



Agenda Item # 5

BOA-003488-2025

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

[Applicant Materials for Consideration](#)

DETAILS

Location:

4100 Ridgelawn Drive

Applicant / Agent:

Frank Lott

Property Owner(s):

Frank Lott

Current Zoning:

R-1, Single-Family Residential Suburban District

Future Land Use:

Low Density Residential

Case Number(s):

6708

Unified Development Code (UDC) Requirement:

- The UDC requires that all structures exceeding three (3) feet in height be set back a minimum of 25 feet from the front property line in an R-1, Single-Family Residential Suburban District.

Board Consideration:

- Front Yard Setback Variance to allow the construction of a 6-foot-6-inch-tall brick wall within the required 25-foot front yard setback in an R-1, Single-Family Residential Suburban District.

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 residential units.

APPLICATION NUMBER	6708	DATE	November 3, 2025
APPLICANT	Frank Lott		
REQUEST	Front Yard Setback Variance		



SITE HISTORY

The site was originally part of the Ridgelawn Subdivision as Lot 18, the plat for which was recorded in the Mobile County Probate Court in July 1947.

There are no other records of Planning Commission or Board of Zoning Adjustment actions associated with the site.

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 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 Front Yard Setback Variance to allow the construction of a 6-foot-6-inch-tall brick wall within the required 25-foot front yard setback in an R-1, Single-Family Residential Suburban District. The Unified Development Code (UDC) requires all structures exceeding three (3) feet in height to be set back a minimum of 25 feet from any front property line in the R-1 District.

The subject property is a corner lot with frontage along both Ridgelawn Drive and Ridgelawn Drive East. The proposed wall would be located along Ridgelawn Drive East, encroaching into the side street, side yard setback.

Per Article 2, Section 64-2-5.E., and Article 3, Section 64-3-5.A.1. of the UDC, all structures in the R-1, Single-Family Residential Suburban District must be set back a minimum of 25 feet from front property lines and 20 feet from side street property lines. Furthermore, Article 3, Section 64-3-5.B.1. requires that required yards along street frontages remain unoccupied and unobstructed from a height of three (3) feet above the ground level upward. The proposed 6-foot-6-inch brick wall exceeds this height and encroaches into required setbacks, making the request non-compliant with the established zoning standards.

As justification, the applicant cites the property's corner lot configuration—requiring two front yard setbacks—as creating difficulty in meeting the setback requirements. However, this condition is common to all corner lots within residential districts and does not, in itself, constitute a hardship unique to the property. Compliance with front yard requirements is achievable through alternative fence placement or design that respects the zoning district's intent to preserve openness and visual continuity along street frontages.

The submitted site plan illustrates the existing dwelling and proposed placement of the masonry wall along Ridgelawn Drive East. The wall appears to begin approximately in line with the front plane of the residence and extend toward the rear property line. However, property lines are not depicted, and the site plan does not provide sufficient information to confirm the extent of the encroachment or the actual setback distance from the street frontage. Should the variance be approved, staff recommends that a revised site plan or property survey be submitted to confirm the wall's precise location relative to property lines.

Although the request does not meet the criteria for variance approval due to the absence of a demonstrated hardship and the clear non-compliance with setback requirements, it should be noted that previous approvals for similar masonry walls and privacy fences within this neighborhood have established a pattern of encroachments inconsistent with the intent of the R-1, Single-Family Residential Suburban District.

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:

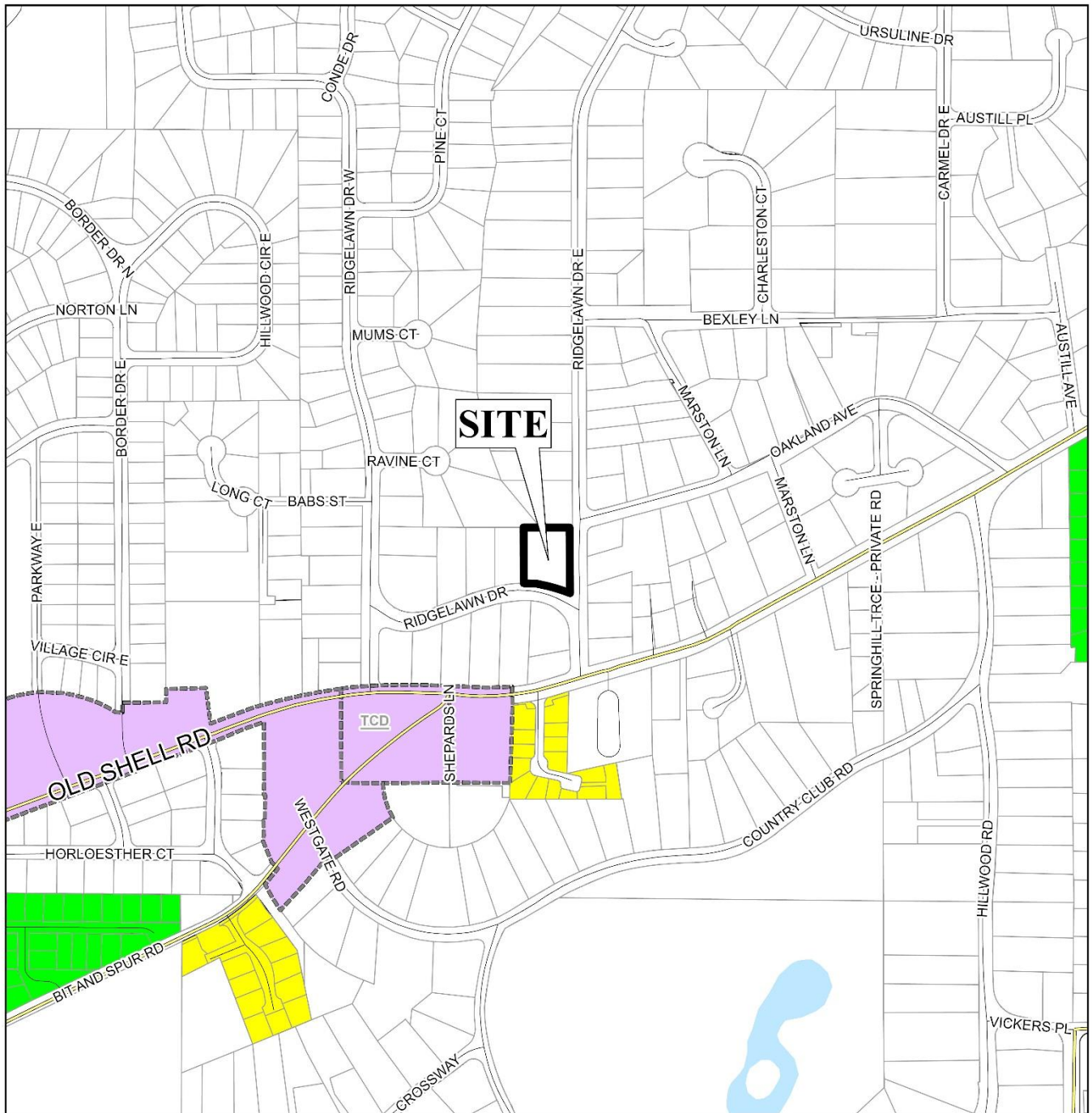
Based on the requested Variance application and documentation submitted, if the Board considers approval of the request, the following findings of fact must be presented:

- 1) The variance **will not** be contrary to the public interest;
- 2) Special conditions exist such that a literal enforcement of the provisions of the chapter **will** result in unnecessary hardship; and
- 3) 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 condition(s):

- 1) Revision of the site plan to illustrate all property lines; and
- 2) Acquisition of all necessary permits for the construction of the wall.

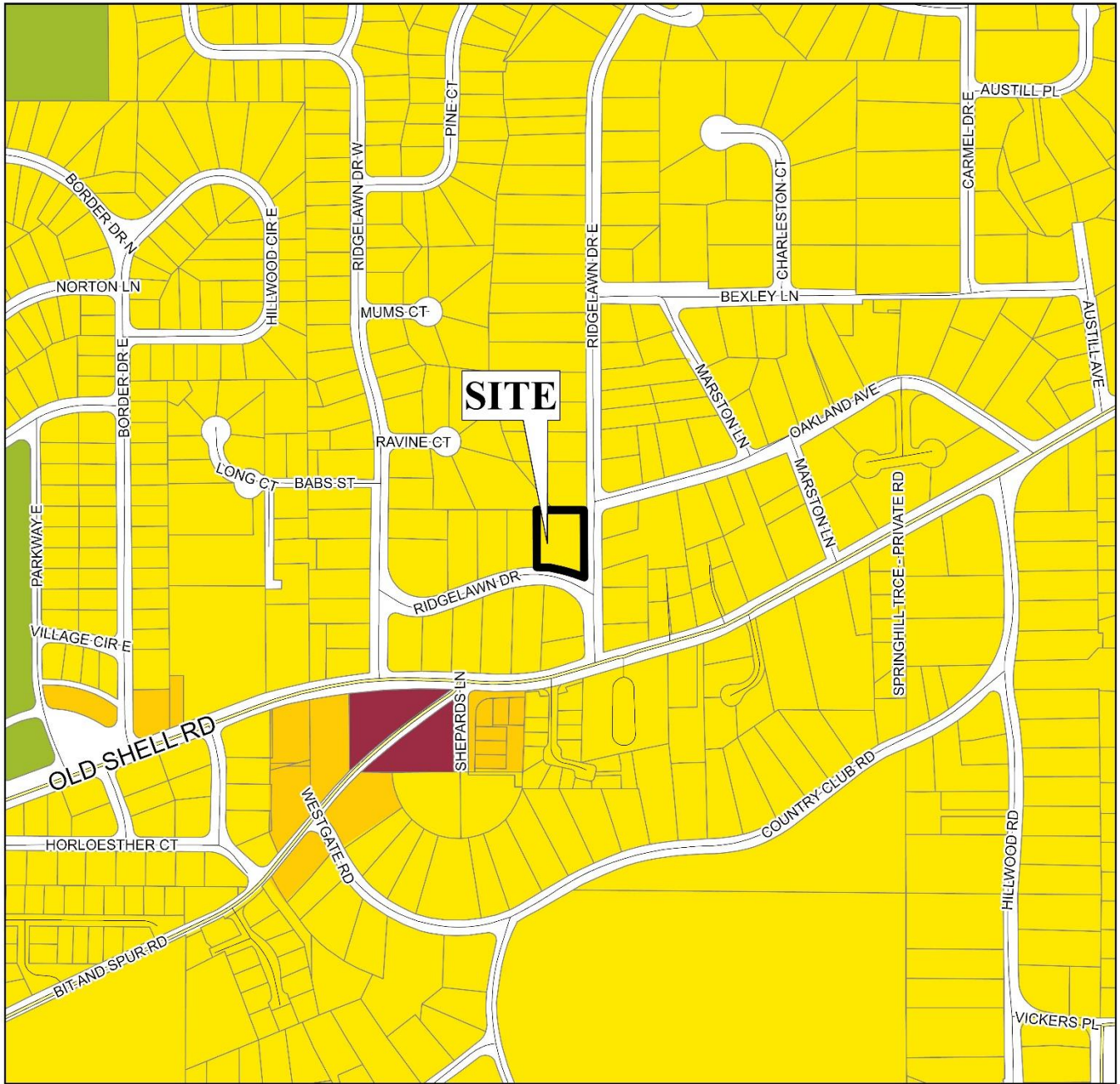
LOCATOR ZONING MAP



APPLICATION NUMBER 6708 DATE November 3, 2025
APPLICANT Frank Lott
REQUEST Front Yard Setback Variance



FLUM LOCATOR MAP



APPLICATION NUMBER 6708 DATE November 3, 2025
APPLICANT Frank Lott
REQUEST Front Yard Setback Variance

- | | | | |
|---------------------------|-----------------------------------|-------------------|-----------------|
| 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



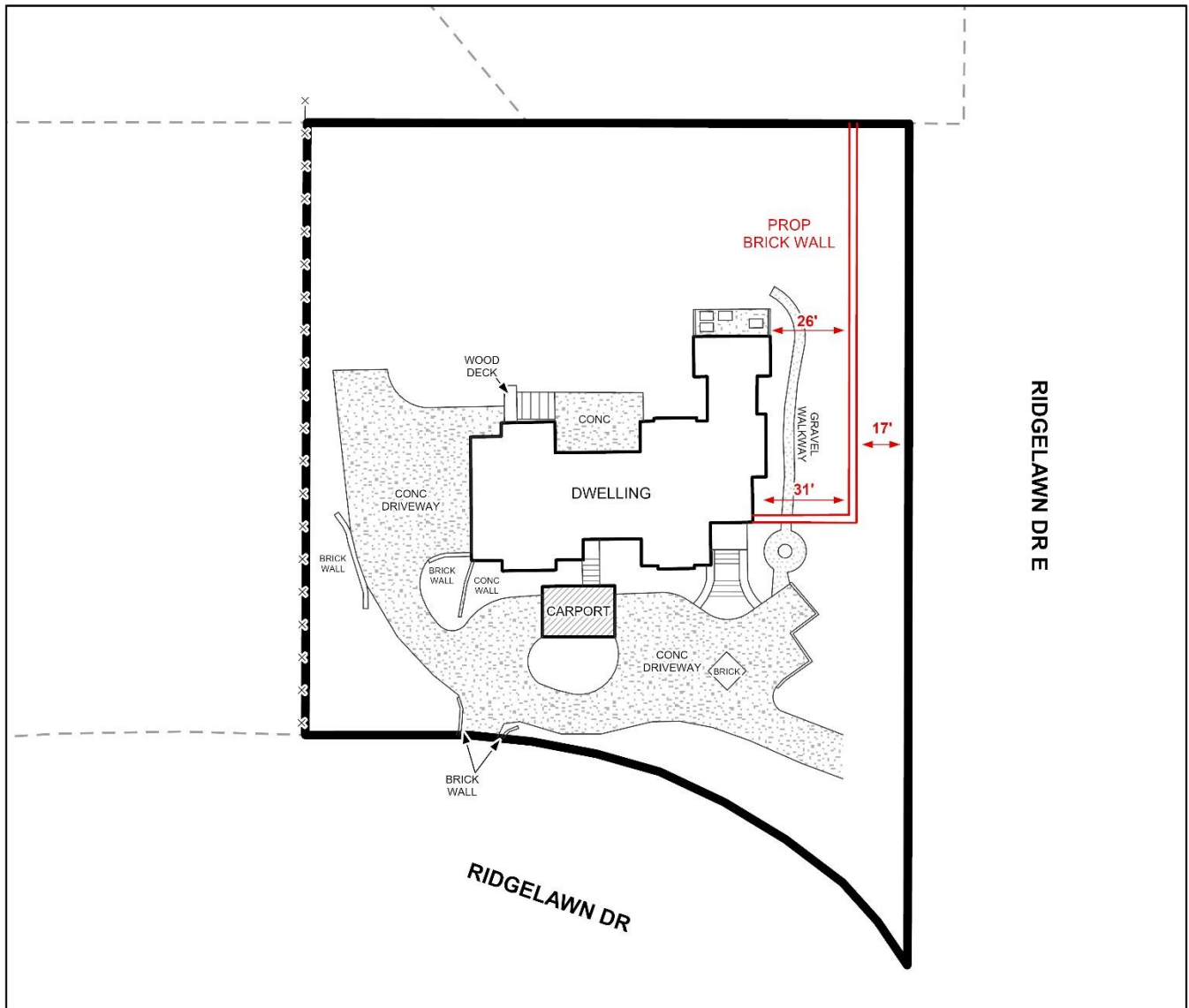
The site is surrounded by residential units.

APPLICATION NUMBER 6708 DATE November 3, 2025
 APPLICANT Frank Lott
 REQUEST Front Yard Setback Variance

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 wall placement and current buildings.

APPLICATION NUMBER	6708	DATE	November 3, 2025
APPLICANT	Frank Lott		
REQUEST	Front Yard Setback Variance		



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.

LOW DENSITY RESIDENTIAL (LDR)

This designation applies to residential neighborhoods found mostly west of I-65 or immediately adjacent to the east side of I-65. These areas are primarily single family residential, but may contain small-scale complimentary uses and other residential types at appropriate locations. An LDR area may include a wide range of lot sizes, housing size and styles, including some small-scale multi-unit buildings, but housing styles are highly consistent within a subdivision and tend to have limited connectivity between residential types and non-residential uses. Neighborhoods tend to have longer blocks and may be designed in a network of meandering streets. Residential density ranges between 0 and 6 dwelling units per acre (du/ac).

Development Intent

- › Complementary 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.
- › When establishing new residential areas or expanding existing developments, provide pedestrian and vehicular connectivity between adjacent developments.

Land use mix

Primary Uses

- › Residential, Single family
- › Residential, Attached

Secondary Uses

- › Residential, Multifamily
- › Civic
- › Parks

Housing mix

- › Predominantly single family subdivisions with lots smaller than one acre
- › Attached residential such as duplexes, multiplexes, and townhomes that have the scale of a single family home

Character Example

