

**BOARD OF ZONING ADJUSTMENT  
STAFF REPORT****Date: November 7, 2022****CASE NUMBER**

6449

**APPLICANT NAME**

Lorenzo Martin

**LOCATION**

2908 Old Shell Road  
(North side of Old Shell Road, 120'± West of Union Avenue, extending to the Southeast corner of Yew Street and Hemley Avenue).

**VARIANCE REQUEST**

**SIDE STREET, SIDE YARD SETBACK:** To allow a structure within the required side street, side yard setback in a B-3, Community Business District.

**REAR STREET, REAR YARD SETBACK:** To allow a structure within the required rear street, rear yard setback in a B-3, Community Business District.

**ZONING ORDINANCE  
REQUIREMENT**

**SIDE STREET, SIDE YARD SETBACK:** The Zoning Ordinance requires full compliance with the side street, side yard setback for structures in a B-3, Community Business District.

**REAR STREET, REAR YARD SETBACK:** The Zoning Ordinance requires full compliance with the rear street, rear yard setback for structures in a B-3, Community Business District.

**ZONING**

B-3, Community Business District.

**AREA OF PROPERTY**

0.4± Acre

**CITY COUNCIL  
DISTRICT**

District 1

**ENGINEERING  
COMMENTS**

Same as previous comments (April 4, 2022 meeting).

**TRAFFIC ENGINEERING  
COMMENTS**

No comments.

**URBAN FORESTRY****COMMENTS**

Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties [Act 929 of the 1961 Regular Session of the Alabama Legislature (Acts 1961, p. 1487), as amended, and City Code Chapters 57 and 65]. Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from undeveloped residential sites, developed residential sites in historic districts, and all commercial sites will require a tree removal permit.

**FIRE DEPARTMENT****COMMENTS**

All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.

**ANALYSIS**

The applicant is requesting an extension of previously approved Side Street Side Yard and Rear Street Rear Yard Setback Variances to allow a structure within the required side street side yard and rear street rear yard setbacks in a B-3, Community Business District.

The site was granted approval for the **Side Street, Side Yard Setback Variances** at the Board's April 4, 2022 meeting, subject to the following conditions:

- 1) subject to the Engineering comments: *(1. The proposed improvements will require a Land Disturbance Permit. 2. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control.); and*
- 2) full compliance with all municipal codes and ordinances.

The request for the **Rear Street, Rear Yard Setback Variances** was denied.

The applicant provided the following statement regarding the extension request:

*We have completed our survey and topographic survey. We are now having to hire a new civil engineer for the project. Architectural, Mechanical and Electrical is in place.*

This is the first extension request since the initial approval.

There have been no changes in the area, nor have there been any changes to the regulations that would impact previous approvals.

**RECOMMENDATION:**

Based on the preceding, it is recommended that the request for a 6-month extension of the previous approval be granted.

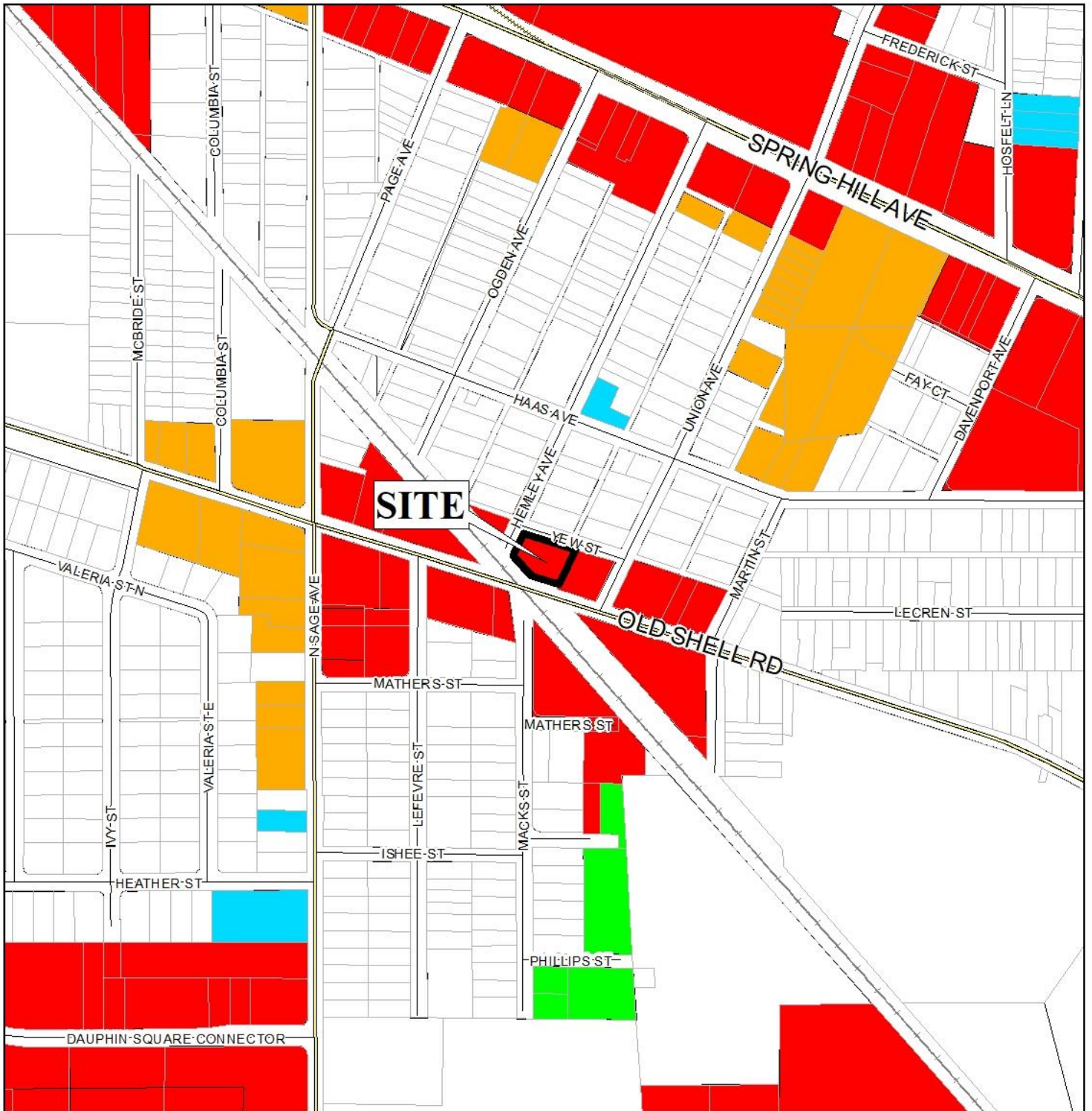
# LOCATOR MAP



APPLICATION NUMBER 6449 DATE November 7, 2022  
 APPLICANT Lorenzo Martin  
 REQUEST Side Street Side Yard and Rear Street Rear Yard Setback Variances



# LOCATOR ZONING MAP



APPLICATION NUMBER 6449 DATE November 7, 2022

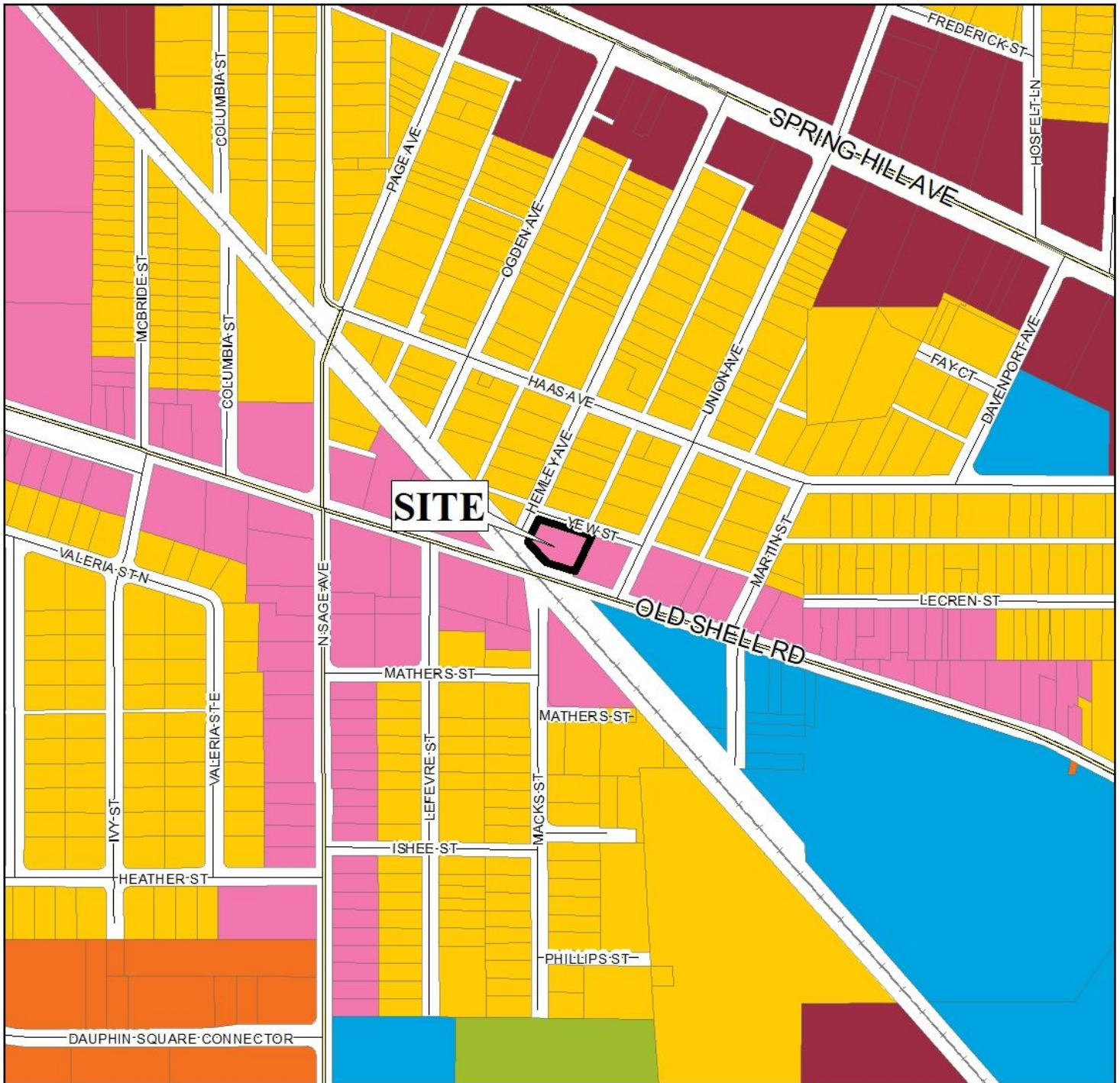
APPLICANT Lorenzo Martin

REQUEST Side Street Side Yard and Rear Street Rear Yard Setback Variances





# FLUM LOCATOR MAP



APPLICATION NUMBER 6449 DATE November 7, 2022

APPLICANT Lorenzo Martin

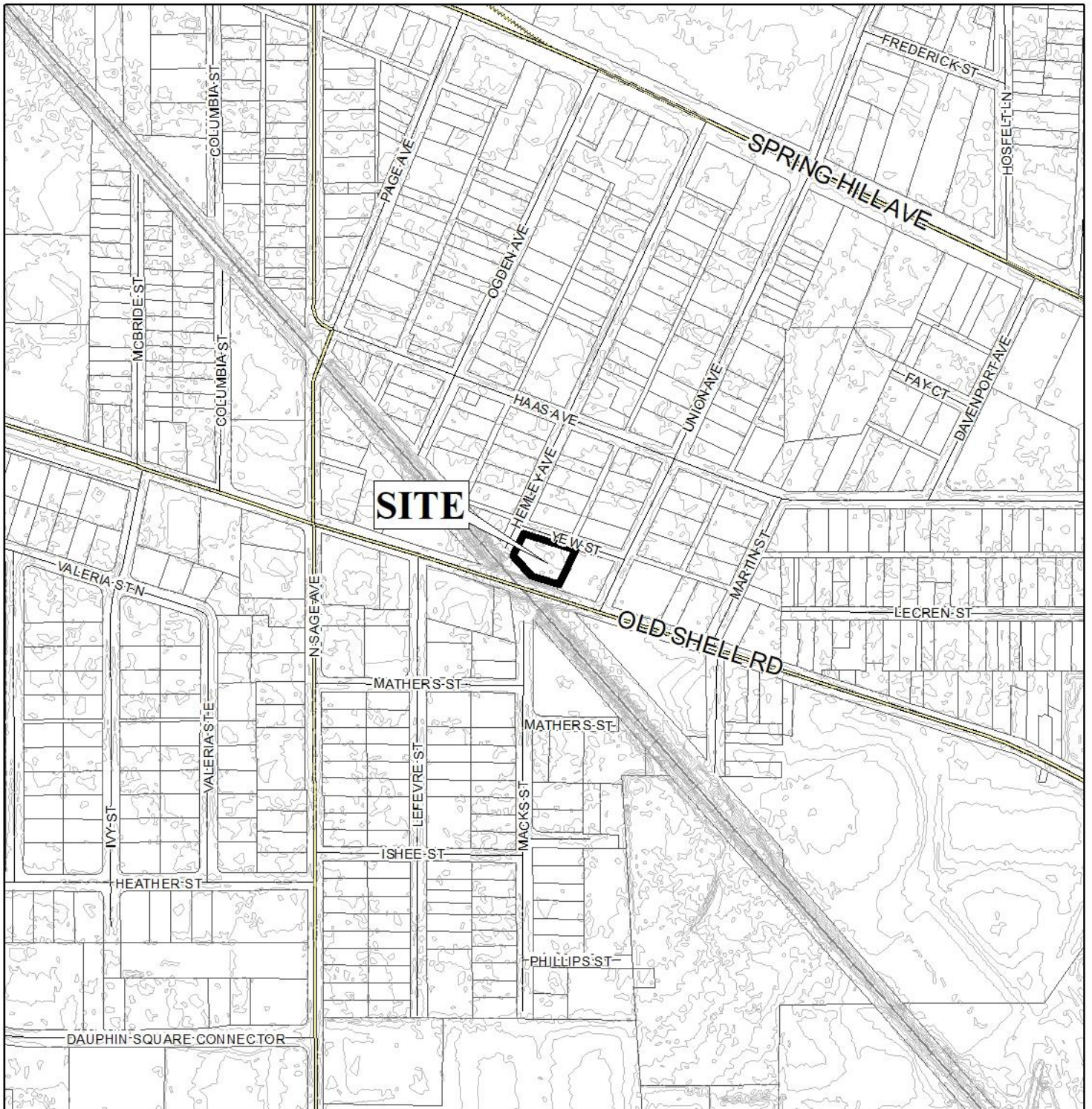
REQUEST Side Street Side Yard and Rear Street Rear Yard Setback Variances

Low Density Residential	Neighborhood Center - Traditional	Downtown Waterfront	Parks & Open Space
Mixed Density Residential	Neighborhood Center - Suburban	Light Industry	Water Dependent
Downtown	Traditional Corridor	Heavy Industry	
District Center	Mixed Commercial Corridor	Institutional	





# ENVIRONMENTAL LOCATOR MAP



APPLICATION NUMBER 6449 DATE November 7, 2022

APPLICANT Lorenzo Martin

REQUEST Side Street Side Yard and Rear Street Rear Yard Setback Variances





# BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by residential and commercial units.

APPLICATION NUMBER 6449 DATE November 7, 2022

APPLICANT Lorenzo Martin

REQUEST Side Street Side Yard and Rear Street Rear Yard Setback Variances

R-A	R-3	T-B	B-2	B-5	MUN	SD-WH	T5.1
R-1	R-B	B-1	B-3	I-1	OPEN	T3	T5.2
R-2	H-B	LB-2	B-4	I-2	SD	T4	T6





# BOARD OF ADJUSTMENT VICINITY MAP - EXISTING AERIAL



The site is surrounded by residential and commercial units.

APPLICATION NUMBER 6449 DATE November 7, 2022

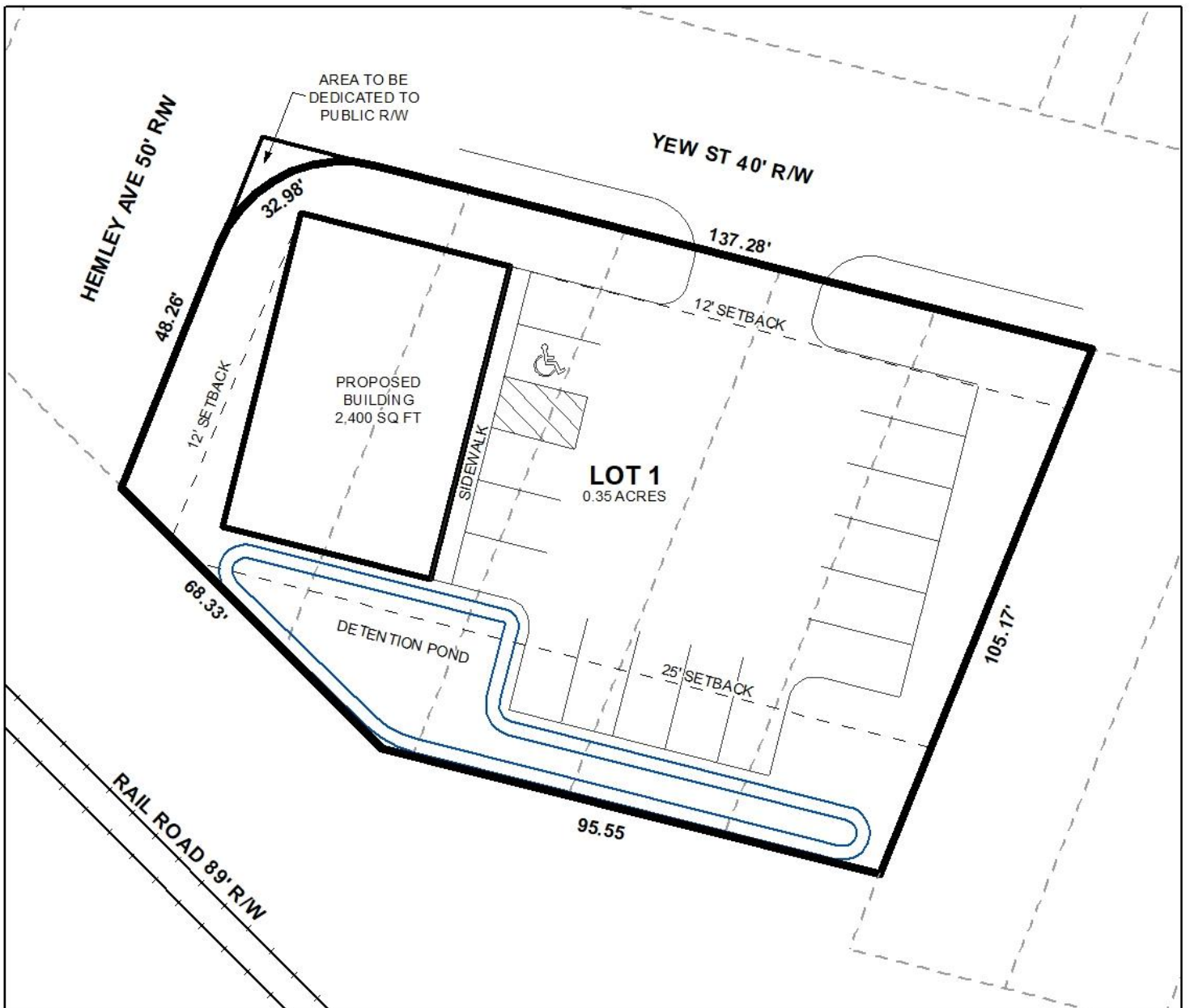
APPLICANT Lorenzo Martin

REQUEST Side Street Side Yard and Rear Street Rear Yard Setback Variances





# SITE PLAN



The site plan illustrates the proposed building, parking, detention pond, and setbacks.

APPLICATION NUMBER 6449 DATE November 7, 2022  
APPLICANT Lorenzo Martin  
REQUEST Side Street Side Yard and Rear Street Rear Yard Setback Variances



