



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

September 15, 2018

Tarldon Holdings, LLC
P.O. Box 9365
Mobile, AL 36691

Re: #6206
(Case #BOA-000634-2018)
Tarldon Holdings, LLC
363 Rapier Avenue
(Northeast corner of Rapier Avenue and Texas Street).

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

On September 10, 2018, the Board of Zoning Adjustment considered your request for a **Use Variance to allow a duplex in an R-1, Single-Family Residential District** at the above referenced location.

After discussion, the Board determined the following findings of fact for Approval:

- 1) **allowing the dwelling to be used as a dwelling would not be contrary to the public interests due to the sites prior use as a duplex, and the prevalence of other duplexes in the area;**
- 2) **that special conditions do exist in preventing the site from complying with side yard setback requirements in such a way that a literal enforcement of the provisions of the chapter will result in an unnecessary hardship, as the dwelling was constructed as a duplex and has never been utilized as a single-family residence; and,**
- 3) **that the spirit of the chapter shall be observed and substantial justice shall be done to the surrounding neighborhood by granting the variance because duplexes are not uncommon in the area.**

The approval is subject to the following conditions:

- 1) **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 March 10, 2019, the **Side Yard Setback 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