



THE CITY OF MOBILE, ALABAMA

BOARD OF ZONING ADJUSTMENT

LETTER OF DECISION

August 11, 2020

Shawn Conklan
4287 Horloesther Court
Mobile, AL 36608

Re: #6337
(Case #BOA-001332-2020)
Shawn Conklan
4287 Horloesther Court
(Southwest corner of Old Shell Road and Horloesther Court).
Council District 5

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

On August 3, 2020, the Board of Zoning Adjustment considered your request for a **Front Yard and Side Street Side Yard Setback Variances to allow an 8' high privacy fence within 25' of the front yard and side street side yard setbacks in an R-1, Single-Family Residential District; the Zoning Ordinance requires fences 3' high or taller to be setback at least 25' from the front yard and side street property lines in an R-1, Single-Family Residential District.**

After discussion, the Board determined the following Findings of Fact for Approval:

- a) Approving the variance will not be contrary to the public interest because the proposed fence is in keeping with the character of existing fences in the area;**
- b) Special conditions were illustrated such that a literal enforcement of the provisions of the chapter will result in an unnecessary hardship; and**
- c) The spirit of the chapter shall be observed, and substantial justice shall be done to the surrounding neighborhood by granting the variance.**

The approval is subject to the following conditions:

- 1) Obtain associated building permits;**
- 2) The approval of the Traffic Engineering Department for the specific location of the proposed fence; and**
- 3) 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 February 3, 2021, the variance will expire and become null and void.**

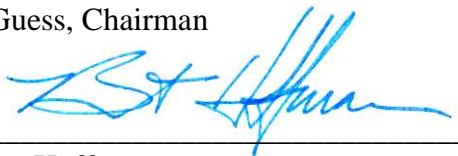
For additional assistance call (251) 208-5895.

Sincerely,

BOARD OF ZONING ADJUSTMENT

William Guess, Chairman

By:



Bert Hoffman
Principal Planner