

**BOARD OF ZONING ADJUSTMENT
STAFF REPORT****Date: March 2, 2015****CASE NUMBER**

5948

APPLICANT NAME

Rogers & Willard, Inc.

LOCATION

451 & 455 St. Louis Street
(Southeast corner of St. Louis Street and North Lawrence
Street and Southwest corner of St. Louis Street and North
Franklin Street)

VARIANCE REQUEST

SITE: Site variance to allow more than one curb cut per
street frontage in the Downtown Development District.

**ZONING ORDINANCE
REQUIREMENT**

SITE: The Zoning Ordinance allows a maximum of one
curb cut per street frontage in the Downtown Development
District.

ZONING

SD-WH, Special District - Warehouse

AREA OF PROPERTY

1.3± Acres

**TRAFFIC ENGINEERING
COMMENTS**

Traffic Engineering does not object to this variance request.
With frontage on four roadways, the site would be
permitted to have four curb cuts, one on each frontage.

**ENGINEERING
COMMENTS**

If the additional curb cuts are allowed the applicant will
need to submit revised Land Disturbance Permit
(BLD2014-03366 for 451 St. Louis St.) and ROW Permit
(ROW2015-00083 for 455 St. Louis St.) application
drawings.

**CITY COUNCIL
DISTRICT**

District 2

ANALYSIS

The applicant is requesting a Site Variance to allow more
than one curb cut per street frontage in the Downtown Development District; the Zoning
Ordinance allows a maximum of one curb cut per street frontage in the Downtown Development
District.

The applicant wishes to renovate an existing vacant building to accommodate several businesses, including a construction company, a software development company, and a restaurant. The site has frontages on St. Louis Street, North Hamilton Street, St. Michael Street, and North Lawrence Street. The applicant is proposing two curb cuts along North Hamilton Street, and two curb cuts along North Lawrence Street and a mountable curb area. Another existing curb cut on St. Michael Street will be left unused.

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.

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.

The applicant states that:

A request for variance is requested for the additional access locations located along N. Hamilton Street and N. Lawrence Street for the project. The City of Mobile allows a single access point for this project. The site plan shows two (2) access points for the parking lot along N. Lawrence Street and a secondary building access along N. Hamilton Street. Along N. Lawrence, access is limited to one-way directions. The multiple locations allow for maximum parking and movement within the parking lot. This will help with the flow of traffic and provide parking to alleviate on street parking along St. Louis, N. Hamilton, N. Lawrence, and St. Michael Street.

The secondary access along N. Hamilton Street is requested to allow access to the building for delivery access. This access point would have very limited traffic and is located at a previous access point to the building with an overhead door.

A variance is requested allowing the access to the site as shown on the Site Plan. The access points as shown will benefit the project to allow more parking, better traffic flow, and an access point into the building for deliveries.

Due to the site having four frontages, it could potentially have up to four curb-cuts by right. Instead, the applicant is requesting five curb-cuts, two of which would accommodate the existing building, and three of which would be for the proposed parking lot. As two of the requested curb-cuts will serve existing features of the building, and will be used intermittently, it would seem reasonable to allow the additional curb-cuts necessary to serve the proposed parking lot. The unused curb-cut on St. Michael Street should be removed, however, as should all other existing curb-cuts not shown as remaining on the submitted site plan.

It should be noted that the proposed site plan illustrate five compact parking spaces that are each 8' wide and 18' long. It should be noted that the standard parking space size required is 9' wide by 18' long, per Section 64-3.I.11.b.1. of the Zoning Ordinance.

RECOMMENDATION:

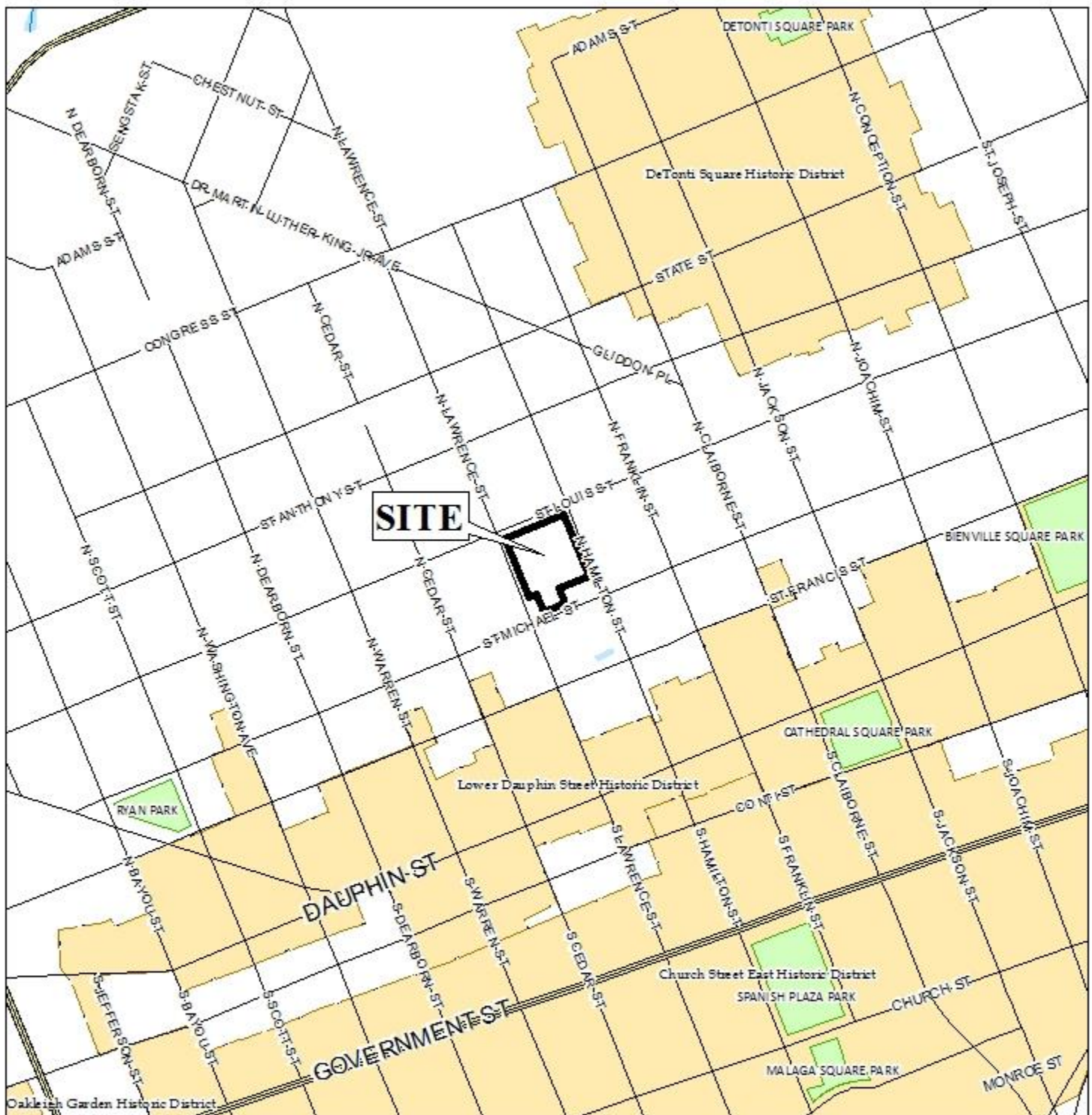
Staff recommends to the Board the following findings of fact for Approval:

- 1) approving the variance will not be contrary to the public interest in that the applicant could have up to four curb-cuts by right on the site;
- 2) special conditions do exist and there is a hardship which exists specifically, the existing auto-oriented architectural features of the National Register of Historic Places-listed building that make the need for supplemental curb-cuts necessary for the reuse of the property; and
- 3) the spirit of the chapter shall be observed and substantial justice shall be done to the surrounding neighborhood by granting the variance to allow the site to have better traffic flow, and to support the renovation of the historic structure.

The approval is subject to the following conditions:

- 1) limited to two curb-cuts to North Hamilton Street, two curb-cuts and one mountable curb to North Lawrence Street, and the removal of all other curb-cuts; and
- 2) full compliance with all other municipal and ordinances, including the obtaining of all permits necessary for work in the right-of-way.

LOCATOR MAP



APPLICATION NUMBER 5948 DATE March 2, 2015

APPLICANT Rogers & Willard, Inc.

REQUEST Site Variance



BOARD OF ADJUSTMENT

VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial units.

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REQUEST Site Variance

 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 ZONING



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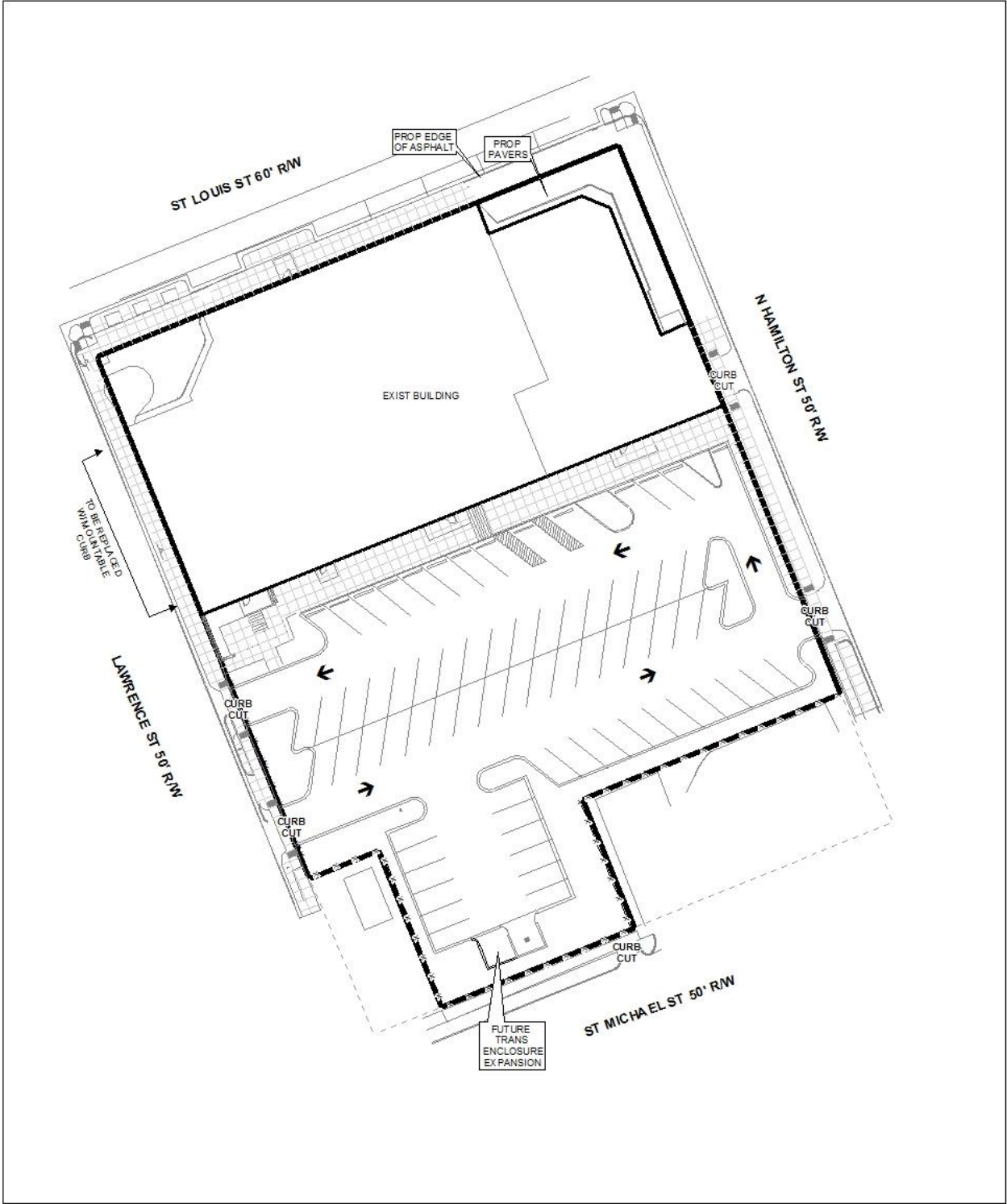
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SITE PLAN



The site illustrates the existing building, parking, and curb cuts.

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