



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

August 8, 2014

Robert & Renea Copeland  
5460 Henning Drive West  
Mobile, AL 36619

Re: #5907

(Case #ZON2014-01415)

**Robert & Renea Copeland**

**5460 Henning Drive West**

(Northwest corner of Henning Drive West and Todd Lane).

**Rear and Side Yard Setback Variances to allow a structure within 1'7" of the rear property line and a structure within 5'4" of the side property line in R-1, Single-Family Residential District; the Zoning Ordinance requires minimum side and rear yard setbacks of 8' in an R-1, Single-Family Residential District.**

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

On August 4, 2014, the Board of Zoning Adjustment considered your request for **Rear and Side Yard Setback Variances to allow a structure within 1'7" of the rear property line and a structure within 5'4" of the side property line in R-1, Single-Family Residential District** at the above referenced location.

After discussion, the Board approved for the storage shed to be located 1'7" from the rear property line, finding that:

- 1) Based upon the fact that conditions will be required regarding the permitting and screening of the shed, approving the variance will not be contrary to the public interest;
- 2) Special conditions with the property, such as the fact that the shed has an associated concrete pad and underground electrical wiring, do exist such that a literal enforcement of the provisions of the chapter will appear to result in an unnecessary hardship; and

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- 3) The spirit of the chapter shall be observed and substantial justice shall be done to the surrounding neighborhood by granting the variance for the unpermitted shed due to the required compliance conditions.

Therefore, this request for the storage shed is approved, subject to the following conditions:

- 1) obtain after the fact permits for the storage shed and the electrical connection; and
- 2) increase the height of the abutting fence to 8 feet, as proposed, with the appropriate permits.

The Board denied your request to allow the playhouse to remain 5'4" from the side property line. Therefore, the playhouse should be relocated to a compliant location, a minimum of 8' from the side and rear property line, with the appropriate building permits.

Any after the fact permits must be obtained within 6 months of the Board's approval.

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.

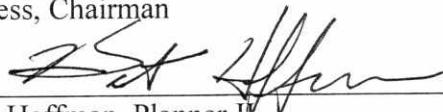
No permit, license or certification can be issued until the 15-day appeal period has expired and no appeal has been made. If a permit/license has not been obtained on or before February 4, 2015, the **Rear Yard Setback Variances** will expire and become null and void. For additional assistance call (251)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

Sincerely,

**BOARD OF ZONING ADJUSTMENT**

William Guess, Chairman

By:

  
Bert Hoffman, Planner II

cc: Perry & Linda Wilson  
Polysurveying of Mobile, Inc.

/jpw