



Agenda Item # 4

BOA-003362-2025

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

[Applicant Materials for Consideration](#)

DETAILS

Location:

4421 Government Boulevard

Applicant / Agent:

Steve Trawick, Hagan Storm Fence of Mobile, Inc.

Property Owner:

Harshad Patel

Current Zoning:

R-1, Single-Family Residential Suburban District

Future Land Use:

Neighborhood Center - Suburban

Case Number(s):

6676/3653

Unified Development Code (UDC) Requirement:

- The Unified Development Code (UDC) requires a privacy fence at least six-feet (6') to enclose an outside storage area in a B-3, Community Business Suburban District (rezoning pending).

Board Consideration:

- Fence Variance to allow an eight-foot (8') tall chain link fence to enclose an outside storage area in a B-3, Community Business Suburban District (rezoning pending).

Report Contents:

Page

Context Map	2
Site History	3
Staff Comments	3
Variance Considerations	4
Exhibits	6

BOARD OF ADJUSTMENT VICINITY MAP - EXISTING AERIAL



The site is surrounded by commercial units. Residential units lie to the southeast.

APPLICATION NUMBER	6676	DATE	July 7, 2025
APPLICANT	Steve Trawick, Hagan Storm Fence of Mobile, Inc.		
REQUEST	Fence Variance		



SITE HISTORY

A Special Exception to allow development of the property with a mobile home dwelling was denied by the Board of Zoning Adjustment in October 1980.

A two (2)-lot subdivision of the property was approved by the Planning Commission in November 1994, the plat for which was recorded in Mobile County Probate Court.

The site has a non-conforming use history as a motel operating in an R-1, Single-Family Residential District. Demolition of the motel and redevelopment of the property as a storage yard for the adjoining fence construction business is proposed, thus requiring full compliance with current regulations. As such, the applicant submitted a rezoning application to change the zoning of the subject site to B-3, Community Business Suburban District. The Planning Commission recommended approval of the rezoning to the City Council, but as the rezoning legal ad fees have not been submitted, the rezoning has not been finalized by the City Council.

STAFF COMMENTS

Engineering Comments:

No comments to the proposed variance. However, any proposed site work including changes of the existing surface (to add gravel, asphalt, concrete, etc.) a Land Disturbance Permit will be needed to be submitted through Central Permitting.

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 Fence Variance to allow an eight-foot (8') tall chain link fence to enclose an outside storage area in a B-3, Community Business Suburban District (rezoning pending); the Unified Development Code (UDC) requires a privacy fence at least six-feet (6') to enclose an outside storage area in a B-3, Community Business Suburban District (rezoning pending).

A narrative describing the request can be viewed using the link on Page 1 of this report.

The subject site is currently occupied by a motel. A demolition permit application has been submitted, however it has not been approved at this time. The applicant is proposing to demolish the motel and redevelop the property as a storage yard for the adjoining fence construction business. Section 64-3-13.B.2. of the UDC states, *"In any Business or CW district, a six (6) foot privacy fence shall be provided, and inventory shall not be stacked higher than six (6) feet. The privacy fence shall be composed of wood, brick, masonry or other material as may be approved by the Director."*

The applicant is proposing to erect an eight-foot (8') black chain link fence, with barbed wire along Government Boulevard. The chain link fence is proposed to be located four-feet (4') from the front property line, which is allowed for chain link fences, as they do not cause line-of-sight issues for traffic. Barbed wire is also allowed at this location, but it does require a special building permit, in addition to the standard fence permit.

As stated previously, the site is going through the rezoning process, but it has not yet been completed. As such, if the Board of Adjustment is inclined to approve the request, it should be subject to the completion of the rezoning process.

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 Codes 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:

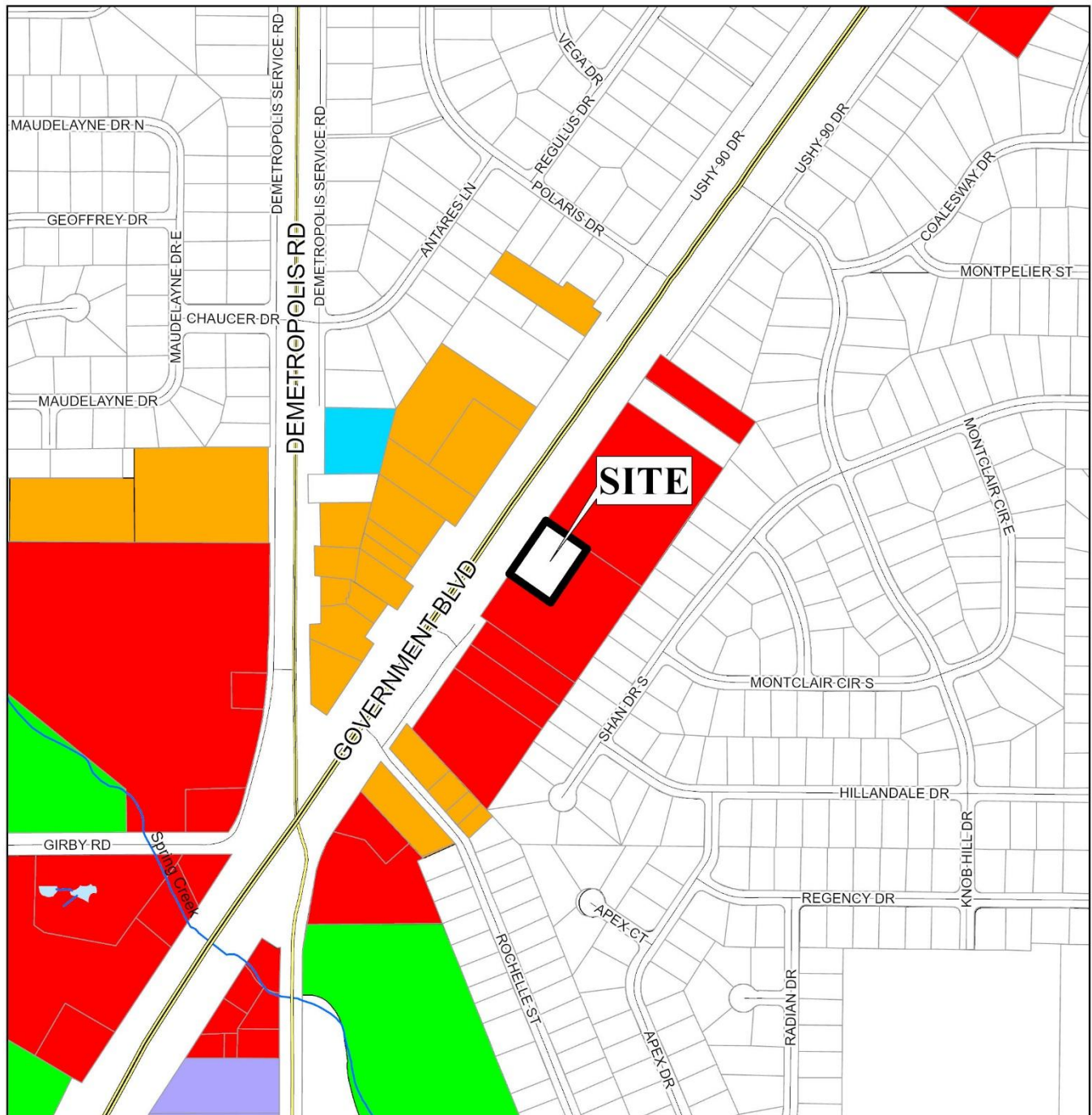
Based on the requested Variance application and documentation submitted, if the Board considers approval of the request, the following findings of fact must be presented:

- 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 the Board considers approving the variance request, it could be subject to the following conditions:

- 1) Completion of the rezoning of the property;
- 2) Obtaining all necessary permits, including the barbed wire fence (if desired); and
- 3) Compliance with all other codes and ordinances.

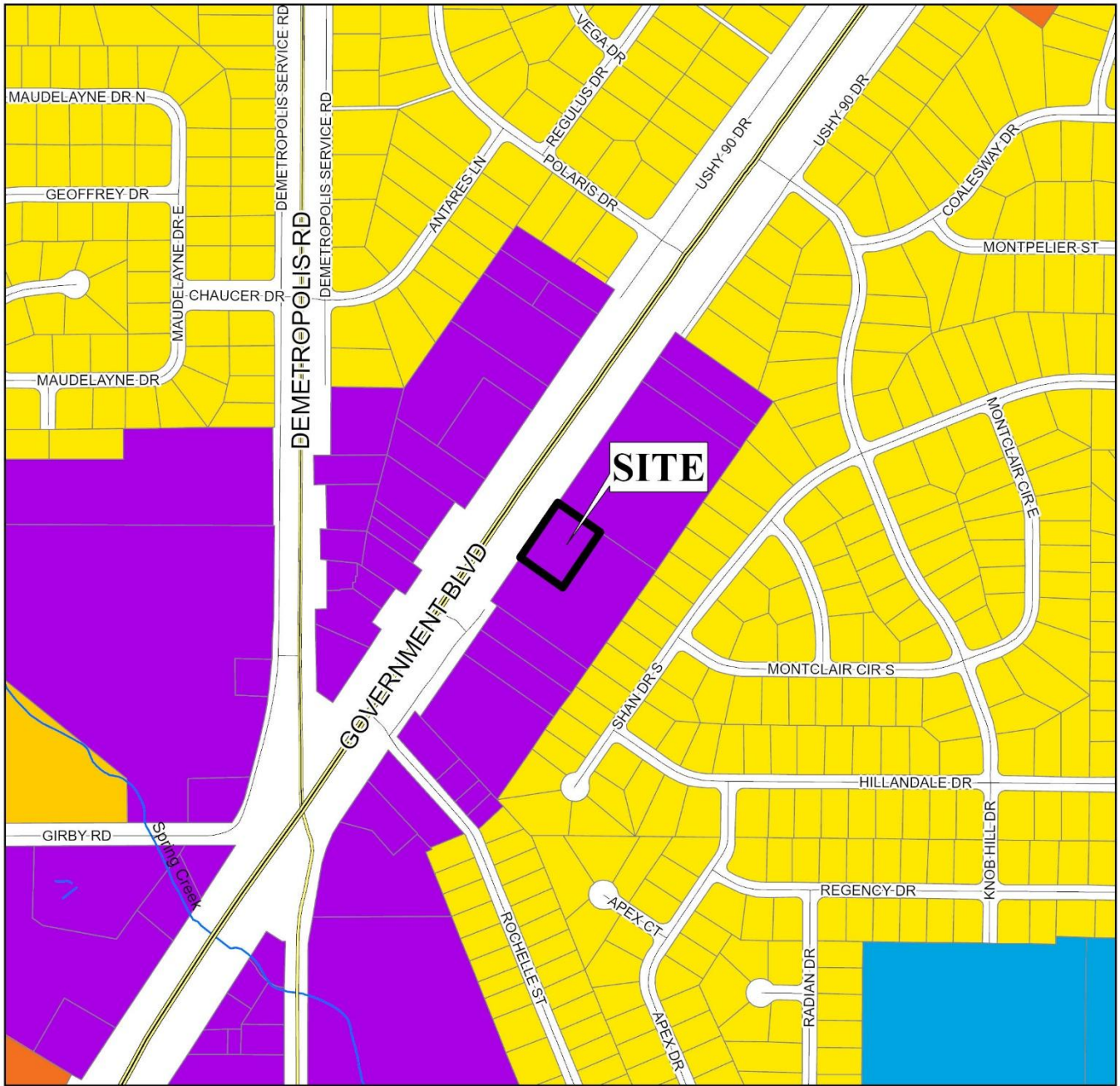
LOCATOR ZONING MAP



APPLICATION NUMBER 6676 DATE July 7, 2025
APPLICANT Steve Trawick, Hagan Storm Fence of Mobile, Inc.
REQUEST Fence Variance



FLUM LOCATOR MAP



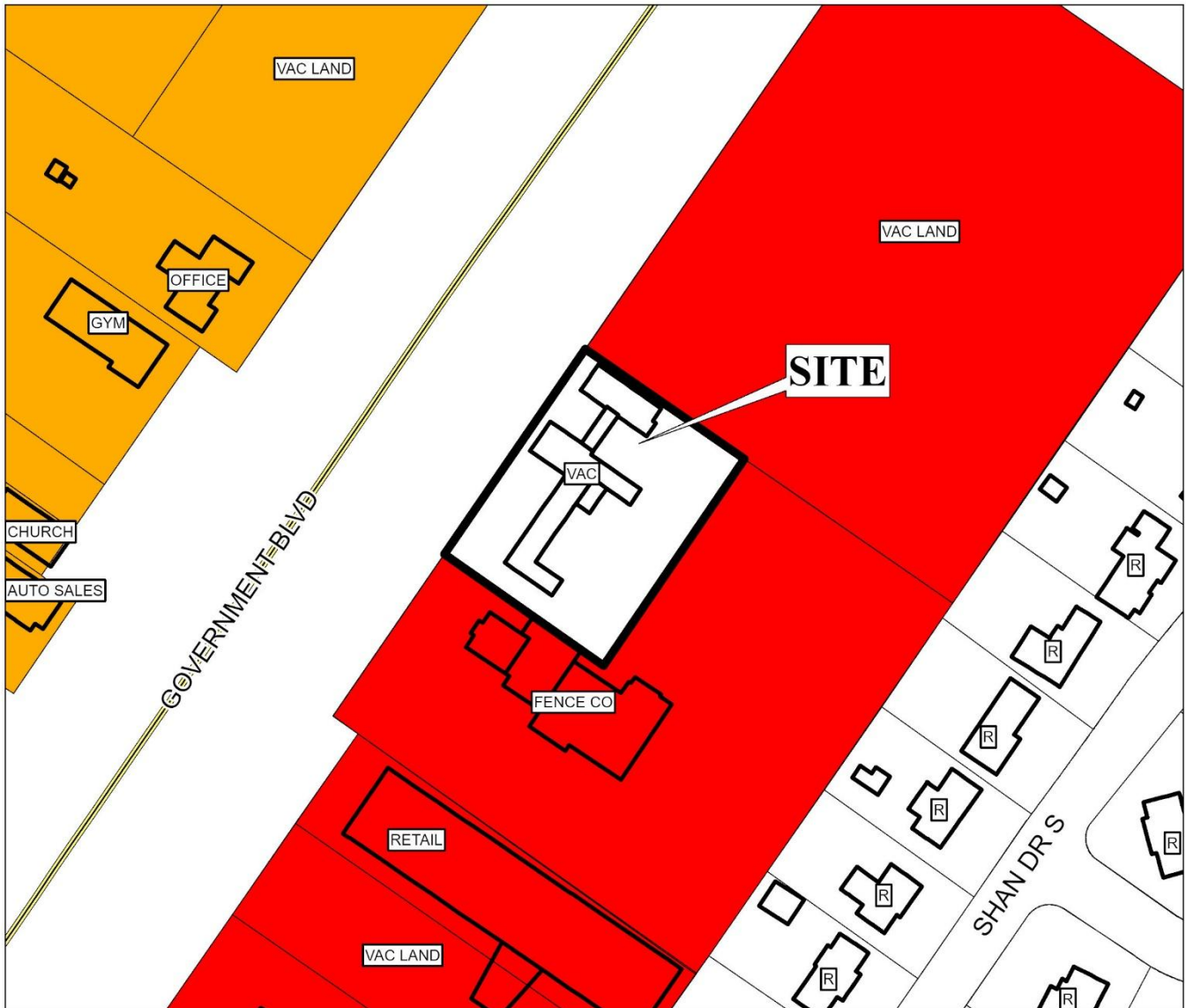
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- | | | | |
|---------------------------|-----------------------------------|-------------------|-----------------|
| Low Density Residential | Neighborhood Center - Traditional | Light Industry | Water Dependent |
| Mixed Density Residential | Neighborhood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



BOARD OF ADJUSTMENT

VICINITY MAP - EXISTING ZONING

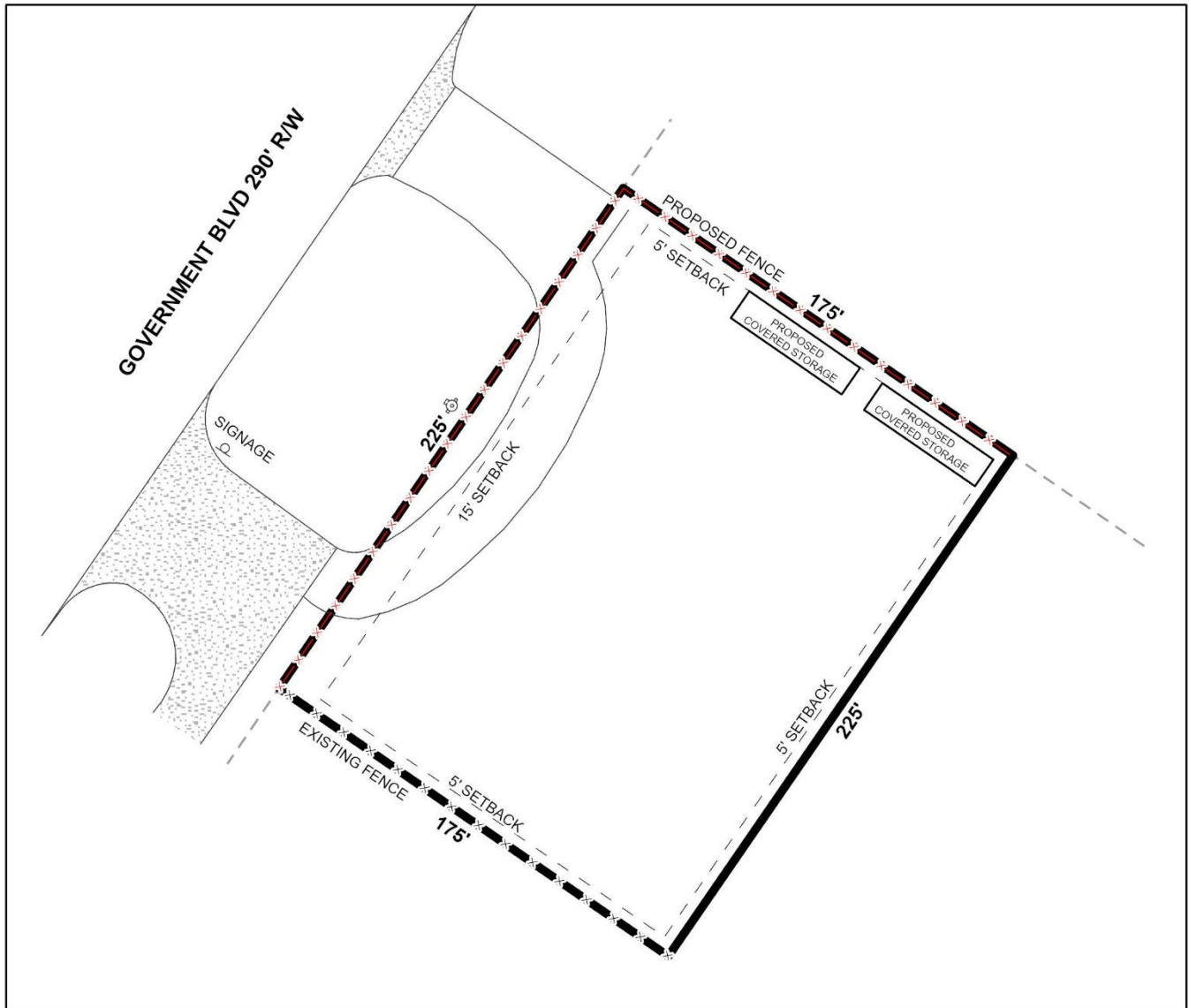


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R-A	R-3	B-1	B-2
R-1	R-B	T-B	B-3
R-2	H-B	LB-2	B-4
B-5	ML	I-2	OPEN
CW	MH	PD	SD
MM	I-1	MUN	SD-WH
T-3	T-4	T-5.1	T-5.2
T-6			



SITE PLAN



The site plan illustrates the proposed fence placement and drives.

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 REQUEST Fence 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 (WDWRU)
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)

NEIGHBORHOOD CENTER (NC)

This land use designation applies to smaller hubs of mixed commercial, community, and recreational activity that cater to adjacent residential areas. Many of these centers exist today in some form. Therefore, the following common principles apply not just to the future development of new centers, but also to the redevelopment (wholesale or incremental) of existing centers.

General Principles for Neighborhood Centers:

- › NC should support a limited amount of commercial employment
- › NC should incorporate some residential use, which may vary in type from detached single family, townhouse, accessory and live-work units in mixed use and low-rise multifamily structures.
- › The residential density in NC designations –ranging from 4 to 10 du/ac— must be compatible in character with that of surrounding residential development, providing appropriate transitions in height, massing and other buffering from one land use district to the next.
- › The retail and housing uses should merge around vibrant, compact, accessible nodes, located at key neighborhood intersections or along short road segments.

- › The NC nodes should be connected to the surrounding neighborhood and nearby public uses (e.g., schools, parks, etc.) via well-designed sidewalks and complete streets.

While the above-listed principles are common to all NC districts, the design attributes of neighborhood centers generally vary depending on whether a center is in a more “traditional” or more “suburban” context.

Additional Attributes of Neighborhood Centers:

- › **NC in traditional contexts:** These tend to be in those areas east of the Beltline and correspond to MxDR neighborhoods. In these NCs, buildings should orient to the street, with on-site parking typically pushed to the back of the site. The design qualities of the public realm are emphasized, including the provision of continuous sidewalks, tree canopy, pedestrian amenities, on-street parking and bicycle facilities where appropriate.
- › **NC in suburban contexts:** These generally are located among the LDR land use designations in the areas west of the Beltline. Where they exist, these centers currently have a more pronounced vehicular orientation. Therefore, the emphasis is on retrofitting to improve internal walkability (e.g., through the addition of sidewalks, tree canopy, protection from the elements) and external connectivity to the surrounding areas (via sidewalks, paths and trails, street crossings, transit stops, etc.) and to increase the mix and density of uses (e.g., infill of outparcels, addition of housing, etc.).