Board of Zoning Adjustment
November 5, 2026

Agenda Item # 3

BOA-003814-2026

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

Applicant Materials for Consideration

DETAILS

Location:
1600 Yeend Street

Applicant / Agent:
Mobile Area Water & Sewer Service (MAWSS) / McCrory & Williams

Property Owner:
MAWSS

Current Zoning:
I-2, Heavy Industry District

Future Land Use:
Heavy Industry

Case Number:
6795

Unified Development Code Requirement:

- The Unified Development Code (UDC) requires full compliance with tree planting requirements in an I-2, Heavy Industry District.

Board Consideration:

- Tree Planting Variance to allow no tree plantings in an I-2, Heavy Industry District.

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BOARD OF ADJUSTMENT
VICINITY MAP - EXISTING AERIAL



The site is surrounded by industrial units.

APPLICATION NUMBER 6795 DATE November 5, 2026

APPLICANT McCrory & Williams

REQUEST Tree Planting Variance

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SITE HISTORY

In August 2003, the site was part of an Administrative Planned Unit Development to allow another tank (building) on site.

In June 2015, the site was part of a one lot Subdivision approved by the Planning Commission and recorded in Probate Court as well as a Planned Unit Development (PUD) to allow multiple buildings on a single building site, the PUD was approved.

In June 2015, this site went before the Planning Commission to allow the expansion of an existing wastewater treatment facility, that request was approved.

In May 2021, the site was part of a Planning Approval amendment to allow the expansion of an existing wastewater treatment facility in an I-2, Heavy Industry District as well as a PUD modification to amend a previously approved PUD allowing multiple buildings on a single business site.

In December 2025, the site was part of a Minor Modification of a Previously Approved Planning Approval to allow the expansion of an existing wastewater treatment facility in an I-2, Heavy Industry District, and recorded in Probate Court. The site was also part of a Minor Modification of a Previously Approved PUD allowing multiple buildings on a single site to allow the construction of a security booth, the modification was approved and recorded in Probate Court.

There are no other Board of Adjustment applications for this property.

STAFF COMMENTS

Engineering Comments:

No comments on the proposed variance; however, according to the submitted plans, the proposed project will require a Land Disturbance (Clearing and Demo) Permit.

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 [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 a Tree Planting Variance to allow no tree plantings in an I-2, Heavy Industry District; the Unified Development Code (UDC) requires full compliance with tree planting requirements in an I-2, Heavy Industry District.

The entire application packet is available via the link on Page 1.

The narrative submitted states that the applicant is requesting a tree planting variance to remove the trees from the site to prevent tree roots from damaging the vast underground piping system including the pipes running along Yeend Street. They also state that due to the 24/7 operation of the plant, any downtime for repairs would prevent the plant from operating at full capacity.

The applicant submitted a site plan depicting the following trees as being removed: 15 live oaks, 27 crepe myrtles, 5 palm trees, and 1 unspecified tree to be removed, if approved. If the Board is inclined to approve the request, the applicant should be required to make a donation to the tree bank.

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 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:

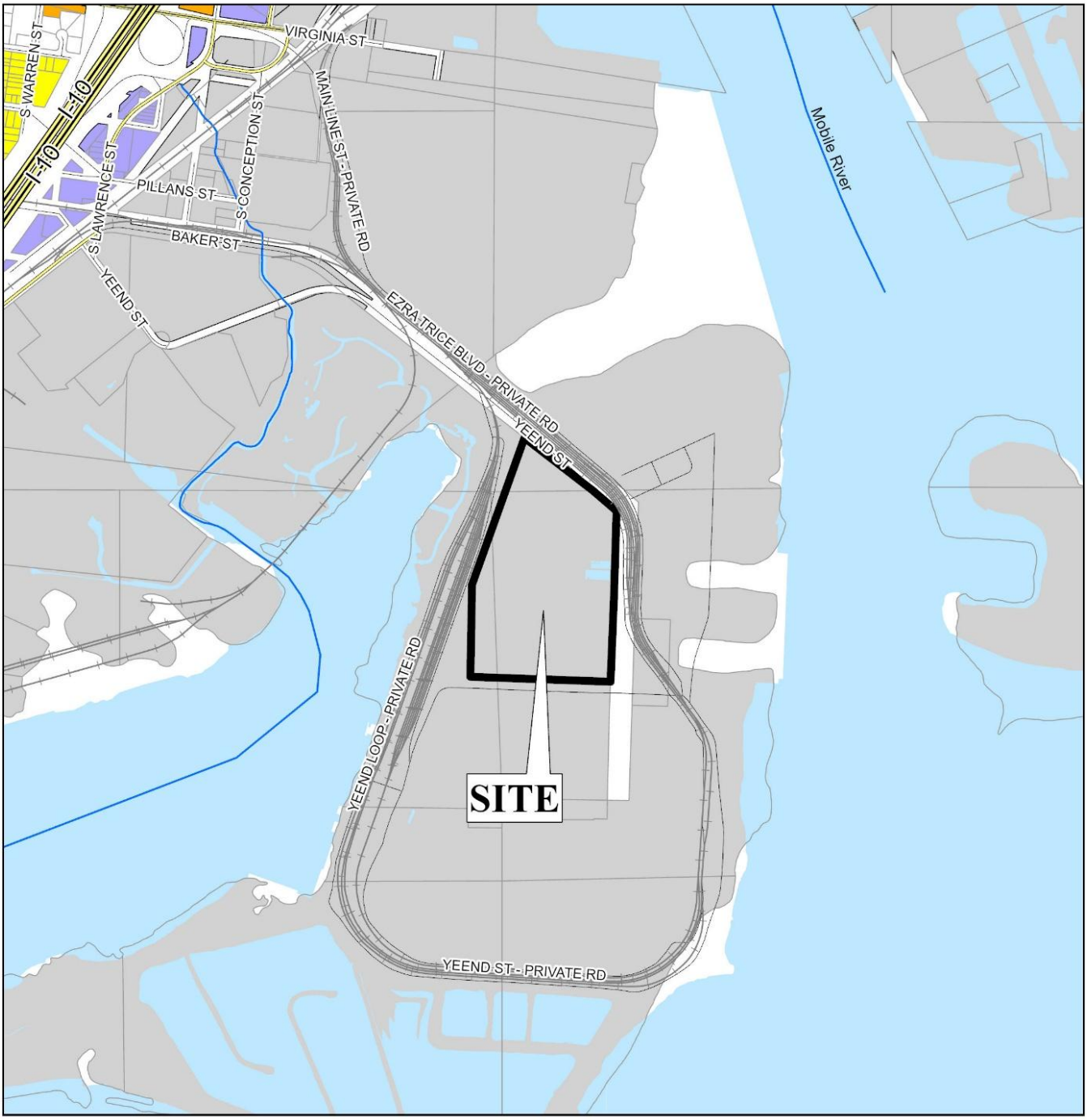
Based on the requested Variance application and documentation submitted, if the Board considers approval of the request, the following findings of fact must be present:

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 approved, the following conditions should apply:

1) Obtaining all necessary permits for tree removal; and
2) Submittal of a donation to the tree bank

LOCATOR ZONING MAP



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APPLICANT McCrory & Williams

REQUEST Tree Planting Variance

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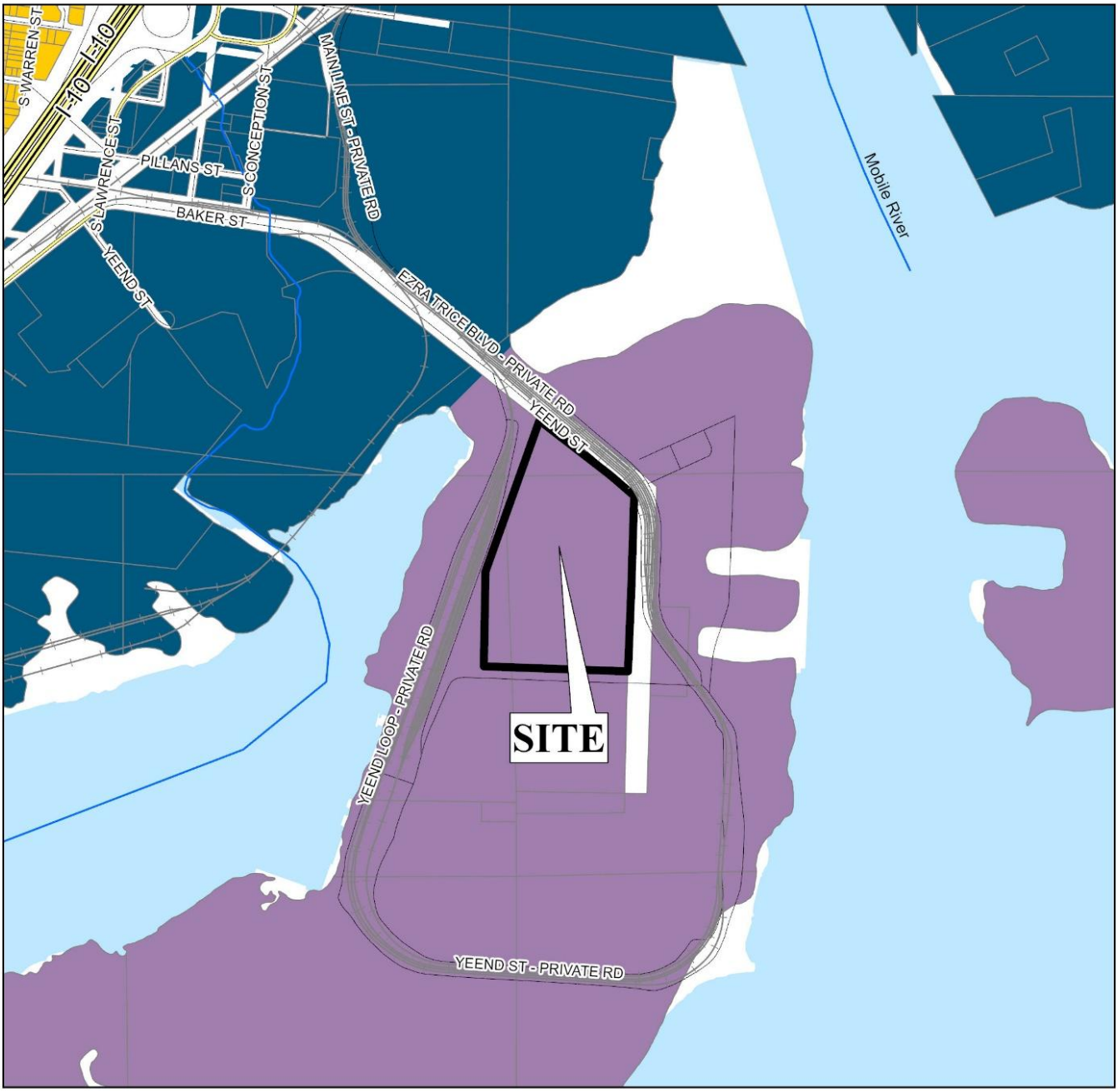
FLUM LOCATOR MAP



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APPLICANT McCrory & Williams

REQUEST Tree Planting Variance

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

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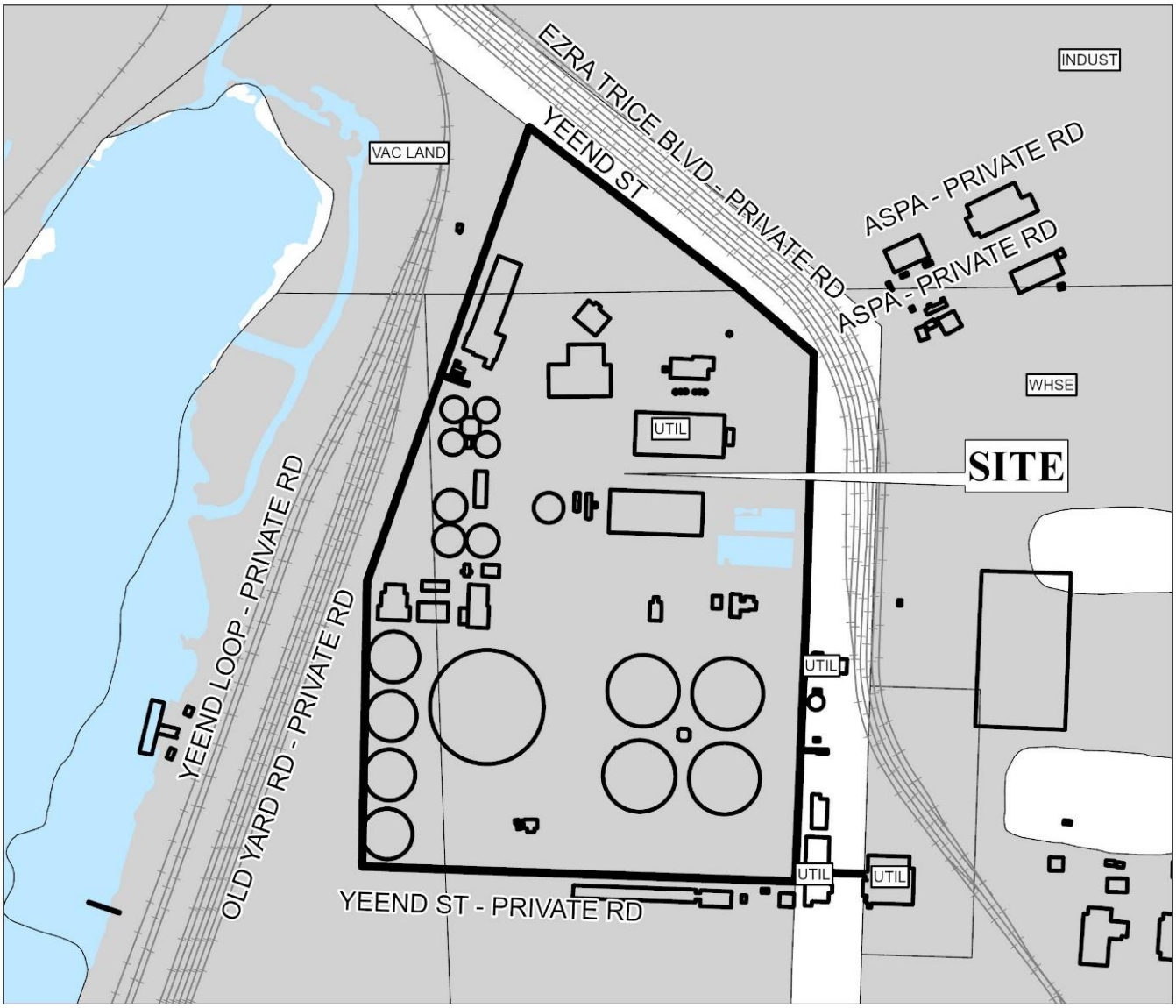
BOARD OF ADJUSTMENT
VICINITY MAP - EXISTING ZONING



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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		

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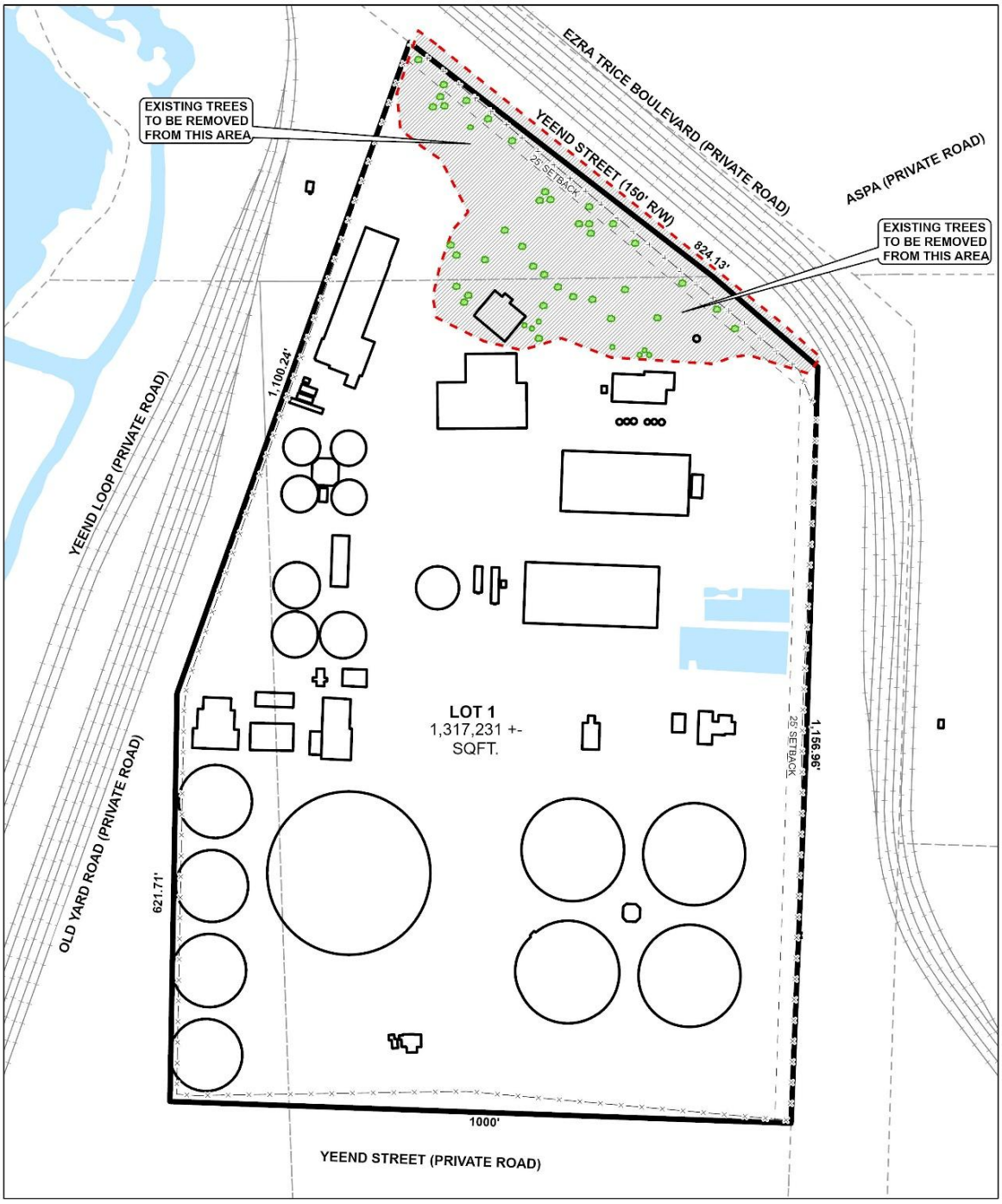
SITE PLAN



The site plan illustrates

APPLICATION NUMBER 6795 DATE November 5, 2026 APPLICANT McCrory & Williams REQUEST Tree Planting Variance	N NTS

FUTURE LAND USE MAP CORRESPONDENCE TO ZONING

A primary purpose of the Future Land Use Map is to guide zoning decisions. In many cases the designation on the FLUM may match the existing use of land, but in others the designated land use may differ from what is on the ground today. For example, a parcel that is in commercial use today but designated as any of the "mixed use" types on the map could redevelop with a mix of residential and commercial uses (such as retail, office, entertainment, etc., depending on the location).

Each future land use designation on the FLUM will have at least one corresponding zoning district, allowing a more precise application of the FLUM based on specific local conditions. In most cases, there are multiple combinations or types of zoning techniques that can accomplish the future land use designation's objectives.

The correspondence between the FLUM and the zoning district structure is described in the matrix below. This tool gives the City the flexibility over the long-term to determine appropriate changes to the zoning map based on various factors.

The designation of an area with a FLUM land use category does not mean that the most intense zoning district consistent with that category is "automatically" assigned to a property. Instead, an area retains its existing zoning category until it is changed through a landowner-initiated rezoning application, or a rezoning that follows an area plan. This is because the FLUM is a long-term designation, while a change in zoning considers current conditions – such as market demands, availability of infrastructure, or impacts on the immediate neighborhood.

Zoning correspondence matrix

■ Zoning district is appropriate to implement the future land use category.

U S Zoning district with Urban or Suburban subdistrict is appropriate to implement the future land use category.

○ Elements of the zoning district are related to the future land use category and may be appropriate with qualifications or conditions.

□ Zoning district is appropriate, but the district does not directly implement the category (e.g., open space in an industrial district)

	RESIDENTIAL - AC (R-A)	ONE-FAMILY RESIDENCE (R-1)	TWO-FAMILY RESIDENCE (R-2)	MULTIPLE-FAMILY (R-3)	RESIDENTIAL BUSINESS (R-B)	HISTORIC BUSINESS (H-B)	BUFFER BUSINESS (B-1)	TRANSITIONAL BUSINESS (T-B)	LIMITED BUSINESS (LB-2)	NEIGHBORHOOD BUSINESS (B-2)	COMMUNITY BUSINESS (B-3)	GENERAL BUSINESS (B-4)	OFFICE-DISTRIBUTION (B-5)	COMMERCIAL WAREHOUSE (CW)	MARITIME MIXED (MM)	MARITIME LIGHT (ML)	MARITIME HEAVY (MH)	LIGHT INDUSTRY (I-1)	HEAVY INDUSTRY (I-2)	VILLAGE CENTER (TCD)	NEIGHBORHOOD CENTER (TCD)	NEIGHBORHOOD 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)
LOW DENSITY RESIDENTIAL (LDR)	■	S	S	S			○							○															○
MIXED DENSITY RESIDENTIAL (MDR)		U	U	■	■			■	■	■					■															○
DOWNTOWN (DT)						■					■													■	■	■	■	■	○	○
DISTRICT CENTER (DC)								■			U	○	○																	
NEIGHBORHOOD CENTER - TRADITIONAL (NC-T)		■	■	U	■	■	○	■	○	○	○										■	■	■							
NEIGHBORHOOD CENTER - SUBURBAN (NC-S)				S			S	■	S	S	○									■	■									○
TRADITIONAL CORRIDOR (TC)		■	■		■	■	U	■	U	U	○																			○
MIXED COMMERCIAL CORRIDOR (MCC)							■		■	■	■	■	■	■	■															
LIGHT INDUSTRIAL (LI)													■	■	■	■			■										○	○
HEAVY INDUSTRY (HI)																■	■	■	■										○	○
INSTITUTIONAL LAND USE (INS)											■	■		○	○				○											
PARKS & OPEN SPACE (POS)	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□
WATER DEPENDENT USES (WDWRU)	■					○								■	■	■		○												

HEAVY INDUSTRY (HI)

This designation applies to larger parcels primarily devoted to high-impact industrial activity which is preferably removed from residential and commercial uses. Light industry, industrial business or commercial lands may separate heavy industry from other land uses. Heavy industrial areas are distinguished by the presence of noise, vibration, and/or odors, and benefit from easy access to a multimodal freight transportation network. Some industrial areas along Mobile's waterways are treated separately on the FLUM and classified as Water Dependent Uses

Development Intent

- Certain types of heavy industry are characterized by low building coverage and activities that rely on large areas of outdoor storage of raw material stockpiles and/or waste-product disposal areas, storage tanks, pipelines, and transportation yards to handle the transfer of heavy materials.
- The outdoor storage areas should be screened as much as possible by the nature of the stored materials.
- Land designated as HI may be underdeveloped due to the presence of wetlands on portions of the parcel. In these cases, the wetlands may serve to buffer surrounding uses from the potential impacts of the heavy industrial use.
- Undeveloped areas of HI parcels that have tree cover may be used as buffering between the heavy industrial use and other uses. Where buffers do not exist naturally, they should be provided as spelled out in the zoning and subdivision regulations.
- Open areas reserved for dredge disposal are also designated as HI and may contain wetlands.

Land use mix

Primary Uses

- Heavy Industrial
- Mining and Material Storage

Secondary Uses

- Commercial

Character Example



