



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

January 7, 2015

Gary D. E. Cowles.
457 St. Michael St.
Mobile, AL 36602

Re: **#5941**
(Case #ZON2014-02578)
Gary D.E. Cowles
464 St. Michael Street
(Northeast corner of St. Michael and N. St. Lawrence Streets).

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

On January 5, 2015, the Board of Zoning Adjustment considered your request for **Site Variance to allow a 6' high chain link fence along the front property line on a lawn frontage in the Downtown Development District** at the above referenced location.

The Board determined the following findings of fact for Approval:

- 1) **approving the variance will not be contrary to the public interest in that the fence will not cause a line of sight issue for drivers and is constructed of a Downtown Development District compliant material;**
- 2) **special conditions appear to exist, such as the dog must be contained within a high enough fence to prevent possible contact with pedestrians, 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 because the proposed fence will serve as a protective barrier for the dog and pedestrians.**

The approval is subject to the following conditions:

- 1) **submission of an after the fact building permit;**
- 2) **no screening may be added around the chain link fence that would possibly create a line of sight issue in the future; and**

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3) 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 July 5, 2015, the **Site 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

/lw