



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

June 9, 2017

David Domingue
1558 Church Street
Mobile, AL 36604

Re: #6110/3467/2957/2436/548
(Case #BOA-000055-2017)
David Domingue
2513 Dauphin Street
(Southeast corner of Dauphin Street and South Florida Street.)

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

On June 6, 2017, the Board of Zoning Adjustment considered your request for a **Height Variance to allow a privacy fence taller than 3' in the side yard setback of a corner lot and barbed-wire in an LB-2, Limited-Neighborhood Business District** at the above referenced location.

After discussion, the Board determined the followings findings of fact for Approval:

- 1) Granting the variance will not be contrary to the public interest because the barbed wire has been removed from the site and the fence will not cause line of sight issues for traffic;**
- 2) Special conditions do appear to exist and there is justification of hardship which exist such that the literal enforcement of the provisions of the chapter will result in an unnecessary hardship, in that the units have been vandalized previously with a chain link fence; and**
- 3) The spirit of the chapter shall be observed and substantial justice shall be done to the surrounding neighborhood by granting the variance because it will be painted to blend in with the existing structure and does not cause line of sight issues for traffic.**

The Board allowed the request for barbed wire to be withdrawn at the meeting.

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.

David Domingue

June 9, 2017

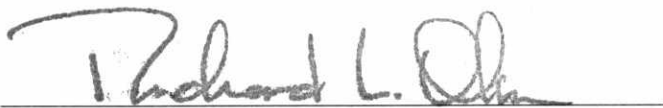
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No permit, license or certification can be issued until the 15-day appeal period has expired and no appeal has been made. If a permit/license has not been obtained on or before December 5, 2017, the will expire and the **Height Variance** become null and void. For additional assistance call (251) 208-5895.

Sincerely,

BOARD OF ZONING ADJUSTMENT

William Guess, Chairman

By: 
Richard Olsen
Deputy Director of Planning & Zoning

cc: McCrory & Williams, Inc.

/lw