



Agenda Item # 4

BOA-SE-002517-2023

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

[Applicant Materials for Consideration](#)

DETAILS

Location:

South side of Country Club Road, 375'± West of Hillwood Road (near the #5 tee box)

Applicant / Agent (as applicable):

Sawgrass Consulting, LLC

Property Owner:

Country Club of Mobile

Current Zoning:

R-1, Single-Family Residential Suburban District

Future Land Use:

Low Density Residential

Case Number(s):

6524/5560

Unified Development Code (UDC) Requirement:

- Special Exception to allow a Class 2 Communication Facility in an R-1, Single Family Residential Suburban District

Board Consideration:

The following Special Exception is requested:

- To allow the placement of a Class 2 Communication Facility.

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BOARD OF ADJUSTMENT VICINITY MAP - EXISTING AERIAL



The site is surrounded by single family residential units.

| | | | |
|--------------------|----------------------------|------|---------------|
| APPLICATION NUMBER | 6524 | DATE | July 10, 2023 |
| APPLICANT | Sawgrass Consulting, LLC | | |
| REQUEST | Special Exception Variance | | |



SITE HISTORY

The site has been the subject of several Planning Approval and Planned Unit Development applications before the Planning Commission to allow a country club in an R-1 district, with multiple structures on a single building site. The most recent applications were approved by the Planning Commission in February 2023 to allow the construction of new pickleball courts.

In 2009, a variance was granted to allow barbed wire around a maintenance yard, on the South side of the site, closer to Airport Boulevard.

STAFF COMMENTS

Engineering Comments:

No comments.

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 within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2021 International Fire Code). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.

Planning Comments:

The applicant has requested a Special Exception to allow Class 2 Communications Equipment to be placed in an R-1, Single-Family Residential Suburban District.

The applicant is proposing a new 35-foot tall telecommunications tower to be placed near the #5 tee box, with little to no other equipment on the site. The information submitted with the application depicts a small (17' x 32') lease parcel, therefore a Subdivision is not required to create a lot for the lease parcel, as it is less than 3,000 square feet.

SPECIAL EXCEPTION CONSIDERATIONS

Standards of Review:

- Special Exceptions are those uses that may have some special impact which differs from the potential impacts of permitted uses, exceeds permitted uses in intensity, or have a uniqueness such that their effect on the surrounding environment cannot readily be determined in advance of the use being proposed in a particular location.

Article 5 Section 11-E.1. of the Unified Development Codes states the Board of Adjustment will not approve an Application for Special Exception unless the request complies with the following criteria:

- (a) The proposed use is in harmony with the general purpose, goals, objectives and standards of this Chapter, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the City.
 - (b) The proposed use at the proposed location shall not result in a substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvements, public sites or rights-of-way, or other matters affecting the public health, safety and general welfare either as they now exist or as they may in the future be developed as a result of the implementation of provisions and policies of this Chapter, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the City or other governmental agency having jurisdiction to guide growth and development.
 - (c) The proposed use will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities, and services specified in this subsection. Where any such improvements, facilities, utilities or services are not available or adequate to service the proposed use in the proposed location, the Applicant shall, as part of the application and as a condition to approval of the proposed Special Exception permit, be responsible for establishing ability, willingness and commitment to provide such improvements, facilities, utilities and services in sufficient time and in a manner consistent with this Chapter, and other plans, programs, maps and ordinances adopted by the City to guide its growth and development. The approval of the Special Exception Permit shall be conditioned upon such improvements, facilities, utilities and services being provided and guaranteed by the Applicant.
 - (d) The proposed use is consistent with all applicable requirements of this Chapter, including:
 - (1) Any applicable development standards in Article 3; and
 - (2) Any applicable use regulations in Article 4.
 - (e) The proposed use is compatible with the character of the neighborhood within the same zoning district in which it is located;
 - (f) The proposed use will not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district; and
 - (g) The proposed use will have no more adverse effects on health, safety or comfort of persons living or working in the neighborhood, or will be no more injurious to property or improvements in the neighborhood than would any other use generally permitted in the same district.
- (1) In making this determination, the Board of Adjustment shall consider:
- a. The location, type and height of buildings or structures;
 - b. The type and extent of landscaping and screening;

- c. Lighting;
 - d. Hours of operation; or
 - e. Other conditions that might require mitigation of any adverse impacts of the proposed development.
- (h) The site is designed to provide ingress and egress that minimize traffic hazards and traffic congestion on the public roads;
 - (i) The site is designed to minimize the impact on storm water facilities;
 - (j) The use will be adequately served by water and sanitary sewer services;
 - (k) The use is not noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas; and
 - (l) The use will not be detrimental or endanger the public health, safety or general welfare.

Article 5 Section 11-E.2. states; that when considering a Special Exception application, the City's and the larger community's best interests and the need, benefit, or public purpose of the proposed request should also be evaluated.

Additionally, Article 5, Section 11-E.3. states:

- The Board of Adjustment shall give careful consideration to the warrants and criteria set forth in this section in judging applications for Special Exceptions involving the following uses. In granting a Special Exception, the board may attach such reasonable conditions and safeguards in addition to those set forth in this section, as it may deem necessary to implement the purposes of this Chapter.

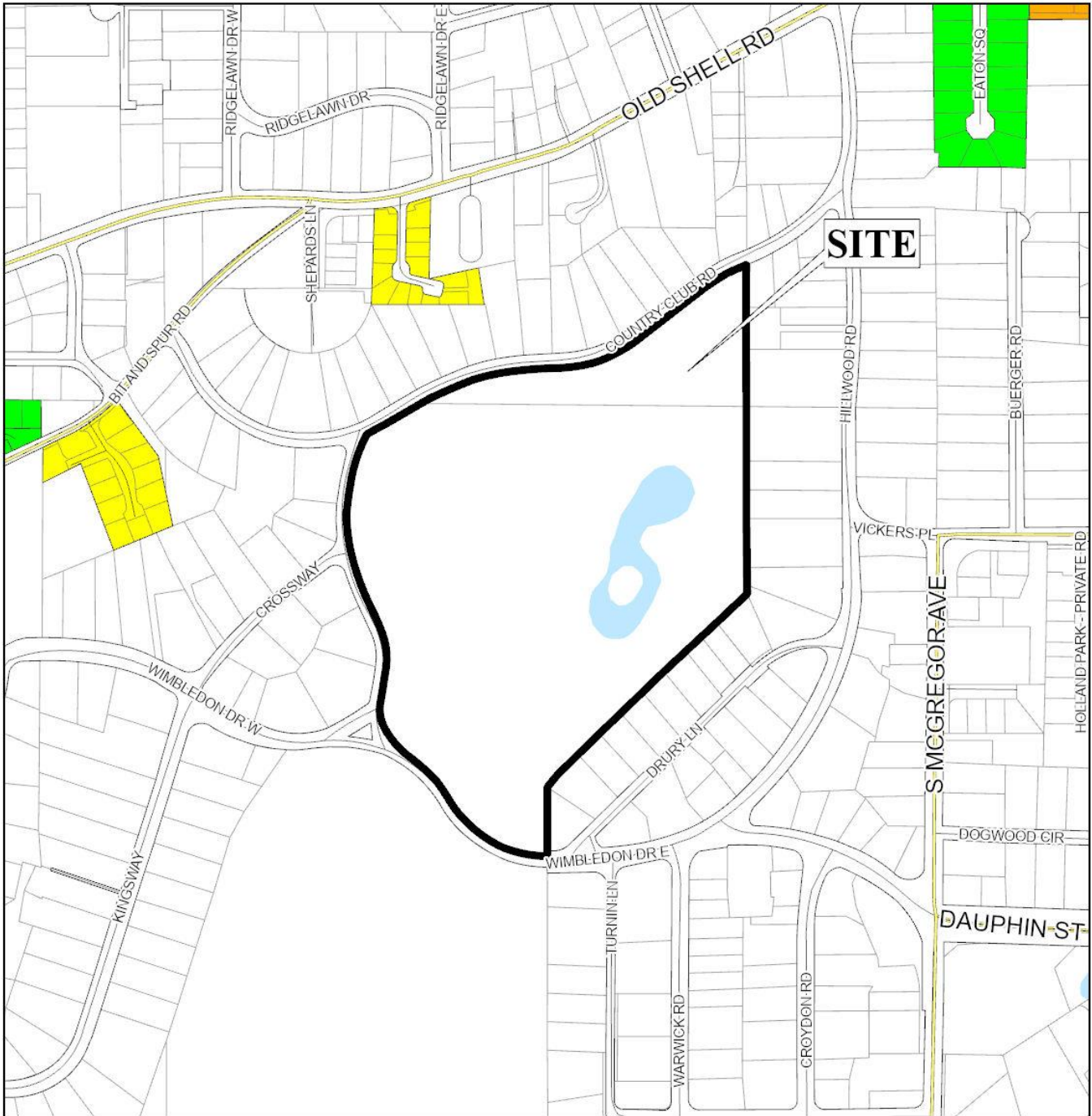
Considerations:

Based on the requested Special Exception application, if the Board should consider approval of the request, the following findings of fact must be considered:

- 1) The proposed use **is** in harmony with the general purpose, goals, objectives and standards of this Chapter, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the City.
- 2) The proposed use at the proposed location **shall not** result in a substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvements, public sites or rights-of-way, or other matters affecting the public health, safety and general welfare either as they now exist or as they may in the future be developed as a result of the implementation of provisions and policies of this Chapter, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the City or other governmental agency having jurisdiction to guide growth and development.
- 3) The proposed use **will** be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities, and services specified in this subsection.
- 4) The proposed use **is** consistent with all applicable requirements of this Chapter, including: any applicable development standards in Article 3; and any applicable use regulations in Article 4.
- 5) The proposed use **is** compatible with the character of the neighborhood within the same zoning district in which it is located.
- 6) The proposed use **will not** impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.
- 7) The proposed use **will** have no more adverse effects on health, safety or comfort of persons living or working in the neighborhood, or will be no more injurious to property or improvements in the neighborhood than would any other use generally permitted in the same district.

- 8) The site **is** designed to provide ingress and egress that minimize traffic hazards and traffic congestion on the public roads.
- 9) The site **is** designed to minimize the impact on storm water facilities.
- 10) The use **will** be adequately served by water and sanitary sewer services.
- 11) The use **is not** noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas;
and
- 12) The use **will not** be detrimental or endanger the public health, safety or general welfare.

LOCATOR ZONING MAP

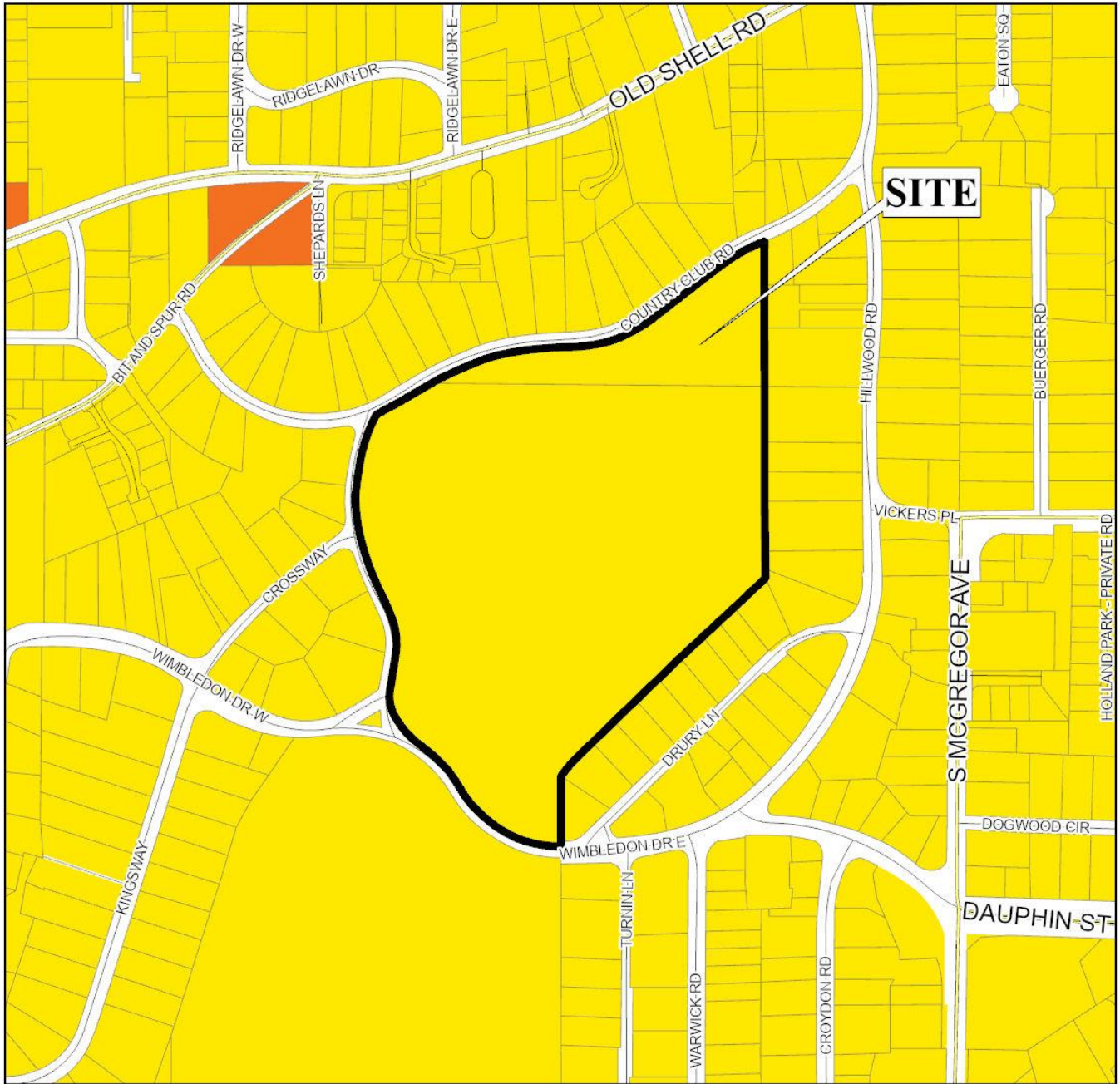


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FLUM LOCATOR MAP



APPLICATION NUMBER 6524 DATE July 10, 2023

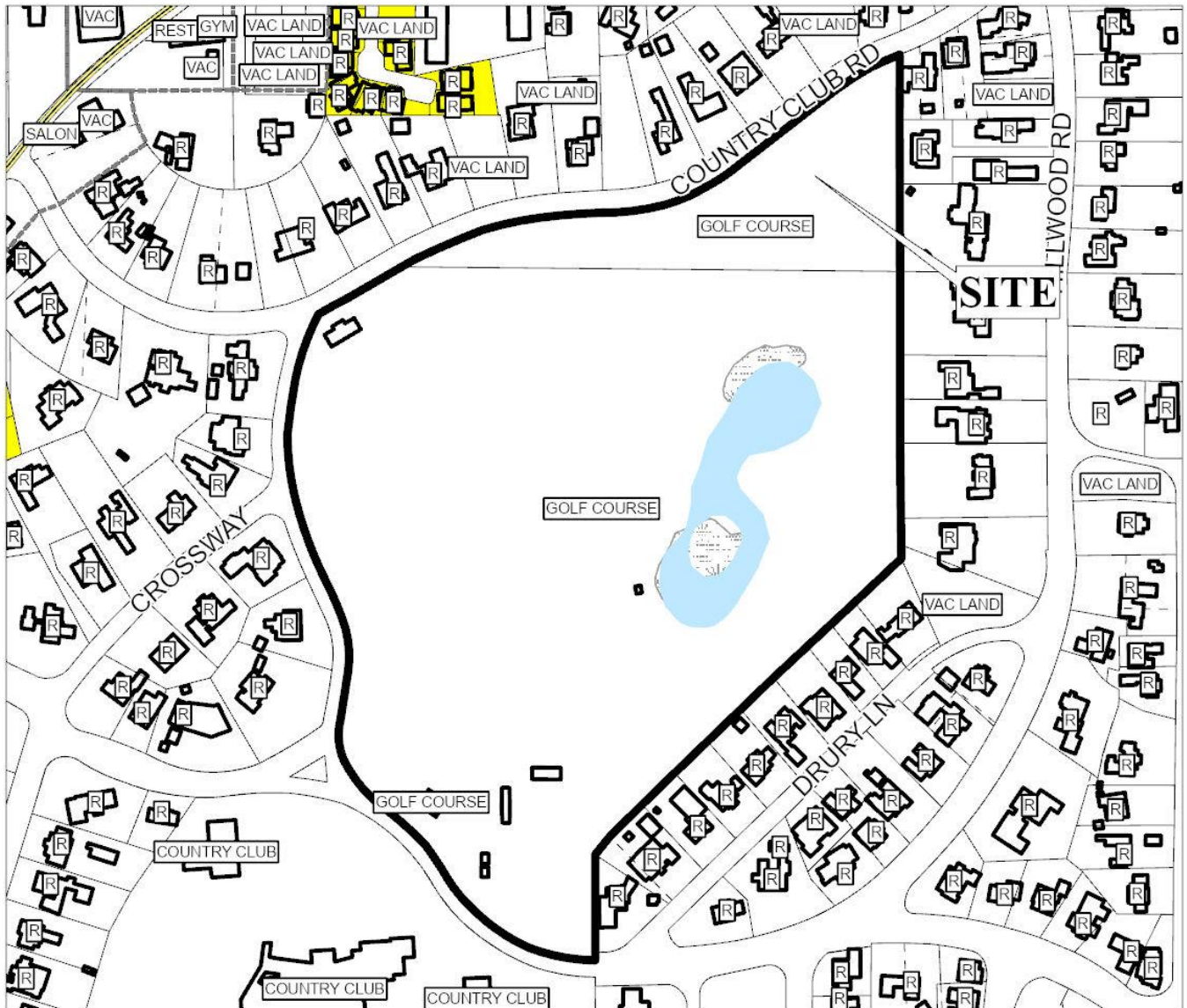
APPLICANT Sawgrass Consulting, LLC

REQUEST Special Exception Variance

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



BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING

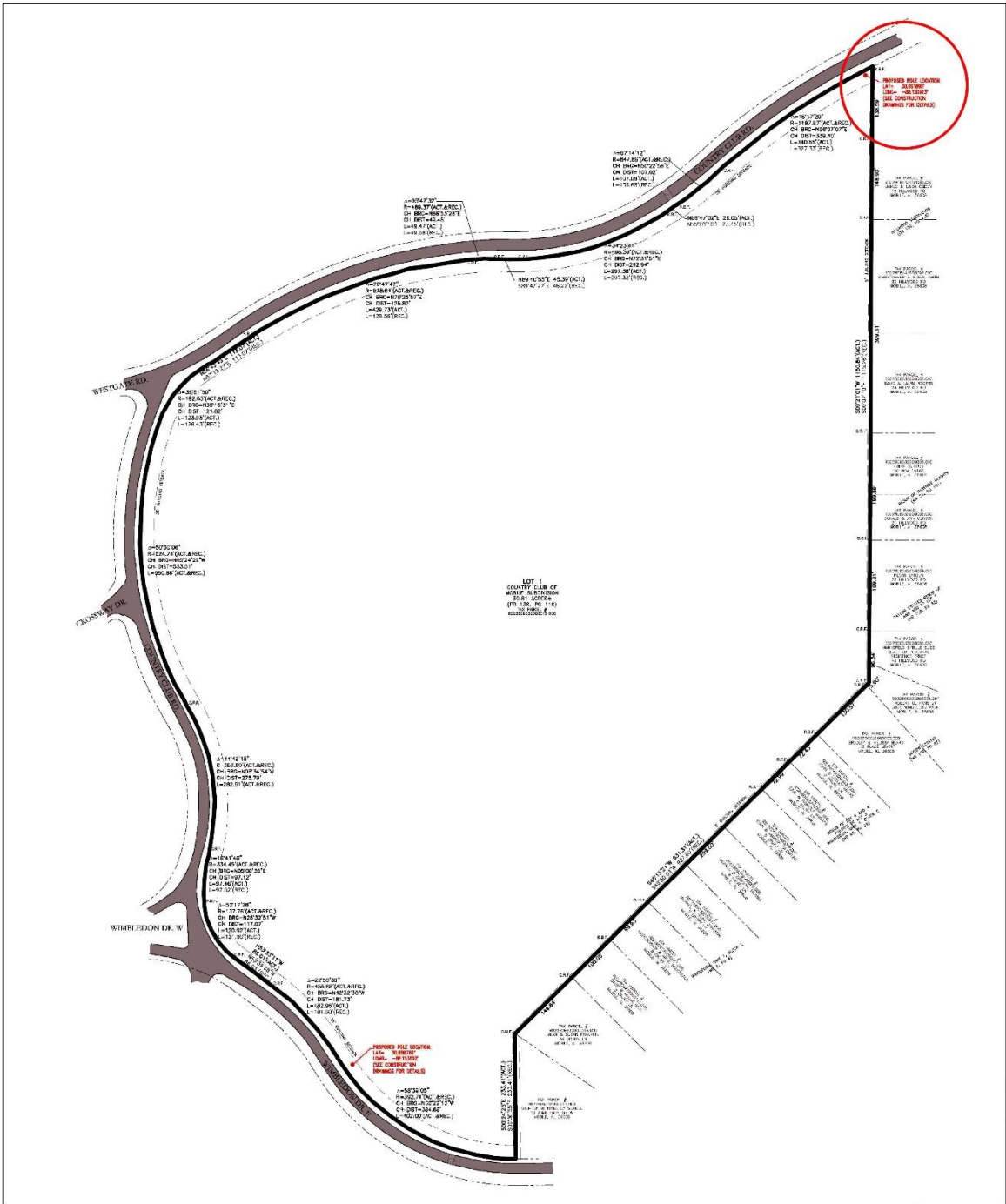


The site is surrounded by single family residential units.


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| <div style="display: flex; flex-wrap: wrap; justify-content: space-between;"> <div style="width: 20%; text-align: center;"> R-A </div> <div style="width: 20%; text-align: center;"> R-3 </div> <div style="width: 20%; text-align: center;"> T-B </div> <div style="width: 20%; text-align: center;"> B-2 </div> <div style="width: 20%; text-align: center;"> B-5 </div> <div style="width: 20%; text-align: center;"> MUN </div> <div style="width: 20%; text-align: center;"> SD-WH </div> <div style="width: 20%; text-align: center;"> T5.1 </div> </div> | <div style="display: flex; flex-wrap: wrap; justify-content: space-between;"> <div style="width: 20%; text-align: center;"> R-1 </div> <div style="width: 20%; text-align: center;"> R-B </div> <div style="width: 20%; text-align: center;"> B-1 </div> <div style="width: 20%; text-align: center;"> B-3 </div> <div style="width: 20%; text-align: center;"> I-1 </div> <div style="width: 20%; text-align: center;"> OPEN </div> <div style="width: 20%; text-align: center;"> T3 </div> <div style="width: 20%; text-align: center;"> T5.2 </div> </div> | <div style="display: flex; flex-wrap: wrap; justify-content: space-between;"> <div style="width: 20%; text-align: center;"> R-2 </div> <div style="width: 20%; text-align: center;"> H-B </div> <div style="width: 20%; text-align: center;"> LB-2 </div> <div style="width: 20%; text-align: center;"> B-4 </div> <div style="width: 20%; text-align: center;"> I-2 </div> <div style="width: 20%; text-align: center;"> SD </div> <div style="width: 20%; text-align: center;"> T4 </div> <div style="width: 20%; text-align: center;"> T6 </div> </div> | |

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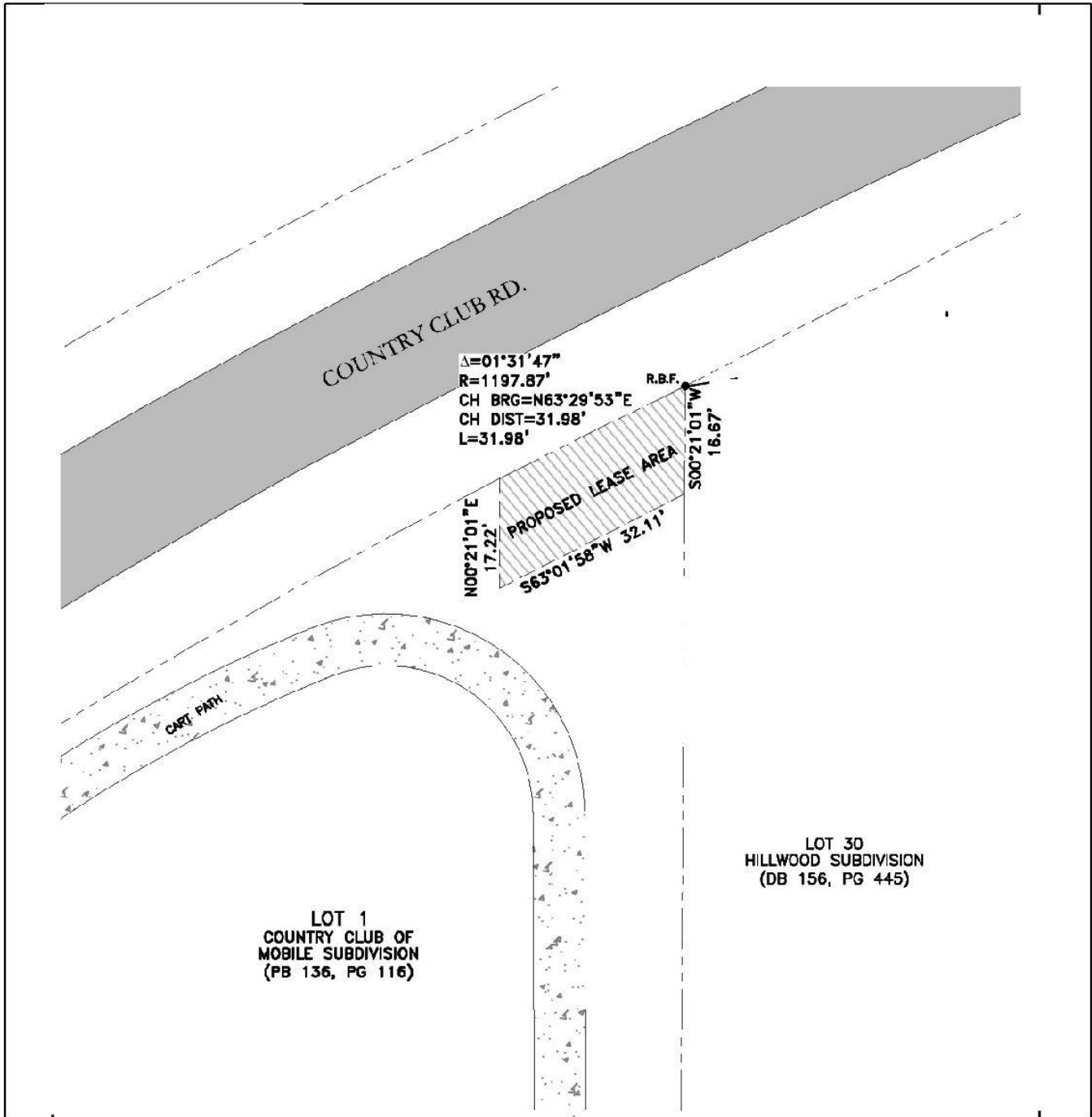
SITE PLAN



The site plan illustrates the property boundary, setback, and proposed pole location.

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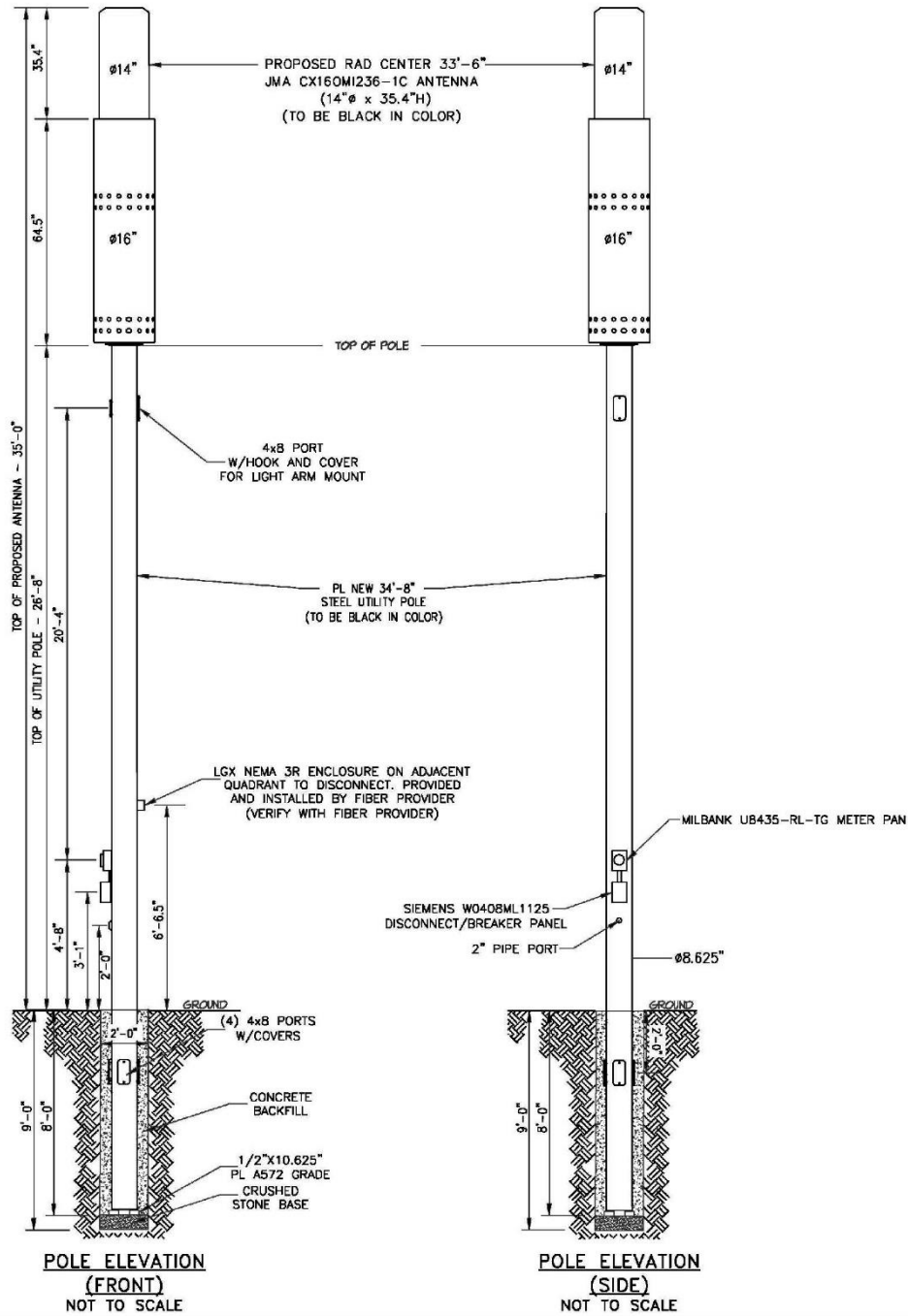
DETAIL SITE PLAN



| | |
|---|---------------------------|
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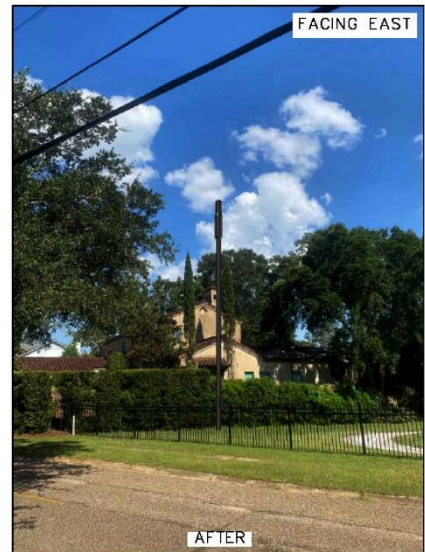
DETAIL SITE PLAN



APPLICATION NUMBER 6524 DATE July 10, 2023
 APPLICANT Sawgrass Consulting, LLC
 REQUEST Special Exception Variance



DETAIL SITE PLAN



APPLICATION NUMBER 6524 DATE July 10, 2023

APPLICANT Sawgrass Consulting, LLC

REQUEST Special Exception Variance



| ZONING DISTRICT CORRESPONDENCE MATRIX | | LOW DENSITY RESIDENTIAL (LDR) | MIXED DENSITY RESIDENTIAL (MXDR) | DOWNTOWN (DT) | DISTRICT CENTER (DC) | NEIGHBORHOOD CENTER - TRADITIONAL (NC-T) | NEIGHBORHOOD CENTER - SUBURBAN (NC-S) | TRADITIONAL CORRIDOR (TC) | MIXED COMMERCIAL CORRIDOR (MCC) | LIGHT INDUSTRIAL (LI) | HEAVY INDUSTRY (HI) | INSTITUTIONAL LAND USE (INS) | PARKS & OPEN SPACE (POS) | DOWNTOWN WATERFRONT (DW) | WATER DEPENDENT USES (WDWRLU) |
|---------------------------------------|-------|-------------------------------|----------------------------------|---------------|----------------------|--|---------------------------------------|---------------------------|---------------------------------|-----------------------|---------------------|------------------------------|--------------------------|--------------------------|-------------------------------|
| RESIDENTIAL - AG | R-A | | | | | | | | | | | | | | |
| ONE-FAMILY RESIDENCE | R-1 | ■ | | | | ■ | | ■ | | | | | □ | | |
| TWO-FAMILY RESIDENCE | R-2 | ■ | | | | ■ | | ■ | | | | | □ | ○ | |
| MULTIPLE-FAMILY | R-3 | ○ | ■ | | | ■ | ■ | | | | | | □ | ○ | |
| RESIDENTIAL-BUSINESS | R-B | | ○ | | | ■ | | ■ | | | | | □ | ○ | |
| TRANSITIONAL-BUSINESS | T-B | | ○ | | ■ | ■ | ■ | ■ | | | | | □ | | |
| HISTORIC BUSINESS | H-B | | | ■ | | ■ | | ■ | | | | | □ | | |
| VILLAGE CENTER | TCD | | | | | ■ | ■ | | | | | | □ | | |
| NEIGH. CENTER | TCD | | | | | ■ | ■ | | | | | | □ | | |
| NEIGH. 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 | ○ | ○ | ○ | ○ | ○ | ○ | ○ | | ○ | ○ | | □ | | |
| BUFFER BUSINESS | B-1 | | □ | | | □ | ■ | ■ | ■ | | | | □ | ○ | |
| NEIGH. BUSINESS | B-2 | | ○ | | | □ | ■ | ■ | ■ | | | | □ | ○ | |
| LIMITED BUSINESS | LB-2 | | ○ | | | □ | ■ | ■ | ■ | | | | □ | ○ | |
| COMMUNITY BUSINESS | B-3 | | | | ■ | | | | ■ | | | ○ | □ | ○ | |
| GEN. BUSINESS | B-4 | | | ■ | | | | | ■ | | | ○ | □ | ○ | |
| OFFICE-DISTRIBUTION | B-5 | | | | | | | | ■ | ■ | | | □ | □ | |
| LIGHT INDUSTRY | I-1 | | | | | | | | | ■ | | | □ | □ | □ |
| HEAVY INDUSTRY | I-2 | | | | | | | | | | ■ | | □ | □ | □ |

Zoning District Correspondence Matrix

- Directly Related
- Elements of the zoning category are related to the future LU category, but with qualifications (such as a development plan with conditions)
- Land use category is appropriate, but the district does not directly implement the category (e.g., open space in an industrial district)

LOW DENSITY RESIDENTIAL (LDR)

This designation applies to existing residential neighborhoods found mostly west of the Beltline or immediately adjacent to the east side of the Beltline.

The primary land use in the LDR districts is residential and the predominant housing type is the single-family housing unit, detached or semi-detached, typically placed within a street grid or a network of meandering suburban streets. The density in these districts ranges between 0 and 6 dwelling units per acre (du/ac).

These neighborhoods may also contain small-scale, low-rise multi-unit structures at appropriate locations, as well as complementary retail, parks and civic institutions such as schools, community centers, neighborhood playgrounds, and churches or other religious uses if those uses are designed and sited in a manner compatible with and connected to the surrounding context. The presence of individual ancillary uses should contribute to the fabric of a complete neighborhood, developed at a walkable, bikeable human scale.

