



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

August 7, 2015

Margaret M. McGovern  
P. O. Box 149  
Mobile, AL 36601

**Re: #5993**  
**(Case #ZON2015-01652)**  
**Margaret M. McGovern**  
**604 Eslava Street**  
(North side of Eslava Street, 80'± West of South Warren Street).

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

On August 3, 2015, the Board of Zoning Adjustment considered your request for **Rear Setback and Exterior Finish Variances to allow the construction of a residential addition within 5' of the rear property line and the use of stucco as an exterior finish in a T-3 Sub-District within the Downtown Development District** at the above referenced location.

**After discussion, the Board determined the following findings of facts for approval of the request:**

- 1) Granting the variance will not be contrary to the public interest because the proposed exterior finish material and building setbacks are in keeping with other structures within the Church Street East Historic District;**
- 2) Special conditions exist with the property itself, including the presence of several large trees, the layout of the existing house, and the existing exterior finish of the house, that a literal enforcement of the provisions of the chapter will result in an unnecessary hardship; and**
- 3) The spirit of the chapter shall be observed and substantial justice shall be done to the applicant and the surrounding neighborhood by granting the requested variances, as the applicant has taken steps to ensure that the historic integrity of the existing dwelling will be respected by the choice of exterior finish materials, and that the setback is not out of keeping with other dwellings within the Church Street East Historic District.**

Margaret McGovern  
August 7, 2015  
Page 2

The Approval should be subject to the following condition:

1) **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, 2016, the **Rear Setback and Exterior Finish Variances** 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: Byrd Surveying, Inc.

/lw