



Agenda Item # 1 - EXTENSION

BOA-003007-2024

View additional details on this proposal and all application materials using the following link:

[Applicant Materials for Consideration](#)

DETAILS

Location:

3760 Joy Springs Drive

Applicant / Agent:

Duncan Greenwood, Downtown Investment
Properties, LP

Property Owner:

Downtown Investment Properties, LLC

Current Zoning:

B-3, Community Business Suburban District

Future Land Use:

Low Density Residential

Case Number(s):

6605

Unified Development Code (UDC) Requirement:

- The Unified Development Code (UDC) requires both a vegetative buffer and a privacy fence/wall where an R-1, Single-Family Residential Suburban District is adjacent to a B-3, Community Business Suburban District.

Board Consideration:

- Residential Buffer Variance to allow a vegetative buffer between an R-1, Single-Family Residential Suburban District and an adjacent B-3, Community Business Suburban District.

Report Contents:

	Page
Context Map	2
Site History	3
Staff Comments	3
Variance Extension Considerations	4
Exhibits	5

BOARD OF ADJUSTMENT

VICINITY MAP - EXISTING AERIAL



The site is surrounded by commercial units to the east and residential units to the west.

APPLICATION NUMBER	6605	DATE	April 7, 2025
APPLICANT	Duncan Greenwood, Downtown Investment		
REQUEST	Residential Buffer Variance		



SITE HISTORY

The subject site was included in a Planned Unit Development approved by the Planning Commission in 2002 to allow multiple buildings on a single building site.

In 2006 the site went before the Planning Commission to request a zoning change from B-1, Buffer Business District and B-3, Community Business District to B-3, Community Business District. The Planning Commission approved the request conditioned upon a 40-foot vegetative buffer along the Western boundary to remain undisturbed and in its natural state. The request was approved and subsequently adopted by the City Council.

At its meeting on May 3, 2007 the Planning Commission approved the 3-lot Watson Addition to Lakeside Commercial Park Subdivision. This was later re-subdivided as Lakeside Commercial Park Subdivision, Joy Springs Addition and approved by the Planning Commission at its December 6, 2007 meeting. Additionally, the Final Plat illustrates a required 40-foot natural vegetation buffer along the Western boundary of the site. The Plat was subsequently recorded in Mobile County Probate Court in January 2008.

Concurrently with the December 2007 Subdivision request the Planning Commission approved a Planned Unit Development request to allow shared access between two building sites.

At its August 6, 2009 meeting the Planning Commission approved a 4-lot Subdivision request for Lake Heron Subdivision. The Final Plat for which was never recorded in Mobile County Probate Court and subsequently expired.

Most recently, at its August 5, 2024 meeting the Board of Zoning Adjustment approved a request for a Residential Buffer Variance to allow only a vegetative buffer between an R-1, Single-Family Residential Suburban District and an adjacent B-3, Community Business Suburban District.

No other Planning Commission or Board of Zoning Adjustment cases are associated with the site.

STAFF COMMENTS

Engineering Comments:

No Additional Comments.

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 (2021 International Fire Code). Fire apparatus access is required to be within 150' of all non-sprinklered commercial buildings and within 300' of all sprinklered commercial buildings. Fire water supply for all commercial buildings will be required to meet the guidance of Appendices B and C of the 2021 International Fire Code. The minimum requirement for fire hydrants is to be within 400' of non-sprinklered commercial buildings, within 600' of sprinklered commercial buildings, and within 100' of fire department connections (FDC) for both standpipes and sprinkler systems.

Planning Comments:

The applicant is requesting a six (6)-month extension on the original approval of the Residential Buffer Variance approved by the Board at its August 5, 2024 meeting with the following conditions:

- 1) Revision of a compliant site plan to include parking calculations and a breakdown of all existing and proposed use types providing the total amount of floor area designated between each use;
- 2) Provision of a note on the site plan stating that any and all future development of the site must comply with all other requirements of the Unified Development Code;
- 3) Compliance with all Urban Forestry comments noted in this staff report;
- 4) Compliance with all Fire Department comments noted in this staff report;
- 5) Provision of a copy of the recorded site plan (hard copy and pdf) to Planning and Zoning; and,
- 6) Full compliance with all municipal codes and ordinances.

As justification for the request the applicant states that they have not yet completed the permitting process.

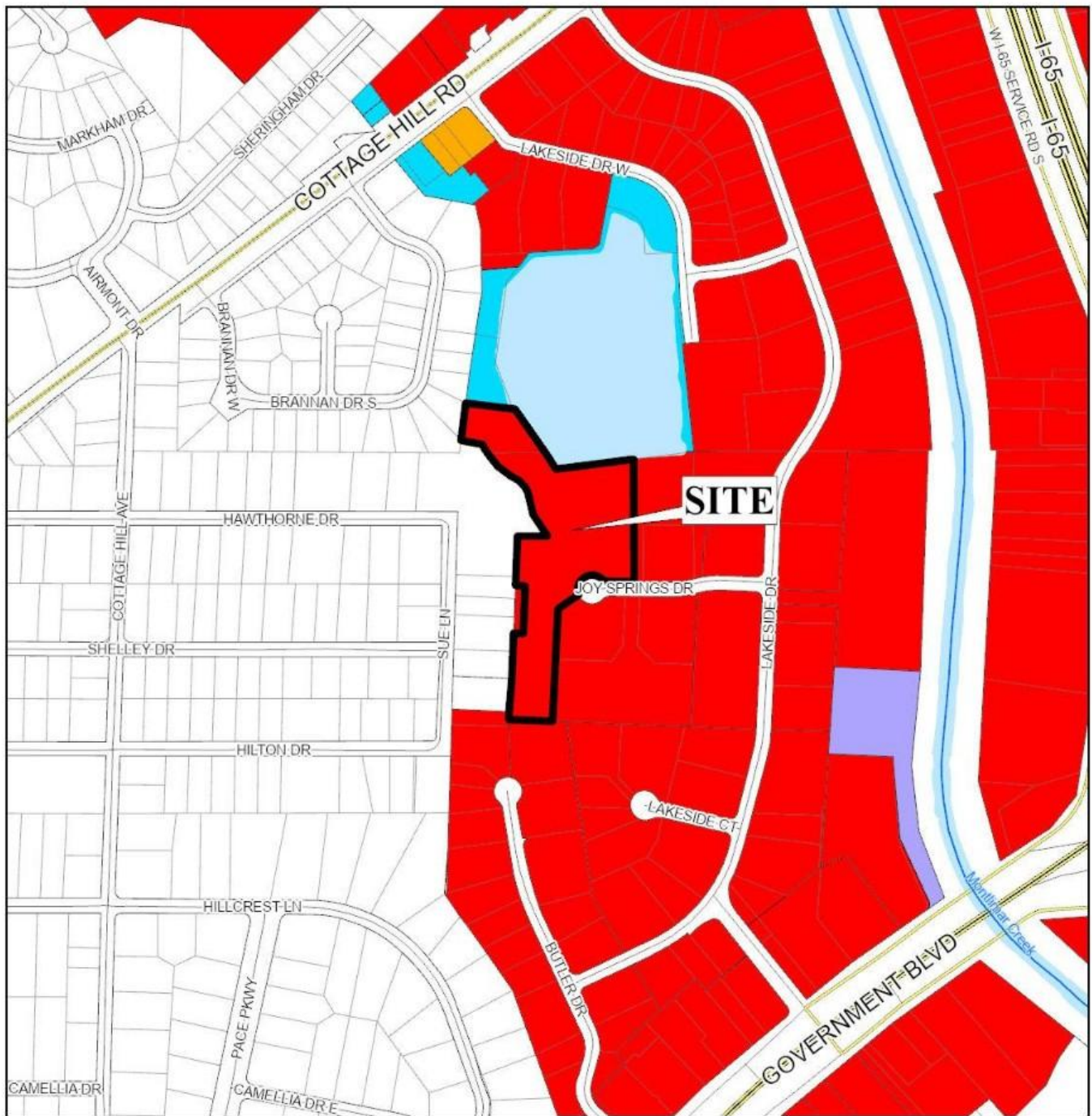
The complete application and supporting documents are available via the link on page 1.

VARIANCE EXTENSION CONSIDERATIONS

Standards of Review:

The Board is typically amenable to granting extensions, especially a first request when the applicant is working towards complying with the conditions of approval. Granting of such extensions are always in compliance with the findings of facts and conditions associated with the original approval.

LOCATOR ZONING MAP



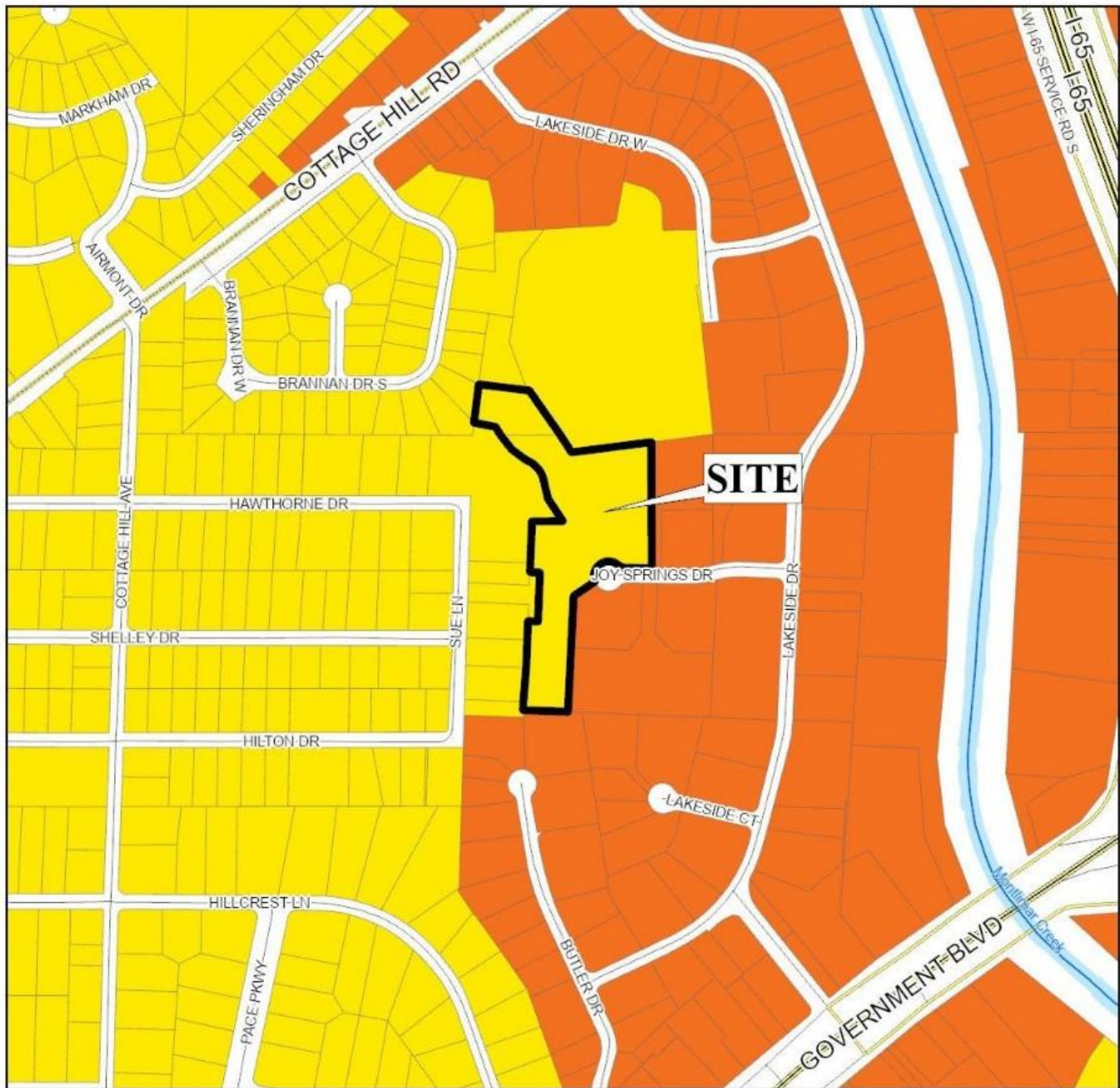
APPLICATION NUMBER 6605 DATE April 7, 2025

APPLICANT Duncan Greenwood, Downtown Investment

REQUEST Residential Buffer Variance

NTS

FLUM LOCATOR MAP

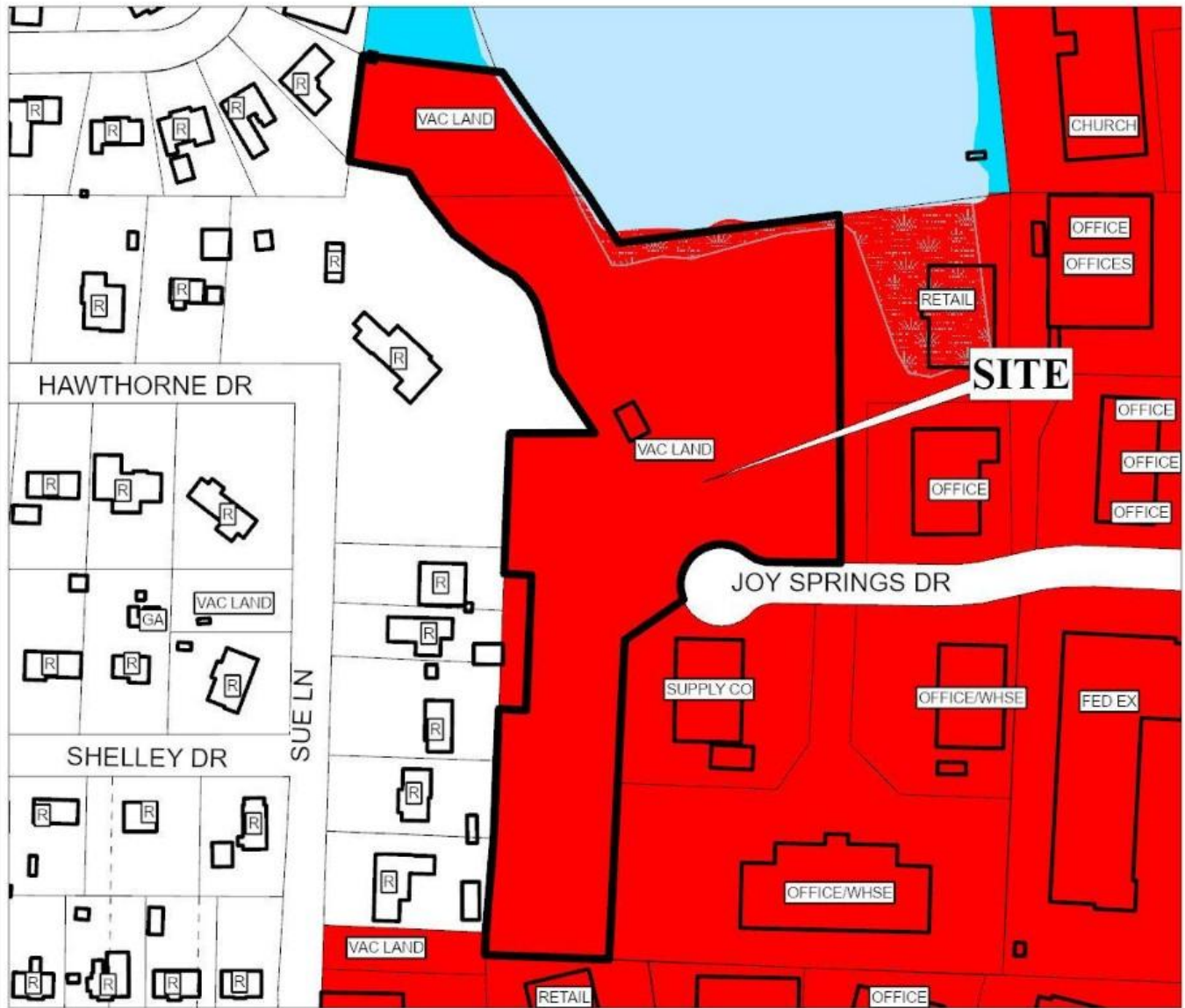


APPLICATION NUMBER 6605 DATE April 7, 2025
 APPLICANT Duncan Greenwood, Downtown Investment
 REQUEST Residential Buffer Variance

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	



BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial units to the east and residential units to the west.

APPLICATION NUMBER 6605 DATE April 7, 2025

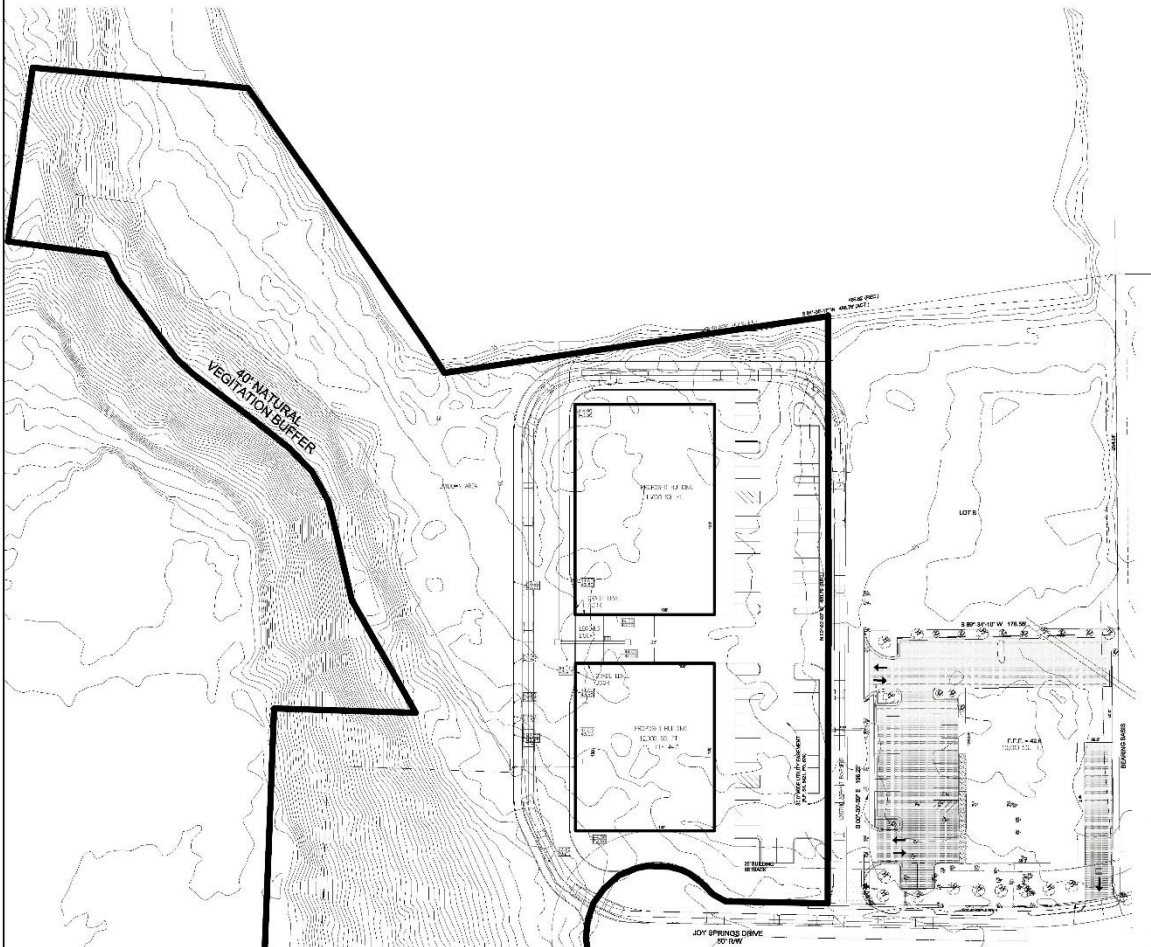
APPLICANT Duncan Greenwood, Downtown Investment

REQUEST Residential Buffer Variance

R-A	R-3	B-1	B-2	B-5	ML	I-2	OPEN	T-3	T-5.2
R-1	R-B	T-B	B-3	CW	MH	PD	SD	T-4	T-6
R-2	H-B	LB-2	B-4	MM	I-1	MUN	SD-WH	T-5.1	



SITE PLAN



The site plan illustrates the proposed buildings, parking, setback, and easements.

APPLICATION NUMBER	6605	DATE	April 7, 2025
APPLICANT	Duncan Greenwood, Downtown Investment Properties, LP		
REQUEST	Residential Buffer Variance		



ZONING DISTRICT CORRESPONDENCE MATRIX																
			LOW DENSITY RESIDENTIAL (LDR)	MIXED DENSITY RESIDENTIAL (MXDR)	DOWNTOWN (DT)	DISTRICT CENTER (DC)	NEIGHBORHOOD CENTER - TRADITIONAL (NC-T)	NEIGHBORHOOD CENTER - SUBURBAN (NC-S)	TRADITIONAL CORRIDOR (TC)	MIXED COMMERCIAL CORRIDOR (MCC)	LIGHT INDUSTRIAL (LI)	HEAVY INDUSTRY (HI)	INSTITUTIONAL LAND USE (INS)	PARKS & OPEN SPACE (POS)	DOWNTOWN WATERFRONT (DW)	WATER DEPENDENT USES (WDWRU)
RESIDENTIAL - AG	R-A															
ONE-FAMILY RESIDENCE	R-1	■					■		■					□		
TWO-FAMILY RESIDENCE	R-2	■					■		■					□	○	
MULTIPLE-FAMILY	R-3	○	■				■	■						□	○	
RESIDENTIAL-BUSINESS	R-B		○				■		■					□	○	
TRANSITIONAL-BUSINESS	T-B		○		■		■	■	■					□		
HISTORIC BUSINESS	H-B				■		■		■					□		
VILLAGE CENTER	TCD						■	■						□		
NEIGH. CENTER	TCD						■	■						□		
NEIGH. GENERAL	TCD						■							□		
DOWNTOWN DEV. DDD	T-6				■									□		
DOWNTOWN DEV. DDD	T-5.1				■		■		□					□		
DOWNTOWN DEV. DDD	T-5.2				■		■							□		
DOWNTOWN DEV. DDD	T-4				■		■		□					□		
DOWNTOWN DEV. DDD	T-3				■		■							□		
DOWNTOWN DEV. DDD	SD-WH										○	○		□		
DOWNTOWN DEV. DD	SD	○	○	○	○	○	○	○	○		○	○		□		
BUFFER BUSINESS	B-1		□				□	■	■	■				□	○	
NEIGH. BUSINESS	B-2		○				□	■	■	■				□	○	
LIMITED BUSINESS	LB-2		○				□	■	■	■				□	○	
COMMUNITY BUSINESS	B-3					■				■			○	□	○	
GEN. BUSINESS	B-4				■					■			○	□	○	
OFFICE-DISTRIBUTION	B-5									■	■			□	□	
LIGHT INDUSTRY	I-1										■			□	□	□
HEAVY INDUSTRY	I-2											■		□		□

Zoning District Correspondence Matrix

- Directly Related
- Elements of the zoning category are related to the future LU category, but with qualifications (such as a development plan with conditions)
- Land use category is appropriate, but the district does not directly implement the category (e.g., open space in an industrial district)

Residential Land Use

LOW DENSITY RESIDENTIAL (LDR)

This designation applies to existing residential neighborhoods found mostly west of the Beltline or immediately adjacent to the east side of the Beltline.

The primary land use in the LDR districts is residential and the predominant housing type is the single-family housing unit, detached or semi-detached, typically placed within a street grid or a network of meandering suburban streets. The density in these districts ranges between 0 and 6 dwelling units per acre (du/ac).

These neighborhoods may also contain small-scale, low-rise multi-unit structures at appropriate locations, as well as complementary retail, parks and civic institutions such as schools, community centers, neighborhood playgrounds, and churches or other religious uses if those uses are designed and sited in a manner compatible with and connected to the surrounding context. The presence of individual ancillary uses should contribute to the fabric of a complete neighborhood, developed at a walkable, bikeable human scale.