



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

July 9, 2014

Donald and Sabina Hinton
5350 Todd Boulevard
Mobile, AL 36619

Re: #5897
(Case #ZON2014-01120)
Donald and Sabina Hinton
5350 Todd Boulevard

(West side of Todd Boulevard, 550'± North of the terminus of Todd Boulevard).

Side Setback Variances to allow a shed within 6'± of the side property line, and a shed within .75'± of the side property line on a 100'± wide lot in an R-1, Single-Family Residential District; the Zoning Ordinance requires a minimum of an 8' side yard setback on a 100'± wide lot in an R-1, Single-Family Residential District.

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

On July 7, 2014, the Board of Zoning Adjustment considered your request for **Side Setback Variances to allow a shed within 6'± of the side property line, and a shed within .75'± of the side property line on a 100'± wide lot in an R-1, Single-Family Residential District** at the above referenced location.

After discussion, the Board denied the request, finding that:

- 1) Approving the variance will be contrary to the public interest in that the approval of the variance will be contrary to Section 64-3.C.1.e. of the Zoning Ordinance regarding setbacks within an R-1, Single-Family Residential zoning district;
- 2) Although special conditions exist, such as a hardship to the property due to the lot's proximity to a canal and location within a flood zone, a literal enforcement of the provisions of the chapter will not appear to result in an unnecessary hardship; and
- 3) The spirit of the chapter shall not be observed and substantial justice shall not be done to the surrounding neighborhood by granting the variance for the unpermitted shed since there may be other areas on the property which may be appropriate for the shed that would meet all setback requirements in upholding the spirit of Section 64-3.C.1.e. of the Zoning Ordinance.

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Therefore, the shed should be removed and relocated to a compliant location, with the appropriate building permits.

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.

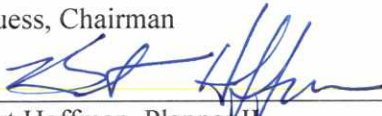
For additional assistance call (251) 208-5895.

Sincerely,

BOARD OF ZONING ADJUSTMENT

William Guess, Chairman

By:


Bert Hoffman, Planner II

cc: Polysurveying of Mobile, Inc.

/lw