

**BOARD OF ZONING ADJUSTMENT  
LETTER OF DECISION**

March 2, 2004

Ernest Tacchi (M. Don Williams, III, Agent)  
151 Tuthill Lane  
Mobile, AL 36608

**Re: #5231**  
**(Case #ZON2004-00303)**  
**M. Don Williams, III (Ernest Tacchi, Owner)**  
**151 Tuthill Lane**  
**(Northwest corner of Tuthill Lane and Stein Street)**

Dear Applicant(s):

On March 1, 2004, the Board approved your request for a **Side Yard (Street) Setback Variance to allow the construction of an 18' diameter octagonal gazebo within 10' of the South (street) side property line** at the above referenced location subject to the following condition:

1. placement of Leyland Cypress trees, to screen the gazebo, to be coordinated with Urban Forestry.

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 **September 1, 2004**, the **Side Yard (Street) 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: \_\_\_\_\_  
Frank Palombo, Planner I