

**BOARD OF ZONING ADJUSTMENT
LETTER OF DECISION**

September 13, 006

T – Mobile
Messina & Harris, Inc.
68 St. Francis Street
Mobile, AL 36602

RE: #5368
(Case #ZON2006-01328)
T-Mobile (Messina & Harris, Inc., Owner)
South side of Government Street, 95'± East of Park Terrace

Dear Applicant(s) / Owner(s):

On September 11, 2006 the Board approved your request for **Height, Setback, and Buffer Separation Variances to allow the construction of a 70' Monopole Telecommunications Tower, setback 6.89' from a lease parcel line, and 6.89' from residentially zoned property** at the above referenced location, subject to the following conditions:

- 1) the tower be relocated to the West side of the compound, exact location to be coordinated with the Architectural Review Board;
- 2) the tower not be illuminated;
- 3) the tower be painted in a color to be coordinated with the Architectural Review Board;
- 4) compliance with the Certificate of Appropriateness granted by the Architectural Review Board; and
- 5) 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.

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 **March 11,**

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2007, the Height, Setback, and Buffer Separation Variances will expire and become null and void. For additional assistance call (251) 208-5895.

Sincerely,

BOARD OF ZONING ADJUSTMENT

Stephen J. Davitt, Jr., Vice-Chairman

By: _____
Margaret Pappas
Deputy Director of Permitting and Development
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