



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

May 13, 2019

Bibb & Rosa Lamar  
3950 Old Shell Road  
Mobile, AL 36608

**Re: #6257**  
**(Case #BOA-000893-2019)**  
**Smith, Clark, & Associates, LLC**  
**3950 Old Shell Road**  
(Northwest corner of Old Shell Road and Provident Lane)

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

On May 6, 2019, the Board of Zoning Adjustment considered your request for a **Setback Variance to allow the construction of a garage with reduced side and rear yard setbacks in an R-1, Single Family Residential District** at the above referenced location.

**After discussion, the Board determined the following findings of facts for Approval of the request:**

- 1) **Approving the variance will not be contrary to the public interest in that it would be in similar to other sites within the area that have been approved for reduced yard setbacks;**
- 2) **Special conditions and hardships exists in such a way that a 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 it would be in keeping with the characteristics of the surrounding area.**

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

- 1) **Obtain all proper permits;**
- 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

Smith, Clark & Associates, LLC

May 6, 2019

Page 2 of 2

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 November 6, 2019, 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: Smith, Clark & Associates, LLC