



THE CITY OF MOBILE, ALABAMA
BOARD OF ZONING ADJUSTMENT
LETTER OF DECISION

April 10, 2014

Kenneth Ohanlon
50 Mohawk Street
Mobile, AL 36606

**Re: #5888
(ZON2014-00513)
Kenneth Ohanlon
50 Mohawk Street
(Southwest corner of Mohawk Street and Homewood Street)
**Use Variance to allow a duplex (R-2, Two-Family Residential) use in an R-1,
Single-Family Residential District****

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

On April 7, 2014, the Board of Zoning Adjustment considered your request for **Use Variance to allow a duplex (R-2, Two-Family Residential) use in an R-1, Single-Family Residential District** at the above referenced location.

After discussion, the Board denied the request, finding that:

- 1) the subject of the use variance, the residence, has been demolished;
- 2) the variance cannot be considered with questions of ownership unresolved;
- 3) approving the variance request will be contrary to the public interest in that it is contrary to Section 64-3.C.1. of the Zoning Regulations in that R-1, Single-Family Residential Districts are intended to consist primarily of single-family residences;
- 4) special conditions such as the site is unusable as a conforming, single-family residence, aside from economics, do not exist such that a literal enforcement of the provisions of the chapter will result in an unnecessary hardship; and
- 5) the spirit of the chapter shall not be observed and substantial justice shall not be done to the surrounding neighborhood by granting the variance because none of the nearby multiplexes have been granted approval from the Board of Zoning Adjustment or Planning Commission, and should phase out eventually.

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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.

For additional assistance call (251) 208-5895.

Sincerely,

BOARD OF ZONING ADJUSTMENT

William Guess, Chairman

By:


Bert Hoffman, Planner II

cc: Automotive Computer Management

/lw