



THE CITY OF MOBILE, ALABAMA

BOARD OF ZONING ADJUSTMENT

LETTER OF DECISION

February 14, 2022

Tonique Burns
870 Carleton Avenue
Mobile, Alabama 36606

Re: #6441
(Case #BOA-001916-2021)
Tonique Burns
870 Carleton Avenue
(North side of Carleton Avenue at the North terminus of Wright Street).

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

On February 7, 2022, the Board of Zoning Adjustment considered your request for a **Use Variance to allow a maximum of ten (10) children in a home-based child day care business in an R-1, Single-Family Residential District; the Zoning Ordinance does not allow more than six (6) children in a home-based child day care business in an R-1, Single-Family Residential District.**

After discussion, the Board determined the following Findings of Fact for Approval:

- 1) Approving the variance will not be contrary to the public interest;**
- 2) Special conditions were illustrated such that a literal enforcement of the provisions of the chapter will result in an unnecessary hardship; and**
- 3) The spirit of the chapter shall be observed, and substantial justice shall be done to the surrounding neighborhood by granting the variance.**

The approval is subject to the following conditions:

- 1) Compliance with all requirements of the Alabama Department of Human Resources for daycare facilities with 12 children;**
- 2) Compliance with all Fire requirements for daycare facilities with 12 children; and**
- 3) Full compliance with all other municipal codes and ordinances.**

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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 **August 7, 2022**, the variance will expire and become null and void.

For additional assistance call (251) 208-5895.

Sincerely,

BOARD OF ZONING ADJUSTMENT

William Guess, Chairman

By: Marie York
Marie York, Principal Planner