



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

January 12, 2017

Barron A. Partridge
143 Batre Lane
Mobile, AL 36608

Re: #6081
(Case #ZON2016-02277)
Barron B. Partridge
143 Batre Lane
(West side of Batre Lane, 251'± Northwest of Devendel Lane).

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

On January 9, 2017, the Board of Zoning Adjustment considered your request for a **Side Yard Setback and Combined Side Yard Setback Variances to allow a structure within 6.3' of the side property line and a combined side yard setback of 18.21' in an R-1, Single-Family Residential District; the Zoning Ordinance requires a minimum 8' side yard setback and a combined side yard setback minimum of 20', in an R-1, Single-Family Residential District** at the above referenced location.

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

- 1) Granting the variance will not be contrary to the public interest in that it will be less non-compliant than the garage/storage structure it will replace;**
- 2) Special conditions do exist, including the shape of the lot and the placement of the existing house, that a literal enforcement of the provisions of the chapter will result in an unnecessary hardship, and,**
- 3) The spirit of the chapter shall be observed and substantial justice shall be done to the applicant and the surrounding neighborhood by granting the variance for the structure since it is not uncommon for structures in the vicinity to encroach into setbacks.**

The approval is subject to the following conditions:

- 1) Provision of gutters and downspouts for that side of the structure that will be within the setbacks; 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 July 9, 2017, the **Setback Variances** 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, Principal Planner

cc: Haidt Land Surveying

/lr