



Agenda Item # 1 - HOLDOVER
BOA-003297-2025

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

[**Applicant Materials for Consideration**](#)

DETAILS

Location:

264 and 300 North Ann Street and 1303 Adams Street

Applicant / Agent:

Universal Youth Foundation

Property Owner:

Universal Youth Foundation

Current Zoning:

R-2, Two-Family Residential Urban District

Future Land Use:

Mixed Density Residential

Case Number(s):

6675

Unified Development Code (UDC) Requirement:

- The UDC does not allow a thrift store with four (4) apartments and off-site parking in an R-1, Single-Family Residential Urban District, and R-2, Two-Family Residential Urban District.

Board Consideration:

- Use and Off-Site Parking Variances to allow a thrift store with four (4) apartments and off-site parking in an R-1, Single-Family Residential Urban District, and R-2, Two-Family Residential Urban District.

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BOARD OF ADJUSTMENT VICINITY MAP - EXISTING AERIAL



The site is surrounded by residential units.

APPLICATION NUMBER	6675	DATE	September 8, 2025
APPLICANT	Universal Youth Foundation		
REQUEST	Use and Off-Site Parking Variances		



HOLDOVER COMMENTS

Traffic Engineering Comments:

Revised for the September 8th meeting:

Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Any required on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Article 3, Section 64-3-12 of the City's Unified Development Code.

Planning Comments:

This application was heldover by the Board of Adjustment at the July 7, 2025 meeting to allow the applicant time to secure additional property to provide more parking for the proposed project and submit associated information to staff.

The applicant has subsequently submitted a lease agreement with the owner of the vacant property at the Northeast corner of North Ann Street and Adams Street, directly across Adams Street from the subject apartment and thrift store site. As that site is zoned R-2, Two-Family Residential Urban District, the original application request has been amended to include off-site parking in an R-1, Single-Family Residential Urban District, and an R-2, Two-Family Residential Urban District.

A site plan for the proposed additional off-site parking was submitted indicating eleven (11) parking spaces. However, the ADA space provided does not appear to be compliant, and the site plan does not indicate any required landscaping, tree plantings or residential buffer. Access drives are indicated to be a substandard twenty (20) feet wide instead of the required 24 feet. The site appears large enough to make revisions to the site plan to meet compliance with the parking, landscaping, tree planting and residential buffer requirements of the Unified Development Code (UDC) and satisfy the parking requirements for the proposed use of the apartment/thrift store site, when combined with the proposed off-site parking on Adams Street West of the subject site.

HOLDOVER CONSIDERATIONS

Standards of Review:

Variances are not intended to be granted frequently. The applicant must clearly show the Board that the request is due to very unusual characteristics of the property and that it satisfies the variance standards. What constitutes unnecessary hardship and substantial justice is a matter to be determined from the facts and circumstances of each application.

Article 5 Section 10-E. 1. of the Unified Development Code states that the Board of Adjustment may grant a variance if:

- The Applicant demonstrates that the variance shall not be contrary to the public interest,
- Where, owing to special conditions a literal enforcement of the provision of this Chapter will result in unnecessary hardship; and
- The spirit of this Chapter will be observed and substantial justice done.

Article 5 Section 10-E.2. states; no variance shall be granted:

- (a) In order to relieve an owner of restrictive covenants that are recorded in Mobile County Probate Court and applicable to the property;

- (b) Where economic loss is the sole basis for the required variance; or
- (c) Where the variance is otherwise unlawful.

Considerations:

Based on the requested Variance application and documentation submitted, if the Board considers the approval of the request, the following findings of fact must be present:

- A. The variance **will not** be contrary to the public interest;
- B. Special conditions exist such that a literal enforcement of the provisions of the chapter **will** result in unnecessary hardship; and
- C. The spirit of the chapter **shall** be observed and substantial justice done to the applicant and the surrounding neighborhood by granting the variance.

If the Board considers approval of the request, the following conditions could apply:

- 1) Revision of the site plans of the proposed off-site parking lots to provide ADA-compliant parking spaces, landscaping, tree plantings, residential buffers and 24-foot wide driveways, all to be coordinated with Planning and Zoning;
- 2) Obtaining of all necessary building permits for the proposed use of the building; and
- 3) Full compliance with all municipal codes and ordinances.

SITE HISTORY

The subject site has been within the Mobile City limits since 1814.

In May 1958, a Use Variance was approved for the site to convert a warehouse into a duplex.

The site was assigned an R-2, Two-Family Residential District zoning classification with the adoption of the Zoning Ordinance in 1967.

The site previously operated as a grocery store until 2001.

The site has no history of ever being before the Planning Commission.

STAFF COMMENTS

Engineering Comments:

No comments to the proposed variance. However, any proposed site work including changes of the surface for the parking lot or any improvement to the driveway and sidewalk will require a Land Disturbance Permit and/or a Right of Way Permit to be submitted through Central Permitting.

Traffic Engineering Comments:

Reduced parking may lead to unforeseen issues and an accessible path from the proposed parking to the building is not shown. Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Any required on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Article 3, Section 64-3-12 of the City's Unified Development Code.

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 located within the City Limits of Mobile shall comply with the provisions of the City of Mobile Fire Code Ordinance, which adopts the 2021 edition of the International Fire Code (IFC).

Fire apparatus access roads shall be provided to within 150 feet of all non-sprinklered commercial buildings and within 300 feet of all sprinklered commercial buildings, as measured along an approved route around the exterior of the facility.

An approved fire water supply capable of meeting the requirements set forth in Appendices B and C of the 2021 IFC shall be provided for all commercial buildings.

Fire hydrant placement shall comply with the following minimum standards:

- Within 400 feet of non-sprinklered commercial buildings
- Within 600 feet of sprinklered commercial buildings
- Within 100 feet of fire department connections (FDCs) serving standpipe or sprinkler systems

Although the International Residential Code (IRC) functions as a stand-alone document for the construction of one- and two-family dwellings and townhouses, it does not govern the design or layout of emergency access or community-level fire protection infrastructure. Therefore, residential developments must also comply with the applicable requirements of the International Fire Code, including, but not limited to, those listed above concerning the design, construction, regulation, and maintenance of fire apparatus access roads and fire protection water supplies.

Planning Comments:

The applicant is requesting Use and Off-Site Parking Variances to allow a thrift store with four (4) apartments and off-site parking in an R-1, Single-Family Residential Urban District, and R-2, Two-Family Residential Urban District; the Unified Development Code (UDC) does not allow a thrift store with four (4) apartments and off-site parking in an R-1, Single-Family Residential Urban District, or R-2, Two-Family Residential Urban District. The applicant has amended the original application to also include off-site parking in an R-2, Two-Family Residential Urban District.

The application and supporting documentation are available via the link on Page 1 of this report.

The subject site of the thrift store and proposed apartments is zoned R-2, Two-Family Residential Urban District, and the subject site of the proposed off-site parking is zoned R-1, Single-Family Residential Urban District. Both sites are designated Mixed Density Residential, as per the Future Land Use Map. The proposed thrift store and apartments site is currently developed with a one (1)-story commercial building, and the site of the proposed off-site parking is currently a vacant lot.

The applicant began leasing the building from the owner of the proposed off-site parking site in February 2021, then purchased it in December 2023. At least one of the apartments was occupied at that time as a Zoning Clearance for a home occupation tax service was issued in February 2022. The applicant states that a thrift store had operated for approximately 50 years in the building when purchased in 2023, which would be classified as a nonconforming use, as the zoning classification is R-2.

The building was obviously built for commercial purposes, and the Use Variance approved in 1958 allowed a warehouse to be converted to a duplex. It cannot be determined when the thrift store or the other two (2) existing apartment units were added to the structure. As the building occupies almost all of the site, there is no area to provide any on-site parking. The four (4) proposed apartments would require a minimum of six (6) parking spaces, and the thrift store use would require a minimum of five (5) parking spaces for a total on-site parking requirement of eleven (11) spaces.

The applicant seeks the Off-Site Parking Variance to allow parking on a vacant lot on the South side of Adams Street approximately 115 feet West of the subject site, which is zoned R-1, Single-Family Residential Urban District. The site plan provided for that site indicates four (4) parking spaces to be provided, only three (3) of which would be compliant. Therefore, the proposed use of the building would only have three (3) compliant, albeit off-site, parking spaces as opposed to the eleven (11) required. It should be noted that the proposed off-site parking does not make any allowance for ADA-compliant parking.

Both the store/apartment site and the off-site parking site abut residentially zoned property. As such, commercial development of the sites requires compliance with the residential protection buffer requirements of Section 64-3-8 of the UDC. This includes the provision of a 10-foot-wide buffer (setback) and both a 6-foot-tall wall or privacy fence, and a 10-foot-wide screen planting strip, none of which are indicated on the site plans, and setback buffers and planting strips would be impossible due to the build-out of the sites.

VARIANCE CONSIDERATIONS

Standards of Review:

Variances are not intended to be granted frequently. The applicant must clearly show the Board that the request is due to very unusual characteristics of the property and that it satisfies the variance standards. What constitutes unnecessary hardship and substantial justice is a matter to be determined from the facts and circumstances of each application.

Article 5 Section 10-E. 1. of the Unified Development Codes states that the Board of Adjustment may grant a variance if:

- The Applicant demonstrates that the variance shall not be contrary to the public interest;
- Where, owing to special conditions a literal enforcement of the provision of this Chapter will result in unnecessary hardship; and

- The spirit of this Chapter will be observed and substantial justice done.

Article 5 Section 10-E.2. states no variance shall be granted:

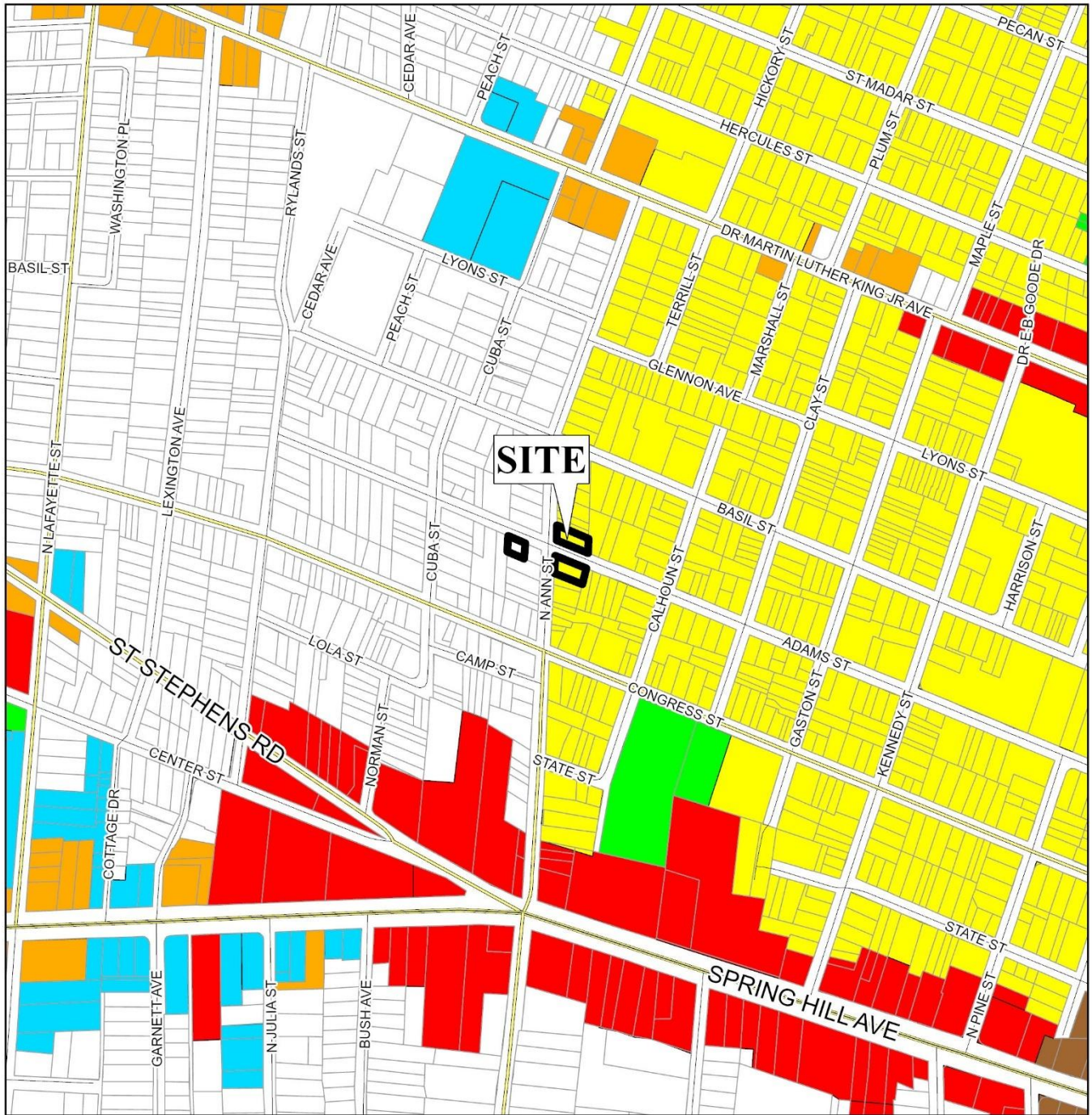
- (a) In order to relieve an owner of restrictive covenants that are recorded in Mobile County Probate Court and applicable to the property;
- (b) Where economic loss is the sole basis for the required variance; or
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Considerations:

Based on the requested Variance application and documentation submitted, if the Board considers approval of the request, the following findings of fact must be presented:

- 1) The variance **will not** be contrary to the public interest;
- 2) Special conditions exist such that a literal enforcement of the provisions of the chapter **will** result in unnecessary hardship; and
- 3) The spirit of the chapter **shall** be observed and substantial justice done to the applicant and the surrounding neighborhood by granting the variance.

LOCATOR ZONING MAP



APPLICATION NUMBER 6675 DATE September 8, 2025

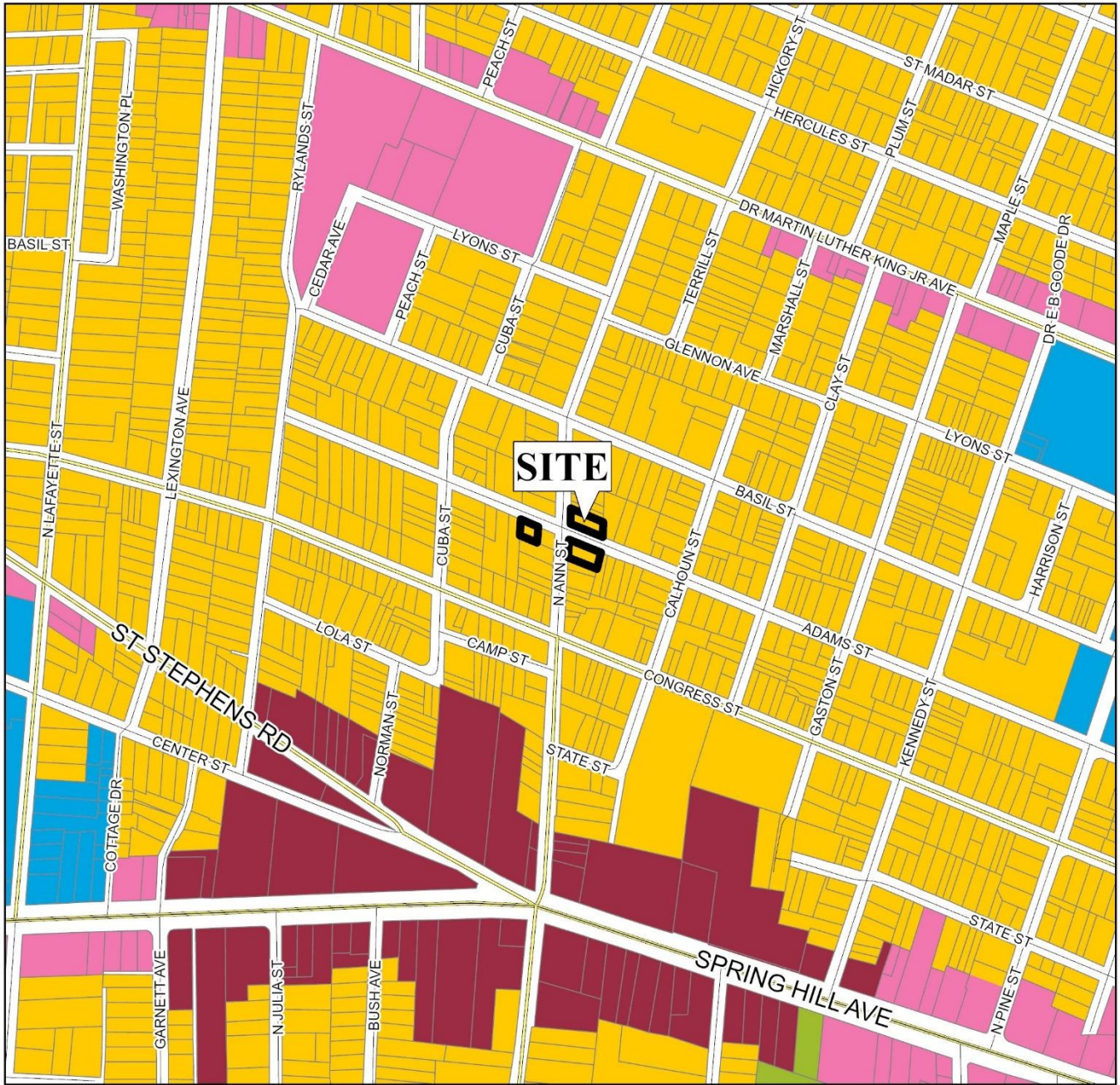
APPLICANT Universal Youth Foundation

REQUEST Use and Off-Site Parking Variances



NTS

FLUM LOCATOR MAP



APPLICATION NUMBER 6675 DATE September 8, 2025
APPLICANT Universal Youth Foundation
REQUEST Use and Off-Site Parking Variances

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



BOARD OF ADJUSTMENT

VICINITY MAP - EXISTING ZONING



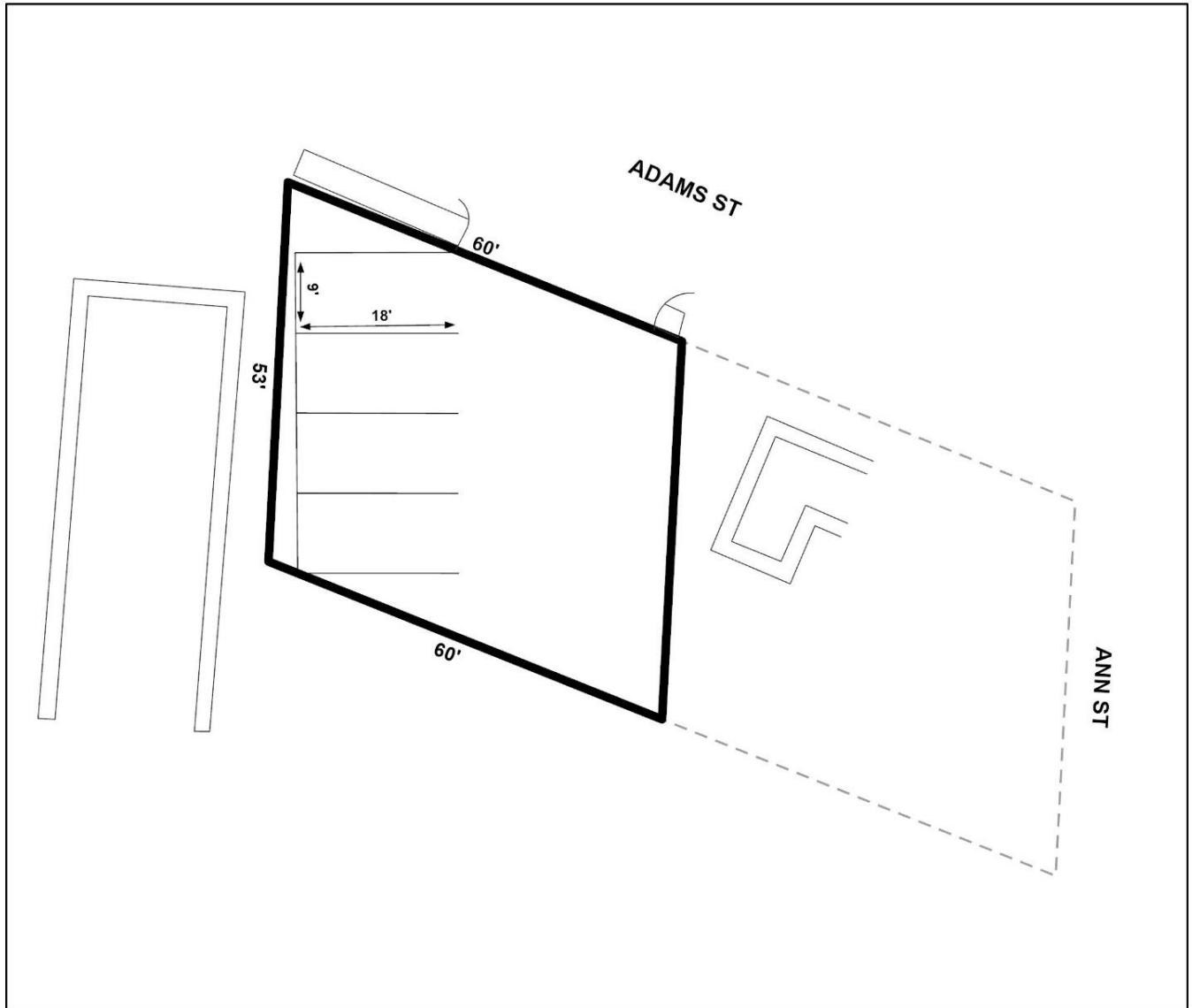
The site is surrounded by residential units.

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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 proposed parking and drives.

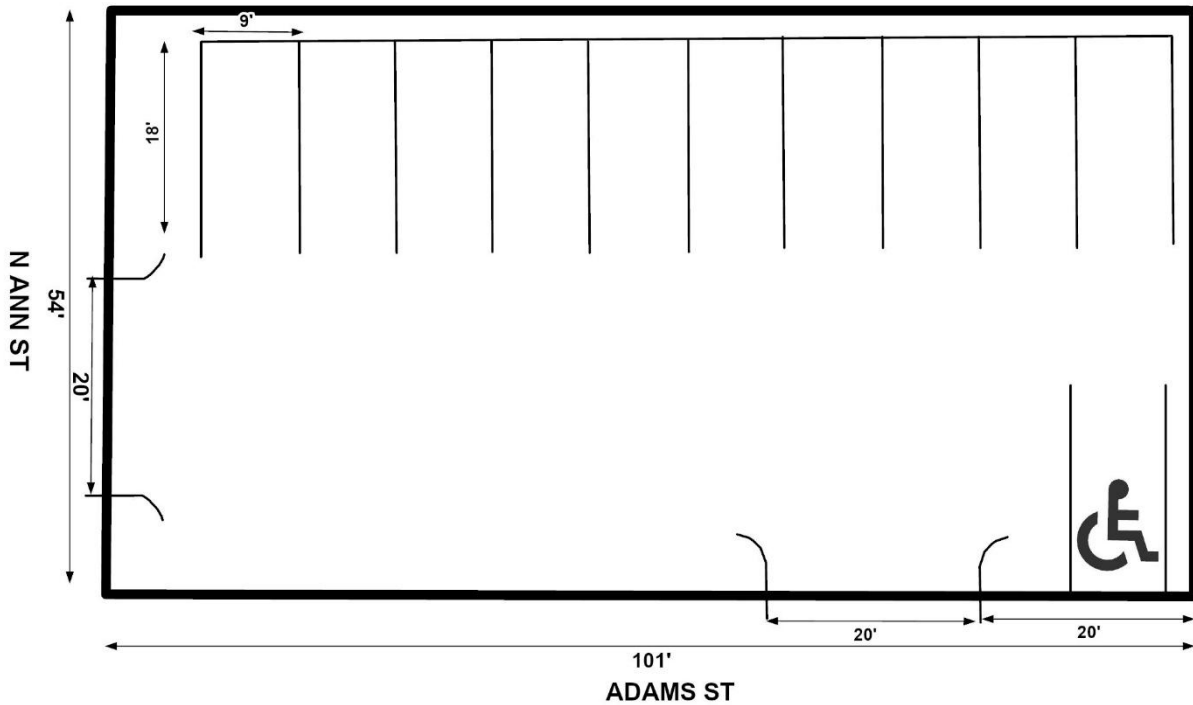
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REQUEST Use and Off-Site Parking Variances



DETAIL SITE PLAN



APPLICATION NUMBER 6675 DATE September 8, 2025

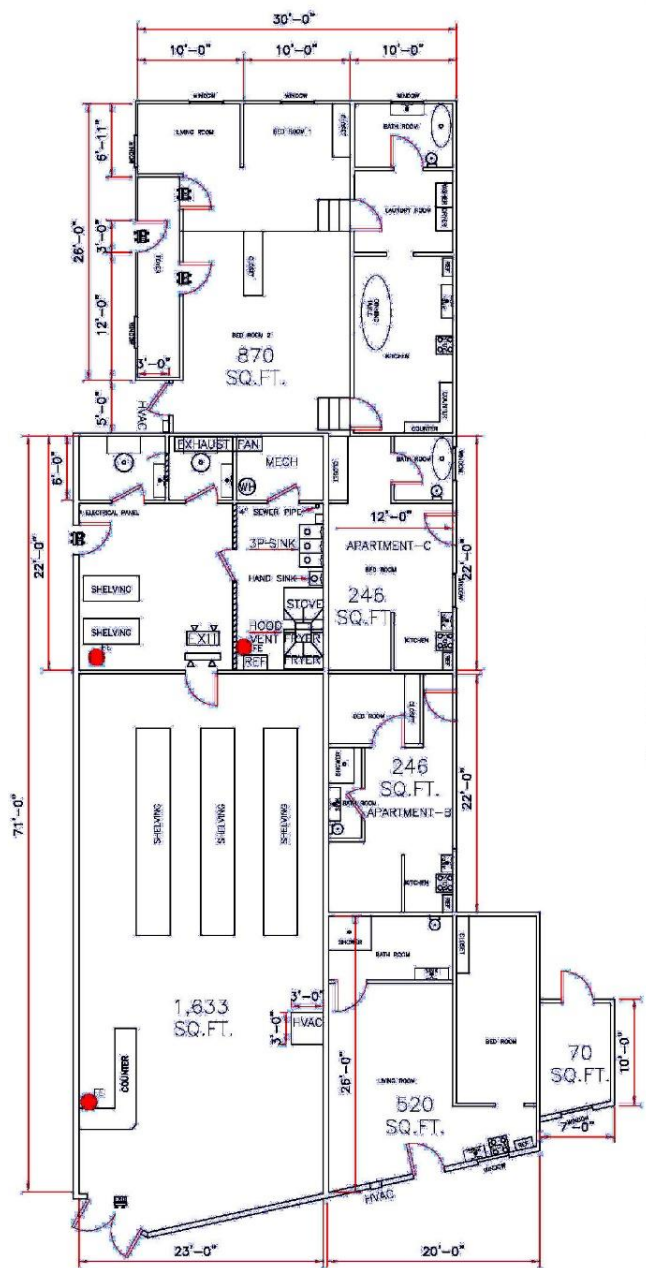
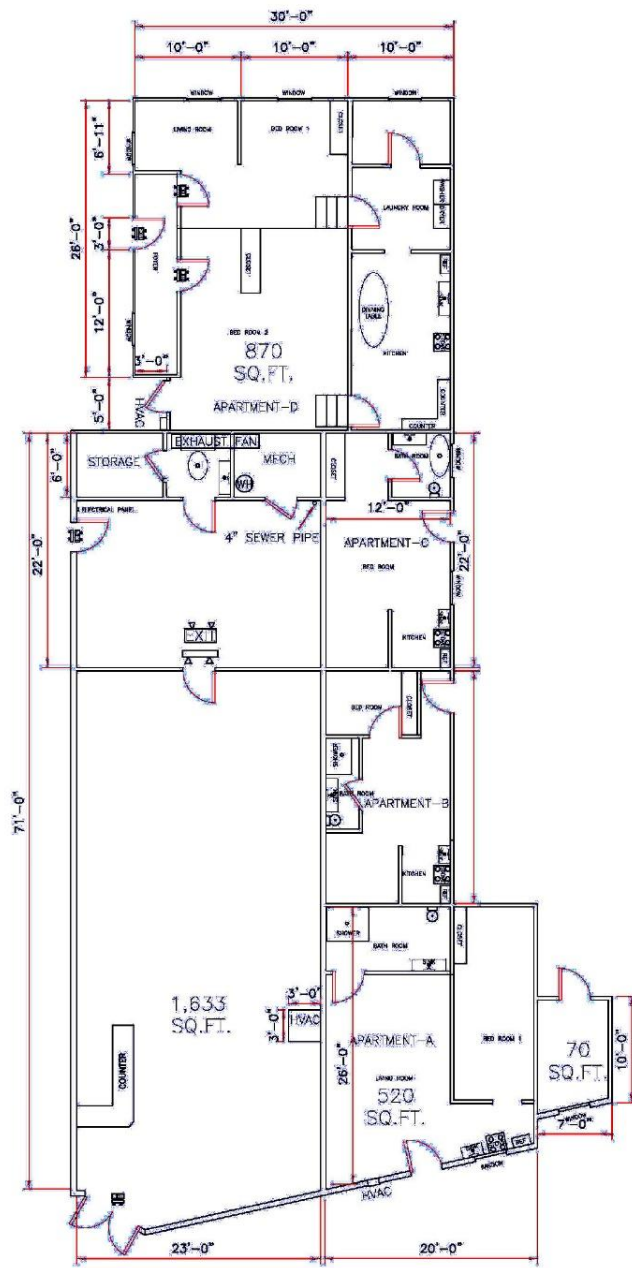
APPLICANT Universal Youth Foundation

REQUEST Use and Off-Site Parking Variances



NTS

DETAIL SITE PLAN



APPLICATION NUMBER 6675 DATE September 8, 2025
 APPLICANT Universal Youth Foundation
 REQUEST Use and Off-Site Parking Variances



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)

MIXED DENSITY RESIDENTIAL (MxDR)

This designation applies mostly to residential areas located between Downtown and the Beltline, where the predominant character is that of a traditional neighborhood laid out on an urban street grid.

These residential areas should offer a mix of single family homes, townhouses, 2- to 4- residential unit buildings, accessory dwellings, and low- and mid-rise multifamily apartment buildings. The density varies between 6 and 10 du/ ac, depending on the mix, types, and locations of the housing as specified by zoning.

Like LDR areas, MxDR areas may incorporate compatibly scaled and sited complementary uses such as neighborhood retail and office uses, schools, playgrounds and parks, and churches and other amenities that create a complete neighborhood fabric and provide safe and convenient access to daily necessities.