



THE CITY OF MOBILE, ALABAMA

BOARD OF ZONING ADJUSTMENT

LETTER OF DECISION

January 12, 2022

Levy Seals
2595 Katheryn Court
Semmes, Alabama 36575

Re: #6440
(Case #BOA-001903-2021)
L & A Investments, LLC (Levy Seals, Agent)
345, 347, 349, 351, 353, 355, 357, 359, 361, 363, 365, 367, 369 and 371 West Highland Avenue
(East side of West Highland Avenue, 332'± South of Conception Street Road).

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

On January 10, 2022, the Board of Zoning Adjustment considered your request for a Use, **Multiple Dwellings and Surface Variances to allow multi-family residential use, with multiple dwellings on a single site and grass parking surfaces in an R-1, Single-Family Residential District**; the Zoning Ordinance allows only single-family residential use, with only one dwelling per site, and requires paving with asphalt, concrete, or an approved alternative paving surface for multi-family residential use in an R-1, Single-Family Residential District.

The Board finds the following Findings of Fact for Approval:

- 1) approving the variance will not be contrary to the public interest;**
- 2) special conditions do exist in such a way that a literal enforcement of the provisions of the chapter will result in an unnecessary hardship in that the dwellings have existed in their current locations since the 1960s; 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) the provision of aggregate surfacing for off-street parking for each dwelling;**
- 2) confirmation that the site plan submitted is an accurate depiction of the site; and**
- 3) full compliance with all 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 **July 10, 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