



THE CITY OF MOBILE, ALABAMA

BOARD OF ZONING ADJUSTMENT

LETTER OF DECISION

June 8, 2021

Joseph Asarisi
Asarisi & Associates, LLC
6100 Omni Park Drive
Suite C
Mobile, AL 36609

Re: #6391/6371
(Case #BOA-001619-2021)
VCP Seamans, LLC (Asarisi & Associates, LLC, Agent)
350 St. Joseph Street
(Northeast corner of Adams Street and St Joseph Street, extending to North Water Street).

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

On June 7, 2021, the Board of Zoning Adjustment considered your request for a **Fence Height Variance to allow a six-foot high fence along the front property line and side lot lines beyond a building façade in a T-5.1, Mixed-Use of Medium Intensity Sub-District of the Downtown Development District; the Zoning Ordinance limits fences to no more than four feet high along a front property line and side lot lines beyond a building façade in a T-5.1, Mixed-Use of Medium Intensity Sub-District of the Downtown Development District.**

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

- 1) The variance will not be contrary to the public interest in that the fence will not cause line-of-sight traffic concerns;**
- 2) Special conditions do exist such that a literal enforcement of the provisions of the chapter will result in unnecessary hardship; and**
- 3) The spirit of the chapter shall be observed, and substantial justice shall be done to the surrounding neighborhood by granting the variance by allowing a taller fence for increased security.**

The Approval is subject to the following conditions:

- 1) Obtain after-the-fact fence permits;**
- 2) Submission of revised “as-built” plans for the associated building permits; and**
- 3) Full compliance with all municipal codes and ordinances.**

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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 **December 7, 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: Marie York
Marie York, Principal Planner