

**BOARD OF ZONING ADJUSTMENT  
STAFF REPORT****Date: September 12, 2011****CASE NUMBER**

5703

**APPLICANT NAME**

Energy Pipe &amp; Supply – AL LLC

**LOCATION**6135 Rangeline Service Road  
(East side of Rangeline Road, 0.4± mile North of Old Rangeline Road)**VARIANCE REQUEST****PARKING SURFACE:** Variance to allow an aggregate surface for a pipe inventory storage yard in a B-5, Office-Distribution District.**ZONING ORDINANCE  
REQUIREMENT****PARKING SURFACE:** Requires a storage yards to be paved in asphalt, concrete, or an approved alternative paving surface in a B-5, Office-Distribution District.**ZONING**

B-5, Office-Distribution District

**AREA OF PROPERTY**

56,000± Square Feet / 1.28± Acres

**TRAFFIC ENGINEERING  
COMMENTS**

No Comments

**CITY COUNCIL  
DISTRICT**

District 4

**ANALYSIS**

The applicant is requesting a Parking Surface Variance to allow an aggregate surface for a pipe inventory storage yard in a B-5, Office-Distribution District; the Zoning Ordinance requires storage yards to be paved in asphalt, concrete, or an approved alternative paving surface in a B-5, Office-Distribution District.

The applicant states that the company is limited to wholesale distribution of piping products and does not operate as a contractor. The applicant is requesting to be allowed to place aggregate surfacing on the rear portion of the site to be used as a storage yard for inventory, which consists mostly of pipe. The applicant further states that no construction equipment, scrap piles, or similar things will be stored on the site.

The applicant also states that they feel the variance should be granted because the aggregate surfacing will allow the site to drain more naturally than a hard surface. The applicant states that they feel the proposed aggregate surfacing will be more environmentally friendly as well as more

aesthetically pleasing. It should be noted that City of Mobile aerial photos verify that aggregate surfacing is common in the area, and that the presence of this type of surfacing is the result of the area recently being brought into the city. It should also be noted that another site approximately 800' down the road recently applied for a similar variance which was denied at the August 1, 2011 meeting.

The reason aggregate is not an approved surface is because of the possibility of the aggregate shifting onto the right-of-way and adjacent properties via tires, and parking spaces are not readily delineated. In cases where the basis for a Parking Surface Variance has been the fact that tracked or large off-the-road-tired construction equipment or heavy object storage could adversely impact the surface due to crushing and/or chipping, a surface variance has been justified. The applicant does not mention large equipment specifically, but does state that an asphalt surface would not stand up to the heat or weight it would be subject to.

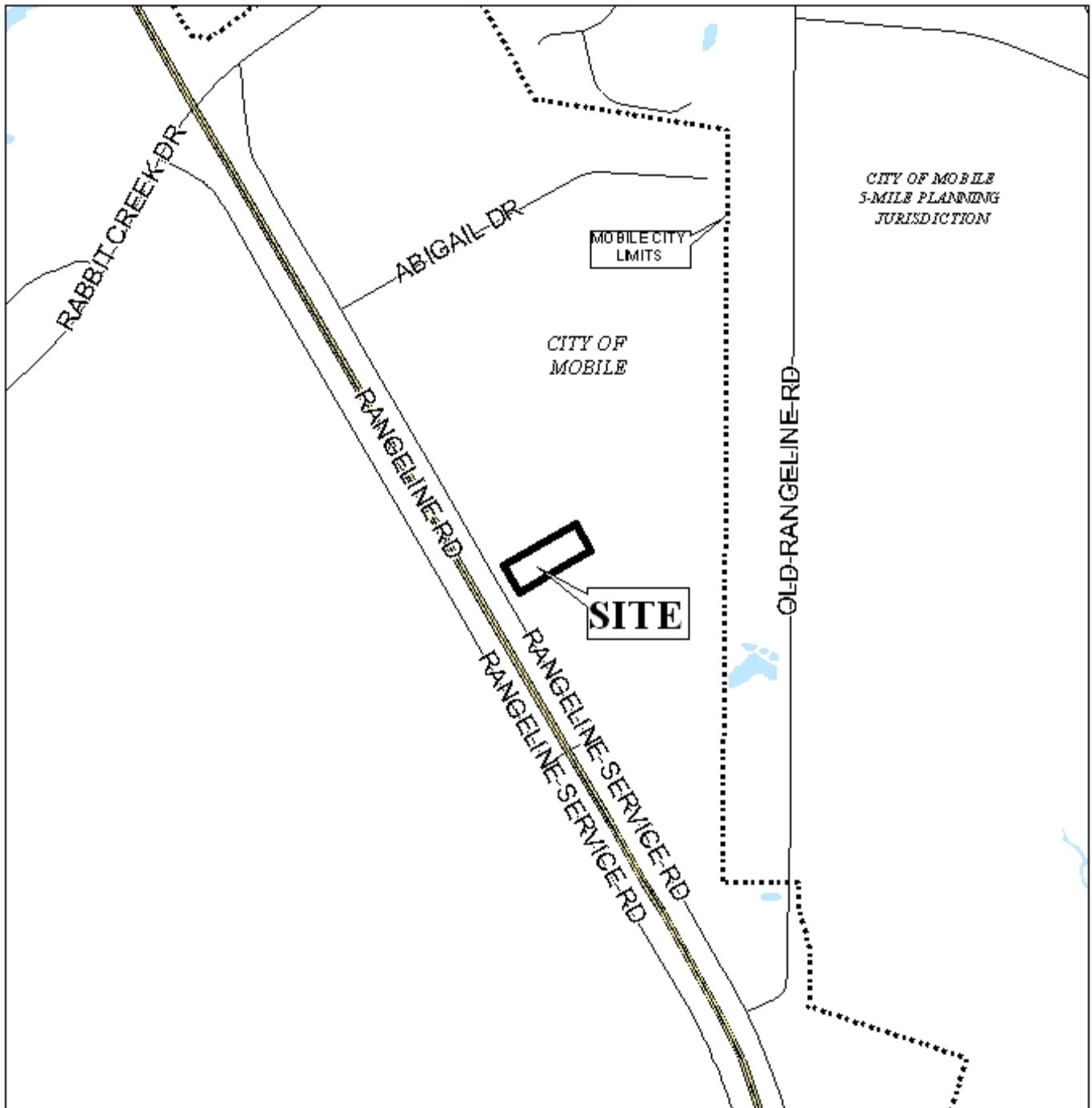
The Zoning Ordinance states that no variance shall be granted where economics are the basis for the application. Furthermore, the applicant must present sufficient evidence to find that the variance will not be contrary to the public interest, and that special conditions exist such that a literal enforcement 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.

Because the applicant does not state that tracked equipment will be used to move the pipe around the proposed storage yard, aggregate surfacing may not be necessary for the entire storage yard. Some varieties of pipe may be excessively heavy, and therefore it may be appropriate to allow the use of aggregate surfacing for the portion of the site that the pipe will be stored on. However, any tired vehicle used to relocate the pipe may not be able to operate adequately on a surface that has the potential to shift under it. Therefore, asphalt aisles should be provided to insure that the pipe may be safely accessed and moved as needed.

**RECOMMENDATION:** Based on the preceding, this application is recommended for approval of aggregate surfacing in areas where pipe is to be stored, with asphalt aisles to allow forklifts and other equipment to transport the pipe and products from the storage yard to trucks for shipment.

## LOCATOR MAP



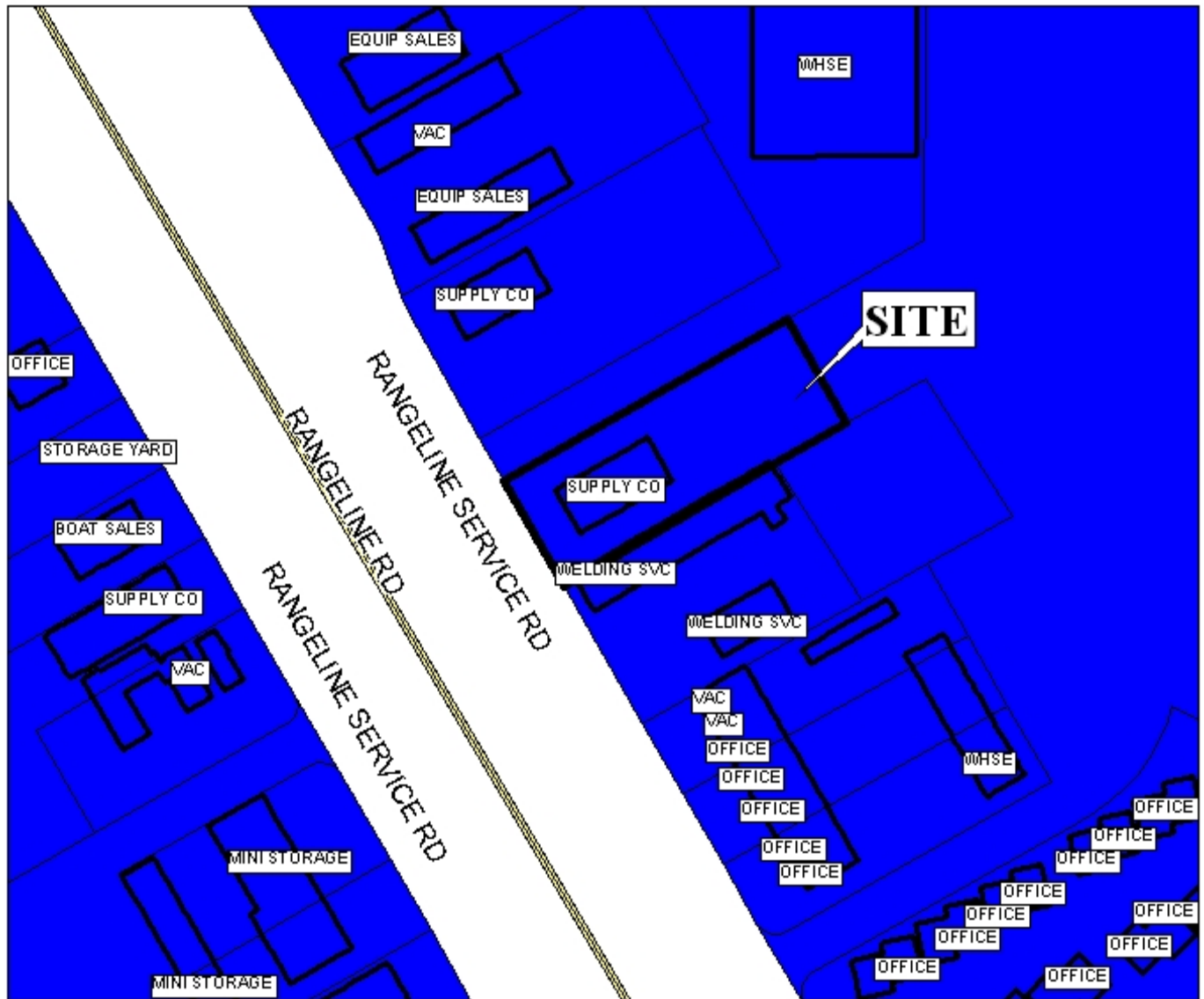
APPLICATION NUMBER 5703 DATE September 12, 2011

APPLICANT Energy Pipe and Supply - AL LLC

REQUEST Parking Surface Variance



# BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



There is a supply company north and southwest of the site and offices to the southeast.

APPLICATION NUMBER 5703 DATE September 12, 2011

APPLICANT Energy Pipe & Supply - AL LLC

REQUEST Parking Surface Variance

LEGEND

R-1	R-2	R-3	R-A	R-B	H-B	T-B	B-1	LB-2	B-2	B-3	B-4	B-5	I-1	I-2
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# BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



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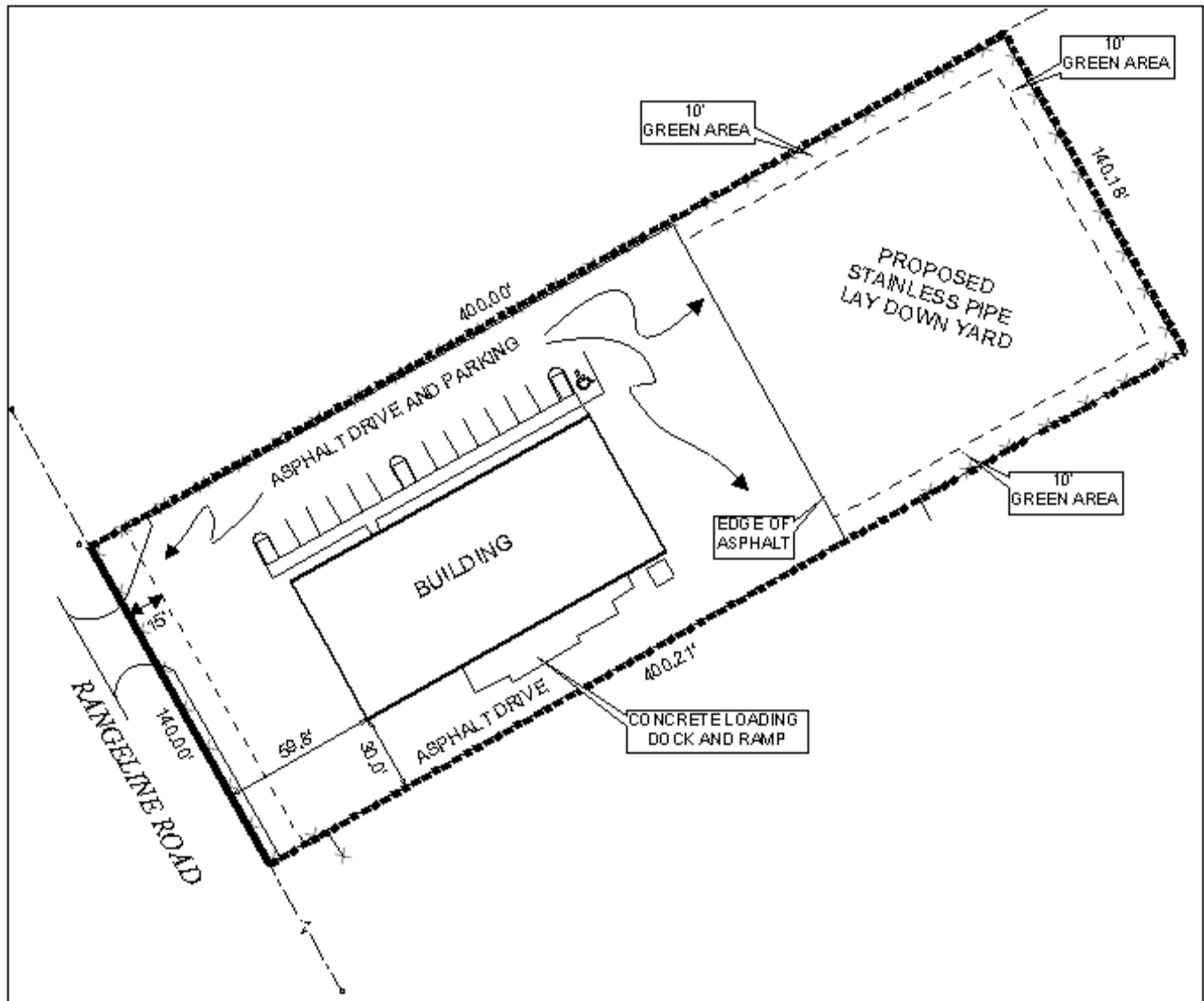
APPLICATION NUMBER 5703 DATE September 1, 2011

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# SITE PLAN



The building, parking , drive, and proposed pipe lay down yard are illustrated in the site plan.

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