



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

September 17, 2015

Robert A. Brown
1725 Northview Drive
Mobile, AL 36618

Re: #5998
(Case #ZON2015-01906)
Robert A. Brown
1725 Northview Drive
(South side of Northview Drive, at the Western terminus of Northview Drive).

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

On September 14, 2015, the Board of Zoning Adjustment considered your request for **Site Variance to allow construction of an addition within 5' of a side property line in an R-1, Single-Family Residential District** at the above referenced location.

After discussion, the Board determined the following findings of facts for approval of the request:

- 1) Approving the variance request will not be contrary to the public interest since the homeowner owns the adjacent parcel to the east, near where the addition is proposed;
- 2) Special conditions appear to exist due to the positioning of the existing home on the property that a literal enforcement of the provisions of the chapter will appear to result in unnecessary hardship; 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 since the site will still have a combined side yard setback of 32'±, which far exceeds the minimum required 20' total for both combined side yards, per Section 64-3.C.1. of the Zoning Ordinance, regarding development of building sites located within R-1, Single-Family Residential Districts.

The Approval is subject to the following conditions:

- 1) The provision of gutters and downspouts; and
- 2) Full compliance with all municipal codes and ordinances.

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 14, 2016, 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: Byrd Surveying, Inc.

/lw