



THE CITY OF MOBILE, ALABAMA

BOARD OF ZONING ADJUSTMENT

LETTER OF DECISION

August 11, 2020

The Fernbank Apartments, LLC  
PO Box 850742  
Mobile, AL. 36685

**Re: #6335/6243/5603**  
**(Case #BOA-001318-2020)**  
**The Fernbank Apartments, LLC**  
**1400 Church Street**  
(Northwest corner of Church Street and Everett Street)  
Council District 2

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

On August 3, 2020, the Board of Zoning Adjustment considered your request for a **Use Variance to allow an apartment building in an R-1, Single-Family Residential District; the Zoning Ordinance does not allow an apartment building 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 in that the use would be consistent with the originally-intended and past use of the property;**
- 2) Special conditions were illustrated such that the 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 because the use would be compatible to the site's original development and previous use.**

**The approval is subject to the following conditions:**

- 1) use is limited to 6 dwelling units;**
- 2) full compliance with all municipal codes and ordinances.**

**The Fernbeck Apartments, LLC**

**August 11, 2020**

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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 February 3, 2021, the variance will expire and become null and void.**

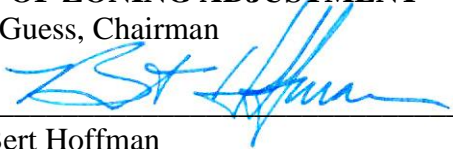
For additional assistance call (251) 208-5895.

Sincerely,

**BOARD OF ZONING ADJUSTMENT**

William Guess, Chairman

By: \_\_\_\_\_

  
Bert Hoffman  
Principal Planner

cc: Joseph P. Vegiacich