

APPLICATION NUMBER

5602

A REQUEST FOR

**USE VARIANCE TO ALLOW THE ADDITION OF A
MEDIA PREPARATION BUILDING TO AN EXISTING
FOUNDRY COMPLEX IN AN R-1, SINGLE-FAMILY
RESIDENTIAL DISTRICT; THE ZONING ORDINANCE
REQUIRES MINIMUM I-2, HEAVY INDUSTRY DISTRICT
FOR A FOUNDRY.**

LOCATED AT

906 SOUTH ANN STREET

(Southwest corner of Tennessee Street and South Ann Street)

APPLICANT/OWNER

SPS REALTY, LLC

AGENT

SPS REALTY, LLC

BOARD OF ZONING ADJUSTMENT

MARCH 2010

The applicant is requesting a Use Variance to allow the addition of a media preparation building to an existing foundry complex in an R-1, Single-Family Residential District; the Zoning Ordinance requires minimum I-2, Heavy Industry District for a foundry.

The applicant states that Mobile Pulley Works has operated at this location since its founding in 1892. The company has operated as a foundry and machining operation producing large pieces for various industries. The applicant states that there are a number of existing improvements; including covering the entire site with gravel. Currently there are seven structures, totaling 72,500', on the subject parcels. These parcels are utilized as a single operational site. The applicant also states that the primary use of this property is currently the design, fabrication and storage of wooden pattern molds used in the foundry process, and many of these pattern molds are quite large requiring heavy equipment to move them from place to place.

The applicant further states that the proposed improvement for these parcels is the construction of a new pre-engineered metal building totaling 6600'. The building will house a new media blast operation for Mobile Pulley Works. In this facility, pieces from the foundry will be media blasted to prepare them for paint and finish. The applicant also states that a concrete pad, approximately 2,250', will be constructed on the front of the building to stage parts and prepare them for the blasting operation. It should be noted that the blast operation itself is completely self-contained within the building, and exhaust from the blast booth is processed and cleaned through a filtration system prior to being released. The applicant states that there will be some limited activity outside the building associated with staging and moving pieces into and out of the proposed blast building. The entire site is enclosed within a chain link fence.

The facility will operate during normal business hours from 7:00 a.m. to 5:00 p.m. Monday through Friday. The applicant states that two or three employees may be added as a result of this operation, but no final decisions concerning manpower planning have been made at this time. It should be noted that customers will not be visiting this facility on a regular basis. Adjacent properties to the North (received rezoning approval to I-2 on 8/18/05) and East are parts of the Mobile Pulley facility, to the South is Craighead Elementary School, and to the West is Alabama Power Company. It should be pointed out that Alabama Power Company has an easement separating the site from Craighead Elementary; this easement provides a separation of approximately 50' between the school and the operations at the site.

The Zoning Ordinance states that no variance shall be granted where economics are the basis for the application. Furthermore, the applicant must present 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.

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.

Staff would like to point out that the expansion of an existing foundry complex in such close proximity to an elementary school may negatively affect the school site; therefore, provision of a 6' wooden privacy fence (with permits) may be advisable.

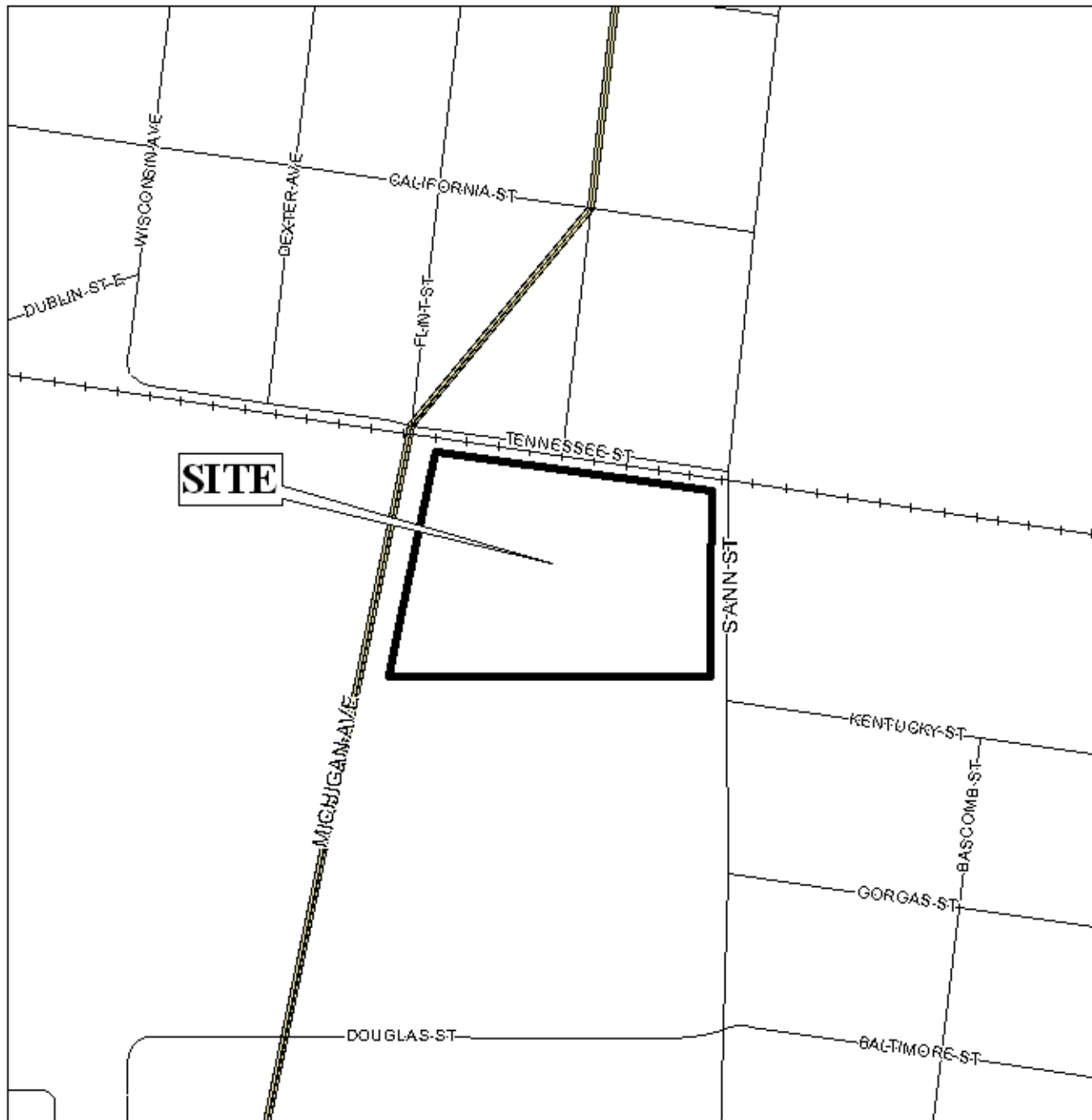
The applicant failed to illustrate that a literal enforcement of the Ordinance would result in an unnecessary hardship; however, the subject site has been located in the community for over 100 years, and was there prior to the surrounding development.

RECOMMENDATION 5602**Date: March 1, 2010**

Based on the preceding, this application is recommended for approval subject to the following condition:

- 1) provision of a 6' wooden privacy fence along the Southern portion of the site.

LOCATOR



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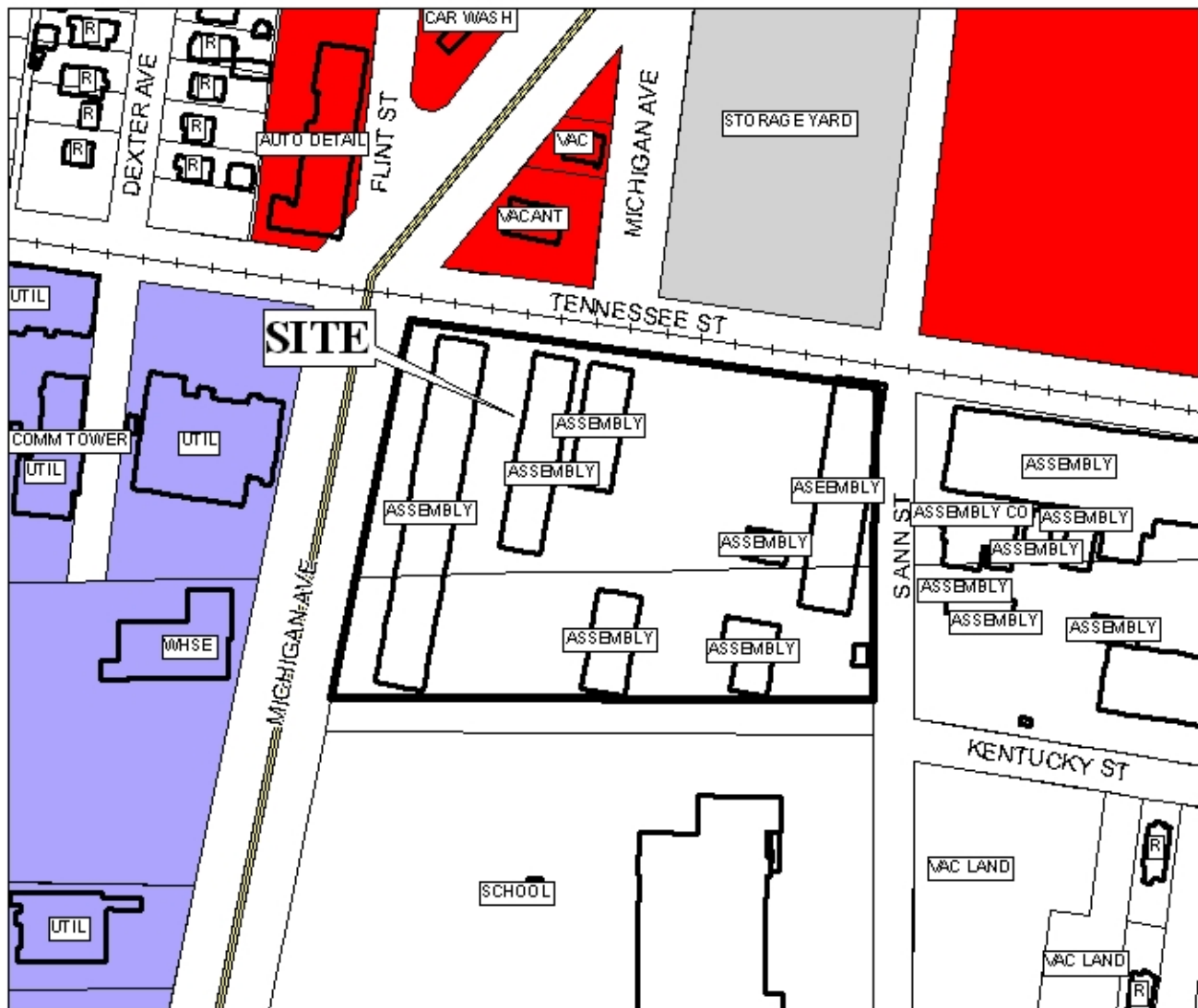
APPLICANT SPS Realty, LLC

REQUEST Use Variance



BOARD OF ADJUSTMENT

VICINITY MAP - EXISTING ZONING



This site is surrounded by residential, commercial, and industrial land use.

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LEGEND NTS

BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING

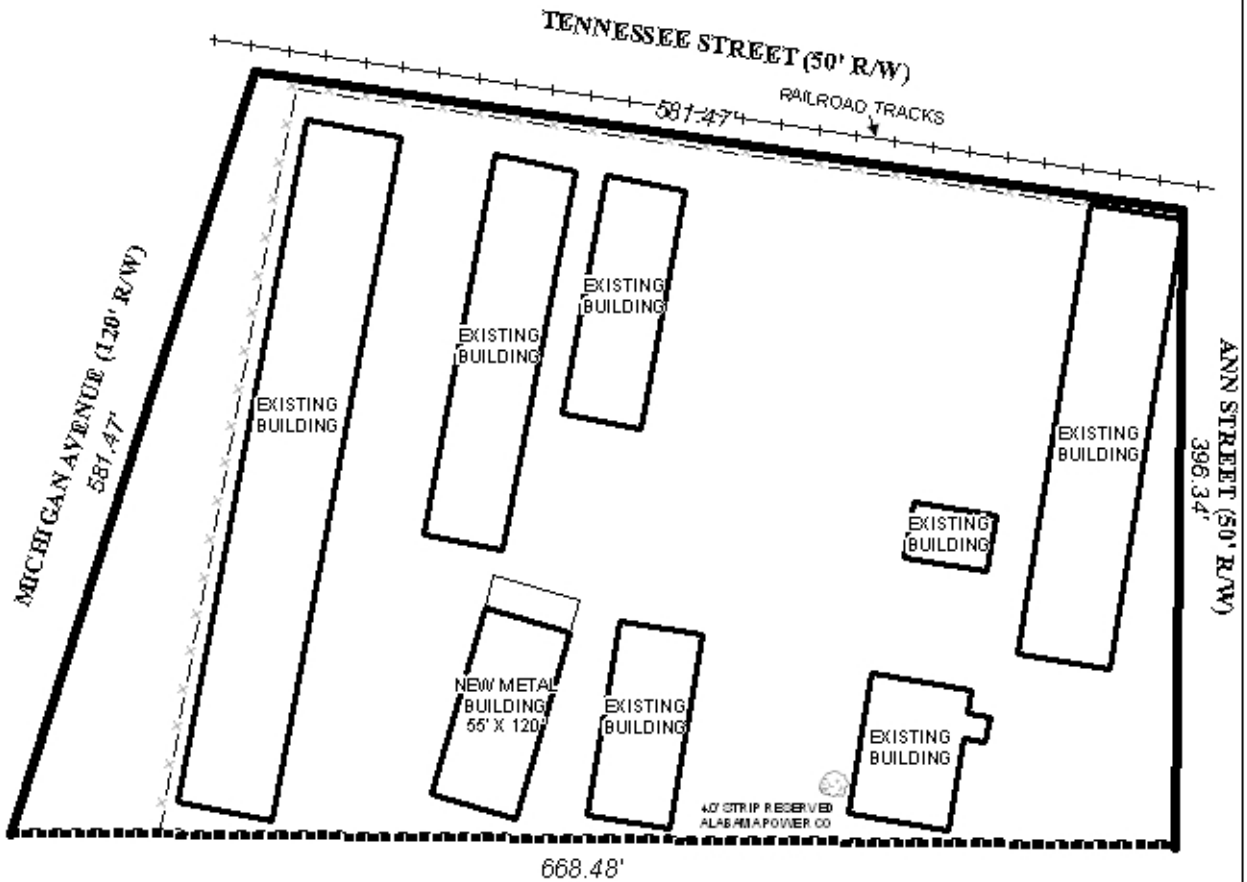


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SITE PLAN



This site plan illustrates the existing and proposed buildings.

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