



THE CITY OF MOBILE, ALABAMA

BOARD OF ZONING ADJUSTMENT

LETTER OF DECISION

October 6, 2021

Todd Oliver and Margaret Oliver  
5 Demouy Avenue  
Mobile, AL 36606

**Re: #6419**  
**(Case #BOA-001755-2021)**  
**Todd & Margaret Oliver**  
**5 Demouy Avenue**  
(East side of Demouy Avenue, 187'± South of Dauphin Street).

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

On October 4, 2021, the Board of Zoning Adjustment considered your request **Fence Height Variance to allow a wooden privacy fence more than eight (8) feet high in an R-1, Single-Family Residential District; the Zoning Ordinance limits wooden privacy fences to a maximum height of eight (8) feet in an R-1, Single-Family Residential District.**

**After discussion, the Board determined the following findings of fact for Approval of a Fence Height Variance to allow a wooden privacy fence more than eight (8) feet high in an R-1, Single-Family Residential District:**

- 1) Approving the variance request will not be contrary to the public interest;**
- 2) Special conditions exist such that a literal enforcement of the provisions of the chapter will result in an unnecessary hardship; and**
- 3) The spirit of the chapter shall be observed, and substantial justice shall be done to the applicant and the surrounding neighborhood by granting the variance.**

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 **April 4, 2022**, the variance will expire and become null and void.

For additional assistance call (251) 208-5895.

P.O. BOX 1827 • MOBILE, ALABAMA 36633-1827

Todd and Margaret Oliver  
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Sincerely,

**BOARD OF ZONING ADJUSTMENT**

William Guess, Chairman

By: Marie York  
Marie York, Principal Planner