

**BOARD OF ZONING ADJUSTMENT
LETTER OF DECISION**

June 9, 2005

CORRECTED LETTER

Cellular South Real Estate, Inc.
125 S. Congress Street
Suite 1000
Jackson, MS 39201

Re: #5305
Case #ZON2005-00857)
Cellular South Real Estate, Inc. (Mobile Christian School, Owner)
5900 Cottage Hill Road
(North side of Cottage Hill Road, 160'± East of Woodhillcrest Drive)

Dear Applicant(s):

On June 6, 2005, the Board approved your request for **Use, Height, and Setback Variances to allow a 125' Flag Pole Telecommunications Tower, said tower to come within 20' from a lease parcel line**, at the above stated location subject to the following conditions:

- (1) that the flag pole hardware that deals with the flag, as well as the exterior condition of the paint, be maintained in a reasonable fashion at all times, and that the flag be kept in a respectable condition;
- (2) that there be no lighting of the flag pole from the ground;
- (3) full compliance with the landscaping and tree planting requirements of the Ordinance for the lease parcel (to be coordinated with and approved by Urban Forestry); and
- (4) that the applicant submit a Certificate of Insurance naming the City of Mobile as an additional insured.

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 6,

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2005, the Use, Height and Setback Variances will expire and become null and void. For additional assistance call (251) 208-5895.

Sincerely,

BOARD OF ZONING ADJUSTMENT

Reid Cummings, Chairman

By: /s/ Margaret Pappas, Deputy Director of Permitting & Development