



THE CITY OF MOBILE, ALABAMA
BOARD OF ZONING ADJUSTMENT
LETTER OF DECISION

August 14, 2019

New Hope Baptist Church
1272 Pecan Street
Mobile, AL 36603

Re: #6267/6113/5895/5797/5726
(Case #BOA-000952-2019)

New Hope Baptist Church

**1270 & 1272 Pecan Street, 605 & 608 Live Oak Street, 1257, 1259, 1261 & 1263
Persimmon Street**

(Northeast corner of Pecan Street and Live Oak Street extending to the Southeast corner of Live Oak Street and Persimmon Street; and West side of Live Oak Street, 120'± South of Persimmon Street.)

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

On August 5, 2019, the Board of Zoning Adjustment considered your request for a **Tree Planting Variance to amend a previously approved Tree Planting Variance to reduce the number of frontage heritage trees required for a church in an R-2, Two-Family Residence District** at the above referenced location.

After discussion, the Board determined the following findings of fact for Approval:

- 1) **Granting the variance will not be contrary to the public interest because the request meets the Right Tree Right Place criteria;**
- 2) **Special conditions and hardships do exist in such a way that a literal enforcement of the provisions of the chapter will result in an unnecessary hardship and the overplanting of trees; and**
- 3) **The spirit of the chapter shall be observed and substantial justice shall be done to the surrounding neighborhood by granting the variance because the request will result in long-term health of the proposed trees.**

The Approval is subject to the following conditions:

- 1) **Limited to the tree planting plan as submitted;**
- 2) **Donation of \$ 5,000.00 to the Mobile Tree Commission; and**
- 3) **Full compliance with all other municipal codes and ordinances.**

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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.

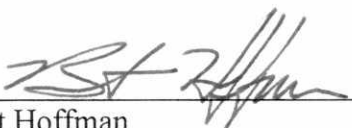
No permit, license or certification can be issued until the 15-day appeal period has expired and no appeal has been made. If a permit/license has not been obtained on or before February 5, 2020, the **Tree Planting Variance** will expire and become null and void. For additional assistance call (251) 208-5895.

Sincerely,

BOARD OF ZONING ADJUSTMENT

William Guess, Chairman

By:


Bert Hoffman
Principal Planner

Cc: Arthur E. Caffey