

**BOARD OF ZONING ADJUSTMENT
LETTER OF DECISION**

February 3, 2009

Derrick Marks
77 North Sage Avenue
Mobile, Alabama 36607

Re: #5523
(Case #ZON2009-00017)
Derek Marks
77 North Sage Avenue
West side of North Sage Avenue, 120' ± North of Heather Street.

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

On February 2, 2009, the Board approved your request for **Protection Buffer Variance to allow a 5' protection buffer from adjoining residentially zoned property in a B-1, Buffer Business District (rezoning pending)** at the above referenced location subject to the following conditions:

- 1) **approval of a rezoning by the City Council;**
- 2) **movement of the existing shed to meet the 10' buffer setback;**
- 3) **future development shall comply with Section 64-4.D.1 of the Zoning Ordinance;**
- 4) **submission of a revised site plan to the Planning Section of Urban Development prior to the issuance of any permits;**
- 5) **the site be brought into compliance with landscaping and tree planting, as required by Section 64-4.E.3 of the Zoning Ordinance; and**
- 6) **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.

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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 August 2, 2009, the **Protection Buffer 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 II

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