



THE CITY OF MOBILE, ALABAMA

BOARD OF ZONING ADJUSTMENT

LETTER OF DECISION

December 6, 2024

Austin & Sarah Katheryn Wittner
5112 Geoffrey Drive
Mobile AL 36693

RE: 6640
BOA-003143-2024
7290 Howells Ferry Road
Austin Wittner
District 7

Use Variance to allow the construction of a pole barn/shop without a primary dwelling in an R-1, Single-Family Residential Suburban District; the Unified Development Code (UDC) requires a primary dwelling prior to the allowance of accessory structures in an R-1, Single Family Residential Suburban District.

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

On December 2, 2024, the Board of Zoning Adjustment considered your request for a Use Variance to allow the construction of a pole barn/shop without a primary dwelling in an R-1, Single-Family Residential Suburban District; the Unified Development Code (UDC) requires a primary dwelling prior to the allowance of accessory structures in an R-1, Single Family Residential Suburban District.

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

- A) The variance **will not** be contrary to the public interest;
- B) Special conditions **exist** such that a literal enforcement of the provisions of the chapter **will** result in unnecessary hardship; and
- C) The spirit of the chapter **shall be** observed and substantial justice **done** to the applicant and the surrounding neighborhood by granting the variance.

The approval for one year is subject to the following conditions:

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1. Revision of the site plan to show the proposed structure drawn to scale and dimensioned to scale off the property lines and approved by Planning and Zoning prior to the issuance of any permits for construction;
2. Completion of the Subdivision process;
3. Obtaining a building permit for a primary residence within one (1) year of the Board's approval; and
4. Full compliance with all municipal codes and ordinances.

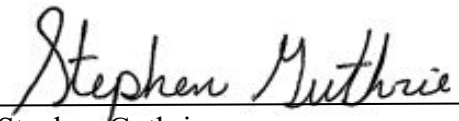
No permit, license or certification can be issued until the 15-day appeal period has expired and no appeal has been made. If a permit/license has not been obtained on or before June 2, 2025, the variance will expire and become null and void.

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.

For further assistance, please call 251-208-5895.

Sincerely,

BOARD OF ZONING ADJUSTMENT
William Guess, Chairman

By: 
Stephen Guthrie
Deputy Director of Planning and Zoning