



THE CITY OF MOBILE, ALABAMA

BOARD OF ZONING ADJUSTMENT

LETTER OF DECISION

September 27, 2021

Pete J. Vallas  
108 Lanier Avenue  
Mobile, AL 36607

**Re: #6410**  
**(Case #BOA-001729-2021)**  
**Pete J. Vallas, AIA**  
**408 Pine Court**  
(East side of Pine Court, 380'± South of the East terminus of Winslow Drive).

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

On September 20, 2021, the Board of Zoning Adjustment considered your request for a **Side Yard and Combined Side Yard Setback Variance to allow a garage within the required side yard setback, with a reduced combined side yard setback, in an R-1, Single-Family Residential District; the Zoning Ordinance requires all structures to meet the required side yard and combined side yard setbacks in an R-1, Single-Family Residential District.**

After discussion, the Board determined the following Findings of Fact for Approval of the requests:

- 1) **Approving the variance request will not be contrary to the public interest due to the fact that similar variances have been approved within the vicinity of this site;**
- 2) **Special conditions do appear to exist, such that a literal enforcement of the provisions of the chapter will result in unnecessary hardship due to the presence of a large rear easement and steep topography; 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 it will be in keeping with similar approved variances in the area.**

The approval is subject to the following conditions:

- 1) **Provision of gutters and downspouts on the North side of the detached garage; and**
- 2) **Full compliance with all municipal codes and ordinances.**

**The request for a reduced combined side yard setback is moot.**

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 **March 27, 2022**, the variance will expire and become null and void.

For additional assistance call (251) 208-5895.

Sincerely,

**BOARD OF ZONING ADJUSTMENT**

William Guess, Chairman

By: Marie York  
Marie York, Principal Planner