

APPLICATION NUMBER

5344

A REQUEST FOR

**USE AND OFF-SITE PARKING VARIANCES TO ALLOW
OFF-SITE PARKING IN AN R-1, SINGLE-FAMILY
RESIDENTIAL DISTRICT FOR 19 PARKING SPACES TO
SERVE AN ADJACENT RETAIL CENTER LOCATED IN A
B-2, NEIGHBORHOOD BUSINESS DISTRICT; THE
ZONING ORDINANCE REQUIRES THAT RETAIL
PARKING BE LOCATED IN A MINIMUM B-2,
NEIGHBORHOOD BUSINESS DISTRICT, AND THAT
OFF-STREET PARKING FACILITIES BE LOCATED ON
THE BUILDING SITE WITH THE USE OR STRUCTURES
FOR WHICH THE PARKING IS PROVIDED**

LOCATED AT

100 NORTH FLORIDA STREET

(West side of North Florida Street, 120'± North of Old Shell Road)

APPLICANT

ASHLAND STATION, L.L.C.

OWNER

MOBILE COUNTY SCHOOL BOARD

BOARD OF ZONING ADJUSTMENT

FEBRUARY 2006

The applicant is requesting Use and Off-Site Parking Variances to allow off-site parking in an R-1, Single Family Residential district for 19 parking spaces. The spaces will serve an adjacent retail center that is located in a B-2, Neighborhood Business district. The Zoning Ordinance requires that retail parking be located in a minimum B-2, Neighborhood Business district, and that off-street parking facilities be located on the building site with the use or structures for which the parking is provided.

The applicant proposes to lease an area to provide off-site parking adjacent to an existing retail center; the proposed parking area would be located on adjacent property of Augusta Evans Special School. The applicant states as proposed, nineteen parking spaces would be added within the lease area to provide additional parking for the Ashland Station project.

The applicant states the redevelopment of the retail/grocery store project is located at the northwest corner of Old Shell Road and North Florida Street is a conforming use; however, the proposed parking area is zoned R-1, Single-Family Residential and is currently owned by the Mobile County School Board.

Several points must be brought to the Board's attention concerning this variance application. The proposed plan illustrates 19 off-site (paved) parking spaces with associated green space. The City of Mobile's parking requirements for general business require one space for 300 square feet of total space; as proposed the site has 19,586 total square feet of retail space which requires 66 parking spaces and 1,690 square feet of restaurant space which requires 17 parking spaces. The total parking requirements for the site is 83 parking spaces, 67 parking spaces are illustrated on site. The 19 additional parking spaces on the leased off-site area would exceed the parking requirements of the Zoning Ordinance and allow the mixed-use development to provide additional parking spaces for employees and customers.

The Board has typically considered the character and the unique nature of the neighborhood when reviewing applications located in older areas of the city when considering parking variances. The district regulations for an R-1, Single-Family Residential District are designed to protect residential character by prohibiting all commercial activities and to encourage a suitable neighborhood environment for family life. However, in the case of the residential property, it is used and owned by the School Board.

The Zoning Ordinance states that no variance shall be granted where economics are the basis for the application; and, unless the Board is presented with sufficient evidence to find that the variance will not be contrary to the public interest, and that special conditions exist such that a literal enforcement of the Ordinance will result in an unnecessary hardship. The Ordinance also states that a variance should not be approved

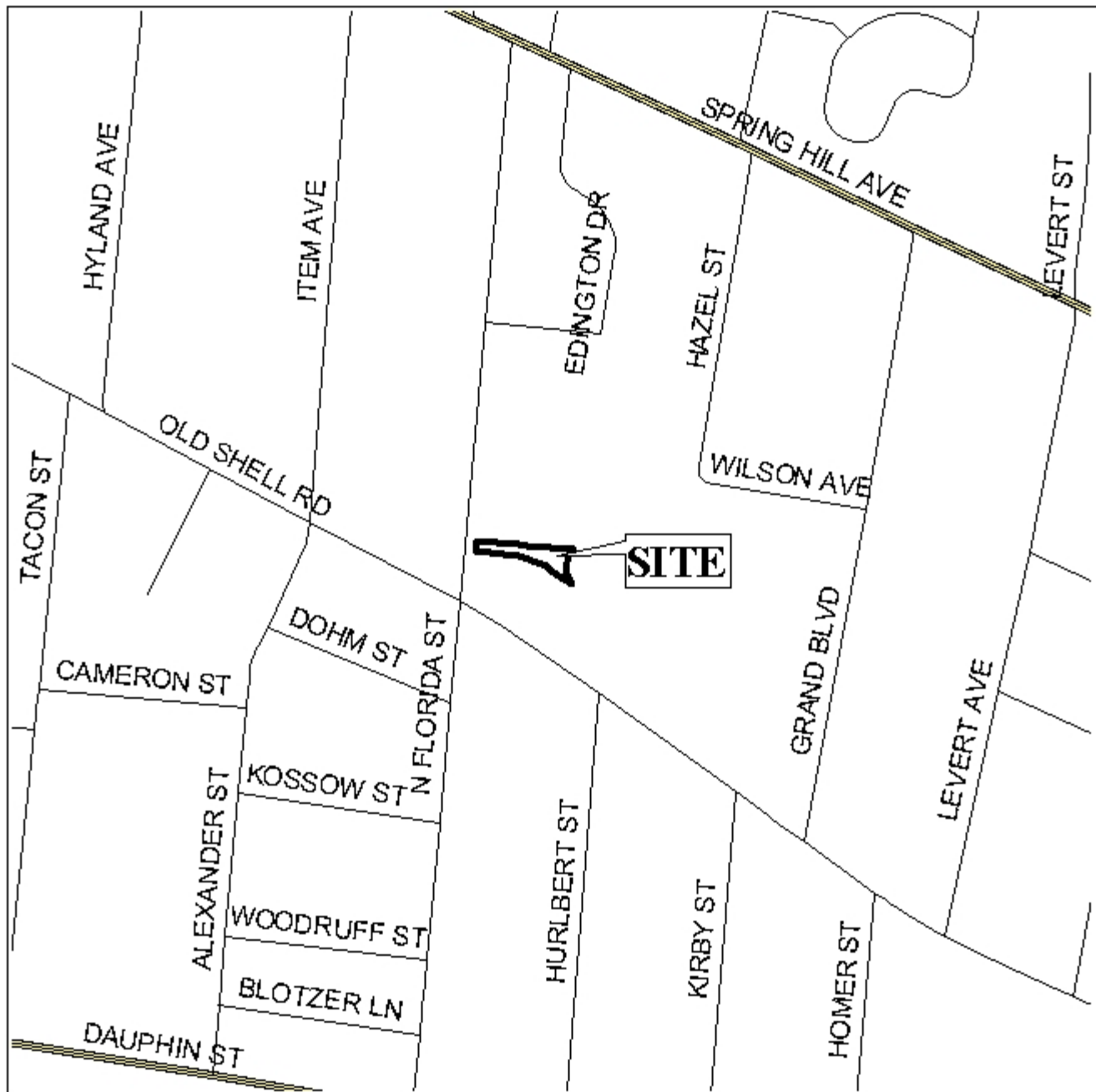
unless the spirit and intent of the Ordinance is observed and substantial justice done to the applicant and the surrounding neighborhood.

The applicant has submitted information indicating that the redevelopment of this site to provide more parking for the businesses located within this development would not be contrary to the public interest.

RECOMMENDATION 5344**Date: February 6, 2006**

Based upon the preceding, this application is recommended for approval subject to the following condition: 1) provision of landscaping and trees to be coordinated with and approved by Urban Forestry.

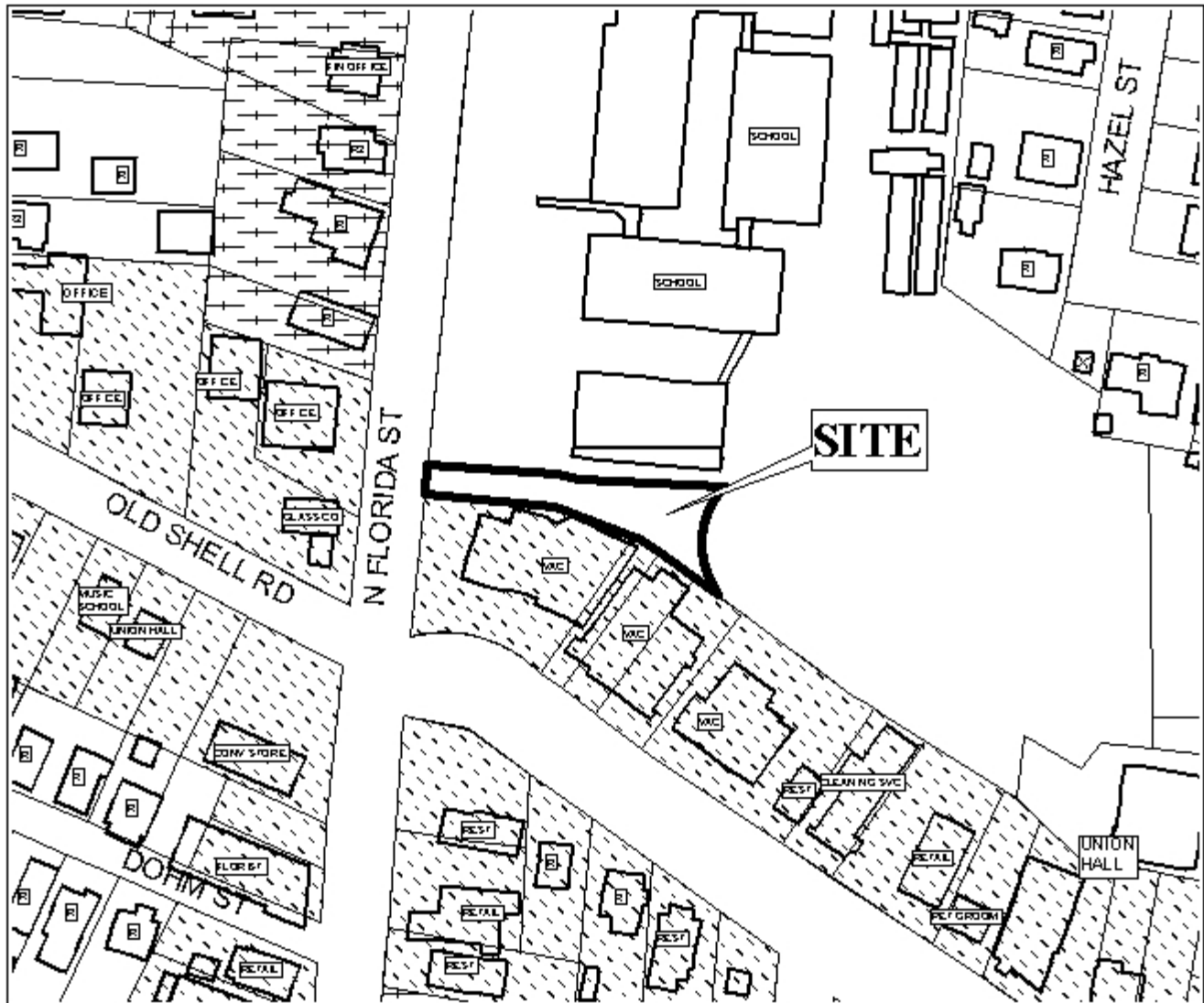
LOCATOR MAP



APPLICATION NUMBER 5344 DATE Febraury 6, 2006
APPLICANT Ashland Station, L.L.C. (Mobile County School Board, Owner)
REQUEST Use and Off-Site Parking Variances



BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING

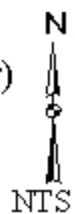


The site is surrounded by miscellaneous retail and offices, with a school located to the North.

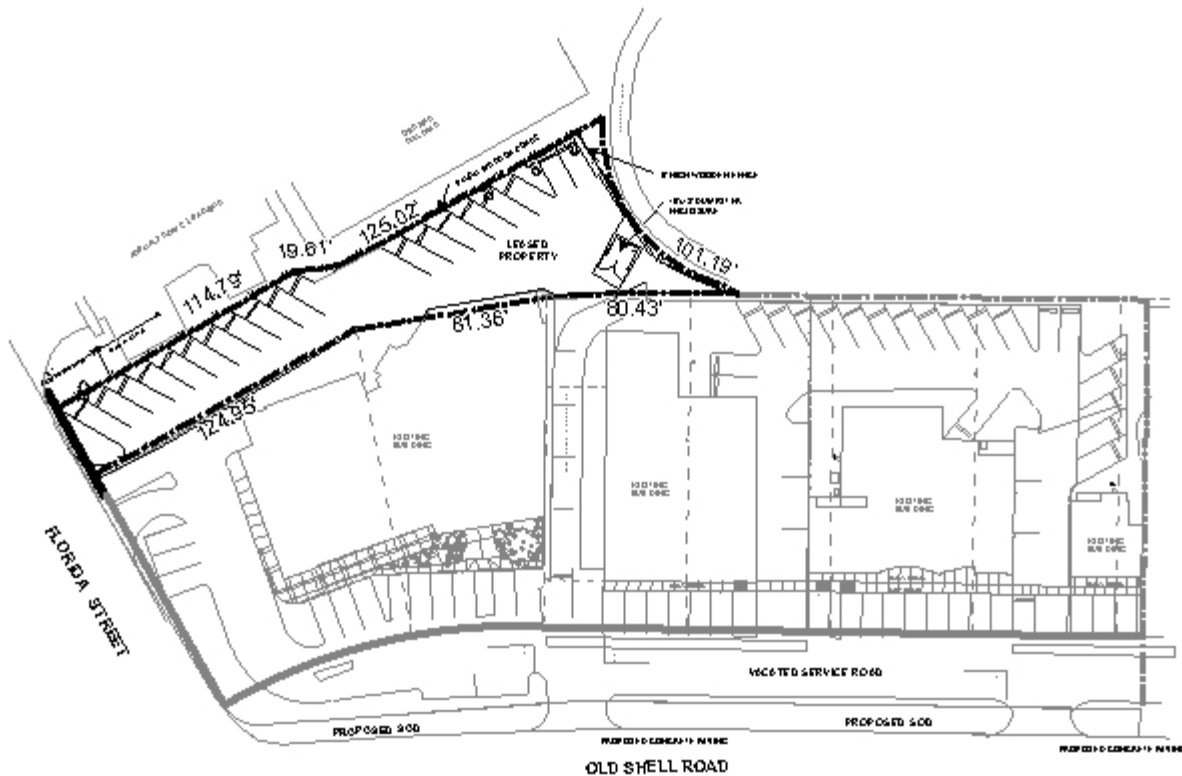
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LEGEND

R-1	R-2	R-3	R-A	R-B	H-B	B-1	LB-2	B-2	B-3	B-4	B-5	I-1	I-2
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SITE PLAN



The site is located on the West side of North Florida Street, 120' North of Old Shell Road. The plan illustrates the proposed parking lot, along with the adjoining property.

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