



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

May 6, 2020

Bret Webb
3721 The Cedars
Mobile, AL 36608

Re: #6319
(Case #BOA-001231-2020)
Bret Webb
3721 The Cedars
(Southeast corner of The Cedars and Tuthill Lane).
Council District 7

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

On May 4, 2020, the Board of Zoning Adjustment considered your request for a **Setback Variance to allow the construction of a 6-foot privacy fence within a required front yard setback in an R-1, Single-Family Residential District; the Zoning Ordinance limits fences within a required front yard to a maximum height of three (3) feet in an R-1, Single-Family Residential District.**

After discussion, the Board approved a Setback Variance with the following findings of facts:

- 1) Granting the variance will not be contrary to the public interest in that there are other fences and walls exceeding three feet in height along street property lines within the vicinity;
- 2) Special conditions and hardships do exist in such a way that a literal enforcement of the provisions of the chapter will result in an unnecessary hardship, as there is a need to provide for safety, security, and privacy for a family; 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 similar variances have been approved in the area.

The approval is subject to the following conditions:

- 1) The fence is to be setback 10 feet from the front property line;
- 2) The obtaining of necessary permits prior to construction; and

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- 3) Full compliance with all other 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 November 5, 2020, the **Setback Variance** will expire and become null and void. For additional assistance call (251) 208-5895.

Sincerely,

BOARD OF ZONING ADJUSTMENT

William Guess, Chairman

By:

Margaret Pappas / SMC

Margaret Pappas

Deputy Director of Planning and Zoning