



THE CITY OF MOBILE, ALABAMA

BOARD OF ZONING ADJUSTMENT

LETTER OF DECISION

August 4, 2021

Chelsea McCormick
52 Westwood Street
Mobile, AL 36606

Re: #6385
(Case #BOA-001599-2021)
Chelsea McCormick
52 Westwood Street
(West side of Westwood Street, 20'± South of the West terminus of Homewood Street).

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

On August 2, 2021, the Board of Zoning Adjustment considered your request for a **Use Variance to allow a home occupation catering/charcuterie business to operate in a detached building in an R-1, Single-Family Residential District; the Zoning Ordinance does not allow a catering/charcuterie business as a home occupation, and home occupations cannot operate in a detached building in an R-1, Single-Family Residential District.**

After discussion, the Board determined the following Findings of Fact for Denial for the Use Variance:

- 1) The variance will be contrary to the public interest, as the applicant could operate a compliant home occupation in the primary residence;**
- 2) Special conditions do not appear to exist, such that a literal enforcement of the provisions of the chapter will result in unnecessary hardship; and**
- 3) The spirit of the chapter shall not be observed, and substantial justice shall not be done to the applicant and the surrounding neighborhood by granting the requested variance, as there may be less than desirable impacts on neighboring residents, and the business is not in compliance with Mobile County Health Department requirements and City of Mobile Building Codes.**

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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For additional assistance call (251) 208-5895.

Sincerely,

BOARD OF ZONING ADJUSTMENT

William Guess, Chairman

By: Marie York
Marie York, Principal Planner