



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

December 10, 2018

Sara W. Kindt
Sunshine Sue's Playgarden
1119 Dauphin Street
Mobile, AL 36604

Re: #6230
(Case #BOA-000766-2018)
Sunshine Sue's Playgarden Sara W. Kindt, Owner
2200 Dauphin Street
(North side of Dauphin Street at the North terminus of Crenshaw Street).

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

On December 3, 2018, the Board of Zoning Adjustment considered your request for a **Use, Residential Buffer, Tree Planting, Access and Maneuvering and Surfacing Variances to allow a children's activity center and a daycare in an R-1, Single-Family Residential District, reduced height residential buffer, reduced tree plantings, substandard access and maneuvering areas and gravel surfacing** at the above referenced location.

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

- 1) The variance will be contrary to the public interest, in that it will allow for the establishment of a commercial use within a single-family residential area;**
- 2) Special conditions do not exist such that a literal enforcement of the provisions of the chapter will result in unnecessary hardship, as the structure and the property can still be used as a single-family residence; and**
- 3) The spirit of the chapter shall not be observed and substantial justice shall not be done to the applicant and the surrounding neighborhood by granting the variance, as granting the variance would establish precedence for other residential properties within the vicinity to be considered for commercial uses.**

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

Sara W. Kindt
Sunshine Sue's Playgarden
December 10, 2018
Page 2 of 2

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: _____


Margaret Pappas
Director of Planning and Zoning

Cc: Mark Stafford
Andrew Dooley Design Associates