



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

* * CORRECTED * *

August 8, 2016

James F. O'Neill
1201 Marseille Drive
Mobile, AL 36693

Re: **#6043**
(Case #ZON2016-01041)
James F. O'Neill
1201 Marseille Drive
(Southeast corner of Marseille Drive and Burma Road).

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

On August 1, 2016, the Board of Zoning Adjustment considered your request for **Rear Yard Setback Variance to allow the construction of a carport within 3' of a side property line in an R-1, Single-Family Residential District; the Zoning Ordinance requires a minimum 8' side yard setback for a structure in an R-1, Single-Family Residential District** at the above referenced location.

The Board determined the following findings of fact for Approval:

- 1) Granting the variance will be not contrary to the public interest in that there are carports with similar setbacks in the neighborhood;**
- 2) Special conditions exist, including the location of the existing driveway, that makes the location of the carport elsewhere on the site impractical; and**
- 3) The spirit of the chapter shall be observed and substantial justice shall be done to the surrounding neighborhood by granting the variance for the structures since it appears that there are no other acceptable locations on the property to place the new carport.**

The Approval is subject to the following conditions:

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- 1) **Compliance with all municipal codes and ordinances; and**
- 2) **Provision of gutters and downspouts on the new construction.**

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 1, 2017, the **Setback 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, Principal Planner

cc: Haidt Land Surveying

/lr