

**BOARD OF ZONING ADJUSTMENT
LETTER OF DECISION**

January 11, 2005

Foresite LLC
22 Inverness Center Parkway, Suite 500
Birmingham, AL 35242

Re: #5283
(Case #ZON2004-02331)
Foresite LLC (Mobile County School Board, Owners)
(South side of Girby Road, ½ mile± East of Hillcrest Road)

Dear Applicant(s):

On January 10, 2005, the Board approved your request for **Use, Height, Setback, and Separation Buffer Variances to allow the construction of a 160' Monopole Communication Tower in a R-1, Single-Family Residential District** at the above referenced location subject to the following conditions:

1. full compliance with the landscaping and tree planting requirements of the Ordinance
for the lease parcel (to be coordinated with and approved by Urban Forestry);
2. that the applicant submit a Certificate of Insurance naming the City of Mobile as an additional insured;
3. that the top of the pole be lighted; and
4. that the pole be engineered and built so that a stress point is 50' from the top.

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 July 10, 2005, the **Use, Height, Setback, and Separation Buffer Variances** will expire and become null and void. For additional assistance call (251) 208-5895.

Sincerely,

BOARD OF ZONING ADJUSTMENT
Reid Cummings, Chairman

By: /s/ Margaret Pappas, Planner II