



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

April 9, 2015

SBA Communication for Sprint
ATTN: David Anderson
273 Azalea Road
Building 2, Suite 201
Mobile, AL 36609

Re: #5959/5942
(Case #ZON2015-00516)
SBA Communications, as agent for Louisiana Unwired d/b/a Sprint
101 Dauphin Street
(Southwest corner of Dauphin Street and South Royal Street).

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

On April 6, 2015, the Board of Zoning Adjustment considered your request for **Site Variance to allow rooftop cellular communications antennae visible from the street within the Downtown Development District** at the above referenced location.

The Board determined the following findings of fact for approval:

- 1) Approving the variance request will not be contrary to the public interest since other rooftop cellular communications antennae exists atop buildings in the vicinity;**
- 2) Special conditions appear to exist, including the operational requirements and placement for telecommunications equipment and the building's location within the Downtown Development District, 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 since the applicant will be required to obtain the proper building-related permits for the cellular communications antennae and any Architectural Review Board approvals, if necessary.**

April 7, 2015

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The approval is subject to the following conditions:

- 1) Obtainment of the proper building-related permits for the rooftop cellular communications antennae; and
- 2) 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 October 6, 2015, the **Site 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, Planner II

cc: The Teacher's Retirement System of AL
Neel-Schaffer

/lw