



THE CITY OF MOBILE, ALABAMA

BOARD OF ZONING ADJUSTMENT

LETTER OF DECISION

November 8, 2023

Kari Givens
Byrd Surveying, Inc.
2609 Halls Mill Road
Mobile, Alabama 36606

Re: #6559/4777
BOA-002687-2023
4671 Old Shell Road
Kari Givens, Byrd Surveying
District 5

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

On November 6, 2023, the Board of Zoning Adjustment considered your request for a Side Yard Setback Variance to allow a structure within a side yard setback in an R-1, Single-Family Residential Suburban District; the Unified Development Code (UDC) requires at least a five (5)-foot side yard setback in an R-1, Single-Family Residential Suburban District.

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

- 1) The variance will not be contrary to the public interest;
- 2) Special conditions 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 done to the applicant and the surrounding neighborhood by granting the variance.

If approved, the following conditions must apply:

- 1) Either vacate the drainage & utility easement or obtain approval of the easement holder; and
- 2) Obtain an after-the-fact building permit.

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

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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 May 6, 2024, the variance will expire and become null and void.

For further assistance, please call 251-208-5895.

Sincerely,

BOARD OF ZONING ADJUSTMENT
William Guess, Chairman

By: 

Margaret Pappas
Deputy Director of Planning and Zoning