

**BOARD OF ZONING ADJUSTMENT
LETTER OF DECISION**

May 4, 2004

Eliska Wireless Ventures I, Inc. (T-Mobile)
851 East I-65 Service Road South
Suite 804
Mobile, AL 36606

Re: #5234

(Case #ZON2004-00548)

Eliska Wireless Ventures I, Inc. (T-Mobile), (David Wilkins, Agent)

South side of Osage Street, 180'± East of Dr. Martin Luther King, Jr. Avenue.

Dear Applicant(s):

On May 3, 2004, the Board approved your request for **Height, Setback, and Buffer Separation Variances to allow a 150' monopole Telecommunications Tower, setback 25' from a lease parcel line, and 152' from residentially zoned property** at the above referenced location subject to the following conditions:

- 1) completion of the subdivision process prior to the issuance of any permits;
- 2) the entire lot (Lot 2) be brought into full compliance with landscaping, tree planting and sidewalk requirements; and
- 3) full compliance with all municipal codes and ordinances, including but not limited to the Telecommunications Towers and Facilities Ordinance.

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.

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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 5, 2004**, the **Height, Setback, and Buffer Separation Variances** will expire and become null and void. For additional assistance call (251) 208-5895.

Sincerely,

BOARD OF ZONING ADJUSTMENT

Reid Cummings, Chairman

By:

Margaret Pappas, Planner II

/rm