



THE CITY OF MOBILE, ALABAMA

BOARD OF ZONING ADJUSTMENT

LETTER OF DECISION

June 9, 2023

Shawn Kleinpeter  
4218 Bellevue Lane  
Mobile, Alabama 36608

**Re: #6511**  
**BOA-002443-2023**  
**4218 Bellevue Lane**  
**Shawn Kleinpeter**  
District 5

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

On June 5, 2023, the Board of Zoning Adjustment considered your request for a **Front Yard Setback Variance to allow an eight-foot (8') high wall along the front property line and within the 25-foot front yard setback in an R-1, Single-Family Residential Suburban District; the Unified Development Code (UDC) requires a 25-foot front yard setback in an R-1, Single-Family Residential Suburban District.**

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

- 1) **The variance will not be contrary to the public interest, as there will be no changes as it relates to the existing curb cuts;**
- 2) **Special conditions 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 be observed, and substantial justice done to the applicant and the surrounding neighborhood by granting the variance.**

The variance approval is subject to the following conditions:

- 1) **The proposed wall shall be no closer to the front property line than 15-feet;**
- 2) **The maximum height of the proposed wall shall not exceed seven feet (7'), with an additional eight-inch (8") allowance for the columns; and**
- 3) **As the wall extends along the side property lines it is to be reduced in height from seven-feet (7') in the first one-third (1/3) of the site, to six-feet (6') in the second one-third (1/3) of the site, to four-feet (4') in the third, one-third (1/3) of the site.**

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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.

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 **December 5, 2023**, the variance will expire and become null and void. For further assistance, please call 251-208-5895.

Sincerely,

**BOARD OF ZONING ADJUSTMENT**

William Guess, Chairman

By:   
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Margaret Pappas  
Deputy Director of Planning and Zoning