



Agenda Item #4

BOA-003377-2025

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

[Applicant Materials for Consideration](#)

DETAILS

Location:

960 South Lawrence Street

Applicant / Agent:

PCDA Architecture, Paul Davis

Property Owner:

Shurnae Brown

Current Zoning:

I-1, Light Industry District

Future Land Use:

Light Industry

Case Number(s):

6685/6611/6431/3924

Unified Development Code Requirement:

- The Unified Development Code (UDC) requires full compliance with parking requirements as well as front yard and side street side yard setback requirements in an I-1, Light Industry District.

Board Consideration:

- Reduced Parking, Front Yard Setback, and Side Street Side Yard Setback Variances to amend a previously approved variance to allow no on-site parking and a building addition within the required front and side street side yard setbacks in an I-1, Light Industry District.

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BOARD OF ADJUSTMENT VICINITY MAP - EXISTING AERIAL



The site is surrounded by commercial units.

| | | | |
|--------------------|--|------|----------------|
| APPLICATION NUMBER | 6885 | DATE | August 4, 2025 |
| APPLICANT | PCDA Architecture, Paul Davis | | |
| REQUEST | Reduced Parking, Front Yard Setback, and Side Street Side Yard Setback Variances | | |



SITE HISTORY

The site was annexed into Mobile City limits in 1889.

With the adoption of the Zoning Ordinance in 1967, the site was assigned an I-1, Light Industry District zoning classification.

The site was the subject of a Use Variance request for a hot dog stand and parking conditions for carry out only which was approved by the Board of Zoning Adjustment at its October 2, 1983 meeting.

A Setback Variance request to allow a building addition within the required front yard and side street side yard setback in an I-1, Light Industry District was approved by the Board its March 6, 2022 meeting.

On September 9, 2024, the Board approved a request for Front Yard and Side Street Side Yard Setback Variances to allow a building addition within the required front and side street side yard setbacks in an I-1, Light Industry District.

The property is a metes and bounds parcel created by the development of Interstate 10.

There have been no Planning Commission applications associated with the site.

STAFF COMMENTS

Engineering Comments:

No comments to the proposed variance; however, according to the submitted plans, the proposed project will require a Land Disturbance Permit. The applicant will need to have the following conditions met:

1. The proposed site improvements will require a Land Disturbance Permit be submitted through the CSS Portal.
2. The existing drainage patterns and surface flow characteristics should not be altered so as to have a negative impact on any adjoining properties or any public rights-of-way.
3. Any and all proposed land disturbing activity within the property will need to be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control; the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules for Erosion and Sedimentation Control and Storm Water Runoff Control.
4. Applicant agrees to install adequate BMPs during construction to protect from sediment/pollutants leaving the site
5. The proposed site is located within the X(S) FEMA Flood Zones. No filling is allowed within the SFHA without providing a "No-Rise" Certification from a licensed Alabama Professional Engineer.

Traffic Engineering Comments:

No additional 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 Reduced Parking, Front Yard Setback, and Side Street Side Yard Setback Variances to amend a previously approved variance to allow no on-site parking and a building addition within the required front and side street side yard setbacks in an I-1, Light Industry District; the Unified Development Code (UDC) requires full compliance with parking requirements as well as front yard and side street side yard setback requirements in an I-1, Light Industry District.

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

The applicant provides the following concerning the request:

PCDA previously sent in a site plan and setback variance request that was approved under BOA-003020-2024. While taking the next steps in obtaining a Right-of-Way Vacation, it was determined that the ROW Vacation was not going to be obtainable due to circumstances with the surrounding lots. We decided to change the proposed footprint of the addition to remain inside/at the lot line instead of trying to go outside of the lot line so that we would not need a ROW Vacation. The changes have been highlighted in the attached site plans. While these changes have brought the building within the property line, the building is still not 25 feet from the street frontage. So, we are requesting an amendment to the previously approved setback variance as well as an extension to that setback variance approval. We are requesting the extension in hopes that it would prevent the prior approval from expiring prior to receiving an answer to this request.

The current variance request is to request a parking variance for 960 South Lawrence. Shu-Bam is a takeout restaurant that has been functioning with no off-street parking. The addition that we are proposing is to add a walk-in cooler to her restaurant and will not change the takeout functionality as it currently operates. She is not looking to add any seating for customers. Due to the size and shape of Ms. Brown's lot, there is no space to add a parking spot even without her requested addition.

The subject site operates as a takeout restaurant by virtue of a Use Variance granted in 1983. As the applicant has stated, the additions proposed by the September 9, 2024 Front Yard and Side Street Side Yard Setback Variances to allow a building addition within the required front and side street side yard setbacks could not be made due to not being able to obtain a Right-of-Way Vacation within the area where the proposed building addition would be located.

The current site plan submitted amends the prior site plan which indicated the addition crossing over the property line and into the Right-of-Way. The proposed addition is now indicated to remain within the property boundaries, although encroaching into the required 25-foot setback. Thus, the request for the Front Yard Setback, and Side Street Side Yard Setback Variances.

The take-out only use of the restaurant would require three on-site parking spaces, and the previous variance did not request relief from this requirement. As the site is small and does not allow any area to provide on-site parking, the applicant also requests the Reduced Parking Variance.

It should be noted that the request for an extension of the 2024 approval would be moot if the requests at hand are approved.

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:

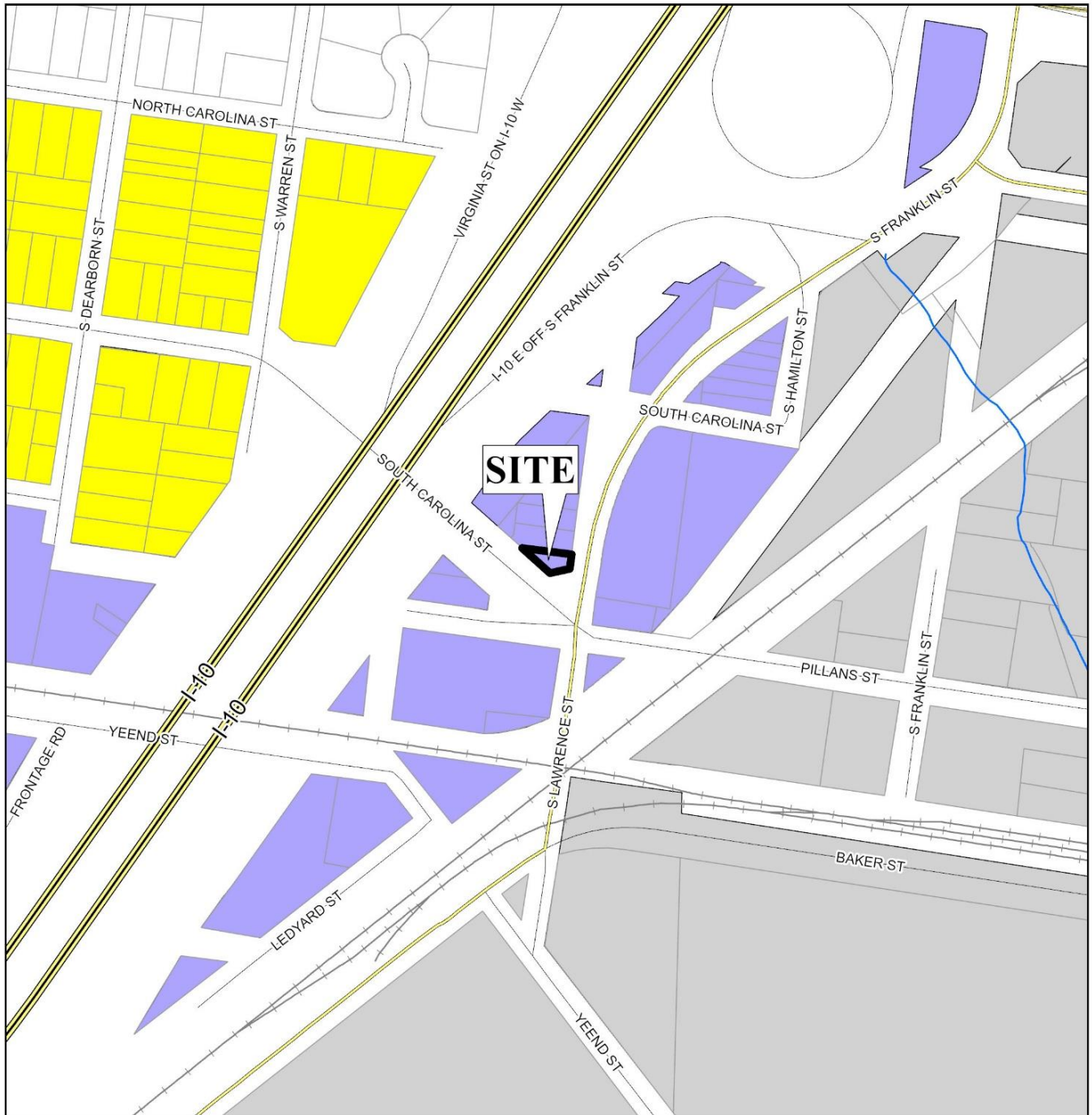
Based on the requested Variance application and documentation submitted, the Board must consider the following findings of fact for approval or denial of the request:

- A. The variance **will not** be contrary to the public interest;
- B. Special conditions **do not 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 is inclined to approve this request, the following condition should apply:

- 1) Obtaining of all required permits for the structure; and
- 2) Full compliance with all other municipal codes and ordinances.

LOCATOR ZONING MAP



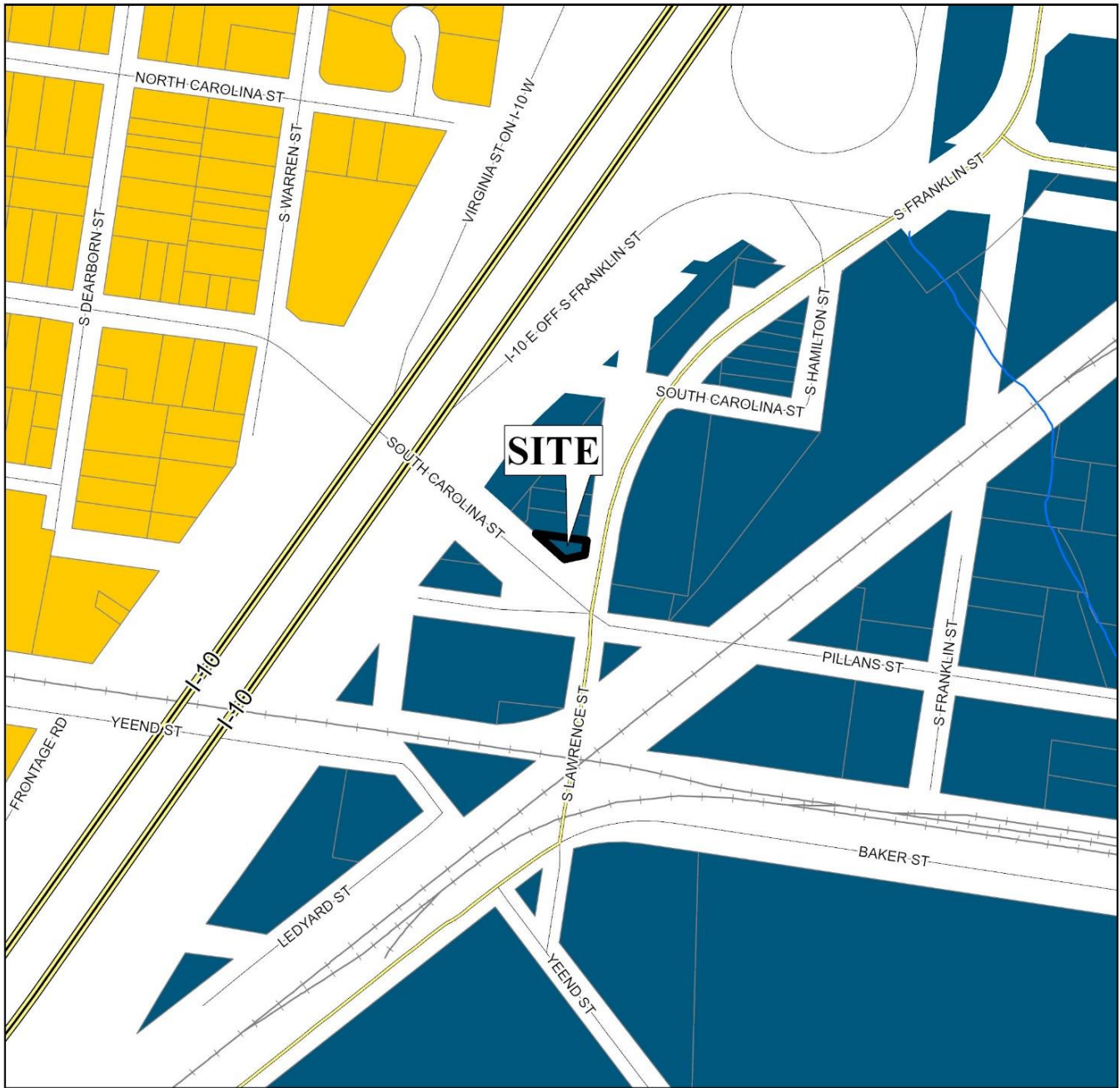
APPLICATION NUMBER 6885 DATE August 4, 2025

APPLICANT PCDA Architecture, Paul Davis

REQUEST Reduced Parking, Front Yard Setback, and Side Street Side Yard Setback Variances



FLUM LOCATOR MAP

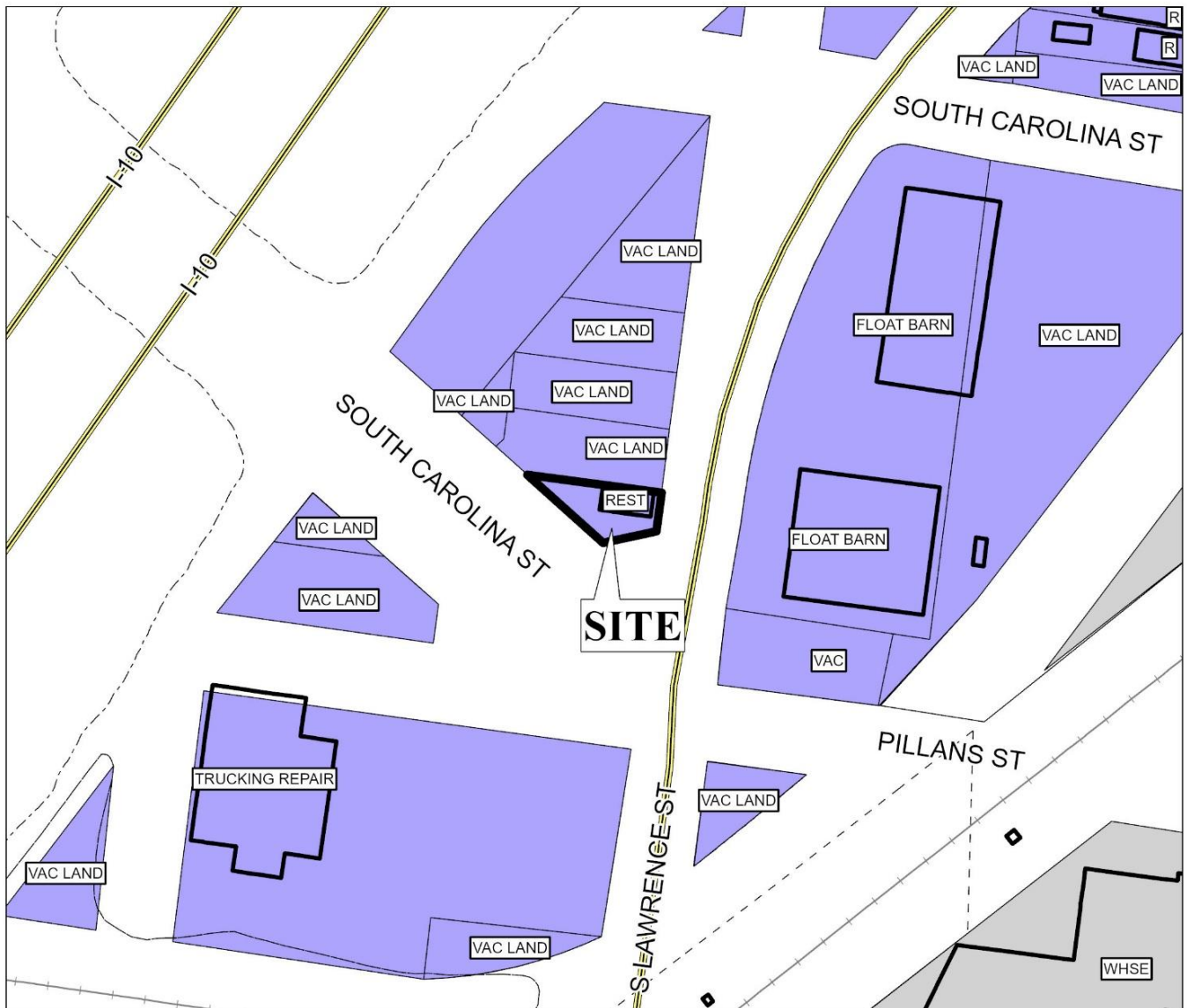


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- | | | | |
|---------------------------|-----------------------------------|-------------------|-----------------|
| Low Density Residential | Neighborhood Center - Traditional | Light Industry | Water Dependent |
| Mixed Density Residential | Neighborhood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



BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



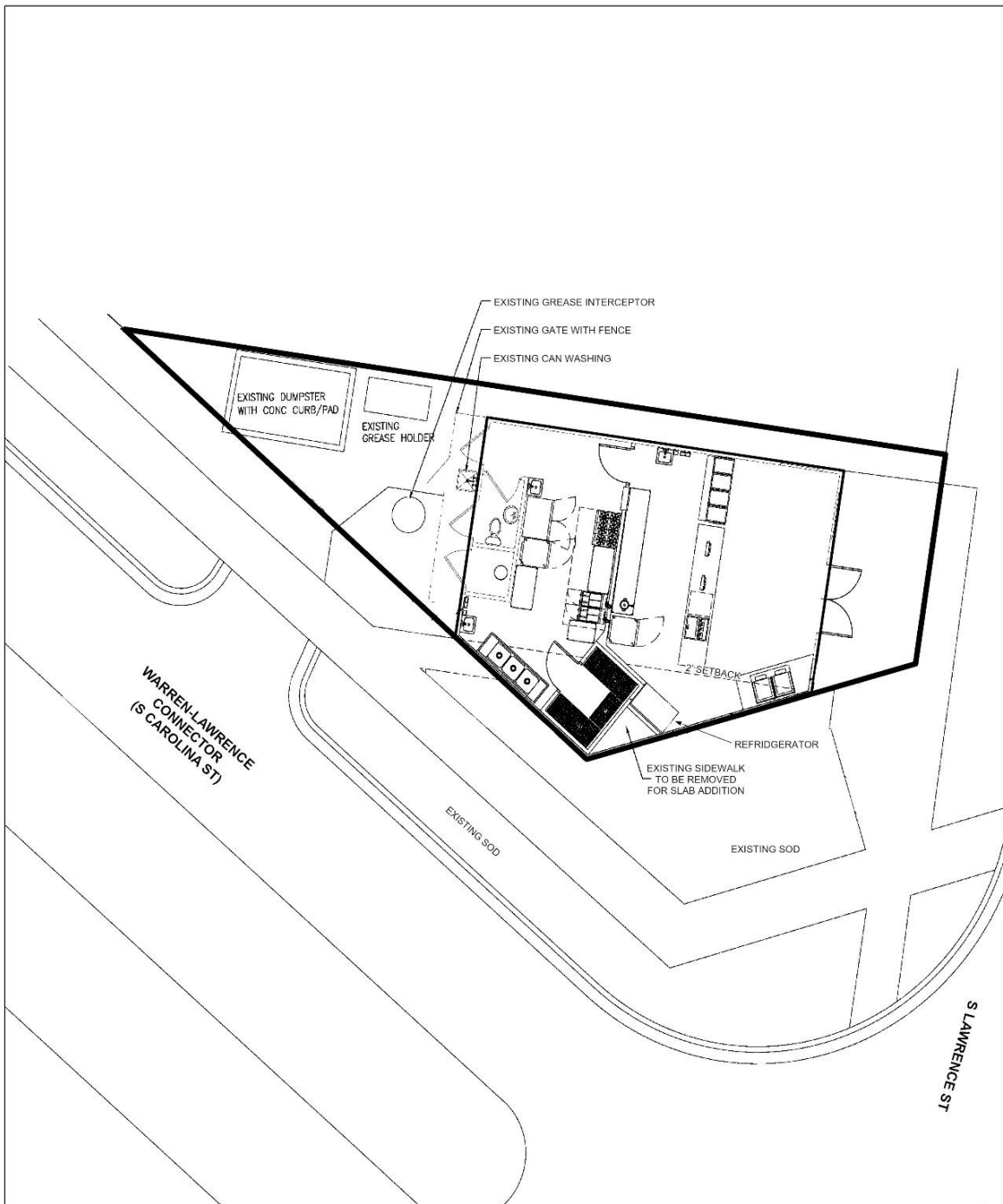
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| | | | | | | | | | |
|-----|-----|------|-----|-----|-----|-----|-------|-------|-------|
| R-A | R-3 | B-1 | B-2 | B-5 | ML | I-2 | OPEN | T-3 | T-5.2 |
| R-1 | R-B | T-B | B-3 | CW | MH | PD | SD | T-4 | T-6 |
| R-2 | H-B | LB-2 | B-4 | MM | I-1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



SITE PLAN



The site plan illustrates the proposed addition, sidewalks, and existing buildings.

| | | | |
|--------------------|--|------|----------------|
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| 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 (WDWU) |
|---------------------------------------|-------|---|-------------------------------|----------------------------------|---------------|----------------------|--|---------------------------------------|---------------------------|---------------------------------|-----------------------|---------------------|------------------------------|--------------------------|--------------------------|-----------------------------|
| 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)

LIGHT INDUSTRY (LI)

This land use designation applies to an array of modern, low-impact industrial uses that include assembly and processing, warehousing, distribution and wholesaling facilities. The bulk of the light industrial use must be contained within a building or facility. If a light industrial use requires outside storage, the storage must be limited in area and appropriately screened from view in accordance to specific zoning requirements. This designation may also include uses such as complementary offices and retail.

LI also includes areas that may be regarded as "industrial business", where the land uses include business administration and logistics operations for industrial concerns, building trade contractors facilities and advance research facilities, as well as stand-alone educational, scientific and industrial research facilities, or any combination of those facilities located in light industrial and technology parks. Many parcels used for industrial business are smaller and scattered throughout Mobile. For this reason, these parcels are not singled out in the FLUM, but rather are addressed through zoning.

Light industrial uses are characterized by attractive, accessible and connected development, compatible with the character of surrounding neighborhoods. Development may take the form of planned campuses in park-like settings or unified design corridors, with consideration to factors such as site and building orientation, building design, landscaping and buffering, lighting, continuity of pedestrian networks, access and connectivity to transit and to freight transportation.

Heavy commercial and, in some cases, high-density residential land uses may serve as transitions between LI and other, lower-intensity land use designations. Protection buffers may also be required by zoning.