



THE CITY OF MOBILE, ALABAMA
BOARD OF ZONING ADJUSTMENT

LETTER OF DECISION

October 4, 2017

Donald Scholebo
6991 Nicklaus Drive North
Mobile, AL 36618

Re: #6131
(Case #BOA-000229-2017)
Donald E. Scholebo
1558 & 1560 West Avenue
(Northeast corner of West Avenue and Adler Avenue).

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

On October 2, 2017, the Board of Zoning Adjustment considered your request for **Use, Front and Rear Yard Setback Variances to allow a duplex within 13' of the front property line and 6.1' from the rear property line in an R-1 Single-Family Residential District** at the above referenced location.

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

- 1) Granting the Variances will not be contrary to the public interest, since the structure was built as a duplex in the mid-1930s, and only ceased use as a duplex in 2001, and since no changes are proposed to the structure that would result in any changes to the existing setbacks;**
- 2) Special conditions associated with the site exist, including the fact that the structure was built as a duplex, and has been in existence with the same building footprint since construction in the mid-1930s, such that a literal enforcement of the provision of the chapter will result in an unnecessary hardship; and,**
- 3) The spirit of the chapter shall be observed and substantial justice done to the surrounding neighborhood by granting the Variances, since the structure and use as a duplex would reflect the original use of the structure when it was built in the mid-1930s, and no exterior changes will be made that will change the existing character of the neighborhood.**

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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 April 2, 2018, the **Use, Front and Rear Yard Setback Variances** will expire and become null and void. For additional assistance call (251) 208-5895.

Sincerely,

BOARD OF ZONING ADJUSTMENT

William Guess, Chairman

By:


Bert Hoffman
Principal Planner

cc: Gary Bretney
Polysurveying & Engineering