



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

May 7, 2015

David and Kim Padgett
266 Suffolk Road
Mobile, AL 36608

Re: #5961
(Case #ZON2015-00826)
David & Kim Padgett
151 College Lane
(Northwest corner of College Lane and Stein Avenue).

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

On May 4, 2015, the Board of Zoning Adjustment considered your request for **Site Variance to allow an A/C unit taller than 3' and construction of a 6 feet to 8 feet high brick/wood privacy fence to be constructed within the front 25' minimum setback line in an R-1, Single-Family Residential** at the above referenced location.

After discussion, the Board determined the following findings of fact for Approval for a fence setback 5 feet from the property line:

- 1) Approving the variance request will not be contrary to the public's interest since the proposed brick/wood fence will not cause visibility issues for adjacent property owners due to a limit of 6 feet in height, and a minimum setback of 5 feet from the Stein Avenue property line;**
- 2) Special conditions do exist due to the orientation of the home on the corner lot and the school related traffic, that a literal enforcement of the provisions of the chapter will result in unnecessary hardship; and**
- 3) That the spirit of the chapter will be observed and substantial justice will be done to the applicant and the surrounding neighborhood by granting the variance, as existing vegetative buffers within the vicinity create a similar effect to the proposed fence.**

The approval is subject to the following conditions:

- 1) The fence height is limited to 6 feet; and
- 2) The fence must be setback a minimum of 5 feet from the Stein Avenue property line.

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.

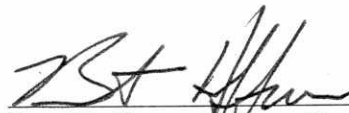
No permit, license or certification can be issued until the 15-day appeal period has expired and no appeal has been made. If a permit/license has not been obtained on or before November 4, 2015, the **Site Variance** will expire and become null and void. For additional assistance call (251) 208-5895.

Sincerely,

BOARD OF ZONING ADJUSTMENT

William Guess, Chairman

By:


Bert Hoffman, Planner II

cc: Don Williams

/lw