



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

****CORRECTED****

October 7, 2016

PHX Investment Group LLC
4358 Old Shell Road
Mobile, AL 36608

Re: **#6058**
(Case #ZON2016-01776)
PHX Investments Group LLC (Demetrius Moore, Agent)
North side of Sussex Drive, 95'± East of Center Drive

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

On October 3, 2016, the Board of Zoning Adjustment considered your request for a **Site Variance to allow construction of a three family dwelling on a 9,130 square foot lot in an R-2, Two-Family Residence District; the Zoning Ordinance requires a minimum of a 9,500 square foot lot in an R-3, Multiple Family District for the construction of a three family dwelling** at the above referenced location.

After discussion, the board determined the following findings of fact for Denial:

- 1) Granting the variance will be contrary to the public interest due to the single-family and two-family character of the surrounding neighborhood;**
- 2) Special conditions do not exist in such a way that a literal enforcement of the provisions of the chapter will result in an unnecessary hardship due to the fact that the lot may be developed for uses appropriate within an R-2, Two-Family Residence District; and**
- 3) The spirit of the chapter shall not be observed and substantial justice shall not be done to the surrounding neighborhood by granting the variance since evidence of the intended character of the neighborhood does not suggest use of the property as an R-3, Multiple-Family Residence District, would be appropriate.**

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

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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.

Sincerely,

BOARD OF ZONING ADJUSTMENT

William Guess, Chairman

By:


Bert Hoffman, Principal Planner

cc: Haidt Land Surveying

/lr