



THE CITY OF MOBILE, ALABAMA

BOARD OF ZONING ADJUSTMENT

LETTER OF DECISION

October 6, 2021

Wilson Thomas
101 Ridgelawn Drive East
Mobile, AL 36608

Re: #6421
(Case #BOA-001795-2021)
Wilson Thomas
101 Ridgelawn Drive East
(West side of Ridgelawn Drive East at the West terminus of Bexley Lane).

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

On October 4, 2021, the Board of Zoning Adjustment considered your request for a **Side Yard Setback Variance to allow a carport less than 8' from a side property line in an R-1, Single-Family Residential District; the Zoning Ordinance requires at least an eight (8)-foot side yard setback for structures in an R-1, Single-Family Residential District.**

After discussion, the Board determined the following findings of fact for Approval of the Side Yard Setback Variance request:

- 1) Approving the variance request will not be contrary to the public interest due to the fact that similar variance requests have been approved within the vicinity of this site;**
- 2) Special conditions appear to exist, primarily the sloping topography elsewhere on the site, and the existing interior lay-out adjacent to the proposed garage, such that a literal enforcement of the provisions of the chapter will 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 in that it will be in keeping with similar approved variances in the area.**

The approval is subject to the following conditions:

- 1) subject to the Engineering comments: *(If the proposed variance is approved for use the applicant will need to have the following conditions met; 1. The proposed improvements shown on the submitted plans will require a Land Disturbance Permit – submitted through Central Permitting. 2. The existing drainage patterns and surface***

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flow characteristics should not be altered so as to have a negative impact on any adjoining properties or any public rights-of-way. 3. Any and all proposed land disturbing activity within the property will need to be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. 5. Applicant agrees to install adequate BMPs during construction to protect from sediment/pollutants leaving the site.); 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 **April 4, 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: Marie York
Marie York, Principal Planner