



The City of Spartanburg Board of Zoning Appeals

AGENDA

October 14, 2025, at 5:15 P.M.

**Spartanburg County Council Chambers
366 N. Church Street – Spartanburg, SC 29303**

(Please Note: Items as they appear on the Docket may or may not be considered in the order as they are presented. The Chairman will announce any changes after the roll call)

- I. Call To Order.**
- II. Roll Call.**
- III. Freedom of Information Act Compliance** – Public notice of the Board of Zoning Appeals meeting has been published, posted, and mailed in compliance with the Freedom of Information Act and the requirements of the City of Spartanburg Zoning Ordinance.
- IV. Rules and Procedures for Meeting Conduct.**
- V. Approval of Agenda.**
- VI. Disposition of Meeting Minutes from September 9, 2025.**
- VII. Old Business:** None.
- VIII. New Business:**
 - 1. VAR – 25-00200007 – The City of Spartanburg’s Board of Zoning Appeals has received a Variance request to permit a prefabricated home on the property located at 199 Bon Aire Ave (TMS: 7-08-13-070.00) with a zoning designation of R-8 (General Residential District). **Owner: Champion Investment Corp; Applicant: Charles Habisreutinger**
- IX. Staff Announcements.** ACOG training update.
- X. Adjournment.**

For more information, please contact the City of Spartanburg Planning Department at planning@cityofspartanburg.org or call (864) 596-2068.

**Meeting Minutes of the Board of Zoning Appeals
Tuesday, September 9, 2025, at 5:15 PM
Spartanburg County Council Chambers**

The Board of Zoning Appeals met in Spartanburg County Council Chambers on Tuesday, September 9, 2025, at 5:15PM with the following members in attendance **Don Bramblett, McKay Moore, Brandon Harris, and John Moore**. Representing the Planning Department is **Fredalyn Frasier, Planning Director, Nan Zhou, Planner II**.

Roll Call:

Mr. Harris: Brandon Harris

Mr. Bramblett: Don Bramblett

Ms. Moore: McKay Moore

Mr. Moore: John Moore

Mr. Matz: Public notification of the City of Spartanburg Board of Zoning Appeals meeting has been published, posted, and mailed in compliance with the Freedom of Information Act and the requirements of the City of Spartanburg Zoning Ordinance.

Approval of Agenda:

A motion was made by Mr. Bramblett, seconded Mr. Moore, to approve the agenda. The motion was approved with a vote of 4-0.

Approval of Meeting Minutes from June 10, 2025.

A motion was made by Mr. Moore, seconded Mr. Bramblett, to approve the meeting minutes with modifications. The motion was approved with a vote of 4-0.

Old Business: None.

New Business:

VAR – 25-00200005 – The City of Spartanburg’s Board of Zoning Appeals has received a Variance request for the property located at 656 Boyd St. for a proposed garage side setback reduction (TMS: 7-12-16-192.00); with a zoning designation of R-8/SFD (Single Family Residential District). Owner/Applicant: David and Lauren Hill.

Project Description and History

Project Description and History

The project site is an approximately 8,140 square feet lot with a zoning designation of R-8 SFD, General Residential Single Family District. The project site abuts Boyd Street to the south boundary and an alley to the north boundary. The surrounding properties of the project site all have a zoning designation of R-8 SFD, General Residential Single Family District.

The applicant proposes to construct a two-story car garage in the rear yard on a concrete pad poured by the contractor. The concrete pad was poured approximately six (6) inches closer to the property line, encroaching six (6) inches into the setback requirement (5 feet) for accessory structures in residential areas per the current City of Spartanburg Zoning Ordinance.

Analysis

Zoning Ordinance Consistency

The project site has a zone designation of **R-8 SFD, General Residential Single Family District**. Section 302.3 R-8 Single Family District of the City of Spartanburg Zoning Ordinance allows Residential, Single Family dwellings.

A Variance may be granted by the Board of Zoning Appeals to the minimum setback standards required in the Ordinance. Variances may only be granted in the instances listed in Section 603.4. Section 603.4 lists nine instances from which the Board may grant a Variance. Of these nine, one is applicable to this request:

Section 603.4 (5): To permit the reduction of any required setback being in compliance with all applicable Building and Fire Codes and subject to review by the Building Official.

The Board *must utilize* **Section 603.3(A)(2)** and determine if the proposal meets all the criteria for approval. To hear and decide appeals for Variance from the requirements of the Zoning Ordinance when strict application of the provisions of the Ordinance would result in unnecessary hardship.

A Variance may be granted in an individual case of unnecessary hardship if the Board makes and explains in writing the following findings:

- a. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
- b. These conditions do not generally apply to other properties in the vicinity;
- c. Because of these conditions, the application of the Ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
- d. The authorization of a Variance will not be of substantial detriment to the adjacent property or to the public good, and the character of the district will not be harmed by the granting of the Variance.
- e. In granting a Variance, the Board may attach to it such conditions regarding the location, character, or other features of the proposed building, structure, or use as the Board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare.

Findings

1. ***There are extraordinary and exceptional conditions pertaining to the particular piece of property –***
The concrete pad was a construction error from the contractor after the initial assessment of the site. The contractor installed form boards that were wrongfully measured from the fence line rather than the actual property line given the fact that the property line was clearly marked. Despite being notified by the owner about the fact that the form boards were encroaching to the setback, the contractor refused to adjust the form boards and proceeded with pouring the concrete, resulting in an approximate six (6) inches encroachment into the setback.
2. ***These conditions do not generally apply to other properties in the vicinity –***
Due to the site's spatial constraints (insufficient depth) related to vehicle access and garage functionality, the garage has to be located closer to the rear to accommodate car maneuver. The immediate properties in the vicinity currently either do not have a garage in the backyard or the lot size is bigger than the project site.

3. *Because of these conditions, the application of the Ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and –*

Granting the setback reduction for the proposed garage from the required 5 feet to 4.5 feet, would allow the proposed garage to be built on the mistakenly poured concrete pad without causing structural compromise and financial hardship. Otherwise, the concrete pad needs to be either removed or significantly reduced in size to meet the zoning requirements.

4. *The authorization of a Variance will not be of substantial detriment to the adjacent property or to the public good, and the character of the district will not be harmed by the granting of the Variance–*

Staff do not recognize any detriment or harm or adverse impact that will cause to the general public. The character of the neighborhood will remain residential.

5. *In granting a Variance, the Board may attach to it such conditions regarding the location, character, or other features of the proposed building, structure, or use as the Board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare–*

In the event the Board finds that the Variance findings can be met, and the project approved, conditions of approval are attached to this report. The Board may choose to approve or amend them based on the outcome of this proposal.

Summary and Recommendation

Based on the above Findings, Staff **recommend approval** of this request regarding setback reduction from five (5) feet to four and half (4.5) feet from the property line.

Applicant:

David Hill.

Public Comment:

Lisa Carter, 654 Boyd St.

Daniel Carter, 654 Boyd St.

Discussion:

The board asked for clarification on the use of the top floor, and it was confirmed that it is not intended for rental. They also reviewed the proposed plans and discussed the location of sewer and water lines being set in place. Comments were made about the surrounding Converse Heights neighborhood and the alleyways, with confirmation that the project would not affect those areas. Some members expressed concern about granting an exception based on a contractor's mistake. The board reviewed the proposed drawings, including fire barriers and setbacks, and noted the importance of accurate plans moving forward.

A motion was made by Mr. Moore, seconded Mr. Harris to deny variance with a vote by 3-1.

VAR – 25-00200006 – The City of Spartanburg's Board of Zoning Appeals has received a Variance request for the property located at Isom St regarding required parking reduction (TMS: 7-12-03-047.03); with a zoning designation of B-3 (General Retail District). Owner: Jimmy I. Gibbs LLC / Applicant: Income Investments, LLC / Beaumont Mill Multi-Family.

Project Description and History

The project site is an approximately 7.46 acres vacant lot with a zoning designation of B-3, General Business District. The project site abuts Isom Street to the west boundary and Beaumont Avenue to the north boundary. The surrounding properties to the north are currently zoned for R-6 General Residential District overlayed with Beaumont Mill Village Local Historic District; properties to the south are currently zoned for B-3, General Business District; and properties to the east and west side of the project site are currently zoned for I-1, Light Industrial District.

The applicant proposes constructing a multi-family apartment complex (Beaumont Mill Village Multi-Family) on the lot. The proposed apartment complex is a four and five story building with surface parking, featuring 275 units total with a mix of studio, 1,2, 3 bedrooms. The project reserves 10% of the units for workforce housing.

Per the current City of Spartanburg Zoning Ordinance Section 504 Off-Street Parking and Loading, Residential, Multifamily – Two Spaces per dwelling unit is required. However, due to the presence of sewer easement along the south-western property line and the flood plain along the south portion of the project site, the applicant requests a parking reduction from two (2) spaces per dwelling unit to one (1) space per bedroom to accommodate the proposed development.

Analysis

Zoning Ordinance Consistency

The project site has a zone designation of **B-3, General Business District**. Section 301 to 303 District Use Regulations of the City of Spartanburg Zoning Ordinance, allows Residential, Multifamily dwellings.

A Variance may be granted by the Board of Zoning Appeals to the minimum setback standards required in the Ordinance. Variances may only be granted in the instances listed in Section 603.4. Section 603.4 lists nine instances from which the Board may grant a Variance. Of these nine, one is applicable to this request:

Section 603.4 (5): To reduce the applicable off-street parking or loading facilities required by not more than one (1) parking space or loading spaces, or twenty-five percent (25%) of the required facilities, whichever number is greater.

The Board must utilize **Section 603.3(A)(2)** and determine if the proposal meets all the criteria for approval. To hear and decide appeals for Variance from the requirements of the Zoning Ordinance when strict application of the provisions of the Ordinance would result in unnecessary hardship.

A Variance may be granted in an individual case of unnecessary hardship if the Board makes and explains in writing the following findings:

- b. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
- c. These conditions do not generally apply to other properties in the vicinity;
- d. Because of these conditions, the application of the Ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
- f. The authorization of a Variance will not be of substantial detriment to the adjacent property or to the public good, and the character of the district will not be harmed by the granting of the Variance.
- g. In granting a Variance, the Board may attach to it such conditions regarding the location, character, or other features of the proposed building, structure, or use as the Board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare.

Findings

6. ***There are extraordinary and exceptional conditions pertaining to the particular piece of property***

There is a sewer easement along the south-western property line, and a Creek parallels the south-eastern property line with a flood zone and an extended floodway into the subject property drastically limits the ability of grading and filling in the vicinity to create additional parking. Making changes to the existing parking configuration is limited due to the potential impact on parking for immediate adjacent properties.

7. *These conditions do not generally apply to other properties in the vicinity*

The two adjacent properties 557 Isom St. & 720 N. Pine St. were not subject to the same grading constraints as the proposed development, as their site constraints were mitigated through the construction of a sloped parking lot. 557 Isom St. (TMS # 7-12-03-047) is not located within a floodplain and does not contain a sewer easement, and 720 N. Pine St. (TMS # 7-12-03-047.00) is situated within a floodplain and does include a sewer easement.

8. *Because of these conditions, the application of the Ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and*

Granting the parking reduction will accommodate the proposed development, as the existing shared access and sewer easements must be maintained. The proposed site layout maximizes the use of available surface parking. Meeting the full parking requirement would necessitate a reduction in the number of units, which would impact both the project's viability and its overall unit density.

9. *The authorization of a Variance will not be of substantial detriment to the adjacent property or to the public good, and the character of the district will not be harmed by the granting of the Variance—*

Staff do not anticipate any significant impact on the public. The proposed multifamily apartment developments will help meet the growing demand for attainable housing for individuals employed in the surrounding area. The applicant was encouraged to investigate a possible shared parking agreement with adjacent property owners; however, an agreement was not reached. Also, the addition of the bike racks allows a reduction in overall parking requirements by 20% (110 parking spaces) per the current zoning code.

10. *In granting a Variance, the Board may attach to it such conditions regarding the location, character, or other features of the proposed building, structure, or use as the Board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare*

In the event the Board finds that the Variance findings can be met, and the project approved, conditions of approval are attached to this report. The Board may choose to approve or amend them based on the outcome of this proposal.

Summary and Recommendation

Based on the above Findings, Staff **recommend approval** of the request to reduce the parking allocation from required two (2) parking spaces per dwelling unit to one (1) parking space per bedroom in addition to installing the bike racks on site.

Applicant:

Zedekiah Heydenburg, Site Design Inc.

Public Comment:

None.

Discussion:

The board agreed that the proposed project included sufficient information and showed a clear understanding of the requirements. They expressed appreciation to the applicant for their

continued work and contributions to the community. While the project was well received overall, parking remained a point of concern during the discussion.

A motion was made by Mr. Moore, seconded Mr. Harris to approve variance with a vote by 3-1.

Staff Announcements:

The board conducted elections for the 2025–2026 officers. A motion was made by Mr. Don Bramblett, seconded by Mr. Moore, to nominate Brian Murdoch as Chair. A second motion was made by Mr. Bramblett, seconded by Mr. Harris, to nominate McKay Moore as Vice Chair. Both motions passed unanimously with a vote of 4–0.

Continued Education and New Board Orientation.

The meeting was adjourned at 6:34 PM.

McKay Moore, Chairman

DATE

October 8, 2025

PROJECT/ADDRESS/ TAX ID

199 Bon Air Ave./ 7-08-13-070.00

APPEAL REQUEST NUMBER

APP-25-00200007

OWNER/APPLICANT

Champion Investment Corp.

AGENT

Charles Habisreutinger

TO

Board of Zoning Appeals Members

STAFF

Fredalyn M. Frasier, Planning Director
Nan Zhou, AICP, Planner II

COPIES TO

City Departments/Applicant

REQUEST

The Applicant is seeking an Appeal to the permitted use table to permit a mobile/pre-fabricated home located at 199 Bon Air Ave. The property is currently zoned for R-8, General Residential District. Manufactured/Pre-fabricated homes are prohibited in single family districts by City Zoning Ordinance.

An appeal stays all legal proceedings in furtherance of the action appeal from, unless the officer from whom the appeal is taken certified to the Board, after the notice of appeal shall have been filed with him, that by reason of facts states in the certificate a stay would, in his opinion, cause imminent peril to life and property.

PROJECT DESCRIPTION AND HISTORY

The landowner of 199 Bon Air Avenue has owned the land since 1992 and requests to place a pre-fabricated home on the parcel. The project site is located in a neighborhood with the zoning designation of R-8, General Residential District.

The City's Zoning Ordinance *Section 508 Mobile Home and Mobile Commercial Buildings Regulations and Design Standards*, states:

508.12 Location. No person shall park or occupy a mobile home except in an approved mobile home park or lawfully parked or occupying a mobile home as a non-conforming use as provided in Section 11 herein by reason of annexation. Mobile home parks shall be allowed only in the B-3 and 3-4 Districts, and will require site plan review. (See Section 501.13)

Further, the City of Spartanburg Zoning Ordinance *Section 301 to 303: District Use Regulations* states that a Mobile Home Park is only allowed in lands with zoning classification of B-3, General Business District, and B-4, Heavy Commercial District.

Section 301 to 303: District Use Regulations

C. RESIDENTIAL USES	GID	LOD	LC	B-1	B-3	B-4	I-1	I-2
8. Fraternity or Sorority (off campus)	P			P	P	P	P	P
9. Group Home	P		P	P	P	P	P	P
10. Mobile Home Park					P	P		
11. Live/Work Uses (***)(*****)		CU						

ANALYSIS

Zoning Ordinance Consistency

The Board is required to utilize Section 603.3(A)(2) of the Zoning Ordinance and determine if the proposal meets all the criterion for approval. **The Board is to hear and decide appeals for Variance from the requirements of the Zoning Ordinance when strict application of the provisions of the Ordinance would result in unnecessary hardship.** An appeal may be granted in an individual case of unnecessary hardship if the Board makes and explains in writing the following findings:

- a. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
- b. These conditions do not generally apply to other properties in the vicinity;
- c. Because of these conditions, the application of the Ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property;
- d. The authorization of a Variance will not be of substantial detriment to the adjacent property or to the public good, and the character of the district will not be harmed by the granting of the Variance.
- e. In granting a Variance, the Board may attach to it such conditions regarding the location, character, or other features of the proposed building, structure, or use as the Board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare.

FINDINGS

1. *There are extraordinary and exceptional conditions pertaining to the particular piece of property.*

Staff do not recognize any extraordinary and exceptional conditions pertaining to this particular piece of property.

2. *These conditions do not generally apply to other properties in the vicinity.*

The City Zoning Ordinance explicitly prohibits pre-fabricated homes within city limits, except in Zoning Districts B3 and B4, which are designated for Mobile Home Parks. The subject property is not located within either of these districts.

There are no pre-fabricated homes present in the immediate vicinity, on the surrounding block, or within the broader neighborhood. The existing homes in the area were constructed within the past decade, and there is no evidence indicating that any of these structures were originally purchased as pre-fabricated units and subsequently converted into permanent residences.

3. *Because of these conditions, the application of the Ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.*

The subject property is zoned **R-8, General Residential District**, which permits a variety of residential uses. Therefore, the application of the City of Spartanburg Zoning Ordinance **does not prohibit or unreasonably restrict** the use of the property for residential purposes.

As such, while residential development is permitted on the subject property, the use of mobile or pre-fabricated homes is restricted under current ordinance provisions (**Section 508.12 & Sections 301–303: Permitted Use Table**).

4. *The authorization of a Variance will not be of substantial detriment to the adjacent property or to the public good, and the character of the district will not be harmed by the granting of the Variance.*

Staff have evaluated the request under the standards for granting a variance as outlined in the City of Spartanburg Zoning Ordinance and South Carolina state law. The surrounding neighborhood is characterized by site-built residential structures developed within the last decade. Allowing a mobile pre-fabricated home in this context would not be harmonious or compatible with the established character of the area. While the proposal may not cause immediate harm to the public good; it would **materially compromise the fabric** and zoning integrity of the neighborhood. A variance in this case would **impair the intent of the zoning ordinance** and set a **concerning precedent** for future requests, potentially weakening the consistent application of residential zoning standards.

5. *In granting a Variance, the Board may attach to it such conditions regarding the location, character, or other features of the proposed building, structure, or use as the Board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare.*

Staff do not support assignment of conditions that would allow the placement of the structure. However, the Board of Appeals may, in conformity with the provisions of its assigned authority, reverse or affirm, wholly or in part, or may modify the order, requirements, decision, or determination, and to that end, has all the powers of the officer from whom the appeal is taken and may issue or direct the issuance of a permit.

RECOMMENDATION

Staff recommend **denial** of the request to place a mobile/pre-fabricated on the subject property.

The subject property is zoned **R-8, General Residential District**, which permits various forms of residential development; under the City of Spartanburg Zoning Ordinance, the placement of mobile or pre-fabricated homes is restricted to approved mobile home parks located in the **B-3 (General Business District)** and **B-4 (Heavy Commercial District)** zoning districts, as specified in **Sections 301–303** and **Section 508.12**.

The Applicant has not demonstrated that the application of the ordinance creates an unnecessary hardship as defined under state law or the City's zoning code. The property retains reasonable use under its current zoning classification, including the ability to construct a residential structure in compliance with R-8 standards.

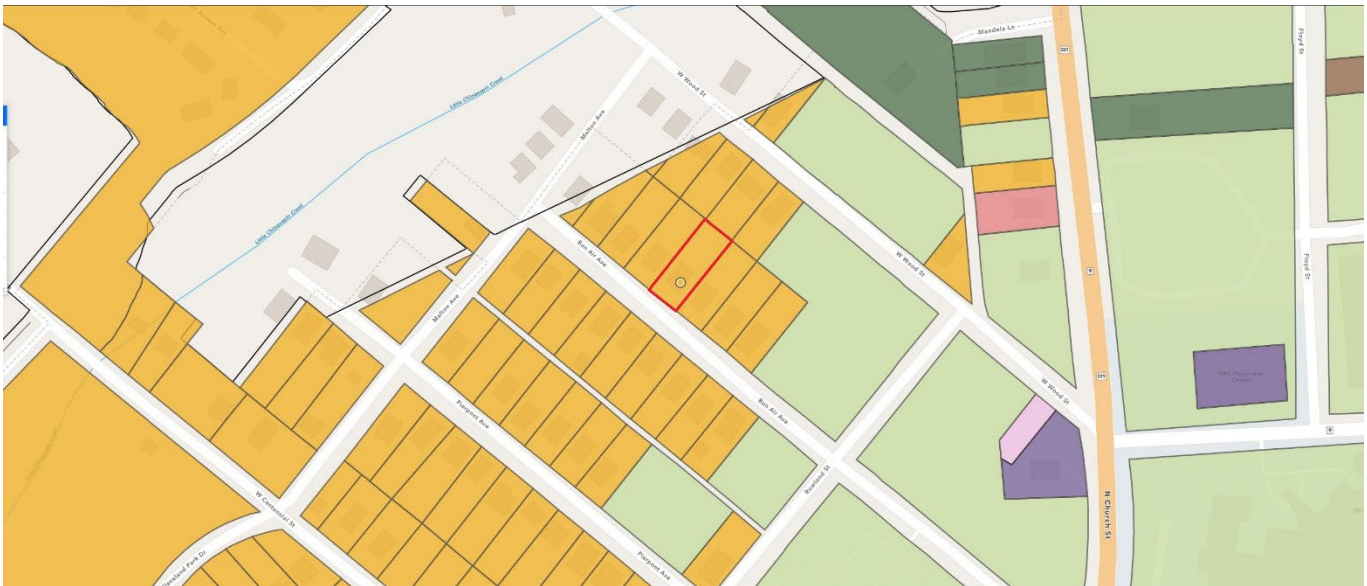
Therefore, staff finds that the request does not meet the criteria for a variance and recommends **denial**.

Aerial Photo – 199 Bon Air Ave.



Zoning Map – 199 Bon Air Ave.

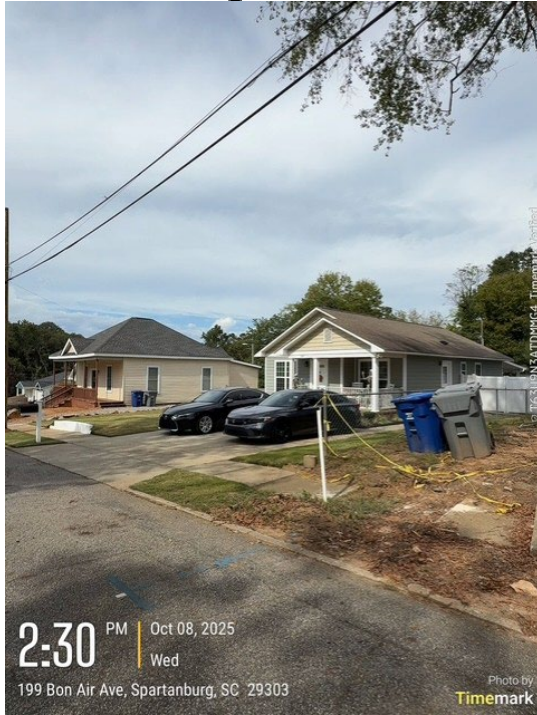
R-8, General Residential District



Site Photos – 199 Bon Air Ave.



Site Photos – Adjacent Properties



Site Photos - Adjacent Properties



Re: Objection to Variance at 199 Bon Air Ave

From: Tekesha Osbey
Sent: Tuesday, October 7, 2025 4:44 PM
To: planning <planning@cityofspartanburg.org>
Cc: Dominick Calace <dcalace@cityofspartanburg.org>
Subject: Objection to Variance at 199 Bon Air Ave

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Dear Members of the Board of Zoning Appeals,

My name is Tekesha Baker-Osbey and I live at 207 Bon Air Ave, I spoke with Dominick Calace on 10/6/2025 after receiving a letter in the mail in reference to the property at 199 Bon Ave Spartanburg Sc.29303 about a few of my concerns about the small one bedroom mobile home being next door to me. The property owner's variance request(VAR-25-002-00007) to permit a mobile home in the city limits conflicts with the zoning laws and harms/decreases the property value of not just my house but the neighborhood as a whole. Our neighborhood isn't a mobile home park,the trailer sticks out like a sore thumb.The style, the shape,or size doesn't fit in with any of the houses in the neighborhood. The mobile home is "grossly out of scale with existing properties and does not match the neighborhood's character. We are walking distance to Spartanburg Regional Hospital and it's not a good look for our community. I am sending this email to the board because I will not be able to be present Tuesday,October 14.2025 at 5:15pm for the public meeting.

P.S
If you would like to speak with me in reference to this email,I can be reached at 850)510-4333

Re: VAR-25-002-00007 Champion Investment

From: Dominick Calace <dcalace@cityofspartanburg.org>
Sent: Tuesday, October 7, 2025 10:13 AM
To: steve compton
Subject: Re: VAR-25-002-00007 Champion Investment

Good Morning Steve,

The applicant came to us after already placing a manufactured home on the property. Since manufactured homes are not permitted within the Spartanburg City limits, we advised them that they would need to request a variance from the zoning code to keep the manufactured home there. I am not sure whether this would be for sale or a rental. If approved for the variance, he would be allowed to do either, but as of now we are only concerned with whether that structure will be allowed or not.

With that being said, if approved, the property will remain as it looks now (the manufactured home will stay). If denied, the applicant will be required to move the manufactured home off of this site.

The white zone on the map is the area that is unincorporated in the county. The areas with colors signify different zoning districts within the City. The map can be found [here](#).

Please let me know if you have any other questions. Thank you.

Respectfully,

Dominick Calace
Planner I | City of Spartanburg

E: dcalace@cityofspartanburg.org
O: 864.591.4383
440 S. Church Street
Spartanburg, SC 29306
www.cityofspartanburg.org



From: steve compton
Sent: Tuesday, October 7, 2025 8:33 AM
To: Dominick Calace <dcalace@cityofspartanburg.org>
Subject: VAR-25-002-00007 Champion Investment

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My brother (Stan) and I are co-owners of the lot at 864 MeltonAve. We have questions concerning the variance request owned by Chamption Investment Corp, Applicant: Charles Habisreutinger.

What will be the end use of the property?

Why and what type of the pre-fabricated building? A home? Rental? Champion Investment appears to own a number of properties in the area, and Mr. Charlest Habisreutinger has a home at 502 Hobbysville Road with a Spartanburg Tax Office Market Value of \$502, 388.

What is the white zone on the map provided with the notification letter? Our property at 864 Melton Avenue seems to be within the zones boundaries.

Thank you.

Re: 199 Bon Aire AVE

From: kurt Servies
Sent: Thursday, October 2, 2025 1:30 PM
To: Dominick Calace <dcalace@cityofspartanburg.org>
Subject: 199 Bon Aire AVE

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CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Afternoon,

I just got a letter of someone two doors from our house wanting to put in a mobile home. I don't think I will be able to make it to the meeting but did want to express my concerns that our street has been revitalized with all similar homes matching the era of they were built. To put in a mobile home would severely change the character of the street.

