

**BOARD OF ZONING ADJUSTMENT  
LETTER OF DECISION**

November 3, 2004

Roy & Rebecca C. Burns  
Cecil & Susan Gardner  
1160 Church Street  
Mobile, AL 36604

**Re: #5270**  
**(Case #ZON2004-02060)**  
**Roy & Rebecca C. Burns and Cecil & Susan Gardner (Owners)**  
**1160 Church Street & Lot 1 of Cloister Subdivision**  
(Northeast corner of Church Street and Rapier Avenue, extending 177'± along Rapier Avenue)

Dear Applicant:

On November 1, 2004, the Board approved your request for **Front Yard and Side Yard Variances to allow the construction of a 6' solid wooden fence on the front property line (Lot 1 of Cloister Subdivision) and side property line (1160 Church Street) along Rapier Avenue** at the above referenced location, subject to the following conditions:

- (1) approval from the Architectural Review Board prior to the issuance of any permits;  
and
- (2) the fence location to be approved by the Traffic Engineering Department.

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.

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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 April 5, 2005, the Parking Ratio Variance 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, Planner II