

**BOARD OF ZONING ADJUSTMENT
LETTER OF DECISION**

October 6, 2009

Douglas Kearley
262 S. Broad St.
Mobile, AL 36603

Re: #5570
(Case #ZON2009-02332)
Douglas Kearley
262 South Broad Street
Northwest corner of South Broad Street and Augusta Street

Dear Applicants/Property Owners:

On October 5, 2009, the Board of Zoning Adjustment approved your request for **Rear Yard Setback Variance for an accessory structure within 3' of the rear property line in an R-1, Single-Family Residential District; the Zoning Ordinance requires an 8' rear yard setback in an R-1, Single-Family Residential District** at the above referenced location, subject to the following conditions:

- 1) **the provision of gutters and downspouts along the rear of the shed;**
- 2) **approval by the Architectural Review Board;**
- 3) **obtaining of a Tree Removal Permit from Urban Forestry for the Live Oak currently located in the area of the proposed shed;**
- 4) **the planting of a 3-inch minimum at DBH Live Oak Tree as a replacement for the removal of the existing Live Oak Tree; and,**
- 5) **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.

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 6, 2010,

the **Rear Yard 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 II

jsl