



THE CITY OF MOBILE, ALABAMA

BOARD OF ZONING ADJUSTMENT

LETTER OF DECISION

November 8, 2023

Zeke Hudson  
Rowe Engineering & Surveying  
3502 Laughlin Drive  
Suite B  
Mobile, Alabama 36693

Re: #6550  
BOA-002670-2023  
6109 Howells Ferry Road  
Claude & Melody Hall (Zeke Hudson, Rowe Surveying, Agent)  
District 7

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

On November 6, 2023, the Board of Zoning Adjustment considered your request for a Use Variance to allow a commercial daycare to operate in a R-1, Single-Family Residential Suburban District; the Unified Development Code (UDC) does not allow commercial daycares to operate in a R-1, Single-Family Residential Suburban District.

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

- 1) The variance will not be contrary to the public interest;
- 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 approval is subject to the following conditions:

- 1) Submission and approval of a Major Modification to the previously approved Planned Unit Development.

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

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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 May 6, 2024, 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