

**BOARD OF ZONING ADJUSTMENT  
STAFF REPORT****Date: October 5, 2020****CASE NUMBER**

6303/4795

**APPLICANT NAME**

David Shumer

**LOCATION**4875 Tufts Road  
(East side of Tufts Road, 300'± South of Furman).**VARIANCE REQUEST****USE:** Use Variance to allow the expansion of a mechanical equipment manufacturing operation in an R-1, Single-Family Residential District.**ACCESS:** Access Variance to allow shared access across multiple properties.**MULTIPLE BUILDINGS:** Multiple Buildings Variance to allow multiple buildings on a commercial site.**SURFACING:** Surfacing Variance to allow aggregate surfacing for maneuvering and parking, and a laydown area.**ZONING ORDINANCE  
REQUIREMENT****USE:** The Zoning Ordinance does not allow a mechanical equipment manufacturing operation in an R-1, Single-Family Residential District.**ACCESS:** The Zoning Ordinance does not allow shared access across multiple properties.**MULTIPLE BUILDINGS:** The Zoning Ordinance does not allow multiple buildings on a single building site.**SURFACING:** The Zoning Ordinance requires all maneuvering and parking surfaces to be paved in asphalt, concrete or an approved alternative paving surface, and does not allow a laydown area in an R-1, Single-Family Residential District.**ZONING**

R-1, Single-Family Residential

**AREA OF PROPERTY**

7.3± Acres

**CITY COUNCIL  
DISTRICT**

District 4

**ENGINEERING  
COMMENTS**

No 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 (State Act 2015-116 and City Code Chapters 57 and 64). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site 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)

**ANALYSIS**

The applicant is requesting an extension of previously approved Use, Access, Multiple Buildings and Surfacing Variances to amend a previously-approved Use Variance to allow the expansion of a mechanical equipment manufacturing operation, with shared access across multiple properties with multiple buildings, and aggregate surfacing for maneuvering and parking, and a laydown area in an R-1, Single-Family Residential District; the Zoning Ordinance does not allow a mechanical equipment manufacturing operation with shared access across multiple properties with multiple buildings, and requires all maneuvering and parking surfaces to be paved in asphalt, concrete or an approved alternative paving surface, and does not allow a laydown area in an R-1, Single-Family Residential District.

The site was granted approval, subject to the following conditions, by the Board at its January 6, 2020 meeting:

- 1) full compliance with frontage tree planting requirements along Tufts Road;
- 2) obtaining of after-the-fact permits for all improvements made to the property since 2000;
- 3) full compliance with the Engineering comments: *[USE VARIANCE: If the VARIANCE is approved for use the applicant will need to have the following conditions met: 1. Submit and receive a Land Disturbance Permit through Central Permitting for any proposed site development. 2. Submit a ROW Permit for the work within the Public ROW. SURFACING VARIANCE: If the aggregate surfacing is approved for use the applicant will need to have the following conditions met: 1. Submit and receive a Land Disturbance Permit through Central Permitting for the proposed site development. 2. Any and all proposed land disturbing activity within the property will need to 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. 3. Submit a ROW Permit for any site work within the Public ROW. Aggregate surfacing will NOT be allowed within*

*the public ROW. 4. Designated handicapped accessible spaces and routes must be paved (i.e. concrete, asphalt)];*

- 4) full compliance with the Traffic Engineering comments: *(If the surface variance is approved, it should be contingent upon the construction of a proper asphalt or concrete driveway within the right-of-way and any gravel in the right-of-way to be removed.);*
- 5) compliance with the 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 (State Act 2015-116 and City Code Chapters 57 and 64). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit.];*
- 6) full compliance with the 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).];*
- 7) full compliance with all other municipal codes and ordinances.

The applicant provided the following statement regarding the extension request:

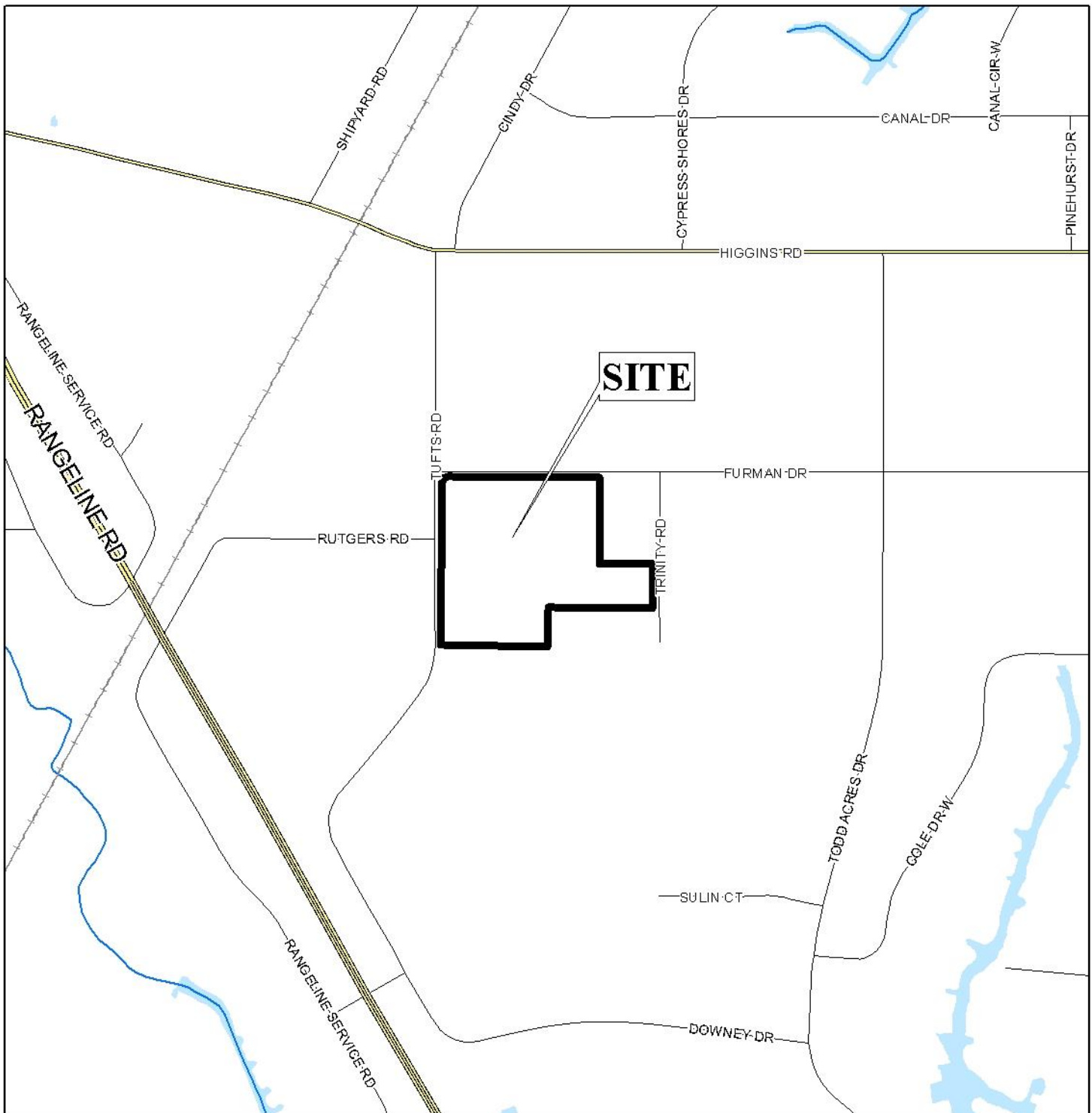
*The project was delayed by a management change and priority / production concerns related to COVID-19.*

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.

Due to the current economic situation as a result of the COVID-19 pandemic, it would seem reasonable to grant a 6-month extension.

**RECOMMENDATION:** Based on the preceding, the request for a 6-month extension of approval is recommended for approval.

# LOCATOR MAP



APPLICATION NUMBER 6303 DATE October 5, 2020

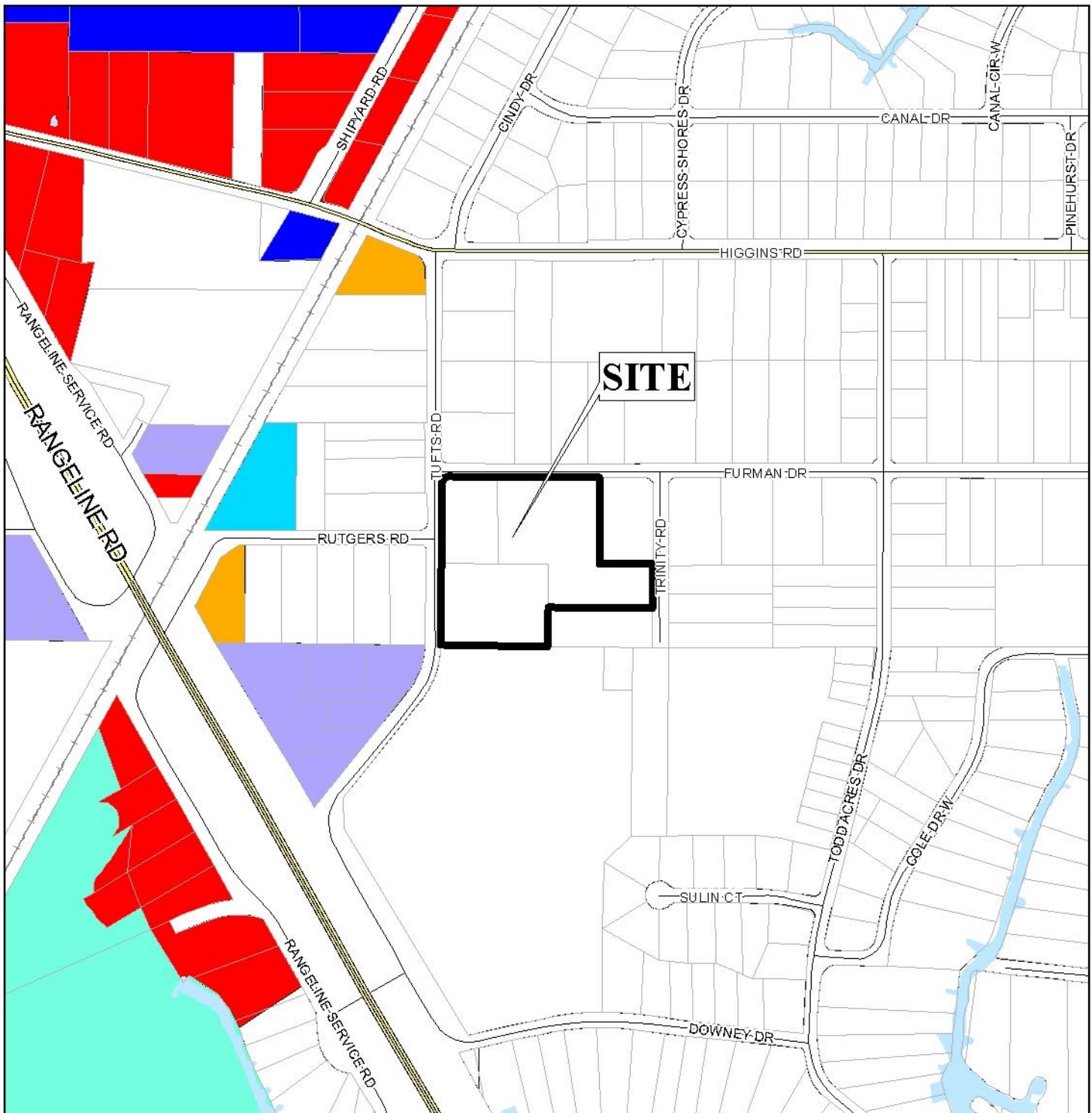
APPLICANT David Shumer

REQUEST Use, Access, Multiple Buildings & Surfacing Variances



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# LOCATOR ZONING MAP



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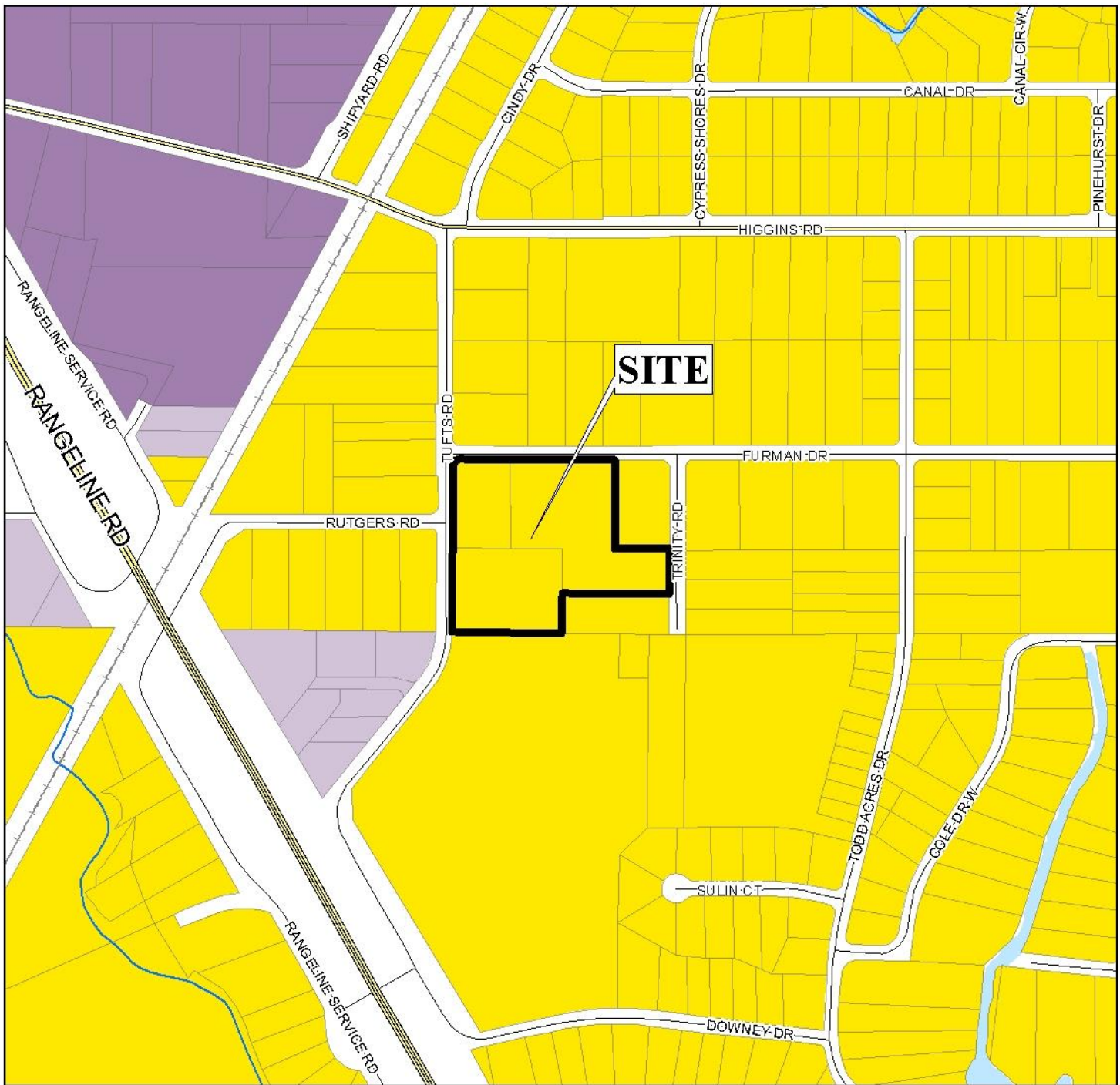
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# FLUM LOCATOR MAP

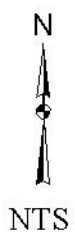


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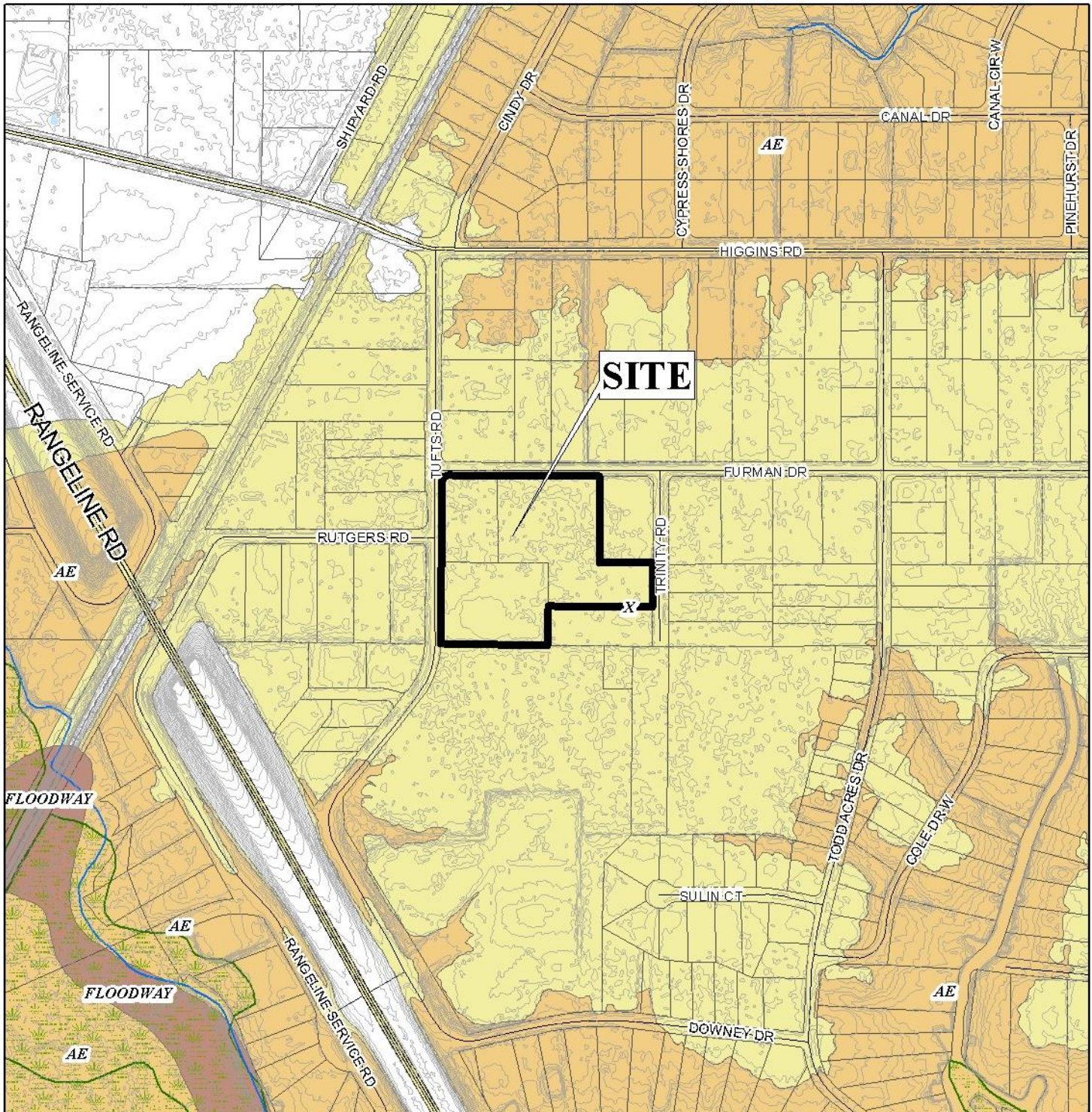
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Low Density Residential	Neighborhood Center - Traditional	Downtown Waterfront	Parks & Open Space
Mixed Density Residential	Neighborhood Center - Suburban	Light Industry	Water Dependent
Downtown	Traditional Corridor	Heavy Industry	
District Center	Mixed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





# ENVIRONMENTAL LOCATOR MAP

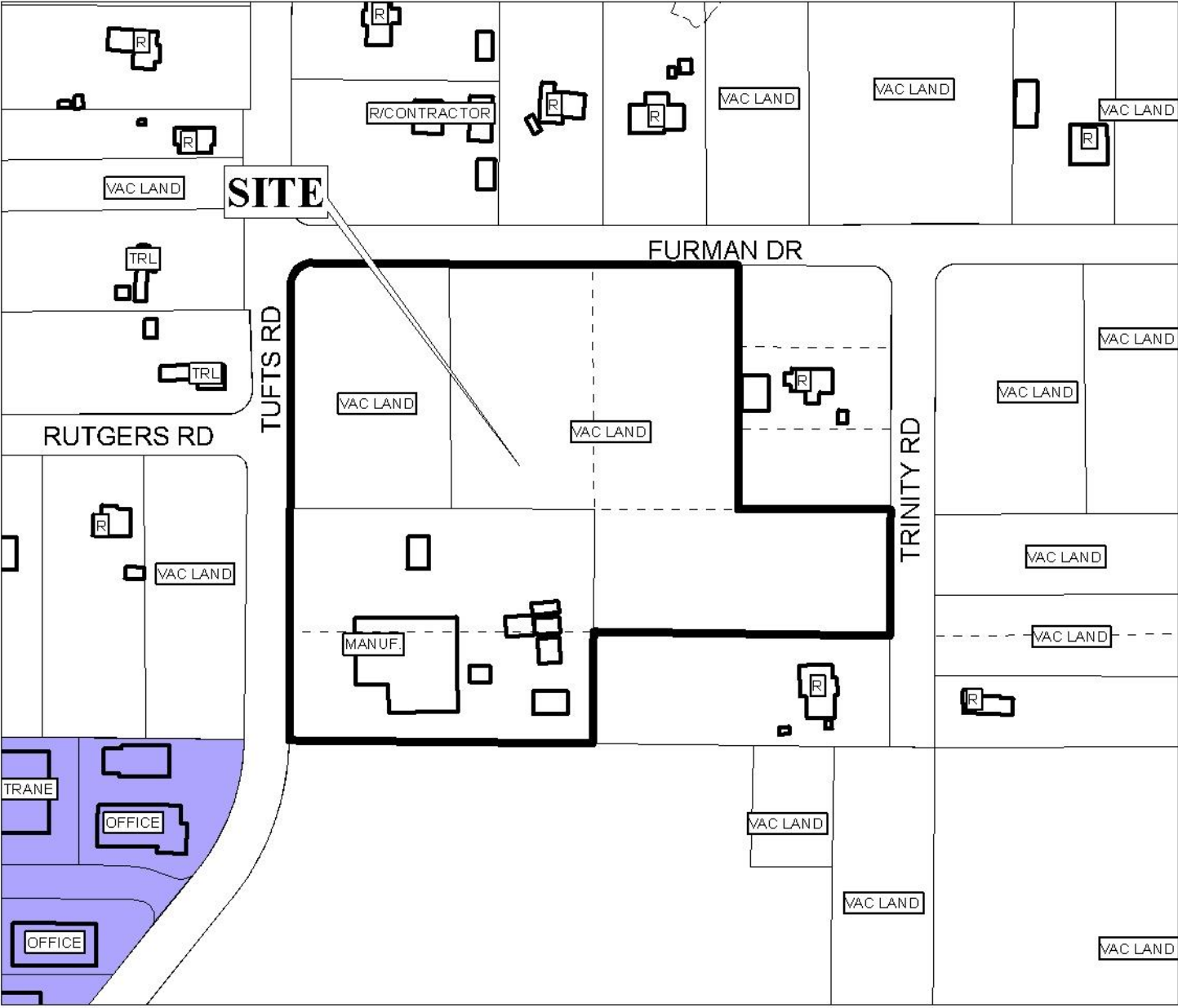


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# BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



























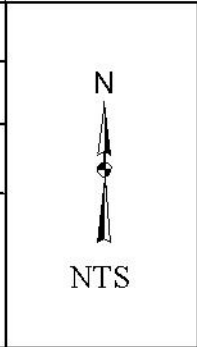
The site is surrounded by residential units with commercial units to the southwest.

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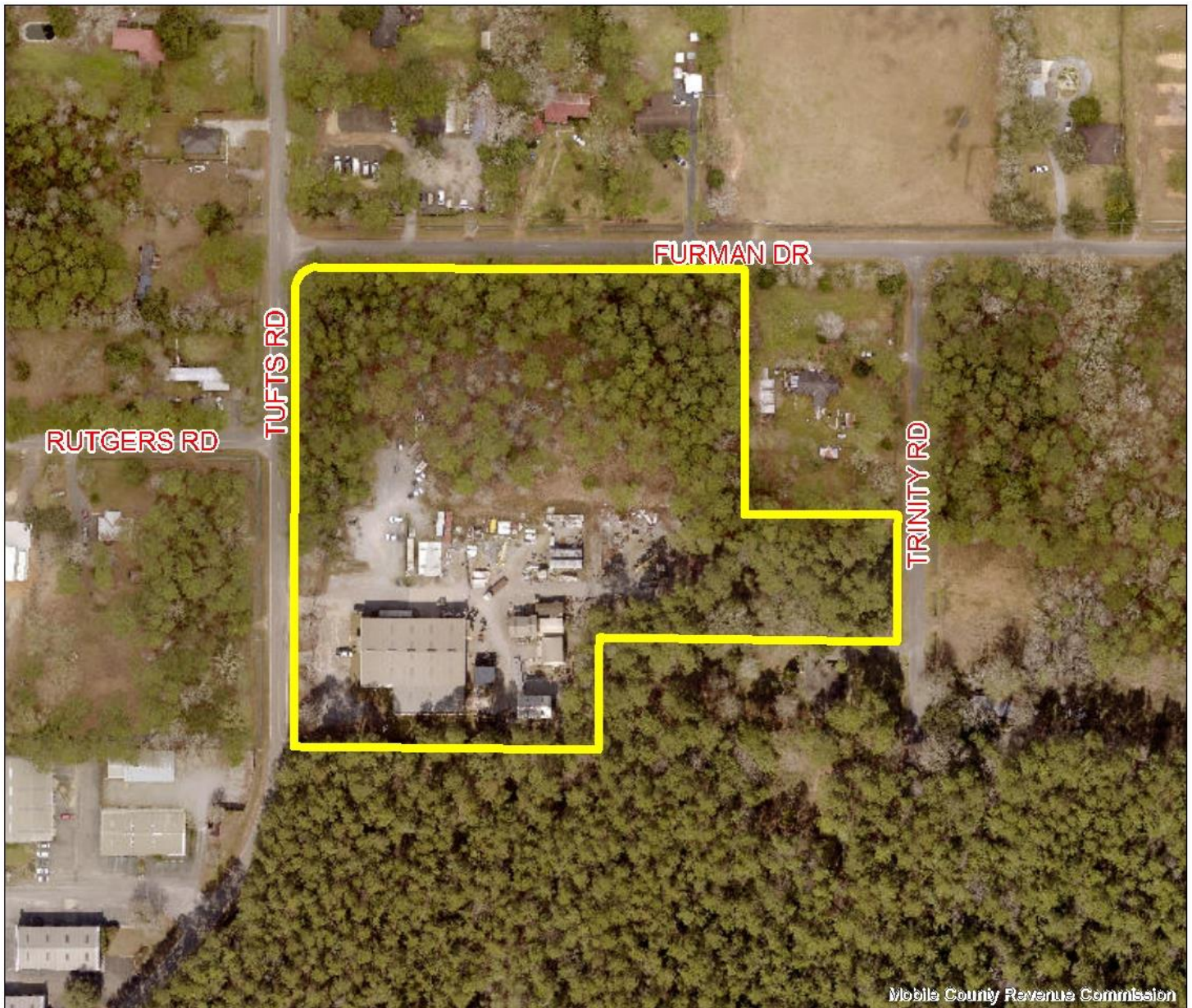
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 R-A	 R-3	 T-B	 B-2	 B-5	 MUN	 SD-WH	 T5.1
 R-1	 R-B	 B-1	 B-3	 I-1	 OPEN	 T3	 T5.2
 R-2	 H-B	 LB-2	 B-4	 I-2	 SD	 T4	 T6





# BOARD OF ADJUSTMENT VICINITY MAP - EXISTING AERIAL

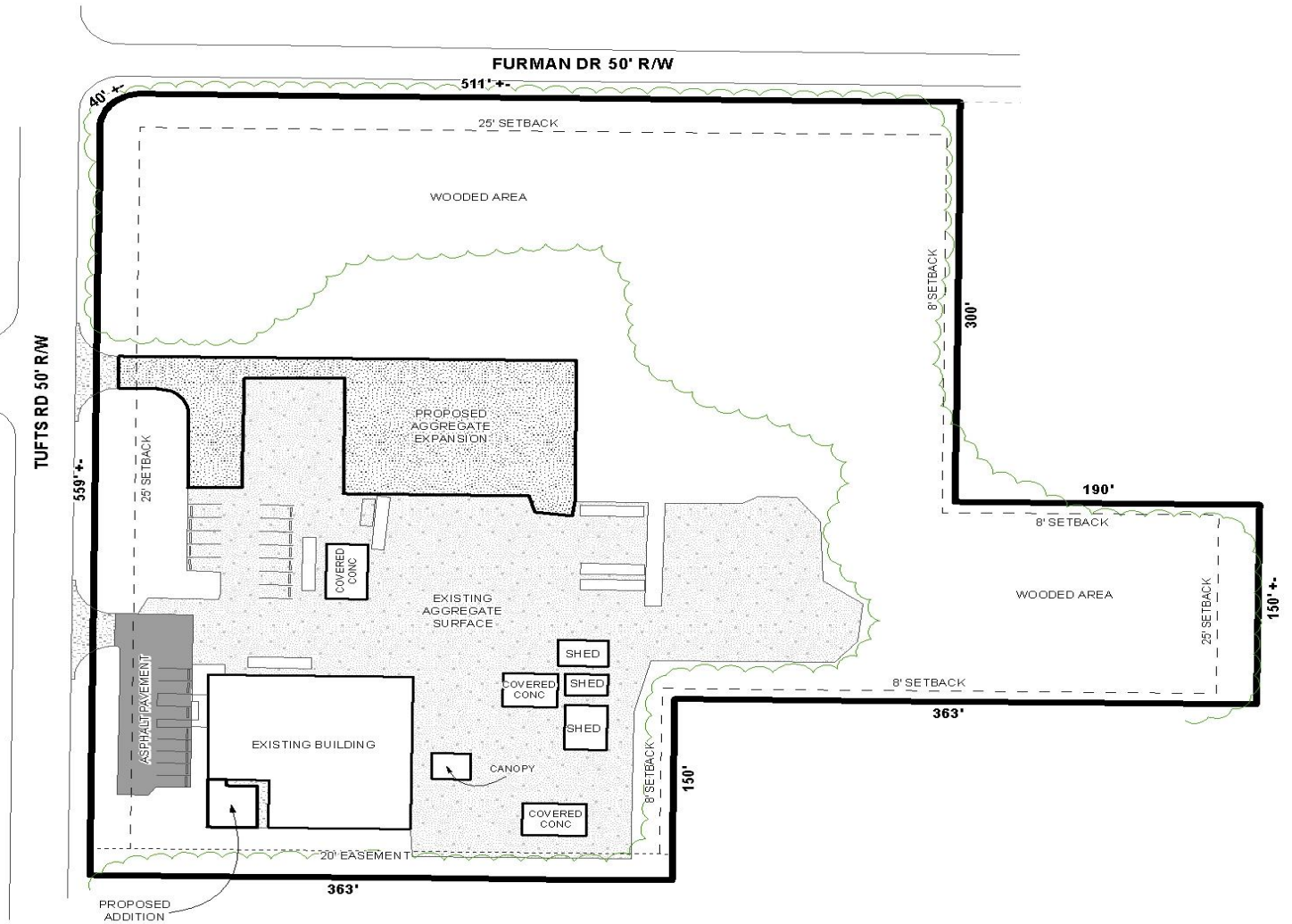


The site is surrounded by residential units with commercial units to the southwest.

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# SITE PLAN



The site plan illustrates the proposed building addition, the proposed aggregate expansion, setbacks and easements.

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