

**BOARD OF ZONING ADJUSTMENT
LETTER OF DECISION**

September 14, 2010

Alabama Power Company
505 Hillcrest Rd.
Mobile, AL 36608

Re: **#5628**
(Case #ZON2010-01974)
Alabama Power Company
505 Hillcrest Road

East side of Hillcrest Road, 370'± North of Airport Boulevard, extending to the North side of Airport Boulevard, 235'± East of Hillcrest Road.

Height, Setback, and Buffer Separation Variances to allow a 197' high telecommunications tower, setback 65.27' from a side property line and 158.24' from a front property line, with a 220.25' residential buffer separation in a B-2, Neighborhood Business District; the Zoning Ordinance allows a 45' maximum height limit, requires a 197' (tower height) setback from property lines, and requires a 295.5' (150% of tower height) buffer separation from residentially zoned properties in a B-2, Neighborhood Business District.

Dear Applicant/Property Owner:

On September 13, 2010, the Board of Zoning Adjustment approved the **Height, Setback, and Buffer Separation Variances to allow a 197' high telecommunications tower, setback 65.27' from a side property line and 158.24' from a front property line, with a 220.25' residential buffer separation in a B-2, Neighborhood Business District** subject to the following conditions:

- 1) **provision of additional tree plantings along the site's East side adjacent to residential properties, to be coordinated with Urban Forestry, and to be depicted on any plans submitted for land disturbance permits; and**
- 2) **full compliance with all other municipal codes and ordinances.**

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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 30, 2011, the **Height, Setback, and Buffer Separation Variances** will expire and become null and void. For additional assistance call (251) 208-5895.

Sincerely,

BOARD OF ZONING ADJUSTMENT

Reid Cummings, Chairman

By: _____
Frank Palombo, Planner II

cc: Hutchinson, Moore & Rauch

sg