fence will be setback 10-feet from the front property line, reducing potential sight-line hazards.**

The approval is subject to the following conditions:

- 1) The fence to be setback 10 feet from the front property line; and**
- 2) The obtaining of necessary permits prior to construction.**

Garden Design Solutions, Inc.

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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 October 2, 2018, the **Fence 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
Principal Planner

cc: Paul Fontenot, Landscape Architect