

**BOARD OF ZONING ADJUSTMENT  
LETTER OF DECISION**

April 7, 2009

Ben Cummings  
One Houston Street  
Mobile, Alabama 36606

**Re: #5530/5420  
(Case #ZON2009-00786)**

**Ben Cummings**

**2325 Boykin Boulevard**

South side of Boykin Boulevard, 200'± East of Alba Club Road.

**Use Variance to allow a shelter for women and children in an R-1, Single-Family Residential District; the Zoning Ordinance requires a minimum R-3, Multi-Family Residential District for a shelter for women and children.**

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

At its meeting on April 6, 2009, the Board of Zoning Adjustment approved you request for an **Use Variance to allow a shelter for women and children in an R-1, Single-Family Residential District; the Zoning Ordinance requires a minimum R-3, Multi-Family Residential District for a shelter for women and children** subject to the following conditions:

- 1) compliance with the landscaping and tree planting requirements as indicated on the site plan, with the addition of a buffer planting strip or privacy fence within approximately the front 50' along the drainage ditch on the West side of the property, to be coordinated with Urban Forestry;**
- 2) installation of a frontage sidewalk, or the approval of a sidewalk waiver application by the Planning Commission; and**
- 3) full compliance with all 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.

**Ben Cummings**

**April 7, 2009**

**Page 2**

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 October 6, 2009, the **Use Variance** will expire and become null and void. For additional assistance call (251) 208-5895.

If you have any questions regarding this action, please call this office at 251/208-5895.

Sincerely,

**BOARD OF ZONING ADJUSTMENT**

Reid Cummings, Chairman

By: \_\_\_\_\_

Frank Palombo

Planner II

tg