



THE CITY OF MOBILE, ALABAMA
BOARD OF ZONING ADJUSTMENT
LETTER OF DECISION
CORRECTED
June 4, 2015

David W. & Brenda P. Strain
2174 Riverside Drive
Mobile, AL 36605

Re: #5972
(Case #ZON2015-01144)
David W. Strain, Senior
2174 Riverside Drive
(Northside of Riverside Drive, 1,000'± north of Annwood Drive).

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

On June 1, 2015, the Board of Zoning Adjustment considered your request for **Side Yard Setback Variance to allow a 2,349 square-foot addition within 6'6" of a side yard property line in an R-1, Single-Family Residential District** at the above referenced location.

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

- 1) **Granting the variance will not be contrary to the public interest in that only a small portion of the proposed addition will require a reduced side yard width, and only because of the precedent set by the existing structure;**
- 2) **Special conditions exist, including the limited property size, dimensions, shape and natural features, such 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 surrounding neighborhood by granting the variance; in maintaining the precedence established by the original structure, the risks associated with land use development at or near Dog River will be reduced.**

The approval should be subject to the following conditions:

- 1) **Provision of gutters and downspouts;**
- 2) **The acquisition of the appropriate land disturbance and building permits; and**
- 3) **Full compliance with all applicable codes and ordinances.**

David W. Strain, Senior

June 4, 2015

Page 2

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 1, 2015, the **Side Yard 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, Planner II

cc: Byrd Surveying, Inc.

/lw