

**BOARD OF ZONING ADJUSTMENT  
LETTER OF DECISION**

November 4, 2003

David M. Smithweck  
6135 Timberly Rd N  
Mobile, AL 36609

**Re: #5209**  
**(Case #ZON2003-02398)**  
**David M. & Marcia S. Smithweck**  
**6135 Timberly Road North**  
(South side of Timberly Road North, 50'± East of the terminus of Burntwood Drive)

Dear Applicant(s):

On November 3, 2003, the Board approved your request for a **Side Yard Setback Variance to allow the construction of a 10' x 10' storage shed within 5' from the side (West) property line** at the above referenced location subject to the following condition:

1. provision of gutters and downspouts.

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 May 3, 2004, the **Side Yard Setback Variance** will expire and become null and void. For additional assistance call (251) 208-5895.

Sincerely,

**BOARD OF ZONING ADJUSTMENT**  
Reid Cummings, Chairman

By: \_\_\_\_\_  
Margaret Pappas, Planner II