

**BOARD OF ZONING ADJUSTMENT  
LETTER OF DECISION**

August 4, 2009

James David Brister  
64 Bienville Avenue  
Mobile, AL 36606

**Re: #5538  
(Case #ZON2009-01310)**

**James David Brister**

**64 Bienville Avenue**

Northwest corner of Bienville Avenue and Conti Street.

**Rear Setback Variance to allow the construction of stairs 0.1' from the rear property line for access to a legal nonconforming garage apartment in an R-1, Single-Family Residential District.**

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

At its meeting on August 3, 2009, the Board of Zoning Adjustment approved your request for a **Rear Setback Variance to allow the construction of stairs 0.1' from the rear property line for access to a legal nonconforming garage apartment in an R-1, Single-Family Residential District** at the above referenced location, subject to the following conditions:

- 1) obtaining of an after-the-fact building permit for the stairs; and**
- 2) submission and approval of nonconforming documentation if the garage apartment is to be used as a dwelling unit.**

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 February 3, 2010, the **Rear Setback Variance** will expire and become null and void. For additional assistance call (251) 208-5895.

**James David Brister**

**August 4, 2009**

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

Sincerely,

**BOARD OF ZONING ADJUSTMENT**

William Guess, Vice-Chairman

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

Caldwell Whistler

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