



THE CITY OF MOBILE, ALABAMA

BOARD OF ZONING ADJUSTMENT

LETTER OF DECISION

May 4, 2022

Vince LaCoste
Bethel Engineering of Mobile
3217 Executive Park Circle
Mobile, Alabama 36606

Re: #6454/6382
(Case #BOA-002019-2022)
Bethel Engineering
4103 Ridgelawn Drive
(South side of Ridgelawn Drive, 215'± West of Ridgelawn Drive West).

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

On May 2, 2022, the Board of Zoning Adjustment considered your request for a **Rear Street, Rear Yard Setback and Side Yard Setback Variances to allow a ten-foot rear street, rear yard setback, an eight-foot high wall along the rear street, rear property line, and to allow pool equipment higher than 36 inches within a required side yard setback in an R-1, Single-Family Residential District; the Zoning Ordinance requires a 25-foot rear street, rear yard setback, and requires any structure three feet high or more to meet the required side yard setback in an R-1, Single-Family Residential District.**

After discussion, the Board determined the following Findings of Fact for **approval** of the request for **Rear Street, Rear Yard Setback and Side Yard Setback Variances to allow an eight-foot-high wall along the rear street, rear property line, and to allow pool equipment higher than 36 inches within a required side yard setback in an R-1, Single-Family Residential District:**

- 1) Approving the variance request will not be contrary to the public interest in that it will allow for site security which could not ordinarily be provided by a literal interpretation of the Ordinance;**
- 2) Special conditions appear to exist, specifically higher terrain elevations along the adjacent property, such that a literal enforcement of the provisions of the chapter will result in unnecessary hardship; and**
- 3) The spirit of the chapter shall be observed, and substantial justice done to the applicant and the surrounding neighborhood by granting the variance.**

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The Board **denied** the request to place an **accessory structure within 10-feet** of the rear street, rear yard property line. The Board's denial was based on the following finding of fact:

- 1) Approving the variance will be contrary to the public interest as the proposed structure was not illustrated on the site plan submitted, thus the Board could not evaluate if there are special conditions illustrating that a literal enforcement of the provisions of the chapter will result in an unnecessary hardship.**

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 2, 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:



Margaret Pappas

Deputy Director of Planning and Zoning