



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

October 11, 2019

**McDonald, James and Beth**  
**4350 the Cedars**  
**Mobile, AL 36608**

**Re: #6286**  
**(Case #BOA-001057-2019)**  
**James McDonald**  
**4350 The Cedars**  
**(North side of The Cedars, 428'± West of Dilston Lane)**

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

On October 7, 2019, the Board of Zoning Adjustment considered your request for a **Setback Variance to allow an addition to an existing dwelling with reduced side yard setbacks in an R-1, Single Family Residential 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 in that, similar variances have been approved on nearby properties;**
- 2) **Special conditions were illustrated such that the literal enforcement of the provisions of the chapter will result in an unnecessary hardship; 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 is in line with similar requests that have been approved within the neighborhood.**

**The Approval is subject to the following conditions:**

- 1) **provision of gutters and downspouts; and**
- 2) **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.

**James McDonald**

**October 11, 2019**

**Page 2 of 2**

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 7, 2020, the **Setback 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: Erdman Surveying  
Barton & Shumer Engineering, LLC  
Lucy Barr Designs