



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

August 7, 2015

Joey Pittman
166 South Street
Mobile, AL 36606

Re: #5995/5924
(Case #ZON2015-01656)
Joey Pittman
166 South Street
(West side of South Street, 125'± North of Clearmont Street).

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

On August 3, 2015, the Board of Zoning Adjustment considered your request for **Side Yard and Rear Yard Setback Variances to amend previously approved Side and Rear Yard Setback Variances to allow the construction of a garage 5' from the side property line and 5' from the rear property line in an R-1, Single-Family Residential District** at the above referenced location.

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

- 1) approving the variance will not be contrary to the public interest based upon the fact that maintaining the required 8' rear setback would restrict vehicle maneuvering area between the existing dwelling and the proposed garage, and similar variances have been granted in older neighborhoods;**
- 2) locating the structure to meet side and rear yard setback requirements would result in diminished vehicular maneuvering area, thus resulting in an unnecessary hardship; and**
- 3) that the spirit of the chapter shall be observed and substantial justice shall be done to the applicant and the surrounding neighborhood by approving the request for reduced side and rear yard setbacks for a new accessory structure in that it would be similar to others granted in older areas of the city.**

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The approval is subject to the following conditions:

- 1) the provision of gutters and downspouts on the rear of the proposed structure;
- 2) obtaining all necessary building permits;
- 3) obtaining a Right-of-Way permit for the driveway alteration; and
- 4) 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.

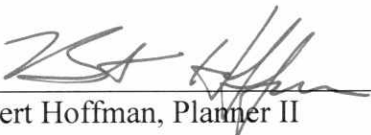
No permit, license or certification can be issued until the 15-day appeal period has expired and no appeal has been made. If a permit/license has not been obtained on or before February 3, 2016, the **Side Yard and Rear Yard Setback Variances** will expire and become null and void. For additional assistance call (251) 208-5895.

Sincerely,

BOARD OF ZONING ADJUSTMENT

William Guess, Chairman

By:


Bert Hoffman, Planner II

cc: Don Williams.

/lw